



## LAW OF UKRAINE

## On Personal Data Protection

(Official Bulletin of the Verkhovna Rada of Ukraine (BVR), 2010, No. 34, Art. 481)

{As amended by Laws No.

[4452-VI of 23 February 2012](#), BVR, 2012, No. 50, Art. 564

[No. 5491-VI of 20 November 2012](#), BVR, 2013, No. 51, Art. 715

[No. 245-VII of 16 May 2013](#), BVR, 2014, No. 12, Art. 178

[No. 383-VII of 03 July 2013](#), BVR, 2014, No. 14, Art. 252

[No. 1170-VII of 27 March 2014](#), BVR, 2014, No. 22, Art. 816

[No. 1262-VII of 13 May 2014](#), BVR, 2014, No. 27, Art. 914

[No. 316-VIII of 09 April 2015](#), BVR, 2015, No. 26, Art. 218

[No. 675-VIII of 03 September 2015](#), BVR, 2015, No. 45, Art. 410

[No. 1774-VIII of 06 December 2016](#), BVR, 2017, No. 2, Art. 25

[No. 2168-VIII of 19 October 2017](#), BVR, 2018, No. 5, Art. 31

[No. 324-IX of 03 December 2019](#), BVR, 2020, No. 11, Art. 63

[No. 524-IX of 04 March 2020](#), BVR, 2020, No. 38, Art. 279}

{In the Law wording, the words “personal database owner” and “personal database manager” in all cases and numbers are replaced, respectively, by the words “personal data owner” and “personal data manager” in the corresponding case and number in accordance with Law [No. 5491-VI of 20 November 2012](#)}

## Article 1. Scope of the Law

This law regulates legal relations concerning the protection and processing of personal data and is aimed at protecting fundamental human and civil rights and freedoms, in particular at the right of non-interference in personal life, in connection with personal data processing.

This Law shall be applied to the activities associated with personal data processing by automated means in whole or in part, as well as with the processing of personal data contained in or to be entered into the filing system by non-automated means.

{Part 3 of Article 1 has been deleted under Law [No. 383-VII of 03 July 2013](#)}

{Part 4 of Article 1 has been deleted under Law [No. 383-VII of 03 July 2013](#)}

{Article 1 as revised by Law [No. 5491-VI of 20 November 2012](#)}

## Article 2. Definitions

For the purposes of this Law, the following definitions shall apply:

personal database is a named set of ordered personal data in electronic form and/or in the form of personal data files;

Personal data owner is a natural or legal person who determines the purpose of personal data processing, the composition of this data and the procedures for its processing, unless otherwise specified by law;

{Paragraph 3 of Article 2 as amended under Law [No. 5491-VI of 20 November 2012](#); as amended by Law [No. 383-VII of 03 July 2013](#)}

Personal data subject's consent is a voluntary expression of the individual's will (subject to his/her awareness) regarding the granting of permission to process his/her personal data in accordance with the stated purpose of their processing, expressed in writing or in a form that allows concluding that consent has been provided. In the field of electronic commerce, the personal data subject's consent can be provided when registering in the information and telecommunication system of the electronic commerce subject by putting a mark on the granting of permission to process the personal data in accordance with the stated purpose of their processing, provided that such a system does not create opportunities for personal data processing until the mark is put down;

{Paragraph 4 of Article 2 as amended by Law [No. 1262-VII of 13 May 2014](#); as amended by Law [No. 675-VIII of 03 September 2015](#)}

{Paragraph 5 of Article 2 has been deleted under Law [No. 383-VII of 03 July 2013](#)}

Personal data depersonalisation is a withdrawal of information that allows to directly or indirectly identify a person;

{Paragraph 6 of Article 2 as amended by Law [No. 5491-VI of 20 November 2012](#)}

Card-file is any structured personal data available according to certain criteria, regardless of whether such data is centralised, decentralised or divided according to functional or geographic principles;

{Article 1 is supplemented with a term in accordance with Law [No. 5491-VI of 20 November 2012](#)}

Personal data processing is any action or set of actions, such as collection, registration, accumulation, storage, adaptation, change, renewal, use and distribution (circulation, sale, transfer), depersonalisation, destruction of personal data, including using information (automated) systems;

{Article 1 as revised by Law [No. 5491-VI of 20 November 2012](#)}

Recipient is a natural or legal person, to which the personal data are provided, whether a third party or not;

{Article 1 is supplemented with a term in accordance with Law [No. 5491-VI of 20 November 2012](#)}

Personal data includes details or a set of details about the individual, which is or may be explicitly identified;

Personal data manager is a natural or legal person who is granted the right by the personal data owner or by law to process this data on behalf of the owner;

{Paragraph 11 of Article 2 as amended by Law [No. 5491-VI of 20 November 2012](#)}

Personal data subject is a natural person whose personal data are processed;

{Paragraph 12 of Article 2 as revised under Law [No. 383-VII of 03 July 2013](#)}

Third party is any person, except for the personal data subject, personal data owner or manager and the Human Rights Ombudsman of the Verkhovna Rada of Ukraine, to whom the personal data owner or manager transfers personal data.

{Paragraph 13 of Article 2 as revised under Law [No. 383-VII of 03 July 2013](#)}

### Article 3. Legislation on personal data protection

The legislation on personal data protection is constituted by the Constitution of Ukraine, this Law, other laws and by laws, international treaties of Ukraine, the consent to the statutory requirement for which was provided by the Verkhovna Rada of Ukraine.

### Article 4. Subjects of relations related to personal data

#### 1. Subjects of relations related to personal data are:

personal data subject;

personal data owner;

personal data manager;

third party;

Authorised Human Rights Representative of the Verkhovna Rada of Ukraine (hereinafter referred to as the Authorised Representative).

{Paragraph 6, Part 1 of Article 4 as amended by Law [No. 383-VII of 03 July 2013](#)}

{Paragraph 7, Part 1 of Article 4 has been deleted by Law [No. 5491-VI of 20 November 2012](#)}

2. Enterprises, institutions and organisations of all forms of ownership, state or local authorities, individuals who process personal data in accordance with the law can be personal data owners or managers.

3. Manager of personal data, the owner of which is a state or local authority, in addition to these authorities, can only be an enterprise of state or municipal ownership that belongs to the sphere of this authority management.

{Part 3 of Article 4 as amended by Law [No. 5491-VI of 20 November 2012](#)}

4. Personal data manager can entrust the personal data processing to the personal data manager in accordance with a written agreement.

{Article 6 has been supplemented with Part 4 under Law [No. 5491-VI of 20 November 2012](#)}

5. Personal data manager may process personal data only for the purposes and to the extent specified in the agreement.

{Article 4 has been supplemented with Part 5 under Law [No. 5491-VI of 20 November 2012](#)}

### Article 5. Protection objects

1. Personal data is the protection object.

2. Personal data can be classified as confidential information about a person by law or by relevant person. Personal data relating to a person authorised to perform the state or local authorities functions, or official powers, is not confidential information.

{Part 2 of Article 5 as amended by Law [No. 524-IX of 04 March 2020](#)}

3. The personal data specified in the declaration of the person authorised to perform the state or local authorities functions, drawn up in the form determined in accordance with the [Law of Ukraine](#) “On Prevention of Corruption”, does not refer to the restricted information, except for information determined by the Law of Ukraine “On Prevention of Corruption”.

{Paragraph 1, Part 3 of Article 5 as revised by Law [No. 524-IX of 04 March 2020](#)}

Information on the receipt of budget funds, state or municipal property in any form by an individual is not restricted information, except in cases provided for in [Article 6 of the Law of Ukraine](#) “On Access to Public Information”.

The Law may prohibit the classification of other information, which is personal data, as restricted information.

{Article 5 as amended by Law [No. 5491-VI of 20 November 2012](#); as revised by Law [No. 1170-VII of 27 March 2014](#)}

#### Article 6. General requirements for personal data processing

1. Purpose of personal data processing shall be stated in laws, other regulatory legal acts, regulations, constituent or other documents regulating the activities of the personal data owner, and comply with the legislation on personal data protection.

Personal data shall be processed openly and transparently using means and way that meet the specific purposes of such processing.

{Part one of Article 6 has been supplemented by a new paragraph under Law [No. 5491-VI of 20 November 2012](#)}

In the event that a specific purpose of personal data processing is changed to a new purpose that is incompatible with the previous one, for further data processing, the personal data owner is liable obtain the personal data subject's consent to process his data in accordance with the changed purpose, unless otherwise provided for by law.

{Paragraph 3, Part 1 of Article 6 as amended under Law [No. 5491-VI of 20 November 2012](#); as amended by Law [No. 383-VII of 03 July 2013](#)}

2. Personal data shall be accurate, reliable and updated as required, determined by the purpose of their processing.

{Part 2 of Article 6 as revised by the Law [No. 5491-VI of 20 November 2012](#)}

3. Personal data composition and content shall be appropriate, adequate and non-excessive with respect to the specific purpose of their processing.

{Paragraph 1, Part 3 of Article 6 as amended by Law [No. 5491-VI of 20 November 2012](#)}

{Paragraph 2, Part 3 of Article 6 has been deleted by Law [No. 5491-VI of 20 November 2012](#)}

4. Primary sources of information about an individual are documents issued in his/her name; documents signed by him/her; information that the person provides about himself/herself.

5. Personal data is processed for specific and legitimate purposes determined by the personal data subject's consent or in cases provided for by the laws of Ukraine, in accordance with a procedure prescribed by law.

6. Processing of data about an individual is not allowed, if it is confidential information, without his/her consent, except for cases determined by law, and only in the interests of national security, economic welfare and human rights.

{Part 6 of Article 6 as amended by Law [No. 1170-VII of 27 March 2014](#)}

7. If personal data processing is required to protect the vital interests of the personal data subject, personal data processing is allowed without his/her consent until it becomes possible to obtain such consent.

8. Personal data is processed in a form that allows the identification of the individual to whom it concerns, not longer than it is required for the legitimate purposes for which it was collected or further processed.

Further personal data processing for historical, statistical or scientific purposes may be carried out provided that it is adequately protected.

{Part 8 of Article 6 as revised by Law [No. 383-VII of 03 July 2013](#)}

{Part 9 of Article 6 has been deleted under Law [No. 383-VII of 03 July 2013](#)}

10. Standard procedure for personal data processing is approved by the Authorised Representative.

{Part 10 of Article 6 as amended by laws [No. 4452-VI of 23 February 2012](#), [No. 5491-VI of 20 November 2012](#); as amended by laws [No. 383-VII of 03 July 2013](#), [No. 1262-VII of 13 May 2014](#)}

#### Article 7. Special requirements for personal data processing

1. Processing of personal data on racial or ethnic origin, political, religious or ideological beliefs, membership in political parties and trade unions, criminal conviction, as well as processing of data related to health, sexual life, biometric or genetic data is prohibited.

{Part 1 of Article 7 as amended under Law [No. 5491-VI of 20 November 2012](#); as amended by Law No. 383-VII of 03 July 2013}

2. Provisions of Part 1 of this Article shall not apply if one of the following applies:

1) personal data is processed provided that the personal data subject provides unambiguous consent to such data processing;

2) personal data processing is required for the exercise of the owner's rights and obligations in the field of Labour Relations in accordance with the law with the provision of appropriate protection;

{Paragraph 2, Part 2 of Article 7 as amended under Law [No. 5491-VI of 20 November 2012](#)}

3) personal data processing is required to protect the vital interests of the personal data subject or other person in the event of incapacity or restriction of the civil legal capacity of the personal data subject;

{Paragraph 3, Part 2 of Article 7 as amended under Law [No. 5491-VI of 20 November 2012](#)}

4) personal data is processed with the provision of appropriate protection by a religious organisation, public persuasion organisation, political party or trade union, that are established in accordance with the law, provided that the processing concerns exclusively the personal data of members of these associations or persons who maintain constant contacts with them due to the nature of their activities, and personal data is not transferred to a third party without the personal data subject's consent;

{Paragraph 4, Part 2 of Article 7 as amended under Law [No. 5491-VI of 20 November 2012](#)}

5) personal data processing is required to justify, satisfy or protect a legal claim;

6) personal data processing is required for the purpose of health protection, establishing a medical diagnosis, for providing care or treatment or providing medical services, electronic health system functioning, provided that such data is processed by a medical worker or other person of a health care institution or by an individual who has received a license to carry out economic activities in medical practice, and its employees who are responsible for ensuring the protection of personal data and who are subject to legislation on medical secrecy, employees of the Central Executive Authority implementing state policy in the field of state financial guarantees of medical care for the population, who are responsible for ensuring the personal data protection;

{Paragraph 6 of Part 2 of Article 7 as amended by laws [No. 5491-VI of 20 November 2012](#), [No. 2168-VIII of 19 October 2017](#)}

7) personal data processing concerns court sentences, fulfilment of law enforcement intelligence or counterintelligence operations, fight against terrorism and is carried out by a state body within the scope of its powers defined by law;

{Paragraph 7, Part 2 of Article 7 as amended by Law No. [245-VII of 16 May 2013](#); as amended by Law No. 383-VII of 03 July 2013}

8) personal data processing concerns data that has been explicitly made public by the personal data subject.

{Paragraph 8, Part 2 of Article 7 as amended under Law [No. 383-VII of 03 July 2013](#)}

#### Article 8. Rights of the personal data subject

1. Personal non-property rights to personal data, which are granted to each individual, are inalienable and inviolable.

2. Personal data subject has the right to:

1) know about the sources of collection, location of his personal data, purpose of their processing, location or place of residence (stay) of the personal data owner or manager, or give an appropriate order to receive this information to persons authorised by him, except in cases established by law;

{Paragraph 1, Part 2 of Article 8 as amended under Law [No. 5491-VI of 20 November 2012](#); as amended by Law No. 383-VII of 03 July 2013}

2) receive information about the conditions for granting access to personal data, in particular information about third parties to whom his personal data is transferred;

{Paragraph 2, Part 2 of Article 8 as amended under Law [No. 5491-VI of 20 November 2012](#)}

3) access to his personal data;

{Paragraph 3, Part 2 of Article 8 as amended under Law [No. 5491-VI of 20 November 2012](#)}

4) not later than thirty calendar days from the date of request receipt, except in cases provided for by law, receive a response on whether his personal data is being processed, as well as receive the content of such personal data;

{Paragraph 4, Part 2 of Article 8 as amended by Law [No. 383-VII of 03 July 2013](#)}

5) submit a reasoned request to the personal data owner with an objection to the processing of his personal data;

{Paragraph 5, Part 2 of Article 8 as revised by the Law [No. 5496-VI of 20 November 2012](#)}

6) submit a reasoned request for modification or destruction of his personal data by any personal data owner and manager, if this data is processed illegally or is unreliable;

{Paragraph 6, Part 2 of Article 8 as amended under Law [No. 5491-VI of 20 November 2012](#)}

7) protect his personal data from illegal processing and accidental loss, destruction, damage due to deliberate concealment, failure to provide data or its untimely provision, as well as protect against providing information that is unreliable or discredits the individual's honour, dignity and business reputation;

8) submit complaints about the his personal data processing to the Authorised Representative or to the court;

{Paragraph 8, Part 2 of Article 8 as amended by Law [No. 5491-VI of 20 November 2012](#); as amended by Law [No. 383-VII of 03 July 2013](#)}

9) apply legal remedies in case of violation of the law on personal data protection;

10) make reservations regarding the restriction of the right to process his personal data when providing consent;

{Part 2 of Article 8 has been supplemented with Paragraph 10 under Law [No. 5491-VI of 20 November 2012](#)}

11) withdraw consent to the personal data processing;

{Part 2 of Article 8 has been supplemented with Paragraph 11 under the Law [No. 5491-VI of 20 November 2012](#)}

12) know the mechanism of automatic personal data processing;

{Part 2 of Article 8 has been supplemented with Paragraph 12 under the Law [No. 5491-VI of 20 November 2012](#)}

13) be protected from an automated solution that has legal consequences for him.

{Part 2 of Article 8 has been supplemented with Paragraph 13 under the Law [No. 5491-VI of 20 November 2012](#)}

{Part 3 of Article 8 has been deleted under Law [No. 383-VII of 03 July 2013](#)}

#### Article 9. Notification of personal data processing

1. Personal data owner shall notify the Authorised Representative about the personal data processing, which poses a particular risk to the rights and freedoms of personal data subjects, within thirty working days from the date of such processing.

Types of processing personal data that pose a particular risk to the rights and freedoms of personal data subjects and to the categories of subjects to which the notification requirement applies shall be determined by the Authorised Representative.

2. Notification on the personal data processing shall be submitted in the form and in accordance with the procedure specified by the Authorised Representative.

3. Personal data owner is obliged to notify the Authorised Representative of any change in the information to be notified within ten working days from the date of such a change.

4. Information to be notified in accordance with this Article shall be published on the official website of the Authorised Representative in accordance with the procedure established by the Authorised Representative.

{Article 9 as amended by Law [No. 5491-VI of 20 November 2012](#); as revised by Law [No. 383-VII of 03 July 2013](#)}

#### Article 10. Use of personal data

1. Use of personal data provides for any actions of the owner to process this data, actions to protect it, as well as actions to grant partial or full right to process personal data to other subjects of relations associated with personal data, performed with the consent of the personal data subject or in accordance with law.

{Part 1 of Article 10 as amended by Law [No. 5491-VI of 20 November 2012](#)}

2. Use of personal data by the owner is carried out in the event he creates conditions for the protection of this data. The owner shall not disclose the information regarding personal data subjects, the access to personal data of which is provided for to other subjects of relations associated with such data.

{Part 2 of Article 10 as amended by Law [No. 5491-VI of 20 November 2012](#)}

3. Use of personal data by employees of the subjects of relations associated with personal data should be carried out only in accordance with their professional or official or work duties. These employees are obliged not to allow the disclosure of personal data that was entrusted or that became known to them in connection with the performance of professional or official or work duties in any way, except as otherwise provided for by law. Such an obligation is valid after the termination of their activities related to personal data, except as otherwise provided for by law.



{Part 3 of Article 10 as amended by Law [No. 1170-VII of 27 March 2014](#)}

4. Information about the personal life of an individual shall not be used as a factor confirming or refuting his business qualities.

Article 11. Grounds for the processing of personal data

1. Grounds for the personal data processing are:

- 1) personal data subject's consent to the processing of his personal data;
- 2) permission to process personal data granted to the personal data owner in accordance with the law solely for the exercise of his powers;
- 3) conclusion and execution of a transaction to which the personal data subject is a party or which is concluded in favour of the personal data subject or for the implementation of measures preceding the transaction conclusion at the request of the personal data subject;
- 4) protection of the personal data subject's vital interests;
- 5) requirement to fulfil the personal data owner's obligation, which is provided for by law;

{Part one of Article 11 has been supplemented by a new paragraph under the Law [No. 383-VII of 03 July 2013](#)}

6) requirement to protect the legitimate interests of the personal data owner or a third party to whom the personal data is transferred, except in cases where the requirement to protect the fundamental rights and freedoms of the personal data subject in connection with his data processing is dominated by such interests.

{Paragraph 6, Part 1 of Article 11 as amended by Law [No. 383-VII of 03 July 2013](#)}

{Article 11 as revised by Law [No. 5491-VI of 20 November 2012](#)}

Article 12. Personal data collection

1. Personal data collection is a component of the process of their processing, which provides for actions to select or organise information about an individual.

{Part 1 of Article 12 as amended by Law [No. 5491-VI of 20 November 2012](#)}

2. Personal data subject shall be informed about the personal data owner, composition and content of the collected personal data, his rights defined by this Law, purpose of collecting personal data and the persons to whom his personal data is transferred:

at the time of personal data collection, if personal data is collected from the personal data subject;

in other cases within thirty working days from the date of personal data collection.

{Part 2 of Article 12 as revised by Laws [No. 5491-VI of 20 November 2012](#), [No. 383-VII of 03 July 2013](#)}

{Part 3 of Article 12 has been deleted under Law [No. 5491-VI of 20 November 2012](#)}

{Part 4, Article 12 has been deleted under Law [No. 5491-VI of 20 November 2012](#)}

Article 13. Personal data accumulation and storage

1. Personal data accumulation provides for actions to combine and systematise information about an individual or group of individuals or enter this data into the personal data base.

2. Personal data storage provides for actions to ensure its integrity and appropriate access to it.

Article 14. Personal data dissemination

1. Personal data dissemination provides for actions for the transfer of information about an individual with the personal data subject's consent.

{Part 1 of Article 14 as amended by Law [No. 5491-VI of 20 November 2012](#)}

2. Personal data dissemination without the consent of personal data subject or his authorised person is allowed in cases specified by law and only (if required) in the interests of national security, economic welfare and human rights.

{Part 2 of Article 14 as amended by Law [No. 5491-VI of 20 November 2012](#)}

3. Fulfilment of the established regime requirements for the protection of personal data is ensured by the party disseminating this data.

4. The party to which the personal data is transferred shall first take measures to ensure the requirements of this Law.

Article 15. Personal data deletion or destruction

{Article title 15 as revised by Law [No. 5491-VI of 20 November 2012](#)}

1. Personal data shall be deleted or destroyed in accordance with the procedure established by law.

{Part 1 of Article 15 as amended by Law [No. 5491-VI of 20 November 2012](#)}

2. Personal data shall be deleted or destroyed in the case of:

{Paragraph 1, Part 2 of Article 15 as amended by Law [No. 383-VII of 03 July 2013](#)}

1) expiration of the data storage period determined by the personal data subject's consent to the processing of this data or by law;

2) termination of the legal relationship between the personal data subject and owner or manager, unless otherwise provided for by law;

3) issuance of an appropriate order of the Authorised Representative or designated by him officials of the Authorised Representative Secretariat;

{Subparagraph 3, Part 2 of Article 15 as amended by Law [No. 383-VII of 03 July 2013](#)}

4) entry into force of a court decision on personal data removal or destruction.

{Part 2 of Article 15 has been supplemented by a subparagraph under the Law [No. 383-VII of 03 July 2013](#)}

3. Personal data collected in violation of the requirements of this Law shall be subject to deletion or destruction in accordance with a procedure prescribed by law.

{Part 3 of Article 15 as amended by Law [No. 383-VII of 03 July 2013](#)}

4. Personal data collected during the performance of tasks of law enforcement intelligence or counterintelligence operations, fight against terrorism shall be deleted or destroyed in accordance with the Law requirements.

{Part 4 of Article 15 as amended by Law [No. 383-VII of 03 July 2013](#)}

{Text of Article 15 as amended by Law [No. 5491-VI of 20 November 2012](#)}

#### Article 16. Personal data access procedure

1. Personal data access procedure for third parties is determined by the conditions of personal data subject's consent to the processing of such data, provided to the personal data owner, or in accordance with Law requirements. Procedure for access of third parties to personal data held by the public information manager is determined by the [Law of Ukraine](#) "On Access to Public Information", except for data received from other bodies by the central executive body that ensures the formation and implementation of state financial and budgetary policy, during verification and monitoring of state payments.

{Part 1 of Article 16 as amended under Laws [No. 1170-VII of 27 March 2014](#), [No. 1774-VIII of 06 December 2016](#); as revised by Law [No. 324-IX of 03 December 2019](#)}

2. Access to personal data shall not be granted to a third party if the said person refuses to undertake obligations to ensure compliance with the requirements of this Law or is unable to provide them.

3. Subject of relations associated with personal data shall submit a request for access (hereinafter referred to as the request) to personal data to the personal data owner.

4. The request shall indicate:

1) full name, place of residence (stay) and details of the document certifying the individual submitting the request (for an individual applicant);

2) name, location of the legal entity submitting a request, assignment, full name of the person certifying the request; confirmation that the request content corresponds to the legal entity powers (for a legal entity applicant);

3) full name, as well as other information allowing to identify the individual in respect of whom the request is made;

4) information on the personal data base in respect of which the request is submitted, or information on the personal data owner or manager;

{Paragraph 4, Part 4 of Article 16 as amended under Law [No. 5491-VI of 20 November 2012](#)}

5) list of personal data requested;

6) purpose and/or legal grounds for the request.

{Paragraph 6, Part 4 of Article 16 as amended under Law [No. 5491-VI of 20 November 2012](#)}

5. Term for reviewing a request for its satisfaction may not exceed ten working days from the date of its receipt.

During this period, the personal data owner shall notify the person making the request, that the request will be satisfied or the corresponding personal data will not be provided, indicating the grounds specified in the relevant regulatory legal act.

The request shall be satisfied within thirty calendar days from the date of its receipt, unless otherwise provided for by law.

6. Personal data subject has the right to receive any information about himself from any subject of relations associated with personal data, given the provision of information specified in Paragraph 1, Part 4 of this Article, except as otherwise provided for by law.

{Part 6 of Article 16 as amended by Law [No. 5491-VI of 20 November 2012](#)}

#### Article 17. Postponement or denial of access to personal data

1. Postponement of access of the personal data subject to his personal data is not allowed.

2. Postponement of access to personal data of third parties is allowed if the required data cannot be provided within thirty calendar days from the date of request receipt. In this case, the total term for resolving the issues raised in the request may not exceed forty-five calendar days.

Postponement shall be notified to the third party who submitted the request in writing, with an explanation of the procedure for appealing such a decision.

Postponement notification shall indicate:

- 1) full name of the official;
- 2) notification sending date;
- 3) postponement reason;
- 4) period during which the request is satisfied.

3. Denial of access to personal data is allowed if access to it is prohibited by law.

Refusal notification shall indicate:

- 1) full name of the official who refuses access;
- 2) notification sending date;
- 3) refusal reason.

#### Article 18. Appealing a decision on personal data access postponement or refusal

1. A decision to postpone or deny access to personal data may be appealed to the Authorised Human Rights Representative of the Verkhovna Rada of Ukraine or to the court.

{Part 1 of Article 18 as revised by Law [No. 5491-VI of 20 November 2012](#); as amended by Law [No. 383-VII of 03 July 2013](#)}

2. If the request is made by the personal data subject regarding data about himself, the obligation to prove in court the legality of the access denial rests with the personal data owner to whom the request was submitted.

{Part 2 of Article 18 as amended by Law [No. 5491-VI of 20 November 2012](#)}

#### Article 19. Payment for personal data access

1. Access of the personal data subject to data about himself is free of charge.

2. Access of other subjects of relations associated with personal data to the personal data of a particular individual or group of individuals may be paid if the conditions specified by this Law are met. Payment shall be made for work-related to personal data processing, as well as for work on consulting and organising access to the relevant data.

3. The amount of payment for services for providing access to personal data by state authorities is determined by the Cabinet of Ministers of Ukraine.

4. State and local authorities have the right to unimpeded and free access to personal data in accordance with their powers.

#### Article 20. Amendments and additions to personal data

1. Personal data owners or managers are obliged to make amendments to personal data on the reasoned written request from the personal data subject.

{Part 1 of Article 20 as amended by Law [No. 383-VII of 03 July 2013](#)}

2. Personal data owners or managers are obliged to make amendments to personal data also upon the request of other subjects of relations associated with personal data, if the consent of the personal data subject is obtained or the corresponding amendment is made according to the order of the Authorised Representative or Authorised Representative Secretariat officials designated by him or by court decision that entered into legal force.

{Part 2 of Article 20 as revised by Law [No. 383-VII of 03 July 2013](#)}

3. Amendments to personal data that do not correspond to reality are made without delay from the moment the discrepancy is established.

#### Article 21. Notification of actions with personal data



1. Personal data owner shall notify the personal data subject of the personal data transfer to a third party within ten working days, if required by the conditions of his consent or otherwise not provided for by law.

2. Notifications specified in Part 1 of this Article shall not be made in the case of:

1) personal data transfer upon requests when performing the tasks of law enforcement intelligence or counterintelligence operations, fight against terrorism

2) exercise by state and local authorities of their powers provided for by law;

3) personal data processing for historical, statistical or scientific purposes;

4) notification of the personal data subject in accordance with the requirements of Part 2 of Article 12 of this Law.

{Part 2 of Article 21 has been supplemented with Paragraph 4 under the Law [No. 5491-VI of 20 November 2012](#)}

3. Personal data owner shall notify the personal data subject, as well as the subjects of relations associated with personal data to whom the personal data have been transferred of the amendment, deletion or destruction of personal data or restriction of access to it within ten working days .

{Part 3 of Article 21 as amended by Law [No. 383-VII of 03 July 2013](#)}

Article 22. Monitoring compliance with Law On Personal Data Protection

1. Control over compliance with Law On Personal Data Protection within the powers provided for by law is carried out by the following bodies:

1) Authorised Representative;

2) courts.

{Article 22 as amended by Law [No. 5491-VI of 20 November 2012](#); text of Article 22 as revised by Law [No. 383-VII of 03 July 2013](#)}

Article 23. Powers of the Authorised Human Rights Representative of the Verkhovna Rada of Ukraine in the field of personal data protection

1. Authorised Representative has the following powers in the field of personal data protection:

1) receive proposals, complaints and other appeals of individuals and legal entities on the personal data protection and make decisions based on the results of its consideration;

2) carry out, on the basis of requests or on his own initiative, on-site and restricted to travel abroad, scheduled, unscheduled inspections of the personal data owners or managers in accordance with a procedure determined by the Authorised Representative, with ensuring access to the premises where the personal data is processed in accordance with the law;

3) receive upon his request and have access to any information (documents) of the owners or managers of personal data that are required to exercise control over the personal data protection, including access to personal data, relevant databases or card files, restricted information;

4) approve regulations in the field of personal data protection in the cases provided by this Law;

5) based on the results of the appeal verification, consideration, issue binding requirements (instructions) on the prevention or elimination of violations of Law On Personal Data Protection, including amendment, deletion or destruction of personal data, providing access to it, providing or prohibiting its provision to a third person, suspension or termination of personal data protection;

6) give recommendations on the practical application of the Law On Personal Data Protection, clarify the rights and obligations of the relevant persons at the request of personal data subjects, personal data owners or managers, structural units or persons in charge of organising work on the personal data protection, other persons;

7) interact with structural subdivisions or responsible persons who, in accordance with this Law, organise work related to the personal data protection during processing; publish information about such structural subdivisions and responsible persons;

8) apply with proposals to the Verkhovna Rada of Ukraine, the President of Ukraine, the Cabinet of Ministers of Ukraine, other state and local authorities, their officials on the adoption or amendment of regulations on the personal data protection;

9) provide, upon request of professional, self-governing and other public associations or legal entities, opinions on draft codes of conduct in the field of personal data protection and amendments to it;

10) draw up protocols on bringing to administrative responsibility and send them to the court in cases stipulated by law;

11) inform about the Law On Personal Data Protection, problems of its practical application, rights and obligations of the subjects of relations associated with the personal data;

12) monitor new practices, trends and technologies of personal data protection;

13) organise and ensure interaction with foreign subjects of relations associated with personal data, including in connection with the implementation of the [Convention for the Protection of Individuals with Regard to Automatic Processing of Personal Data](#) and the Additional Protocol to it, other international treaties of Ukraine in the field of personal data protection;

14) participate in the work of international organisations on personal data protection.

2. Authorised Human Rights Representative of the Verkhovna Rada of Ukraine shall include in his annual report on the state of observance and protection of human and civil rights and freedoms in Ukraine a report on the state of observance of legislation in the field of personal data protection.

{Article 23 as amended by Law [No. 5491-VI of 20 November 2012](#); as revised by Law [No. 383-VII of 03 July 2013](#)}

#### Article 24. Providing personal data protection

1. Personal data owners, managers and third parties are obliged to ensure this data protection from accidental loss or destruction, from illegal processing, including illegal destruction or access to personal data.

2. Structural unit or individual in charge organising work related to the personal data protection during processing, shall be established (determined) in state and local authorities, as well as in personal data owners or managers that process personal data subject to notification in accordance with this Law.

Information on the specified structural union or individual in charge shall be reported to the Authorised Human Rights Representative of the Verkhovna Rada of Ukraine, who shall ensure its publication.

3. Structural unit or individual in charge of organisation of work related to the personal data protection during processing shall:

1) inform and advise the personal data owner or manager on compliance with the Law On Personal Data Protection;

2) interact with the Authorised Human Rights Representative of the Verkhovna Rada of Ukraine and officials of the Secretariat designated by him on issues of prevention and elimination of violations of the Law On Personal Data Protection.

4. Individual entrepreneurs, including licensed doctors, lawyers, notaries personally ensure the protection of personal data that they possess, in accordance with the Law requirements.

{Article 24 as amended by Law [No. 5491-VI of 20 November 2012](#); as revised by Law [No. 383-VII of 03 July 2013](#)}

#### Article 25. Restraints on the validity of this Law

1. Restraint of Articles 6, 7 and 8 of this Law may be exercised in cases provided by law, to the extent required in a democratic society in the interests of national security, economic welfare or protection of the rights and freedoms of personal data subjects or other persons.

2. Processing of personal data is permitted without applying the provisions of this Law, if such processing is carried out:

1) by an individual solely for personal or domestic needs;

2) solely for journalistic and creative purposes, given a balance is ensured between the right to respect for private life and the right to freedom of expression.

3. This Law shall not be applied to relations concerning the receipt of archival information of repressive bodies.

{Article 25 has been supplemented with a Part 3 under Law [No. 316-VIII of 09 April 2015](#)}

{Article 25 as revised by Law [No. 383-VII of 03 July 2013](#)}

#### Article 26. Provision of finance for personal data protection works

Provision of finance for works and measures to ensure the personal data protection is carried out at the expense of the State Budget of Ukraine and local budgets, funds of the subjects of relations associated with personal data.

#### Article 27. Application of this Law provisions

1. Provisions on personal data protection set forth in this Law may be supplemented or clarified by other laws, given that they establish requirements for the personal data protection that do not contradict the requirements of this Law.

2. Professional, self-governing and other public associations or legal entities may develop codes of conduct to ensure effective protection of the rights of personal data subjects, compliance with law On Personal Data Protection, taking into account the specifics of personal data processing in various fields. When developing such a code of conduct or making amendments to it, the relevant association or legal entity may seek the opinion of the Authorised Representative.

{Part 2 of Article 27 as amended under Law [No. 5491-VI of 20 November 2012](#); as revised by Law [No. 383-VII of 03 July 2013](#)}

Article 28. Liability for violation of the Law On Personal Data Protection

Violation of the Law On Personal Data Protection entails liability established by law.

Article 29. International cooperation and personal data transfer

{Article title 29 as revised by Law [No. 549I-VI of 20 November 2012](#)}

1. Cooperation with foreign subjects of relations associated with personal data shall be regulated by the Constitution of Ukraine, this Law, other regulatory legal acts and international treaties of Ukraine.
2. If an international treaty of Ukraine ratified by the Verkhovna Rada of Ukraine establishes other regulations than those stipulated by the law of Ukraine, the regulations of the international treaty shall be applied.
3. Transfer of personal data to foreign subjects of relations associated with personal data is carried out only given that the relevant state ensures adequate personal data protection in cases established by law or an international treaty of Ukraine.

Member states of the European Economic Area, as well as states that have signed the Council of Europe Convention for the Protection of Individuals with Regard to Automatic Processing of Personal Data, are recognised to ensure an adequate level of personal data protection.

The Cabinet of Ministers of Ukraine determines the list of states that ensure proper personal data protection.

Personal data may not be disseminated for any purpose other than that for which it was collected.

{Part 3 of Article 29 as revised by the Law [No. 549I-VI of 20 November 2012](#)}

4. Personal data may be transferred to foreign subjects of relations associated with personal data, also in the case of:
  - 1) granting by the personal data subject an unambiguous consent to such transfer;
  - 2) requirement to conclude or execute a transaction between the personal data owner and a third party that is the personal data subject in favour of the personal data subject;
  - 3) requirement to protect the vital interests of personal data subjects;
  - 4) requirement to protect the public interest, establish, implement and ensure the legal requirement;
  - 5) provision by the personal data owner of appropriate guarantees of non-interference in the personal and family life of the personal data subject.

{Article 29 has been supplemented with Part 4 under Law [No. 549I-VI of 20 November 2012](#)}

Article 30. Final Provisions

1. This Law shall enter into force on 1 January 2011.
2. Within six months from the day of enactment of this Law, the Cabinet of Ministers of Ukraine shall:  
  
ensure adoption of regulatory acts stipulated by this Law;  
  
provide bringing of own regulations in accordance with this Law;

President of Ukraine	V. YANUKOVYCH
City of Kyiv	
1 June 2010	
No. 2297-VI	



On Personal Data Protection  
Law of Ukraine on June 1, 2010 № 2297-VI  
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- Урядовий кур'єр on July 7, 2010 — № 122
- Офіційний вісник України on July 9, 2010 — 2010, № 49, page 199, article 1604, код акта 51762/2010
- Відомості Верховної Ради України on August 27, 2010 — 2010, № 34, page 1188, article 481
- Голос України on September 16, 2010 — № 172