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RUSSIAN FEDERATION

FEDERAL LAW

PERSONAL DATA

Adopted by  
The State Duma  
8 July 2006

Approved by  
The Federation Council  
14 July 2006

(as amended by Federal Law of 25.11.2009 No.266-FZ)

Chapter 1. GENERAL

Article 1. Scope of This Federal Law

1. This Federal Law regulates the relations connected with personal data processing carried out by federal state authorities, state authorities of Russian Federation constituents, other state bodies (hereinafter – state bodies), municipal bodies that are not part of local authorities (hereinafter – municipal bodies), legal entities, natural individuals with the help of automation aids or without them if personal data processing without such aids corresponds to the nature of actions (operations) done with personal data with the help of automation aids.

2. This Federal Law does not cover the relations arising during:

1) personal data processing by natural individuals solely for personal and family needs if this does not infringe the rights of personal data subjects;

2) organization of storage, integration, accounting and use of the documents of the Archive Holding of the Russian Federation and other archive documents containing personal data, in accordance with the Russian Federation archiving legislation;

3) processing of data about natural persons subject to inclusion into the united state registry of individual entrepreneurs if such processing is performed in accordance with the Russian Federation legislation in connection with the natural individual's activities as an individual entrepreneur;

4) processing of personal data classified as data constituting state secret following the statutory procedures.

Article 2. Purpose of This Federal Law

This Federal Law is aimed at ensuring protection of the rights and freedoms of a human being and a citizen in the course of processing of his personal data including protection of the rights to inviolability of private life, personal and family secret.

Article 3. Basic Terms Used in This Federal Law

The following basic terms are used for the purposes of this Federal Law:

1) personal data – any information pertaining to a particular or identifiable, on the basis of such information, natural individual (the personal data subject), including his surname, first name, patronymic, year, month, date and place of birth, address, marital, social, property status, education, profession, income, other information;

2) operator – a state body, a municipal body, a legal entity, or a natural individual organizing and (or) carrying out personal data processing as well as determining the purposes and the content of personal data processing;

3) personal data processing - actions (operations) with personal data including personal data gathering, systematizing, accumulation, storage, refinement (updating, changing), use, distribution (including transmission), depersonalization, blocking, destruction;

4) personal data distribution – actions aimed at transmission of personal data to a certain set of people (personal data transmission) or at familiarization with personal data of an unlimited number of people including personal data publication in mass media, placement in information and telecommunication networks, or provision of access to personal data otherwise;

5) personal data use - actions (operations) with personal data performed by the operator for the purposes of making decisions or other actions giving rise to legal consequences in respect of the personal data subject or other persons or otherwise affecting the rights and freedoms of the personal data subject or other persons;

6) personal data blocking – temporary suspension of personal data gathering, systematizing, accumulation, use, distribution including their transmission;

7) personal data destruction – actions as a result of which it is impossible to restore the content of personal data in the personal data information system or as a result of which the material media of personal data are destroyed;

8) personal data depersonalization – actions as a result of which it is impossible to identify appurtenance of personal data to a particular personal data subject;

9) personal data information system – an information system representing a totality of personal data contained in a database as well as information technologies and hardware allowing processing of such personal data using automation aids or without such aids;

10) personal data confidentiality – a mandatory requirement to be observed by the operator or another person, who has got access to personal data, of excluding their distribution without the personal data subject's consent or another lawful ground;

11) cross-border transmission of personal data – personal data transmission by the operator across the National Frontier of the Russian Federation to an authority of a foreign state, a natural individual or a legal entity of a foreign state;

12) public personal data – personal data, access to which for an unlimited number of people is provided upon the personal data subject's consent or to which the confidentiality requirement is not applicable in accordance with federal laws.

#### Article 4. Russian Federation Legislation in the Field of Personal Data

1. The Russian Federation legislation in the field of personal data is based on the Russian Federation Constitution and international treaties of the Russian Federation and consists of this Federal Law and other federal laws determining the cases and specificity of personal data processing.

2. On the basis of and pursuant to federal laws, state bodies, within their authority, may adopt regulatory legal acts on particular matters concerning personal data processing. The regulatory legal acts on particular matters concerning personal data processing may not include provisions limiting the rights of personal data subjects. The said regulatory legal acts are to be published officially except for regulatory legal acts or some provisions of such regulatory legal acts that contain data access to which is restricted by federal laws.

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

4. If an international treaty of the Russian Federation establishes other rules than those provided for by this Federal Law, the international treaty rules shall apply.

## Chapter 2. PRINCIPLES AND CONDITIONS OF PERSONAL DATA PROCESSING

### Article 5. The Principles of Personal Data Processing

1. Personal data processing should be carried out based on the principles of:

1) legality of the purposes and methods of personal data processing and good faith;  
2) correspondence of the purposes of personal data processing to the purposes determined earlier and stated during personal data gathering, also to the operator's authority;

3) correspondence of the volume and nature of the processed personal data, personal data processing techniques to the purposes of personal data processing;

4) personal data reliability, their sufficiency for the processing purposes, inadmissibility of processing personal data that are excessive relative to the purposes stated during personal data gathering;

5) inadmissibility of integration of databases of personal data information systems, created for inter-incompatible purposes.

2. Personal data storage should be done in a form allowing identification of the personal data subject for not longer than required for the purposes of their processing, and they are to be destroyed upon attainment of the processing purposes or in case their attainment becomes unnecessary.

### Article 6. The Conditions of Personal Data Processing

1. Personal data processing may be done by the operator upon consent of the personal data subjects except for cases provided for by part 2 of this article.

2. No consent of the personal data subject provided for by part 1 of this article is required in the following cases:

1) personal data processing is carried out on the basis of a federal law establishing its purpose, conditions of obtaining personal data, and the set of subjects whose personal data are to be processed, also determining the operator's authority;

1.1) personal data processing is necessary in connection with implementation of the re-admission international treaties of the Russian Federation;  
(clause 1.1 was introduced by the Federal Law of 25.11.2009 No.266-FZ)

2) personal data processing is done for the purposes of performing a contract, one of the parties to which is the personal data subject;

3) personal data processing is done for statistic or other scientific purposes subject mandatory depersonalization of personal data;

4) personal data processing is necessary for protection of life, health or other vital interests of the personal data subject if it is impossible to obtain consent of the personal data subject;

5) personal data processing is necessary to deliver mail by postal organizations, to perform settlements by the electric communication operators with the users of communication services for the communication services rendered, also to administer complaints of the users of communication services;

6) personal data processing is done for the purposes of a journalist's professional activity or for the purposes of scientific, literary or other creative activities provided this does not infringe the rights and freedoms of the personal data subject;

7) personal data are processed that are to be published in accordance with federal laws including the personal data of persons filling public offices, civil service offices, personal data of candidates to elective public or municipal offices.

3. The specificity of processing special categories of personal data as well as biometric personal data is established by articles 10 and 11 of this Federal Law, respectively.

4. If the operator entrusts processing of personal data to another person on the basis of a contract, the obligation of ensuring personal data confidentiality and personal data security during their processing by the said person would be an essential term of the contract.

#### Article 7. Personal Data Confidentiality

1. The operators and third persons which get access to personal data should ensure confidentiality of such data except for the cases provided for by part 2 of this article.

2. It is not required to ensure confidentiality of personal data:

- 1) in case of personal data depersonalization;
- 2) in respect of public personal data.

#### Article 8. Public Sources of Personal Data

1. For the purposes of data support, public sources of personal data may be created (including reference books, directories). Public sources of personal data, upon the personal data subject's consent in writing, may include his surname, first name, patronymic, year and place of birth, address, subscriber number, information about profession and other personal data provided by the personal data subject.

2. Information about the personal data subject may be at any time deleted from public sources of personal data upon request of the personal data subject or by a ruling of the court or other authorized state bodies.

#### Article 9. Consent of the Personal Data Subject to Processing of His Personal Data

1. The personal data subject takes a decision to provide his personal data and gives consent to their processing by his will and in his interest except for the cases provided for by part 2 of this article. Consent to personal data processing may be withdrawn by the personal data subject.

2. This Federal Law and other federal laws provide for cases of mandatory provision by the personal data subject of his personal data for the purposes of protection of the fundamental principles of the constitutional order, good morals, health, rights and lawful interests of other persons, ensuring defense of the country and security of the state.

3. The obligation of providing a proof that the personal data subject's consent to processing of his personal data has been obtained and when public personal data are processed – the obligation of proving that the processed personal data are public - is imposed on the operator.

4. In cases provided for by this Federal Law, personal data processing is done only upon the personal data subject's consent given in writing. The written consent of the personal data subject to processing of his personal data should include:

- 1) the surname, first name, patronymic, address of the personal data subject, the number of his basic identity document, information about the date of issue of the said document and the issuing body;
- 2) the name (surname, first name, patronymic) and address of the operator who receives consent of the personal data subject;
- 3) the purpose of the personal data processing;
- 4) the list of the personal data to which processing the personal data subject gives his consent;

5) the list of actions with personal data to which the consent is being given, a general description of the methods of personal data processing used by the operator;

6) the period of time for which the consent is valid as well as the procedure of its withdrawal.

5. No additional consent is required for processing of the personal data contained in the subject's written consent to processing of his personal data.

6. In case of the personal data subject's incapacity, the written consent to processing of his personal data is given by the legitimate representative of the personal data subject.

7. In case of death of the personal data subject, the written consent to processing of his personal data is given by the heirs of the personal data subject unless such consent has been given by the personal data subject when he was alive.

#### Article 10. Special Categories of Personal Data

1. Processing of special categories of personal data concerning race, nationality, political opinions, religious or philosophical commitments, health condition, intimacies is inadmissible except for the cases provided for by part 2 of this article.

2. Processing of the special categories of personal data specified in part 1 of this article is allowed in case if:

1) the personal data subject has given in writing his consent to processing of his personal data;

2) the personal data are public;

2.1) processing of personal data is necessary in connection with implementation of re-admission international treaties of the Russian Federation;  
(clause 2.1 was introduced by the Federal Law of 25.11.2009 No.266-ФЗ)

3) personal data pertain to the health condition of the personal data subject and their processing is necessary for protection of his life, health or other vital interests, or the life, health or other vital interests of other persons, and it is impossible to obtain consent of the personal data subject;

4) personal data processing is done for medical and prophylaxis purposes, for the purposes of medical diagnosis, provision of medical, and medical and social services provided that personal data processing is carried out by a person who is professionally involved in medical activities and is obliged to maintain patient confidentiality in accordance with the Russian Federation legislation;

5) processing of personal data of the members (participants) of a public association or a religious organization is carried out by the respective public association or religious organization acting in accordance with the Russian Federation legislation for attainment of lawful purposes provided for by their constitutive documents provided that personal data won't be distributed without the personal data subject's written consent;

6) personal data processing is necessary in connection with effectuation of justice;

7) personal data processing is performed in accordance with the Russian Federation legislation on security, special investigative techniques also in accordance with penal law of the Russian Federation.

3. Processing of personal data on prior conviction may be performed by state bodies or municipal bodies within the powers granted to them in accordance with the Russian Federation legislation also by other persons in cases and following the procedures that are determined in accordance with federal laws.

4. Processing of special categories of personal data performed in cases provided for by parts 2 and 3 of this article should be immediately stopped if the reasons due to which the processing was carried out have been remedied.

#### Article 11. Biometric Personal Data

1. Information characterizing physiological peculiarities of a human being and on which basis it is possible to establish his identity (biometric personal data) may be processed only subject to availability of the personal data subject's consent given in writing except for the cases provided for by part 2 of this article.

2. Processing of biometric personal data may be done without consent of the personal data subject in connection with implementation of the re-admission international treaties of the Russian Federation, in connection with effectuation of justice also in cases provided for by the Russian Federation legislation on security, Russian Federation legislation on special investigative techniques, Russian Federation legislation on civil service, penal law of the Russian Federation, Russian Federation legislation on the procedure of exit from the Russian Federation and entry into the Russian Federation.

(as amended by the Federal Law of 25.11.2009 No.266-FZ)

#### Article 12. Cross-Border Transmission of Personal Data

1. Prior to commencing cross-border transmission of personal data, the operator must make sure that the foreign state to which territory the personal data are transmitted provides adequate protection of the rights of personal data subjects.

2. Cross-border transmission of personal data in the territory of foreign states providing adequate protection of the rights of personal data subjects is performed in accordance with this Federal Law and may be prohibited or restricted for the purposes of protecting the fundamental principles of the constitutional order of the Russian Federation, good morals, health, rights and lawful interests of citizens, ensuring defense of the country and security of the state.

3. Cross-border transmission of personal data in the territory of foreign states that do not provide adequate protection of the rights of personal data subjects may be performed in case of:

1) availability of the personal data subject's consent given in writing;

2) provided for by international treaties of the Russian Federation on the matters of issuing visas, international treaties of the Russian Federation on legal assistance in civil, family and criminal cases, also international treaties of the Russian Federation on re-admission;

(as amended by the Federal Law of 25.11.2009 No.266-FZ)

3) provided for by federal laws if it is necessary for the purposes of protecting the fundamental principles of the constitutional order of the Russian Federation, ensuring defense of the country and security of the state;

4) performance of a contract the personal data subject is a party to;

5) protection of the life, health, other vital interests of the personal data subject or other persons if it is impossible to obtain the personal data subject's consent in writing.

#### Article 13. Specificity of Personal Data Processing in State or Municipal Information Systems of Personal Data

1. State bodies, municipal bodies, within their authority established in accordance with federal laws, create state or municipal information systems of personal data.

2. Federal laws may establish the specificity of accounting personal data in state and municipal information systems of personal data including utilization of different methods of designating appurtenance of the personal data contained in the respective state or municipal information system of personal data to a particular personal data subject.

3. The rights and freedoms of a human being and a citizen may not be restricted on the grounds related to application of different methods of personal data processing or designation of appurtenance of the personal data contained in state or municipal information systems of personal data to a particular personal data subject. It is not allowed to use methods of designating

the personal data contained in state or municipal information systems of personal data to a particular personal data subject, which violate feelings of citizens or mortify the human pride.

4. In order to ensure enforcement of the rights of personal data subjects in connection with processing of their personal data in state or municipal information systems of personal data, a state register of the population may be created, which legal status and rules of procedure are established by a federal law.

### Chapter 3. THE RIGHTS OF THE PERSONAL DATA SUBJECT

#### Article 14. The Right of the Personal Data Subject to Access to His Personal Data

1. The personal data subject has the right to obtain information about the operator, its location, availability with the operator of personal data pertaining to the respective personal data subject also to get familiarized with such personal data except for the cases provided for by part 5 of this article. The personal data subject is entitled to demand that the operator should keep his personal data current, block or destroy them if the personal data are incomplete, outdated, unlawfully obtained or not necessary for the stated purpose of processing also to take measures provided for by the law in order to protect his rights.

2. Information about availability of personal data should be provided to the personal data subject in an understandable form and it should not contain personal data pertaining to other personal data subjects.

3. Access to one's personal data is granted to the personal data subject or his legitimate representative by the operator in case of communication or enquiry received from the personal data subject or his legitimate representative. The enquiry should include the number of the basic identity document of the personal data subject or his legitimate representative, information about the date of issue of the said document and the issuing body, and the true signature of the personal data subject or his legitimate representative. The enquiry may be sent in electronic form and signed with an electronic digital signature in accordance with the Russian Federation legislation.

4. The personal data subject has the right to receive, in case of communication or enquiry received, the information concerning processing of his personal data containing, inter alia:

1) a confirmation of the fact of personal data processing by the operator as well as the purpose of such processing;

2) the methods of personal data processing applied by the operator;

3) information about the persons who have access to the personal data or whom such access may be given to;

4) the list of processed personal data and the source they were obtained from;

5) the time limits of personal data processing including the time limits of their storage;

6) information about the legal consequences the processing of personal data may entail to their subject.

5. The personal data subject's rights to access to his personal data are restricted in case:

1) processing of personal data including the personal data obtained through special investigative techniques, counterintelligence and intelligence operations is performed for the purposes of defense of the country, security of the state and law enforcement;

2) processing of personal data is performed by the agencies that detained the personal data subject on suspicion of offense or that brought a charge of crime against the personal data subject or that applied a measure of restraint to the personal data subject before a charge is brought, except for the cases provided for by the Russian Federation criminal procedure legislation if it is allowed for the suspect or indictee to get familiarized with such personal data;

3) provision of personal data infringes the constitutional rights and freedoms of other persons.



Article 15. The Rights of the Personal Data Subjects during Processing of Their Personal Data for the Purposes of Promotion of Goods, Works, Services in the Market, Also for the Purposes of Political Campaigning

1. Processing of personal data for the purposes of promotion of goods, works, services in the market by way of direct contacts with a potential consumer using communication means, also for the purposes of political campaigning is allowed only subject to prior consent of the personal data subject. The said processing of personal data is deemed performed without the prior consent of the personal data subject unless the operator proves that such consent was obtained.

2. The operator must stop processing of one's personal data specified in part 1 of this article, immediately upon the personal data subject's request.

Article 16. The Rights of Personal Data Subjects When Decisions Are Taken Based on Automated Processing of Their Personal Data Only

1. It is prohibited to take decisions based on automated processing of personal data only, which give rise to legal consequences in respect of the personal data subject or otherwise affect his rights and lawful interests, except for the cases provided for by part 2 of this article.

2. A decision giving rise to legal consequences in respect of the personal data subject or otherwise affecting his rights and lawful interests may be taken solely based on automated processing of his personal data subject to a written consent of the personal data subject or in cases provided for by federal laws establishing also the measures aimed at ensuring observance of the rights and lawful interests of the personal data subject.

3. The operator is obliged to explain to the personal data subject the procedure of taking a decision solely based on automated processing of his personal data and possible legal consequences of such decision, make it possible to raise an objection to such decision, also explain the procedure of protection by the personal data subject of his rights and lawful interests.

4. The operator is obliged to examine the objection mentioned in part 3 of this article within seven working days from its receipt and notify the personal data subject about the results of examination of such objection.

Article 17. The Right of Lodging a Complaint against the Operator's Actions or Inaction

1. If the personal data subject thinks that the operator performs processing of his personal data in violation of the requirements of this Federal Law or otherwise infringes his rights and freedoms, the personal data subject is entitled to lodge a complaint against the operator's actions or inaction with the authorized body for protection of the rights of personal data subjects or judicially.

2. The personal data subject has the right to defend his rights and lawful interests including compensation of damages and (or) compensation of moral harm judicially.

Chapter 4. OPERATOR'S OBLIGATIONS

Article 18. Operator's Obligations during Personal Data Gathering

1. In gathering personal data, the operator must provide to the personal data subject, upon his request, the information provided for in article 14, part 4 of this Federal Law.

2. If the obligation of providing personal data is established by a federal law, the operator must explain the reasons of refusal to provide his personal data to the personal data subject.

3. If the personal data were obtained other than from the personal data subject, except for the cases when the personal data were given to the operator on the basis of a federal law or if the



personal data are public, prior to commencing processing of such personal data, the operator must provide the following information to the personal data subject:

- 1) the name (surname, first name, patronymic) and address of the operator or its representative;
- 2) the purpose of personal data processing and its legal basis;
- 3) presumable users of personal data;
- 4) the rights of the personal data subjects established by this Federal Law.

#### Article 19. Measures Ensuring Personal Data Security during Their Processing

1. In processing personal data, the operator must take necessary organizational and technical measures, including use of encrypting (ciphering), to protect personal data from unlawful or accidental access to them, destruction, modification, blocking, coping, distribution of personal data, also from other unlawful actions.

2. The Russian Federation Government establishes requirements to ensuring personal data security during their processing in personal data information systems, requirements to material media of biometric personal data and to technologies of storage of such data beyond the personal data information systems.

3. The control and supervision over observance of the requirements set forth by the Russian Federation Government pursuant to part 2 of this article is carried out by the federal executive body authorized in the field of ensuring security and the federal executive body authorized in the field of countering technical intelligence and technical protection of information, within their powers and without the right of getting familiarized with the personal data processed in the personal data information systems.

4. Biometric personal data may be used and stored beyond the personal data information systems only on such material information media and using such storage technologies that ensure protection of these data from unlawful or accidental access to them, destruction, modification, blocking, copying, distribution.

#### Article 20. Operator's Obligations in Case of Communication or Enquiry Received from the Personal Data Subject Or His Legitimate Representative, Also from the Authorized Body for Protection of the Rights of Personal Data Subjects

1. The operator is obliged, as per article 14 of this Federal Law, to advise to the personal data subject or his legitimate representative the information about availability of personal data pertaining to the respective personal data subject also make it possible to get familiarized with the same in case of communication from the personal data subject or his legitimate representative or within ten working days from receipt of enquiry from the personal data subject or his legitimate representative.

2. In case of refusal to provide to the personal data subject or his legitimate representative, upon communication or receipt of enquiry from the personal data subject or his legitimate representative, the information on availability of personal data about the respective personal data subject also such personal data, the operator must give a motivated response in writing including a reference to a provision of article 14, part 5 of this Federal Law or another federal law serving the ground for such refusal, not later than within seven working days from day of communication of the personal data subject or his legitimate representative or from receipt of the enquiry from the personal data subject or his lawful representative.

3. The operator is obliged to make it possible for the personal data subject or his legitimate representative to get familiarized free of charge with the personal data pertaining to the respective personal data subject, also make therein necessary modifications, destroy or block respective personal data upon submission by the personal data subject or his legitimate representative of data proving that personal data pertaining to the respective subject and being

processed by the operator are incomplete, outdate, unlawfully obtained or not necessary for the stated purpose of processing. The operator must advise the changes made and the measures taken to the personal data subject or his lawful representative or third parties whom the personal data of this subject have been handed over to.

4. The operator must advise the authorized body for protection of the rights of personal data subjects, upon its enquiry, the information necessary for performance of the said body's activities, within seven working days from receipt of such enquiry.

#### Article 21. Operator's Obligations to Remedy the Breaches of the Legislation during Personal Data Processing and to Keep Personal Data Current, Block and Destroy Them

1. In case unreliable personal data or unlawful actions with them are revealed, the operator, upon communication or enquiry of the personal data subject or his legitimate representative or an authorized body for protection of the rights of personal data subjects, is obliged to block the personal data pertaining to the respective personal data subject since the time of such communication or receipt of such enquiry for the period of checking.

2. If the fact of personal data unreliability is confirmed, the operator, on the basis of documents submitted by the personal data subject or his legitimate representative or the authorized body for protection of the rights of personal data subject, must update the personal data and lift their blocking.

3. If unlawful actions with personal data are revealed, the operator, within not longer than three days from the date of such finding, must remedy the breaches committed. If it is impossible to remedy the breaches, the operator must destroy the personal data within not longer than three working days from the date when unlawful actions with personal data were revealed. The operator must advise the remedy of the breaches committed or personal data destruction to the personal data subject or his legitimate representative and in case the communication or enquiry was sent by an authorized body for protection of the rights of personal data subjects – to the said body as well.

4. If the purposes of personal data processing have been attained, the operator must immediately stop processing of personal data or destroy respective personal data within not longer than three working days since when the purpose of personal data processing was achieved unless otherwise provided for by federal law, and must advise the personal data subject or his legitimate representative there of and in case the communication or enquiry was sent by an authorized body for protection of the rights of personal data subjects – the said body as well.

5. In case the personal data subject withdraws his consent to processing of his personal data, the operator must stop processing of the personal data and destroy the personal data within not longer than three working days from receipt of the said withdrawal unless otherwise provided for by the agreement between the operator and the personal data subject. The operator must advise destruction of personal data to the personal data subject.

#### Article 22. Notification about Personal Data Processing

1. Prior to commencing processing of personal data, the operator must advise the authorized body for protection of the rights of personal data subjects about its intention of carrying out personal data processing except for the cases provided for by part 2 of this article.

2. The operator is entitled to carry out processing of the personal data without notifying the authorized body for protection of the rights of personal data subjects:

- 1) which data pertain to the personal data subjects related by labor relations to the operator;
- 2) which data were obtained by the operator in connection with conclusion of a contract the personal data subject is a party to, if the personal data are not distributed or provided to third parties without the personal data subject's consent but are used by the operator solely for performance of the said contract and conclusion of contracts with the personal data subject;

3) which data pertain to members (participants) of a public association or a religious organization acting in accordance with the Russian Federation legislation to attain the lawful purposes provided for by their constitutive documents provided that the personal data won't be distributed without consent of the personal data subjects given in writing;

4) which are public personal data;

5) which comprise only the surnames, first names and patronymics of the personal data subjects;

6) which data are necessary for the purposes of one-time access pass of the personal data subject into the territory where the operator is located or for similar purposes;

7) which are included into personal data information system having, pursuant to federal laws, the status of federal automated information systems also in state information systems of personal data created for the purposes of protecting security of the state and civic order;

8) which data are processed without using automation means in accordance with federal laws or other regulatory legal acts of the Russian Federation establishing the requirements to personal data security during their processing and to observance of the rights of personal data subjects.

3. The notice provided for by part 1 of this article should be sent in writing and signed by an authorized person or sent electronically and signed with an electronic digital signature in accordance with the Russian Federation legislation. The notice should contain the following information:

1) the operator's name (surname, first name, patronymic), address;

2) the purposes of personal data processing;

3) the personal data categories;

4) the categories of the subjects whose personal data are being processed;

5) the legal basis for personal data processing;

6) the list of actions with personal data, a general description of personal data processing techniques used by the operator;

7) a description of the measures that the operator undertakes to implement in personal data processing to ensure personal data security during their processing;

8) the commencement date of personal data processing;

9) the deadline or the condition for cessation of personal data processing.

4. The authorized body for protection of the rights of personal data subjects, within thirty days from receipt of the notice about personal data processing, shall enter the information specified in part 3 of this article as well as the information about the date of the said notice to the register of operators. The information contained in the register of operators, except for the information about the methods of ensuring personal data security during their processing, is public.

5. The operator may not be made responsible for the expenses connected with review of the notice about personal data processing by the authorized body for protection of the rights of personal data subjects also connected with entry of the information into the register of operators.

6. If incomplete or unreliable information specified in part 3 of this article is submitted, the authorized body for protection of the rights of personal data subjects shall be entitled to demand the operator to update the submitted information before the same is entered into the register of operators.

7. In case of change of the information specified in part 3 of this article, the operator must advise the changes to the authorized body for protection of the rights of personal data subjects within ten working days since the date of such changes.

## **Chapter 5. CONTROL AND SUPERVISION OVER PERSONAL DATA PROCESSING. LIABILITY FOR BREACH OF THE REQUIREMENTS OF THIS FEDERAL LAW**

### **Article 23. The Authorized Body for Protection of the Rights of Personal Data Subjects**

1. The authorized body for protection of the rights of personal data subjects entrusted with control and supervision over compliance of personal data processing with the requirements of this Federal Law is the federal executive body performing the control and supervisor functions in the field of information technologies and communication.

2. The authorized body for protection of the rights of personal data subjects examines the communications of the personal data subject about compliance of the personal data content and their processing techniques with the purposes of their processing and makes a respective decision.

3. The authorized body for protection of the rights of personal data subjects has the right to:

1) request information from natural individuals and legal entities, which is necessary to exercise its powers, and receive such information free of charge;

2) check the information contained in the notice about personal data processing or engage other state bodies in such check within their authority;

3) demand the operator to update, block or destroy unreliable or unlawfully obtained personal data;

4) take measures, following the procedures set forth by the Russian Federation legislation, to suspend or stop processing of personal data carried out in violation of the requirements of this Federal Law;

5) file suits in protection of the rights of personal data subjects and represent the interests of personal data subjects before the court;

6) file an application to the body that licenses the operator's activity to deal with the matter of measures to be taken to suspend or cancel a respective license following the procedures set forth by the Russian Federation legislation if the license for such activity includes conditioned upon prohibition of personal data transfer to third parties without a written consent of the personal data subject;

7) file materials to the prosecutor's offices, other law-enforcement agencies to deal with initiation of criminal proceedings for the elements essential to offences connected with infringement of the rights of personal data subjects, in accordance with jurisdiction;

8) move proposals to the Russian Federation Government concerning improvement of the regulation of protection of the rights of personal data subjects;

9) institute administrative proceedings against the persons guilty in breach of this Federal Law.

4. In respect of the personal data that became known to the authorized body for protection of the rights of personal data subjects in the course of its activities, confidentiality of personal data must be observed.

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

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

2) examine complaints and communications from citizens or legal entities on the matters related to personal data processing, and take decisions within its authority based on the results of examination of the said complaints and communications;

3) keep the register of operators;

4) implement measures aimed at improvement of protection of the rights of personal data subjects;

5) following the procedures set forth by the Russian Federation legislation, take measures to have personal data processing suspended or stopped on a submission from the federal executive body authorized in the field of countering technical intelligence and technical protection of information;

6) inform the state bodies and the personal data subjects, upon their communications or enquiries, about the state of affairs in the field of protection of the rights of personal data subjects;

- 7) perform other duties provided for by the Russian Federation legislation.
6. The decisions of the authorized body for protection of the rights of personal data subjects may be appealed judicially.
7. The authorized body for protection of the rights of personal data subjects shall send annually a report on its activities to the Russian Federation President, to the Russian Federation Government, and to the Federal Assembly of the Russian Federation. The said report is to be published in mass media.
8. The authorized body for protection of the rights of personal data subjects is funded at the expense of the federal budget.
9. Under the aegis of the authorized body for protection of the rights of personal data subjects, an advisory council is established pro bono, which establishment and operating procedures are determined by the authorized body for protection of the rights of personal data subjects.

#### Article 24. Liability for Breach of the Requirements of This Federal Law

The persons, guilty in breach of the requirements of this Federal Law, bear civil, criminal, administrative, disciplinary and other liability provided for by the Russian Federation legislation.

### Chapter 6. FINAL PROVISIONS

#### Article 25. Final Provisions

1. This Federal Law comes into force upon expiry of one hundred and eighty days from the day of its official publication.
2. After the effective date of this Federal Law, processing of personal data included in personal data information systems before its effective day shall be carried out in accordance with this Federal Law.
3. Personal data information systems created before the effective day of this Federal Law should be brought into compliance with the requirements of this Federal Law by January the 1<sup>st</sup>, 2010.
4. Operators which carried out processing of personal data before the effective day of this Federal Law and continue carrying out such processing after its effective day must send a notice provided for by article 22, part 3 of this Federal Law to the authorized body for protection of the rights of personal data subjects by January the 1<sup>st</sup>, 2008, except for the cases provided for by article 22, part 2 of this Federal Law.

President  
Russian Federation  
V. PUTIN

Moscow, Kremlin  
27 July 2006  
No.152-FZ

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