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DRAFT BILL No. 1,676 OF 2015
(From Mr. VENEZIANO VITAL DO RÊGO)

Establishes as a criminal offense the act of photographing, filming or recording one's voice without authorization or lawful purpose, with aggravating circumstances regarding the way such material was disseminated, and sets forth the right of removing one's name, image and other information regarding personality issues, published on the World Wide Web, *Internet*, in connection with facts that are not or are no longer of public interest.

The National Congress declares:

Article 1. This piece of legislation establishes as a criminal offense the act of photographing, filming or recording one's voice without authorization or lawful purpose, with aggravating circumstances regarding the way such material was disseminated.

Article 2. Filming, photographing or recording one's voice without authorization or lawful purposes:

Penalty - reclusion, one to two years, and fine.

Paragraph 1. Disclosing such information:

Penalty - reclusion, two to four years, and fine.

Paragraph 2. If the publishing happens through the World Wide Web, *Internet*, or by media of social communication:

Penalty - reclusion, four to six years, and fine.

Article 3. The right to be forgotten arises from the dignity of the human person. It grounds the removal of one's name, image and other information regarding personality issues in connection with facts that, even if truthful, are not or are no longer of public interest.

Sole paragraph. People entitled to the right to be forgotten can request social communication media, content providers and search engines of the World Wide Web, *Internet*, to stop publishing or deleting material or references that link them to unlawful events or facts which are compromising to their honor, regardless of judicial order.

Article 4. Social communication media, content providers and search engines of the World Wide Web, *Internet*, must establish, within ninety days, specific departments to deal with the right to be forgotten, with the publishing of addresses and phone numbers, destined to receive complaints that should be registered numerically.

Paragraph 1. In case social communication media, content providers and search engines of the World Wide Web, *Internet*, fail to recognize the existence of someone's right to be forgotten, they should provide the applicant with the grounds of the denial, in writing, within thirty days.

Paragraph 2. The deadline of thirty days mentioned in Paragraph 1 does not constitute an obstacle for the immediate solution of more urgent cases.

Paragraph 3. The noncompliance of the duty of establishing the departments in charge of implementing the right to be forgotten or its poor functioning will result in the liability of social communication media, content providers and search engines of the World Wide Web, *Internet*, by means of a public civil suit.

Article 5. This law is valid sixty days after its publishing.

Commission Room, 2015.

Congressman VENEZIANO VITAL DO RÊGO