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RUSSIAN FEDERATION FEDERAL LAW ON PERSONAL DATA

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(edition of Federal Law dated November 25, 2009 N 266-FZ - Legislation Bulletin of the Russian Federation, 2009, N 48, art. 5716; Federal Law dated December 27, 2009 N 363-FZ - Legislation Bulletin of the Russian Federation, 2009, N 52, art. 6439; Federal Law dated June 28, 2010 N 123-FZ - Legislation Bulletin of the Russian Federation, 2010, N 27, art. 3407; Federal Law dated July 27, 2010 N 204-FZ - Legislation Bulletin of the Russian Federation, 2010, N 31, art. 4173; Federal Law dated July 27, 2010 N 227-FZ - Legislation Bulletin of the Russian Federation, 2010, N 31, art. 4196; Federal Law dated November 29, 2010 N 313-FZ - Legislation Bulletin of the Russian Federation, 2010, N 49, art. 6409; Federal Law dated December 23, 2010 N 359-FZ - Legislation Bulletin of the Russian Federation, 2010, N 52, art. 6974; Federal Law dated July 25, 2011 N 261-FZ - Legislation Bulletin of the Russian Federation, 2011, N 31, art. 4701; Federal Law dated April 5, 2013 N 43-FZ - Legislation Bulletin of the Russian Federation, 2013, N 14, art. 1651; Federal Law dated July 23, 2013 N 205-FZ - Legislation Bulletin of the Russian Federation, 2013, N 30, art. 4038; Federal Law dated December 21, 2013 N 363-FZ - Legislation Bulletin of the Russian Federation, 2013, N 51, art. 6683; Federal Law dated June 4, 2014 N 142-FZ - Legislation Bulletin of the Russian Federation, 2014, N 23, art. 2927; Federal Law dated July 21, 2014 N 216-FZ - Legislation Bulletin of the Russian Federation, 2014, N 30, art. 4217; Federal Law dated July 21, 2014 N 242-FZ - Legislation Bulletin of the Russian Federation, 2014, N 30, art. 4243; Federal Law dated July 3, 2016 N 231-FZ - Legislation Bulletin of the Russian Federation, 2016, N 27, art. 4164; Federal Law dated February 22, 2017 N 16-FZ - Legislation Bulletin of the Russian Federation, 2017, N 9, art. 1276; Federal Law dated July 1,

2017 N 148-FZ - Legislation Bulletin of the Russian Federation 2017, N 27, art. 3945; Federal Law dated July 29, 2017 N 223-FZ - Legislation Bulletin of the Russian Federation 2017, N 31, art. 4772; Federal Law dated December 31, 2017 N 498-FZ - Legislation Bulletin of the Russian Federation, 2018, N 1, art. 82)

Chapter 1. General Provisions

Article 1. Scope of application of the Federal Law

1. This Federal Law regulates activities related to the processing of personal data by federal government bodies, state bodies of constituent entities of the Russian Federation and other state bodies (hereinafter referred to as “state bodies”), by local government bodies and other municipal bodies (hereinafter referred to as “municipal bodies”), by legal entities and private entities, both automatically, including in data telecommunications networks, and without the use of such means, provided that the data processing is by its nature similar to the actions(operations) of automatic data processing, that is, allowing users to search personal data recorded in physical media or contained in card catalogs or other systematized legislation of personal data in accordance with the specified algorithm and (or) to have access to such personal data (ed. Federal Law dated July 25, 2011 N 261-FZ - Legislation Bulletin of the Russian Federation, 2011, N 31, art. 4701).

2. The operation of this Federal Law does not apply to activities related to:

1) Personal data processing by private entities exclusively for personal or family needs, provided that such processing does not infringe upon the rights of the data subject;

2) Arrangement of storage, compilation, registration, and use of personal data contained in files kept by the Archival Fund of the Russian Federation

and in other archive files in accordance with the legislation on archiving in the Russian Federation;

3) (Clause 3 ceased to be in force under Federal Law dated July 25, 2011 N 261-FZ - Legislation Bulletin of the Russian Federation, 2011, N 31, art. 4701)

4) Processing of personal data according to the established procedure for information that contains state secrets;

5) (Clause 5 introduced by Federal Law dated June 28, 2010 N 123-FZ - Legislation Bulletin of the Russian Federation, 2010, N 27, art. 3407; ceased to be in force under (ed. Federal Law dated July 29, 2017 N 223-FZ - Legislation Bulletin of the Russian Federation, 2017, N 31, art. 4772)

3. The provision, distribution, transfer and receipt of information on the activity of courts in the Russian Federation that contains personal data, and the maintenance and use of information systems and information and telecommunication networks in order to create conditions for the access to this information, are conducted in accordance with Federal Law dated December 22, 2008 N 262-FZ "On the provision of access to information on the activity of courts in the Russian Federation" (part 3 introduced by Federal Law dated July 29, 2017 N 223-FZ - Collected Legislation of the Russian Federation, 2017, N 31, Art. 4772).

Article 2. Purpose of the Federal Law

The purpose of this Federal Law is to provide protection of human rights and liberties while processing personal data, including the right of integrity, personal and family secrecy.

Article 3. Basic terms used in the Federal Law

The following main terms are used in this Federal Law:

- 1) Personal data - any information referring directly or indirectly to a particular or identified private entity (data subject);
- 2) Controller – the state body, municipal body, legal entity or private entity that, independently or in conjunction with other entities, organizes and (or) processes personal data and determines the purposes of personal data processing, the composition of the personal data to be processed, and the actions (operations) performed during personal processing;
- 3) Personal data processing – any action (operation) or a combination of actions (operations) performed both automatically and without the use of such means with personal data, including the legislation, recording, arrangement, accumulation, storage, rectification (updating, changing), extraction, use, distribution (including transfer), anonymizing, blocking and destruction of personal data;
- 4) Automated personal data processing - the processing of personal data by means of computer technology;
- 5) Distribution of personal data – actions related to making data available to the public;
- 6) Provision of personal data – actions related to making data available to a particular entity or the public;
- 7) Blocking of personal data – the temporary cessation of personal data processing (with the exception of cases when the processing is needed for personal data rectification);
- 8) Destruction of personal data – actions performed on personal data contained in an information system that make restoration of such data impossible and (or) actions aimed at the physical destruction of physical media of personal data;
- 9) Anonymization of personal data – actions performed on personal data that make it impossible to determine the identity of the subject without the use of information in addition to such anonymized data;
- 10) Personal data information system – a database that contains personal data and the information technologies and hardware used for their processing;
- 11) Cross-border transfer of personal data – cross-border transfer of

personal data to a foreign authority, foreign private entity or foreign legal entity located in a foreign state.

(Article 3 ed. Federal Law dated July 25, 2011 N 261-FZ - Legislation Bulletin of the Russian Federation, 2011, N 31, art. 4701)

Article 4. Legislation of the Russian Federation of personal data

1. The legislation of the Russian Federation on personal data is based on the Constitution of the Russian Federation and international agreements entered into by the Russian Federation, and comprises this Federal Law and other federal laws that regulate issues related to personal data processing.

2. On the grounds of and pursuant to the federal laws, state bodies, and the Bank of Russia, local authorities may, within the scope of their competence, adopt regulatory legal acts, normative acts, legislative acts (hereinafter referred to as “regulatory legal acts”) with respect to issues related to personal data processing. Such regulations shall not include provisions that would restrict the rights of the data subject, place limitations that are not stipulated by federal laws on the activities of controllers, or impose obligations that are not stipulated by federal laws on controllers, and are subject to official publishing (ed. Federal Law dated July 25, 2011 N 261-FZ - Legislation Bulletin of the Russian Federation, 2011, N 31, art. 4701).

3. The peculiarities of personal data processing without the use of automation technology may be prescribed by federal laws and other regulatory legal acts of the Russian Federation subject to the provisions of this Federal Law.

4. If international agreements entered into by the Russian Federation prescribe regulations different to those stipulated by this Federal Law, the regulations of such international agreements shall be applied.

Chapter 2. Principles and conditions of personal data processing

Article 5. Principles of personal data processing

1. The processing of personal data shall be conducted on a legal and equitable basis.
2. Personal data processing shall be restricted by the attainment of specific, pre-defined and legal purposes. The processing of personal data that is incompatible with the purpose of personal data legislation is not permitted.
3. The merging of databases containing personal data to be processed for purposes that are incompatible with one another is not permitted.
4. Only personal data that comply with the purposes of their processing shall be processed.
5. The content and volume of personal data to be processed shall comply with the intended purposes of such data processing. The personal data to be processed shall not be superfluous to the declared purposes of their processing.
6. In the course of personal data processing it is necessary to ensure the accuracy of the personal data, their sufficiency, and their adequacy for processing purposes as necessary. The controller shall take the required measures or ensure the deletion or rectification of incomplete or inaccurate data.
7. Personal data shall be stored in a format that allows identification of the data subject for no longer than the processing purposes, unless the personal data storage time is not prescribed by federal law or agreements concluded

with the data subject as a beneficiary or guarantor. Personal data shall be destroyed or anonymized upon attainment of the set purposes or when such purposes cease to be relevant, unless otherwise stipulated by federal law.

(Article 5 ed. Federal Law dated July 25, 2011 N 261-FZ - Legislation Bulletin of the Russian Federation, 2011, N 31, art. 4701)

Article 6. Conditions of personal data processing

1. Personal data processing is subject to compliance with the principles and regulations stipulated by this Federal Law.

Personal data processing is permitted in the following cases:

1) Personal data processing is conducted with the consent of the data subject to the processing of their personal data;

2) Personal data processing is required to attain the purposes stipulated by an international agreement of the Russian Federation or by law, or for the exercise and fulfillment of functions, powers and obligations imposed on controllers by the legislation of the Russian Federation.

3) Personal data processing is conducted in connection with the involvement of the individual in constitutional, civil, administrative, criminal court proceedings, and court proceedings in arbitration courts (ed. Federal Law dated July 29, 2017 N 223-FZ - Legislation Bulletin of the Russian Federation, 2017, N 31, art. 4772);

3.1) Personal data processing is necessary for the execution of a judicial act, an act of another body, or official entity, to be executed in accordance with the legislation of the Russian Federation on enforcement proceedings (hereinafter referred to as “enforcement of a judicial act”) (clause 3.1 introduced by Federal Law dated July 29, 2017 N 223-FZ - Legislation Bulletin of the Russian Federation, 2017, N 31, art. 4772);

4) Personal data processing is necessary for the execution of powers of federal executive bodies, state extra-budgetary funds, executive bodies of state bodies of the constituent entities of the Russian Federation, local government bodies and the functions of organizations involved in the provision of state and municipal services, respectively, stipulated by Federal Law dated July 27, 2010 N 210-FZ “On the organization of the provision of state and municipal services”, including the registration of a data subject on a single portal of state and municipal services and (or) regional portals of state and municipal services (ed. Federal Law dated April 5, 2013 N 43-FZ - Legislation Bulletin of the Russian Federation, 2013, N 14, art. 1651);

5) Personal data processing required for the execution of an agreement under which the data subject is a beneficiary or guarantor, or for the conclusion of an agreement on the initiative of the data subject or an agreement under which the data subject is a beneficiary or guarantor (ed. Federal Law dated December 21, 2013 N 363-FZ - Legislation Bulletin of the Russian Federation, 2013, N 51, art. 6683; Federal Law dated July 3, 2016 N 231-FZ - Legislation Bulletin of the Russian Federation, 2016, N 27, art. 4164);

6) Personal data processing required for the protection of life, health, or other vital interests of the data subject if it is not possible to obtain their consent;

7) Processing of personal data required to exercise the rights and legal interests of a controller or third parties, including in the cases stipulated by the Federal Law “On the protection of the rights and legal interests of private entities carrying out activities for the repayment of overdue debt and on amendments introduced to Federal law ‘On microfinance activities and microfinance organizations’”, or to attain socially significant purposes provided that this does not violate the rights and liberties of the data subject (ed. Federal Law dated July 3, 2016 N 231-FZ - Legislation Bulletin of the Russian Federation, 2016, N 27, art. 4164);

8) Processing of personal data required for the professional activities of a journalist and (or) the legal activities of the media, or for the purpose of scientific, literary or other creative activity, provided that it does not infringe upon the rights and liberties of the data subject;

9) Processing of personal data carried out for statistical or other research purposes, with the exception of the purposes specified in article 15 of this

Federal Law, subject to compulsory anonymization of the personal data;

10) Processing of personal data for public access provided by the data subject or at their request (hereinafter “personal data made publicly accessible by a data subject”);

11) Processing of personal data that are subject to publication or compulsory disclosure in accordance with federal laws.

1.1. The processing of personal data of objects of state protection and their family members is conducted taking into account the specific features provided for by Federal Law dated May 27, 1996 N 57-FZ “On state protection” (part 1.1 introduced by Federal Law dated July 1, 2017 N 148-FZ - Legislation Bulletin of the Russian Federation, 2017, N 27, art. 3945).

2. The peculiarities of the processing of special categories of personal data and the processing of biometric personal data are established by articles 10 and 11 of this Federal Law, respectively.

3. Controllers are entitled to assign the processing of personal data to another entity with the consent of the data subject, unless otherwise stipulated by a federal law, on the basis of an agreement concluded with that entity, including a state or municipal contract or through adoption of a relevant act by a state or municipal body (hereinafter referred to as “controller instruction”).

An entity conducting the processing of personal data on the instruction of a controller is obliged to comply with the principles and regulations for the processing of personal data stipulated by this Federal Law.

The controller’s instruction provides a list of actions (operations) to be performed with the personal data by the entity conducting the processing of personal data, and the purposes of the processing; it establishes the obligation of such entity to comply with personal data confidentiality and to ensure that the personal data remain secure during processing, and specifies

the requirements relating to the protection of processed personal data in accordance with article 19 of this Federal Law.

4. An entity conducting the processing of personal data on the instruction of a controller is not obliged to obtain the consent of the data subject to the processing of their personal data.

5. If a controller assigns the processing of personal data to another entity, the liability of the data subject for the actions of such entity lies with the controller. An entity conducting the processing of personal data on the instruction of a controller is liable to the controller.

(Article 6 ed. Federal Law dated July 25, 2011 N 261-FZ - Legislation Bulletin of the Russian Federation, 2011, N 31, art. 4701)

Article 7. Confidentiality of personal data

Controllers and other entities that have obtained access to personal data are obliged to refrain from disclosing to third parties or disseminating such personal data without the consent of the data subject, unless otherwise stipulated by federal law (ed. Federal Law dated July 25, 2011 N 261-FZ - Legislation Bulletin of the Russian Federation, 2011, N 31, art. 4701).

Article 8. Publicly accessible sources of personal data

1. Publicly accessible sources of personal data (including directories and address books) may be created for the purpose of information provision.

Subject to the written consent of the data subject, the surname, forename, patronymic, year and place of birth, address, telephone number, occupation details of such data subject, and other personal data reported by the data subject may be included in publicly accessible sources of personal data (ed.

Federal Law dated July 25, 2011 N 261-FZ - Legislation Bulletin of the Russian Federation, 2011, N 31, art. 4701).

2. Details of a data subject may be excluded at any time from publicly accessible sources of personal data at the request of the data subject or by decision of a court or other authorized state bodies (ed. Federal Law dated July 25, 2011 N 261-FZ - Legislation Bulletin of the Russian Federation, 2011, N 31, art. 4701).

Article 9. Consent of data subjects to the processing of their personal data

1. Data subjects shall decide whether to provide their personal data and give consent to the processing thereof freely, of their own will, and in their own interest.

Consent to the processing of personal data shall be specific, informed and conscious.

Consent to the processing of personal data may be given by the data subject or their representative in any form that provides evidence of its receipt, unless otherwise stipulated by federal law.

If consent to the processing of personal data is received from a representative of the data subject, the authority of that representative to give consent on behalf of the data subject shall be verified by the controller.

2. Consent to the processing of personal data may be withdrawn by the data subject.

In the event that a data subject withdraws their consent to the processing of personal data, the controller is entitled to continue the processing of the personal data without the consent of the data subject if any of the grounds specified in clauses 2-11 of part 1 of article 6, part 2 of article 10 and part 2

of article 11 of this Federal Law are applicable.

3. The controller carries the obligation to provide proof of receipt of the consent of a data subject to the processing of their personal data or proof of existence of the grounds specified in clauses 2-11 of part 1 of article 6, part 2 of article 10 and part 2 of article 11 of this Federal Law.

4. In the cases provided stipulated by federal laws, the processing of personal data shall be carried out only with the written consent of the data subject.

Consent in the form of an electronic document signed with an electronic signature in accordance with federal law shall be deemed equivalent to written consent on paper containing the handwritten signature of the data subject.

The written consent of a data subject to the processing of their personal data shall contain, in particular:

1) The surname, forename, patronymic, address of the data subject, their principal identification document number, and information on the date of issue of such document and the body that issued it;

2) The surname, forename, patronymic, address of the representative of the data subject, their principal identification document number, information on the date of issue of such document and the body that issued it, and details of the power of attorney or other document confirming the authority of the representative (upon receipt of consent from the representative of the data subject);

3) The name or surname, forename, patronymic, and address of the controller receiving the consent of the data subject;

4) The purpose of the personal data processing;

5) A list of personal data for the processing of which consent is given by

the data subject;

6) The name or surname, forename, patronymic, and address of the entity conducting the processing of the personal data on the instruction of the controller, if the processing is to be assigned to such entity;

7) A list of actions undertaken involving the personal data for which consent is given and a general description of the methods of personal data processing that are to be used by the controller;

8) The period for which consent is given by a data subject and the procedure for withdrawal of such consent, unless otherwise stipulated by federal law;

9) The signature of the data subject.

5. The procedure for receipt of the consent of a data subject to the processing of their personal data, in the form of an electronic document, for the purpose of the provision of state and municipal services and services that are necessary and essential for the provision of state and municipal services shall be determined by the Government of the Russian Federation.

6. If a data subject lacks legal capacity, consent to the processing of their personal data shall be given by a legal representative of the data subject.

7. If a data subject dies, the consent to the processing of their personal data shall be given by the heirs of the data subject, unless the data subject gave such consent while they were alive.

8. Personal data may be obtained by a controller from an entity that is not the data subject, subject to provision to the controller of proof of the existence of the grounds specified in clauses 2-11 of part 1 of article 6, part 2 of article 10 and part 2 of article 11 of this Federal Law.

(Article 9 ed. Federal Law dated July 25, 2011 N 261-FZ - Legislation Bulletin of the Russian Federation, 2011, N 31, art. 4701)

Article 10. Special categories of personal data

1. The processing of special categories of personal data concerning racial or ethnic origin, political opinions, religious or philosophical beliefs, health, or sex life is not permitted, unless in the cases stipulated in part 2 of this article.

2. The processing of the special categories of personal data specified in part 1 of this article occurs in cases where:

1) The data subject has given their written consent to the processing of their personal data;

2) The personal data have been made public by the data subject (ed. Federal Law dated July 25, 2011 N 261-FZ - Legislation Bulletin of the Russian Federation, 2011, N 31, art. 4701);

2.1) The processing of personal data is necessary for the implementation of international agreements of the Russian Federation on readmission (clause 2.1 introduced by Federal Law dated November 25, 2019 N 266-FZ - Legislation Bulletin of the Russian Federation, 2009, N 48, art. 5716);

2.2) The processing of personal data is conducted in accordance with Federal Law dated January 25, 2002 N 8-FZ "On the all-Russian population census" (clause 2.2 introduced by Federal Law dated November 25, 2009 N 266-FZ - Legislation Bulletin of the Russian Federation, 2009, N 48, art. 5716);

2.3) the processing of personal data is conducted in accordance with legislation on social services, labor legislation, or pension legislation of the Russian Federation (clause 2.3 introduced by Federal Law dated July 25, 2011 N 261-FZ - Legislation Bulletin of the Russian Federation, 2011, N 31, art. 4701; ed. Federal Law dated July 21, 2014 N 216-FZ - Legislation Bulletin of the Russian Federation, 2014, N 30, art. 4217);

3) The processing of personal data is necessary to protect the life, health or other vital interests of the data subject or the life, health or other vital interests of other entities and it is not possible to obtain the consent of the data subject (ed. Federal Law dated July 25, 2011 N 261-FZ - Legislation Bulletin of the Russian Federation, 2011, N 31, art. 4701);

4) The processing of personal data is conducted for the purposes of preventive medicine, medical diagnosis, or the provision of medical and social care provided that the processing of personal data is conducted by an individual who is professionally involved in medical activities and has a duty in accordance with the legislation of the Russian Federation to maintain medical confidentiality;

5) The processing of the personal data of members (participants) of a non-governmental association or religious organization is conducted by such non-governmental association or religious organization acting in accordance with the legislation of the Russian Federation for the purpose of attaining the legal purposes stipulated in its articles of association, provided that the personal data are not disseminated without the written consent of the data subjects;

6) The processing of personal data is necessary in order to exercise the rights of the data subject or third parties to be established or exercised, and in connection with the administration of justice (ed. Federal Law dated July 25, 2011 N 261-FZ - Legislation Bulletin of the Russian Federation, 2011, N 31, art. 4701);

7) The processing of personal data is conducted in accordance with the legislation of the Russian Federation on defense, security, counter-terrorism, transport safety, anti-corruption measures, investigative activities, enforcement proceedings, and the penal legislation of the Russian Federation (ed. Federal Law dated July 25, 2011 N 261-FZ - Legislation Bulletin of the Russian Federation, 2011, N 31, art. 4701);

7.1) The processing of personal data received in accordance with the legislation of the Russian Federation conducted by the prosecution authorities in connection with the exercising of their prosecutorial oversight (clause 7.1 introduced by Federal Law dated July 23, 2013 N 205-FZ - Legislation Bulletin of the Russian Federation, 2013, N 30, art. 4038);

8) The processing of personal data is conducted in accordance with legislation on mandatory types of insurance and insurance legislation (clause 8 introduced by Federal Law dated November 29, 2010 N 313-FZ - Legislation Bulletin of the Russian Federation, 2010, N 49, art. 6409; ed. Federal Law dated July 25, 2011 N 261-FZ - Legislation Bulletin of the Russian Federation, 2011, N 31, art. 4701);

9) The processing of personal data is conducted by state bodies and municipal bodies or organizations in the cases stipulated by the legislation of the Russian Federation for the purpose of placing children without parental care into the family care of citizens (clause 9 introduced by Federal Law dated July 25, 2011 N 261-FZ - Legislation Bulletin of the Russian Federation, 2011, N 31, art. 4701);

10) The processing of personal data in accordance with the legislation of the Russian Federation on the citizenship of the Russian Federation (clause 10 introduced by Federal Law dated June 4, 2014 N 142-FZ - Legislation Bulletin of the Russian Federation, 2014, N 23, art. 2927);

3. The processing of personal data concerning criminal convictions may be conducted by state bodies or municipal bodies within the scope of the powers granted them in accordance with the legislation of the Russian Federation and other entities in the cases of and according to procedures established in accordance with federal laws.

4. The processing of special categories of personal data conducted in the cases stipulated in parts 2 and 3 of this article shall be terminated immediately if the reasons for processing are rescinded, unless otherwise stipulated by federal law (ed. of Federal Law dated July 25, 2011 N 261-FZ - Legislation Bulletin of the Russian Federation, 2011, N 31, art. 4701).

Article 11. Biometric personal data

1. Information concerning the physiological and biological characteristics of an individual from which they may be identified (biometric personal data) and that is used by a controller to establish the identity of that data subject may be processed only subject to the written consent of the data subject, with the exception of the cases stipulated in part 2 of this article.

2. The processing of biometric personal data may be conducted without the consent of the data subject for the implementation of international

agreements of the Russian Federation on readmission, the administration of justice, the enforcement of judicial acts, and in the cases stipulated by the legislation of the Russian Federation on defense, security, counter-terrorism, transport safety, anti-corruption measures, investigative activities, state service, the penal legislation of the Russian Federation, the legislation of the Russian Federation on the procedure for departure from the Russian Federation and entry into the Russian Federation, and on the citizenship of the Russian Federation (ed. Federal Law dated June 4, 2014 N 142-FZ - Legislation Bulletin of the Russian Federation, 2014, N 23, art. 2927; Federal Law dated December 31, 2017 N 498-FZ - Legislation Bulletin of the Russian Federation, 2018, N 1, art. 82). (Article 11 ed. Federal Law dated July 25, 2011 N 261-FZ - Legislation Bulletin of the Russian Federation, 2011, N 31, art. 4701).

Article 12. Cross-border transfer of personal data

1. The cross-border transfer of personal data to foreign states that are parties of the Council of Europe Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data and to other foreign states that provide adequate protection of the rights of data subjects shall be conducted in accordance with this Federal Law and may be prohibited or restricted for the purpose of protecting the foundations of the constitutional order of the Russian Federation, morality, health, the rights and legal interests of citizens, and to ensure defense of the country and the security of the state.

2. The authorized body for the protection of the rights of data subjects shall approve a list of foreign states that are not parties of the Council of Europe Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data and ensure adequate protection of the rights of data subjects.

A state that is not a party of the Council of Europe Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data may be included in the list of foreign states that provide adequate protection

of the rights of data subjects, provided that such state of law complies with the provisions in the specified Convention and the applicable personal data security measures are in force.

3. Controllers are obliged to ensure that the foreign state into which personal data are to be transferred provides adequate protection of the rights of data subjects before commencing the cross-border transfer of personal data.

4. The cross-border transfer of personal data into the territories of foreign states that do not provide adequate protection of the rights of data subjects may be conducted in the following cases:

1) If the data subject has given their consent to the cross-border transfer of their personal data;

2) In the cases stipulated by international agreements of the Russian Federation;

3) In the cases stipulated by federal laws as necessary to protect the foundations of the constitutional order of the Russian Federation, to ensure national defense and state security, to ensure the stable and safe operation of the transport system, and to protect personal interests, society, and the state in the transport sector against acts of unlawful interference;

4) For the purpose of the execution of an agreement to which the data subject is a party;

5) For the purpose of protecting the life, health or other vital interests of the data subject or other entities if it is not possible to obtain the written consent of the data subject.

(Article 12 ed. Federal Law dated July 25, 2011 N 261-FZ - Legislation Bulletin of the Russian Federation, 2011, N 31, art. 4701).

Article 13. The peculiarities of personal data processing in state or municipal personal data information systems

1. State and municipal bodies shall create state or municipal personal data information systems within the scope of their powers as established in accordance with federal laws.

2. Federal laws may establish the peculiarities of the recording of personal data in state and municipal personal data information systems, including the use of various methods to identify personal data contained in a particular state or municipal information system that relate to a particular data subject.

3. Human and civil rights and liberties may not be limited for reasons that relate to the use of various methods of processing personal data or identifying personal data contained in a state or municipal information system that relates to a particular data subject. It is not permitted to use methods of identifying personal data contained in a state or municipal information system that relate to a particular data subject that insult the feelings of citizens or degrade human dignity.

4. A state public register may be created for the purpose of exercising rights of data subjects in connection with the processing of their personal data in state or municipal personal data information systems, the legal status and procedure for use of which shall be established by federal law.

Chapter 3. The rights of a data subject

Article 14. Right of access of data subjects to their personal data

1. Data subjects are entitled to receive the information specified in part 7 of this article, with the exception of the cases stipulated in part 8 of this article. Data subjects are entitled to request that a controller rectifies, blocks or destroys their personal data in the event that the personal data are incomplete, out-of-date, inaccurate, unlawfully obtained, or are not needed for the processing purpose stated, and are entitled to take measures stipulated by law to protect their rights.

2. The information specified in part 7 of this article shall be provided to the data subject by a controller in an accessible format and shall not contain personal data relating to other data subjects, unless there are lawful grounds for the disclosure of such personal data.

3. The information specified in part 7 of this article shall be provided to the data subject or their representative by a controller upon application or receipt of a request from the data subject or their representative.

A request shall contain the principal identification document number of the data subject or their legal representative, information on the date of issue of such document and the body that issued it, information proving the data subject's dealings with the controller (agreement number, date of conclusion of agreement, conditional verbal designation and (or) other information) or information that otherwise confirms the processing of the personal data by the controller, and the signature of the data subject or their representative. A request may be sent in the form of an electronic document and signed with an electronic signature in accordance with the legislation of the Russian Federation.

4. If the information specified in part 7 of this article or processed personal data have been provided to a data subject for inspection upon the data subject's request, the data subject may make a further application or submit a further request to the controller for the purpose of receiving the information specified in part 7 of this article and inspect such personal data no earlier than thirty days after the sending of the initial application or request, unless a shorter time period is stipulated by a federal law or adopted in accordance with a regulatory legal act or agreement under which the data subject is a beneficiary or guarantor.

5. Data subjects are also entitled to make a further application or submit a further request to the controller for the purpose of receiving the information specified in part 7 of this article and for the purpose of inspecting the processed personal data before the time period specified in part 4 of this

article has elapsed if such information and (or) processed personal data were not provided to them for inspection in full following consideration of the initial application. A repeat request shall contain an explanation for sending of the repeat request in addition to the information specified in part 3 of this article.

6. Controllers are entitled to refuse a repeat request from a data subject if such request does not meet the conditions stipulated in parts 4 and 5 of this article. Such a refusal must be substantiated. The obligation to provide evidence of the justification of a refusal to a repeat request lies with the controller.

7. Data subjects are entitled to receive information concerning the processing of their personal data, including information that contains:

- 1) Confirmation of the processing of the personal data by the controller;
- 2) The legal grounds for and purposes of the processing of the personal data;
- 3) The purposes and methods used by the controller for the processing of the personal data;
- 4) The name and location of the controller and information on individuals (with the exception of the employees of the controller) who have access to the personal data or to whom the personal data may be disclosed on the basis of an agreement with the controller or on the basis of a federal law;
- 5) Processed personal data relating to the relevant data subject and the source from which they were obtained, unless a different procedure for the submission of such data is prescribed by a federal law;
- 6) The period for the processing of the personal data, including the period for which they are stored;
- 7) The procedure for the data subject to exercise the rights stipulated by this Federal Law;
- 8) Information on any executed or planned cross-border transfer of personal data;

9) The name or surname, forename, patronymic, and the address of the entity conducting the processing of personal data on the instruction of the controller, if the processing has been or is intended to be assigned to such entity;

10) Other information stipulated by this Federal Law or other federal laws.

8. The right of access of a data subject to their personal data may be restricted in accordance with federal laws, including if:

1) Processing of the personal data, including personal data obtained as a result of investigative, counter-intelligence and intelligence activities, is conducted for the purposes of national defense, state security, and law enforcement;

2) Processing of the personal data is conducted by bodies that have detained the data subject on suspicion of committing a crime, have brought a criminal charge against the data subject, or have imposed a measure of restraint against the data subject prior to bringing charges, with the exception of the cases stipulated in the penal legislation of the Russian Federation where a suspect or accused person is permitted to inspect such personal data;

3) Processing of the personal data is conducted in accordance with legislation on the countering of the legitimization (laundering) of proceeds of crime and the financing of terrorism;

4) Access of the data subject to their personal data would violate the rights and legal interests of third parties;

5) The processing of personal data is conducted in the cases stipulated by the legislation of the Russian Federation concerning transport safety for the purpose of ensuring the stable and safe operation of the transport system and to protect personal interests, society, and the state in the transport sector against acts of unlawful interference.

(Article 14 ed. Federal Law dated July 25, 2011 N 261-FZ - Legislation Bulletin of the Russian Federation, 2011, N 31, art. 4701).

Article 15. Rights of data subjects if their personal data are processed for the purpose of promoting goods, works, market services, or for the purpose of political campaigning

1. The processing of personal data for the purpose of promoting goods, works, market services by means of making direct contact with a potential consumer using communications facilities, or for purposes of political campaigning, shall only be permitted subject to the prior consent of the data subject. Such processing of personal data shall be deemed to have been conducted without the prior consent of the data subject unless the controller is able to prove that such consent was obtained.

2. Controllers are obliged to immediately cease the processing of the personal data specified in part 1 of this article upon the request of the data subject.

Article 16. Rights of data subjects in relation to the making of decisions based solely on the automated processing of their personal data

1. The making of decisions based solely on the automated processing of personal data that lead to legal consequences for a data subject or otherwise affect their rights and legal interests is not permitted, with the exception of the cases stipulated in part 2 of this article.

2. A decision based solely on the automated processing of personal data that leads to legal consequences for a data subject or otherwise affects their rights and legal interests is permitted only if the data subject has given their written consent, or in the cases stipulated by federal laws that also establish measures to safeguard the rights and legal interests of the data subject.

3. Controllers are obliged to explain to a data subject the procedure whereby a decision is based solely on the automated processing of personal data and the possible legal consequences of such a decision, in order to

afford the data subject the opportunity to submit an objection to such decision, and to explain the means by which the data subject may protect their rights and legal interests.

4. Controllers are obliged to consider an objection as specified in part 3 of this article within thirty days from the date of receiving it, and to notify the data subject of the results of consideration of such objection (ed. Federal Law dated July 25, 2011 N 261-FZ - Legislation Bulletin of the Russian Federation, 2011, N 31, art. 4701).

Article 17. Right to appeal the actions or inaction of controllers

1. If a data subject believes that a controller is not processing their personal data in compliance with the requirements of this Federal Law or is otherwise violating their rights and liberties, the data subject is entitled to appeal the actions or inaction of the controller to the authorized body for the protection of the rights of data subjects or through court procedures.

2. Data subjects are entitled to protection of their rights and legal interests, including the right to reimbursement for losses and (or) compensation for psychological damage, through court procedures.

Chapter 4. Responsibilities of the controller

Article 18. Obligations of controllers when collecting personal data

1. When collecting personal data, controllers are obliged to provide to the data subject, at their request, the information stipulated in part 7 of article 14 of this Federal Law.

2. If the provision of personal data is compulsory in accordance with

federal laws, the controller is obliged to explain to the data subject the legal consequences of refusing to provide their personal data.

3. If personal data have not been obtained from the data subject, the contractor is obliged to provide the following information to the data subject prior to processing the personal data, with the exception of the cases stipulated in part 4 of this article:

- 1) The name or surname, forename, patronymic, and address of the controller or its representative;
- 2) The purpose and legal grounds for processing the personal data;
- 3) The anticipated users of the personal data;
- 4) The rights of the data subject as stipulated by this Federal Law;
- 5) The source from which the personal data were obtained.

4. Controllers are exempt from the obligation to provide the information specified in part 3 of this article to a data subject if:

- 1) The data subject has been notified of the processing of their personal data by the relevant controller;
- 2) The data have been received by the controller on the basis of a federal law or for the execution of an agreement under which the data subject is a beneficiary or guarantor;
- 3) The personal data have been made public by the data subject or have been obtained from a public source;
- 4) The controller is processing the data for statistical or other research purposes, for the professional activities of a journalist, scientific, literary or other creative activity, provided that it does not infringe upon the rights and liberties of the data subject;
- 5) Provision of the information specified in part 3 of this article to the data subject would violate the rights and legal interests of third parties.

5. When collecting personal data, including through the information and telecommunications network the Internet, the controller is obliged to ensure the recording, arrangement, accumulation, storage, rectification (updating, changing), and extraction of personal data of citizens of the Russian Federation using databases located within the territory of the Russian Federation, with the exception of the cases specified in clauses 2, 3, 4, 8 of part 1 of article 6 of this Federal Law (part 5 introduced by Federal Law dated July 21, 2014 N 242-FZ - Legislation Bulletin of the Russian Federation, 2014, N 30, art. 4243).

(Article 18 ed. Federal Law dated July 25, 2011 N 261-FZ - Legislation Bulletin of the Russian Federation, 2011, N 31, art. 4701)

Article 18.1. Measures to ensure the fulfillment by controllers of the obligations stipulated in this Federal Law

1. Controllers are obliged to take the necessary and sufficient measures to ensure the fulfillment of the obligations stipulated in this Federal Law and regulatory legal acts adopted in accordance with this Federal Law. Controllers shall independently determine the composition and range of necessary and sufficient measures to ensure the fulfillment of the obligations stipulated in this Federal Law and regulatory legal acts adopted in accordance with this Federal Law, unless otherwise stipulated by this Federal Law or other federal laws. Such measures include, in particular:

1) Assignment by a controller, which is a legal entity, responsible for organizing the processing of personal data;

2) The issuance by a controller, which is a legal entity, of documents defining the controller's policies in relation to the processing of personal data, local laws on the processing of personal data, and local laws that establish procedures aimed at the prevention and detection of violations of the legislation of the Russian Federation and rectification of the consequences of such violations;

3) The application of legal, organizational and technical measures to ensure the security of personal data in accordance with article 19 of this Federal Law;

4) The conducting of internal control and (or) auditing of the compliance of the processing of personal data with this Federal Law and regulatory legal acts adopted in accordance with this Federal Law, the requirements relating to the protection of personal data, the policies of the controller on the processing of personal data, and the local laws of the controller;

5) Evaluation of damage that may be caused to data subjects in the event of violation of this Federal Law and correlating such damage with the measures taken by the controller to ensure the fulfillment of the obligations stipulated in this Federal Law;

6) Familiarization of the employees of the controller who are directly involved in the processing of personal data with the provisions of the legislation of the Russian Federation concerning personal data, including the requirements relating to the protection of personal data, documents defining the policies of the controller on the processing of personal data, local laws on the processing of personal data, and (or) provision of training to such employees.

2. Controllers are obliged to publish or otherwise provide unlimited access to the document defining their policies on the processing of personal data and information in relation to the requirements to be fulfilled concerning the protection of personal data. Controllers that collect personal data using data networks are obliged to publish in the relevant data network a document defining their policies on the processing of personal data and information in relation to the requirements to be fulfilled concerning the protection of personal data, and to make that document available through the relevant data network.

3. The Government of the Russian Federation shall establish a range of measures aimed at ensuring the obligations stipulated by this Federal Law and the regulatory legal acts adopted in accordance with this Federal Law are fulfilled by controllers that are state or municipal bodies.

4. Controllers are obliged to submit the documents and local laws specified in part 1 of this article and (or) to provide other evidence for adoption of the measures specified in part 1 of this article upon the request of the authorized body for the protection of the rights of data subjects.

(Article 18.1 introduced by Federal Law dated July 25, 2011 N 261-FZ - Legislation Bulletin of the Russian Federation, 2011, N 31, art. 4701)

Article 19. Measures to ensure the security of personal data during processing

1. When processing data, controllers are obliged to take or arrange the adoption of the necessary legal, organizational and technical measures to protect personal data against the unlawful or accidental access, destruction, alteration, blocking, copying, provision, or dissemination of personal data, and against other unlawful actions in relation to personal data.

2. The security of personal data shall be attained, in particular by:

1) Identifying threats to the security of personal data during processing in personal data information systems;

2) Employing the organizational and technical measures for ensuring the security of personal data during processing in personal data information systems necessary to meet the requirements concerning the protection of personal data, fulfillment of which ensures the levels of protection of personal data stipulated by the Government of the Russian Federation;

3) Employing means of data protection that have undergone compliance assessment procedures;

4) Assessing the efficacy of the measures taken to ensure the security of personal data prior to the commissioning of a personal data information system;

5) Keeping a record of media that contain personal data;

6) Detecting instances of unauthorized access to personal data and taking measures;

7) Restoring personal data that have been modified or destroyed as a result of unauthorized access;

8) Establishing rules for access to personal data that is processed in a personal data information system and ensuring the registration and recording of all actions performed on personal data in a personal data information system;

9) Monitoring the measures taken to ensure the security of personal data and the level of protection of personal data information systems.

3. Taking into account the potential damage to a data subject, extent and content of the personal data being processed, type of activity in the context of which the personal data are processed, and any threats to the security of personal data, the Government of the Russian Federation shall establish:

1) The levels of protection for personal data during processing in personal data information systems based on threats to the security of such data;

2) The requirements concerning the protection of personal data during processing in personal data information systems, fulfillment of which ensures the specified levels of protection of personal data;

3) The requirements concerning physical media for the storage of biometric personal data and technologies for the storage of such data outside personal data information systems.

4. The composition and content of the organizational and technical measures for ensuring the security of personal data during processing in personal data information systems necessary to fulfill the personal data protection requirements, specified by the Government of the Russian Federation in accordance with part 3 of this article, for each level of protection shall be established by the federal executive body for security and the federal executive body for technical counter-intelligence and the technical protection of information, within the scope of their powers.

5. The federal executive bodies that conduct functions involving the formulation of state policy and statutory regulation in a designated sphere of activity, state government bodies of constituent entities of the Russian Federation, the Bank of Russia, bodies of state non-budgetary funds, and other state bodies shall, within the scope of their powers, adopt regulatory legal acts that identify threats to the security of personal data in connection with the processing of personal data in personal data information systems used in particular types of activity, taking into account the content of personal data and the nature and methods of their processing.

6. In addition to threats to the security of personal data that are identified in the regulatory legal acts adopted in accordance with part 5 of this article, associations, unions and other consortia of controllers are entitled to issue decisions identifying further threats to the security of personal data in connection with personal data processing in personal data information systems used in particular types of activity by members of such associations, unions and other consortia of controllers, taking into account the content of personal data and the nature and methods of their processing.

7. Drafts of regulatory legal acts as specified in part 5 of this article are subject to agreement with the federal executive body for technical counter-intelligence and the technical protection of information. Drafts of decisions as specified in part 6 of this article are subject to agreement with the federal executive body for technical counter-intelligence and the technical protection of information in accordance with the procedure established by the Government of the Russian Federation. A decision of the federal executive body for technical counter-intelligence and the technical protection of information not to approve the drafts of decisions as specified in part 6 of this article must be substantiated.

8. Control and supervision of the fulfillment of the organizational and technical measures for ensuring the security of personal data established in accordance with this article for the processing of personal data in state personal data information systems shall be exercised by the federal executive body for security and the federal executive body for technical counter-

intelligence and the technical protection of information, within the scope of their powers and without the right to inspect the personal data processed in the personal data information systems.

9. In consideration of the importance and content of processed personal data, the federal executive body for security and the federal executive body for technical counter-intelligence and the technical protection of information may be vested, by decision of the Government of the Russian Federation, with monitoring fulfillment of the organizational and technical measures for ensuring the security of personal data established in accordance with this article with regard to the processing of personal data in personal data information systems used in the context of particular activities and that are not state personal data information systems, without the right to inspect the personal data processed in the personal data information systems.

10. Biometric personal data may be used and stored outside personal data information systems only on physical data storage media and with the use of storage technology that ensures the protection of such data against unlawful or accidental access, destruction, alteration, blocking, copying, provision and dissemination.

11. For the purposes of this article, threats to the security of personal data are understood to mean any conditions and factors that pose danger of unauthorized, including accidental, access to personal data that may result in the destruction, alteration, blocking, copying, provision or dissemination of personal data, or other unlawful actions relating to the processing of such personal data in a personal data information system. The level of protection for personal data is understood to mean any indicator that reflects the requirements to be met in order to neutralize identified threats to the security of personal data during processing in personal data information systems.

(Article 19 ed. Federal Law dated July 25, 2011 N 261-FZ - Legislation Bulletin of the Russian Federation, 2011, N 31, art. 4701)

Article 20. Obligations of controllers upon communication or receipt of a request from a data subject or their representative, or from the authorized body for the protection of the rights of data subjects

1. Controllers are obliged to communicate information on the existence of personal data relating to a data subject to such data subject or their representative, in the manner stipulated by article 14 of this Federal Law, and to make such personal data available for inspection upon the application from the data subject or their representative within thirty days from the date of receipt of a request from the data subject or their representative.

2. In the event of refusal to provide information on the existence of personal data on the relevant data subject or personal data to a data subject or their representative upon application or receipt of a request from the data subject or their representative, controllers are obliged to give a substantiated response in writing that contains reference to the provision in part 8 of article 14 of this Federal Law, or another federal law, that gives the grounds for such refusal within a period not exceeding thirty days from the date of the application of the data subject or their representative or from the date of receipt of a request from the data subject or their representative.

3. Controllers are obliged to make personal data relating to the relevant data subject available for inspection by such data subject or their representative free of charge. Controllers are obliged to make the necessary amendments to personal data within a period not exceeding seven working days from the date a data subject or their representative submits evidence that such personal data are incomplete, inaccurate or out-of-date. Controllers are obliged to destroy personal data within a period not exceeding seven working days from the date a data subject or their representative submits evidence that such personal data were unlawfully obtained or are not needed for the stated purpose of processing. Contractors are obliged to notify the data subject or their representative of the amendments made and measures taken, and to take reasonable measures to notify third parties to which the personal data of such data subject have been transferred.

4. Controllers are obliged, upon the request of the authorized body for the protection of the rights of data subjects, to supply the necessary information to such body within thirty days from the date of receipt of such request.

(Article 20 ed. Federal Law dated July 25, 2011 N 261-FZ - Legislation Bulletin of the Russian Federation, 2011, N 31, art. 4701)

Article 21. Obligations of controllers to rectify violations of legislation committed in the processing of personal data and to rectify, block or destroy personal data

1. In the event that personal data are found to be unlawfully processed, controllers are obliged to block unlawfully processed personal data relating to a data subject or to arrange for them to be blocked (if the processing of personal data is conducted by another entity acting on the instructions of the controller) upon the application of such data subject or their representative, or upon the request of such data subject, their representative, or the authorized body for the protection of the rights of data subjects, from the moment of such application or receipt of such request for the period required for inspection. In the event that personal data are found to be inaccurate, controllers are obliged to block inaccurate personal data relating to a data subject or to arrange for them to be blocked (if the processing of personal data is conducted by another entity acting on the instructions of the controller) upon the application of such data subject or their representative, or upon the request of such data subject, their representative, or the authorized body for the protection of the rights of data subjects, from the moment of such application or receipt of such request for the period required for inspection, provided that blocking of the personal data does not violate the rights and legal interests of the data subject or third parties.

2. In the event that personal data are confirmed as inaccurate and on the basis of the information submitted by the data subject, their representative, or the authorized body for the protection of the rights of data subjects, or other necessary documents, controllers are obliged to rectify the personal data or

to arrange for them to be rectified (if the processing of personal data is conducted by another entity acting on the instructions of the controller) within seven working days from the date of submission of such information and to remove the block on the personal data.

3. If it is discovered that personal data are being unlawfully processed by a controller or entity acting on the instructions of a controller, the controller is obliged to terminate the unlawful processing of the personal data or to arrange for the unlawful processing of the personal data to be terminated by the entity acting on the instructions of the controller within a period not exceeding three working days from the date of such discovery. If it is not possible for the processing of personal data to be made lawful, the controller is obliged to destroy such personal data or to arrange for them to be destroyed within a period not exceeding ten working days from the date of discovery of the unlawful processing of personal data. Controllers are obliged to send notification to the data subject or their representative regarding the rectification of the violations committed or the destruction of the personal data and, if an application of the data subject or their representative or request of the authorized body for the protection of the rights of data subjects were sent by the authorized body for the protection of the rights of data subjects, to such body.

4. If the purpose of the processing of personal data has been attained, controllers are obliged to cease the processing of personal data or arrange for it to be terminated (if the processing of personal data is conducted by another entity acting on the instructions of the controller) and to destroy the personal data or arrange for them to be destroyed (if the processing of personal data is conducted by another entity acting on the instructions of the controller) within a period not exceeding thirty days from the date of attaining the purpose for which the personal data were processed, unless otherwise stipulated by an agreement under which the data subject is a beneficiary or guarantor or by another agreement between the controller and the data subject, or unless the controller has the right to process the personal data without the consent of the data subject on the grounds stipulated in this Federal Law or other federal laws.

5. If a data subject withdraws their consent to the processing of their personal data, controllers are obliged to cease the processing of the personal data or arrange for it to be terminated (if the processing of personal data is conducted by another entity acting on the instructions of the controller) and, if the personal data no longer needs to be kept for the purpose of the processing of the personal data, to destroy the personal data or arrange for them to be destroyed (if the processing of personal data is conducted by another entity acting on the instructions of the controller) within a period not exceeding thirty days from the date of receipt of the above-mentioned withdrawal, unless otherwise stipulated by an agreement under which the data subject is a beneficiary or guarantor or by another agreement between the controller and the data subject, or unless the controller has the right to process the personal data without the consent of the data subject on the grounds stipulated in this Federal Law or other federal laws.

6. If it is not possible for the personal data to be destroyed within the time period specified in parts 3 to 5 of this article, the controller shall block the personal data or arrange for them to be blocked (if the processing of personal data is conducted by another entity acting on the instructions of the controller) and ensure that the personal data are destroyed within a period not exceeding six months, unless a different time period is stipulated by federal laws.

(Article 21 ed. Federal Law dated July 25, 2011 N 261-FZ - Legislation Bulletin of the Russian Federation, 2011, N 31, art. 4701)

Article 22. Notification of the processing of personal data

1. Prior to commencing the processing of personal data, controllers are obliged to notify the authorized body for the protection of the rights of data subjects of their intention to conduct the processing of personal data, with the exception of the instances stipulated by part 2 of this article.

2. Controllers are entitled to conduct the processing of personal data without notifying the authorized body for the protection of the rights of data subjects if:

- 1) The data are processed in accordance with labor legislation (ed. Federal Law dated July 25, 2011 N 261-FZ - Legislation Bulletin of the Russian Federation, 2011, N 31, art. 4701);
- 2) The data were obtained by the controller in connection with the conclusion of an agreement to which the data subject is party, if the personal data are not disseminated, are not supplied to third parties without the consent of the data subject, and are used by the controller solely for the purpose of the execution of such agreement and the conclusion of agreements with the data subject;
- 3) The data relate to members (participants) of a social association or religious organization and are processed by such social association or religious organization acting in accordance with the legislation of the Russian Federation for the purpose of the attainment of the lawful purposes specified in their articles of association, provided that the personal data are not disseminated or disclosed to third parties without the written consent of the data subjects (ed. Federal Law dated July 25, 2011 N 261-FZ - Legislation Bulletin of the Russian Federation, 2011, N 31, art. 4701);
- 4) The data have been made public by the data subject (ed. Federal Law dated July 25, 2011 N 261-FZ - Legislation Bulletin of the Russian Federation, 2011, N 31, art. 4701);
- 5) The data include only the surname, forename and patronymic of the data subject;
- 6) The data are needed for the one-off admission of a data subject onto premises of the controller, or for other similar purposes;
- 7) The data have been included in personal data information systems that have the status of state automated information systems in accordance with federal laws, and in state personal data information systems created for the purpose of protecting the security of the state and public order (ed. Federal Law dated July 25, 2011 N 261-FZ - Legislation Bulletin of the Russian Federation, 2011, N 31, art. 4701);

8) The data are processed without the use of automated equipment in accordance with federal laws or other regulatory legal acts of the Russian Federation that establish the requirements for ensuring the security of personal data during processing and observing the rights of data subjects;

9) The data are processed in the cases stipulated by the legislation of the Russian Federation on transport safety for the purpose of ensuring the stable and safe operation of the transport system and the protection of individual interests, society, and the state in the transport sector against acts of unlawful interference (clause 9 introduced by Federal Law dated July 25, 2011 N 261-FZ - Legislation Bulletin of the Russian Federation, 2011, N 31, art. 4701).

3. The notification specified in part 1 of this article shall be sent in the form of a paper document or in the form of an electronic document and shall be signed by an authorized person. The notification must contain the following information (ed. Federal Law dated July 25, 2011 N 261-FZ - Legislation Bulletin of the Russian Federation, 2011, N 31, art. 4701):

- 1) Name (surname, forename, patronymic), address of the controller;
- 2) The purpose of the personal data processing;
- 3) The categories of personal data;
- 4) The categories of data subjects whose personal data are to be processed;
- 5) The legal grounds for processing the personal data;
- 6) A list of actions to be performed with regard to the personal data and a general description of the methods for processing personal data that are to be used by the controller;
- 7) A description of the measures specified in articles 18.1 and 19 of this Federal Law, including information on the availability of encoding (encryption) tools and the names of such tools (ed. Federal Law dated July 25, 2011 N 261-FZ - Legislation Bulletin of the Russian Federation, 2011, N 31, art. 4701);
 - 7.1) The surname, forename and patronymic of the private entity or the name of the legal entity responsible for organizing the processing of personal data, and their contact number, addresses and email addresses (clause 7.1

introduced by Federal Law dated July 25, 2011 N 261-FZ - Legislation Bulletin of the Russian Federation, 2011, N 31, art. 4701);

8) The start date for the processing of personal data;

9) The period or conditions for cessation of the processing of personal data;

10) Information on the occurrence of the cross-border transfer of personal data during the processing of personal data (clause 10 introduced by Federal Law dated July 25, 2011 N 261-FZ - Legislation Bulletin of the Russian Federation, 2011, N 31, art. 4701);

10.1) Information on the location of the databases storing the personal data of citizens of the Russian Federation (clause 10.1 introduced by Federal Law dated July 21, 2014 N 242-FZ - Legislation Bulletin of the Russian Federation, 2014, N 30, art. 4243);

11) Information about the measures taken to ensure the security of personal data in accordance with the requirements established by the Government of the Russian Federation for the protection of personal data (clause 11 introduced by Federal Law dated July 25, 2011 N 261-FZ - Legislation Bulletin of the Russian Federation, 2011, N 31, art. 4701).

4. The authorized body for the protection of the rights of data subjects shall enter in the register of controllers the details specified in part 3 of this article and details of the date on which the notification was sent, within thirty days from the date of receipt of the notification of the processing of personal data. Information contained in the register of controllers, with the exception of information concerning means of ensuring the security of personal data when they are being processed, shall be publicly available.

5. Controllers may not be charged for expenses incurred in connection with inspection of a notification of the processing of personal data by the authorized body for the protection of the rights of data subjects, or in connection with the entry of the details in the register of controllers.

6. As specified in part 3 of this article, if the details supplied are found to

be incomplete or inaccurate, the authorized body for the protection of the rights of data subjects is entitled to demand that the controller rectify the details supplied before they are entered in the register of controllers.

7. If changes are made to the information specified in part 3 of this article or the processing of personal data is terminated, the controller is obliged to notify the authorized body for the protection of the rights of data subjects within ten working days from the date of such changes or from the date on which the processing of personal data ceases (ed. Federal Law dated July 25, 2011 N 261-FZ - Legislation Bulletin of the Russian Federation, 2011, N 31, art. 4701).

Article 22.1. Entities responsible for organizing personal data processing in organizations

1. Controllers that are legal entities shall appoint an individual responsible for organizing the processing of personal data.

2. The individual responsible for organizing the processing of personal data shall receive instructions directly from the executive body of the controller organization and is accountable to such body.

3. Controllers are obliged to give the information specified in part 3 of article 22 of this Federal Law to the individual responsible for organizing the processing of personal data.

4. The individual responsible for organizing the processing of personal data is obliged, in particular:

1) To exercise internal control over the compliance of the controller and its employees with the legislation of the Russian Federation on personal data, including requirements relating to the protection of personal data;

2) To make the employees of the controller aware of the provisions of the legislation of the Russian Federation on personal data, local laws on the processing of personal data, and requirements relating to the protection of personal data;

3) To organize the acceptance and processing of applications and requests from data subjects or their representatives and (or) to exercise control over the acceptance and processing of such applications and requests.

(Article 22.1 introduced by Federal Law dated July 25, 2011 N 261-FZ - Legislation Bulletin of the Russian Federation, 2011, N 31, art. 4701).

Chapter 5. State control and supervision of the processing of personal data

Liability for violation of the requirements of this Federal Law

(name in ed. Federal Law dated February 22, 2017 N 16-FZ - Legislation Bulletin of the Russian Federation, 2017, N 9, art. 1276).

Article 23. Authorized body for the protection of the rights of data subjects

1. The authorized body for the protection of the rights of data subjects responsible for providing control and supervision over the compliance of the processing of personal data with the requirements of this Federal Law is the federal executive body for personal data (ed. Federal Law dated February 22, 2017 N 16-FZ - Legislation Bulletin of the Russian Federation, 2017, N 9, art. 1276).

1.1. The authorized body for the protection of the rights of data subjects shall ensure, organize and conduct state control and supervision over the

compliance of the processing of personal data with the requirements of this Federal Law and the adopted regulatory legal acts (state control and supervision of the processing of personal data). The procedure for organizing and conducting inspections of legal entities and independent entrepreneurs that are controllers by the authorized body for the protection of the rights of data subjects and the procedure for organizing and exercising state control and supervision over the processing of personal data by other entities that are controllers are established by the Government of the Russian Federation (part 1.1 introduced by Federal Law dated February 22, 2017 N 16-FZ - Legislation Bulletin of the Russian Federation, 2017, N 9, art. 1276).

2. The authorized body for the protection of the rights of data subjects shall examine claims submitted by data subjects concerning the compliance of the content of personal data and the methods of their processing with the purpose for which they are processed, and shall make an appropriate decision.

3. The authorized body for the protection of the rights of data subjects is entitled to:

1) Request from private or legal entities information that is needed in order to exercise its powers, and to receive such information free of charge;

2) Check the information contained in a notification of the processing of personal data, or engage other state bodies in performing such checks within the scope of their powers;

3) Demand that a controller rectifies, blocks or destroys inaccurate or unlawfully obtained personal data;

3.1) Restrict access to information processed through violation of the legislation of the Russian Federation on personal data in the manner prescribed by the legislation of the Russian Federation (clause 3.1 introduced by Federal Law dated July 21, 2014 N 242-FZ - Legislation Bulletin of the Russian Federation, 2014, N 30, art. 4243);

4) Take measures in accordance with the procedure established by the legislation of the Russian Federation to suspend or terminate any processing

of personal data that is not conducted in compliance with the requirements of this Federal Law;

5) Submit to claims court statements in defense of the rights of data subjects, including in defense of the rights of the general public, and to represent the interests of data subjects in court (ed. Federal Law dated July 25, 2011 N 261-FZ - Legislation Bulletin of the Russian Federation, 2011, N 31, art. 4701);

5.1) Submit the information specified in clause 7 of part 3 of article 22 of this Federal Law to the federal executive body for security and the federal executive body for technical counter-intelligence and the technical protection of information in relation to the scope of their activity (clause 5.1 introduced by Federal Law dated July 25, 2011 N 261-FZ - Legislation Bulletin of the Russian Federation, 2011, N 31, art. 4701);

6) Send a petition to the body that licenses controller activities to consider the possibility of taking measures to suspend or annul the relevant license in accordance with the procedure established by the legislation of the Russian Federation if one of the conditions of the license to conduct such activities is the prohibition of the transfer of personal data to third parties without the written consent of the data subject;

7) Send materials to public prosecution bodies and other law enforcement bodies in order for a decision to be made on the issue of instituting criminal proceedings based on the material elements of crimes relating to violation of the rights of data subjects, in accordance with the authority that has jurisdiction;

8) Submit to the Government of the Russian Federation proposals for improving statutory regulations for the protection of the rights of data subjects;

9) Engage in administrative action against entities guilty of violating this Federal Law.

4. The confidentiality of personal data is ensured with regard to personal data that have become known to the authorized body for the protection of the rights of data subjects in the course of its activities.

5. The authorized body for the protection of the rights of data subjects is obliged to:

1) Organize protection of the rights of data subjects in accordance with the requirements of this Federal Law and other federal laws;

2) Consider the complaints and claims from citizens and legal entities on matters relating to the processing of personal data and make decisions based on the consideration of such complaints and claims within the scope of its powers;

3) Maintain the register of controllers;

4) Employ other measures aimed at improving the protection of the rights of data subjects;

5) Take measures to bring about the suspension or termination of the processing of personal data in accordance with the procedure established by the legislation of the Russian Federation upon the recommendation of the federal executive body for security or the federal executive body for technical counter-intelligence and the technical protection of information (ed. Federal Law dated July 1, 2017 N 148-FZ - Legislation Bulletin of the Russian Federation, 2017, N 27, art. 3945);

6) Respond to state bodies and data subjects regarding their applications and requests about conditions relating to the protection of the rights of data subjects;

7) Perform other duties stipulated by the legislation of the Russian Federation.

5.1. The authorized body for the protection of the rights of data subjects shall cooperate with authorized bodies for the protection of the rights of data subjects in foreign states, and in particular shall engage in the international exchange of information relating to the protection of the rights of data subjects and approve a list of foreign states that provide adequate protection for the rights of data subjects (part 5.1 introduced by Federal Law dated July 25, 2011, N 261-FZ - Legislation Bulletin of the Russian Federation, 2011, N 31, art. 4701).

6. The decisions of the authorized body for the protection of the rights of data subjects may be appealed through the courts.

7. The authorized body for the protection of the rights of data subjects shall send a report on its activities on an annual basis to the President of the Russian Federation, the Government of the Russian Federation, and the Federal Assembly of the Russian Federation. That report shall be published in the mass media.

8. The authorized body for the protection of the rights of data subjects shall be financed from federal budget resources.

9. A voluntary advisory board shall be created under the authorized body for the protection of the rights of data subjects, the procedure for the formation and procedures for the activities of which shall be determined by the authorized body for the protection of the rights of data subjects.

Article 24. Liability for violation of the requirements of this Federal Law

1. Entities guilty of violating the requirements of this Federal Law shall carry the liability stipulated by the legislation of the Russian Federation (ed. introduced by Federal Law dated July 25, 2011 N 261-FZ - Legislation Bulletin of the Russian Federation, 2011, N 31, art. 4701).

2. Psychological damage caused to a data subject as a result of violation of their rights or violation of the rules for the processing of personal data as established by this Federal Law and the requirements relating to the protection of personal data established in accordance with this Federal Law shall be compensated in accordance with the legislation of the Russian Federation. Compensation for psychological damage shall be provided irrespective of compensation for any material damage and losses suffered by the data subject (part 2 introduced by Federal Law dated July 25, 2011 N

261-FZ - Legislation Bulletin of the Russian Federation, 2011, N 31, art. 4701).

Chapter 6. Final provisions

Article 25. Final provisions

1. This Federal Law shall enter into force upon the expiration of one hundred eighty days after the day of its official publication.

2. After the day of the entry into force of this Federal Law, the processing of personal data included in personal data information systems prior to the day of its entry into force shall be conducted in accordance with this Federal Law.

2.1. Controllers that conducted the processing of personal data prior to July 1, 2011 are obliged to submit the information specified in clauses 5, 7.1, 10 and 11 of part 3 of article 22 of this Federal Law to the authorized body for the protection of the rights of data subjects no later than January 1, 2013 (part 2.1 introduced by Federal Law dated July 25, 2011, N 261-FZ - Legislation Bulletin of the Russian Federation, 2011, N 31, art. 4701).

3. (Part 3 ceased to be in force under Federal Law dated July 25, 2011 N 261-FZ - Legislation Bulletin of the Russian Federation, 2011, N 31, art. 4701)

4. Controllers that conduct the processing of personal data prior to the entry into force of this Federal Law and continue to conduct such processing after its entry into force are obliged, with the exception of the cases stipulated by part 2 of article 22 of this Federal Law, to send the notification specified in part 3 of article 22 of this Federal Law to the authorized body for the protection of the rights of data subjects no later than January 1, 2008.

5. Matters relating to the processing of personal data conducted by state bodies, legal entities or private entities in the provision of state and municipal

services and the performance of state and municipal functions in a constituent entity of the Russian Federation in Moscow, a city of federal importance, are governed by this Federal Law, unless otherwise stipulated by the Federal Law “On the peculiarities of regulating certain legal relations in connection with the affiliation of constituent entities of the Russian Federation to Moscow, a city of federal importance, and on the introduction of amendments to certain legislative acts of the Russian Federation” (part 5 introduced by Federal Law dated April 5, 2013 N 43-FZ - Legislation Bulletin of the Russian Federation, 2013, N 14, art. 1651).

Moscow, Kremlin

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