

**PROVISION  
on personal data processing**

**1. GENERAL PROVISIONS**

1.1. The provision on personal data processing (hereinafter referred to as "the Provision") is issued and applied by "PROPHET" Limited liability company, abbreviated name "PROPHET" LLC ("hereinafter – "Operator") according to the clause 2 part 1 Article 18.1 of the Federal law dated 27.07.2006 N 152-ФЗ "On personal data".

This provision determines the policy, arrangements and procedures of the Operator related to personal data processing, sets out the procedures, aimed at prevention of violations of the Laws of the Russian Federation, as well as remedy of personal data processing violations.

All issues related to personal data processing, not regulated by this Provision, are allowed according to the current legislation of the Russian Federation regarding to the personal data processing.

1.2. Purposes of personal data processing:

- protect the rights and freedoms of individuals and citizens in the processing of their personal data, including the right to privacy, personal and family secrecy;
- Execution of rights and lawful interests of the Operator in the course of performing activities, envisaged by the Articles and other local statutory instruments of the Operator or third persons, or reaching socially significant purposes;
- Fulfilling the requirements of the legislation aiming to define the procedure for processing and protection of data of clients or contractors of the Operator;
- Personal data processing is necessary for performing lawful activity in the field of mass media, scientific or literary activity, or the other creative activity, provided that this process does not violate rights and lawful interests of the personal data subject;
- In other lawful purposes.

1.3. Action of this provision does not extend to the relationship appearing during:

- 1) Organizing the storage, compilation, recording and usage of the documents of the Archival fund of the Russian Federation and other archival funds;
- 2) Processing of the personal data, defined in the prescribed manner as the information constituting a State secret;
- 3) provision by authorized bodies of information on the activities of courts in the Russian Federation according to the Federal law dated 22.12.2008 N 262-ФЗ "On provision of access to information related to activities of Courts in the Russian Federation ".

1.4. Processing is organized by the Operator of the principles of:

- Lawfulness of purposes and methods of personal data processing, good faith and fairness in the activity of the Operator;
- consistency of personal data, their sufficiency for processing purposes, prohibition of processing the personal data redundant in relation to the purposes, specified during the collection of personal data;
- processing only personal data that comply with the purposes of processing thereof;
- consistency of the contents and amount of the processed personal data to the processing purposes. Processed personal data shall not be redundant in relation to the specified processing purposes. Prohibition of combining databases, where there is personal data, which is processed according to incompatible purposes;
- Provision of accuracy of personal data, its sufficiency, as well as relevance in relation to the purposes of processing the personal data, where necessary. The Operator takes necessary measures or provides taking measures for deleting or revision of incomplete or inaccurate data;
- Storage of personal data in the form allowing to define personal data subject no longer than

is necessary for the purposes of personal data processing.

1.5. Personal data processing is performed according to the principles and rules, envisaged by the Federal law dated 27.07.2006 N 152-ФЗ "On personal data" and this Provision.

1.6. Methods of personal data processing:

- Mixed processing of personal data.

1.7. Processing of special categories of personal data is performed according to the Article 10 of the Federal law 3 152-ФЗ "On personal data".

1.8. According to the goals and tasks, before the start of personal data processing the Operator assigns the person responsible for organizing the personal data processing, hereinafter referred to as "PDP supervisor".

1.8.1. PDP supervisor receives the instructions directly from the executive body of the Operator and reports to it.

1.8.2. PDP supervisor is entitled to issue and sign the notice, envisaged by parts 1 and 3 Article 22 of the Federal law dated 27.07.2006 N 152-ФЗ "On personal data".

1.9. This Provision and amendments thereto are approved by the superordinate of the Operator and introduced by the order of the Operator.

1.10. Employees of the Operator, directly performing personal data processing, shall be familiarized against signature before the start of work with the provisions of the legislation of the Russian Federation on personal data, including those on the requirements to personal data protection, local instruments on personal data processing, with this Provision and amendments thereto.

1.11. When processing personal data the Operator applies legislative, organizational and technical measures to provide personal data safety in accordance with Article 19 of the Federal law dated 27.07.2006 N 152-ФЗ "On personal data".

1.12. Monitoring the compliance of the Operator's employees with the requirements of the legislation of the Russian Federation and provisions of local statutory instruments of the Operator involves inspection of the requirements of statutory instruments on data protection, as well as assessment of reasonableness and effectiveness of the measures taken. It can be performed by the structural unit responsible for providing personal data safety or on a contractual basis by third parties licensed to perform activities aimed at technical protection of confidential information.

1.13. Assessment of harm that can be inflicted to personal data subjects in case of violation of the requirements of the Federal law dated 27.07.2006 N 152-ФЗ "On personal data" by the Operator, is defined according to Articles 15, 151, 152, 1101 of the Civil Code of the Russian Federation.

1.14. Publishing or otherwise providing an unlimited access to this Provision, to other documents, defining the policy of the Operator in relation to personal data processing, as well as to the information on the implemented requirements to the Operators' personal data protection.

1.15. When collecting personal data by means of information and telecommunication networks, before start of personal data processing the Operator shall publish to the relevant information and telecommunication network the document, defining their policy related to personal data processing, as well as the information on the implemented requirements to personal data protection, as well as to provide access to the specified document by means of the relevant information and telecommunication network.

1.16. The Operator shall provide documents and local instruments, specified in part 1 Art. 18.1 of the Federal law dated 27.07.2006 N 152-ФЗ "On personal data", and (or) otherwise confirm taking measures specified in part 1 Art. 18.1 of the Federal law dated 27.07.2006 N 152-ФЗ " On personal data", upon the request of the authorized body on the protection of personal data subject within 45 (forty-five) calendar days.

1.17. Terms and conditions of personal data processing by the Operator:

1) Personal data processing is performed with the consent from the personal data subject to process their personal data;

2) Personal data processing is necessary for achieving the goals, envisaged by the international agreement of the Russian Federation or the law, in order to perform and fulfill functions, powers and responsibilities imposed on the Operator;

3) Personal data processing is necessary for implementing the agreement, the party thereof is a beneficiary or a warrantor as a personal data subject, including in the event of an implementing by the Operator their right to assign the rights (requirements) according to such an agreement, as well as to

conclude an agreement on the initiative of the personal data subject, or the agreement, where the personal data subject will be a beneficiary or a warrantor;

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

5) Personal data processing is necessary for implementing the rights and lawful interests of the Operator or third persons, or for achieving socially significant purposes provided that it does not violate rights and freedoms of the personal data subject;

6) Personal data processing is performed in statistical or research purposes, except purposes, specified in Article 15 of the Federal law dated 27.07.2006 N 152-ФЗ " On personal data" on condition of full anonymization of personal data;

7) Personal data being processed is in public domain, the access thereto is provided by personal data subject or upon their request;

8) Personal data being processed is subject to publishing or mandatory disclosure in accordance with the federal law.

1.18. Based on the agreement, the Operator can entrust personal data processing to the third person. An essential term of such an agreement is that this person has the right to process personal data as well as the mentioned person shall provide the confidentiality of personal data and safety of personal data during processing thereof.

1.19. Storage of personal data shall be performed in the form, enabling to define the personal data subject, no longer, than it is required according to the purposes of processing thereof, as well as it shall be destroyed upon reaching the purposes of processing or in case the purposes no longer need to be achieved.

1.20. Interaction with federal executive bodies in relation to processing and protection of personal data of the subjects, personal data thereof is processed by the Operator, is performed in frames of the legislation of the Russian Federation.

## **2. SUBJECTS OF PERSONAL DATA**

2.1. The Operator is entitled to process personal data related to the following personal data subjects:

- employees of the Operator;
- contractors of the Operator, as well as natural persons, performing certain types of services (works) for the Operator according to the civil law agreements, where the Operator processing personal data shall not be entitled to disclose personal data and is entitled to use it in purposes of execution of such agreements only.

2.2. Personal data subject decides on providing their personal data to the Operator and gives their consent to processing thereof freely, voluntarily and in their own interest. The Operator shall provide compliance of the contents and amount of the processed personal data to the declared cases of processing, and if necessary, takes measures to eliminate redundancy.

2.3. Personal data subject decides on providing their Personal data to the Operator and gives a consent to processing thereof freely, voluntarily and in their own interest.

## **3. PERSONAL DATA PROCESSING**

3.1. PDP supervisor shall organize personal data processing.

3.2. PDP supervisor:

- 1) monitors the fulfilling the requirements of the legislation of the Russian Federation and provisions of local statutory instruments by the employees of the Operator;
- 2) familiarizes the employees of the Operator with provisions of the legislation of the Russian Federation on personal data, local instruments on personal data processing, as well as requirements to personal data protection;
- 3) organizes personal data processing by the employees of the Operator;
- 4) organizes acceptance and processing of applications and requests of personal data subjects and their representatives;
- 5) carries out internal control of the Operator and their employees with the legislation of the Russian Federation on personal data, including requirements to personal data protection;
- 6) controls acceptance and processing of applications and requests of personal data subjects and

their representatives.

3.3. An employee of the Operator entitled to process personal data shall be given a unique username and password to access the relevant information system of the Operator in the appropriate manner. An access is given to application subsystems in accordance with the functions envisaged by the official regulations of the Operator.

Information can be entered both automatically – when clarifying, extracting, using and transferring on the computer readable medium, and manually – when receiving the information on paper medium or in a different form, not allowing to carry out automatic recording.

3.4. Security of personal data processed on information systems of the Operator is achieved by excluding unauthorized, including accidental access to personal data, as well as taking the following security measures:

- defining personal actual security threat and information technologies, used in the information systems;

- applying organizational and technical measures for provision of security of personal data during processing thereof in the information systems of the Operator, necessary for meeting requirements to personal data protection, performance whereof provides personal data security levels, prescribed by the Government of the Russian Federation;

  - applying procedures for verification of information security tools compliance;

  - assessment of the effectiveness of measures taken to provide personal data security before startup of the information system;

  - recording the machine carriers of personal data;

  - providing proper functioning of computer equipment with personal data in accordance with operating and technical documentation of computer equipment and taking into account the requirements of information systems and information security tools;

  - detecting and recording an unauthorized access to personal data, unauthorized repeated and additional recording of the information after its extraction from personal data information system and taking measures;

  - recovery of personal data that was modified, deleted or destroyed as a result of an unauthorized access;

  - establishing rules for access to personal data, processed in information systems of the Operator, as well as providing recording and reporting of all actions, performed with personal data in the information systems of the Operator;

  - control of the measures taken to provide security of personal data and levels of personal and levels of information systems security.

  - PDP curator takes all necessary measures to recover personal data, that was modified, deleted or destroyed as a result of an unauthorized access;

3.5. Personal data exchange during its processing in the informational systems of the Operator is carried out via communication channels, security thereof is performed by implementing relevant organizational measures and by applying software and technical tools.

3.6. Employees of the Operator who have an access to personal data located in the informational system of the Operator, must undergo identification and authentication procedures.

3.7. In case of detection of violations of personal data processing in the information networks of the Operator, authorized persons must immediately take measures to establish the reasons thereof and eliminate them.

#### **4. PROCEDURE FOR PROVIDING THE RIGHTS TO PERSONAL DATA SUBJECT BY THE OPERATOR**

4.1. Personal data subjects or their representatives have rights envisaged by the Federal law dated 27.07.2006 N 152-ФЗ "On personal data" and other statutory instruments, regulating personal data processing.

4.2. The Operator provides the rights to personal data subjects in the manner prescribed by chapters 3 and 4 of the Federal law dated 27.07.2006 N 152-ФЗ "On personal data".

4.3. An authority to represent the interests of each personal data subject shall be confirmed by the power of attorney made according to the rules specified in articles 185 and 185.1 of the Civil code of the Russian Federation, part 2 article 53 of the Civil Procedure code of the Russian Federation or

the notarized power of attorney in accordance with article 59 Fundamentals of Russian Federation legislation on notaries. Copy of the original power of attorney of the representative made by PDP curator is stored by the Operator no less than three years, and in the event that personal data storage period is more than three years – no less than personal data storage period.

4.4. Information specified in part 7 art. 22 of the Federal law of 27.07.2006 N 152-ФЗ " On personal data" is provided to personal data subject by PDP curator in an accessible form without personal data that relates to other personal data subjects, except cases when there are some legal grounds for disclosure of such personal data, in electronic form. Upon the request of the personal data subject they can be duplicated on the paper. Accessible form is certified by PDP curator.

4.5. Information specified in part 7 art. 22 of the Federal law of 27.07.2006 N 152-ФЗ " On personal data" is provided to personal data subject or their representative by personal application or upon receipt of the request of the personal data subject or their representative. A request shall contain number of the underlying document certifying the identity of the personal data subject or their representative, information on date of issue of the mentioned document and an issuing body, information confirming the cooperation of a personal data subject and an Operator (agreement number, agreement date, conventional word mark and (or) other particularities), or the information otherwise confirming the fact of personal data processing by the Operator, signature of the personal data subject or their representative. Subject to the existence of technical possibility the request can be sent in electronic form and electronically signed in accordance with legislation of the Russian Federation.

4.6. Right of the personal data subject to an access to their personal data can be limited in accordance with federal laws.

4.7. Personal data processing in the purposes of promoting goods, works, services on a market by reaching the potential consumer by means of communication, as well as in the purposes of political agitation is allowed only upon prior consent of the personal data subject. The consent may have a verbal or written form.

4.7.1. Personal verbal communication with potential consumers or recipients of the political agitation is performed via specially allocated telephone line of the Operator. In such case, a workplace of the Operator's employee, who has to perform the communication, is equipped with technical tools allowing to register telephone calls automatically, as well as (upon consent of the personal data subject) keep audio recording of the calls. In this situation audio recording or the received verbal consent shall be considered as appropriate.

4.7.2. If documenting the information in the form of audio recordings on a digital recorder or audio tape was made by a natural person secretly on their own initiative, and in some cases with the purpose of artificial creating the evidence, such evidence are considered as inappropriate and have no legal effect in accordance with part 2 Article 50 of the Russian Constitution.

4.7.3. Written consent can be made in a written form only.

Mentioned personal data processing is allowed without prior consent of the personal data subject, unless the Operator proves that such a consent has been received.

4.8. The Operator shall stop immediately the processing of personal data upon request of the personal data subject, that is mentioned part 1 Article 15 of the Federal law dated 27.07.2006 N 152-ФЗ "On personal data".

4.9. A decision that entails legal consequences in relation to the personal data subject or otherwise affecting their rights and legitimate interests may be made on the basis of the automated processing of their personal data only if there is a document in writing from the personal data subject or in cases stipulated by federal laws of the Russian Federation, that also establish measures to ensure compliance with the rights and lawful interests of the personal data subject.

4.10. Operator shall in a verbal form or upon the request of the personal data subject – in a written form, explain to the personal data subject the procedure of decision making solely based on an automated processing of personal data and possible legal consequences of such a decision, provide the possibility to make an objection against such a decision, as well as explain the procedure of protecting rights and lawful interests by the personal data subject.

4.10.1. Text of the verbal explanation is made by the Operator in writing prior to an automated personal data processing and is stored no less than 3 (three) years.

4.10.2. In case of an automated processing of personal data by different methods, the explanation shall be also different for each method.

4.11. The Operator shall consider an objection specified in part 3 Art 16 of the Federal law dated 27.07.2006 N 152-ФЗ "On personal data" regarding the decision made on the grounds of a solely automated processing of personal data:

- with respect to legal relations before 01.07.2011 – within 7 (seven) working days from the day of reception of an objection;
- with respect to legal relations after 01.07.2011 - within 30 (thirty) from the day of reception of an objection.

The Operator shall notify the personal data subject on the results of the objection considering within 7 (seven) calendar days.

4.12. The Operator shall gratuitously provide the personal data subject or their representative with a possibility to familiarize themselves with personal data related to this data subject, at the Operator's location during working hours.

4.13. The Operator shall, within 45 (forty-five) calendar days from the moment of correcting or destroying personal data, upon the request of personal data subject or their representative, notify them on the modifications made and the measures taken as well as make reasonable measures to notify third persons, to whom the personal data of this subject has been assigned.

## **5. PROCEDURE OF PERSONAL DATA PROCESSING**

In the event of cross-border transfer of personal data, translation thereof into foreign languages is performed in a manner agreed between the Operator and a foreign contractor.

5.1. Purposes of personal data processing:

- - ensuring the protection of the rights and freedoms of a person and citizen when processing their personal data, including the protection of the rights to privacy, personal and family secrets;
- - the exercise of the rights and lawful interests of the Operator within the framework of the implementation of types of activities provided for by the Articles and other local statutory instruments of the Operator, or third parties, or the achievement of socially significant goals;
- compliance with the requirements of the legislation on determining the procedure for processing and protecting the personal data of citizens who are clients or contractors of the Operator;
- other legitimate purposes.

5.2. Based on the specified goal, the PDP curator determines the tasks, terms, methods and conditions for processing personal data, the list of persons involved and responsible. Such tasks, terms, methods, conditions and persons are approved by the Operator's order.

5.3. PDP curator shall:

- organize the adoption of legal, organizational and technical measures to ensure the protection of PD processed by the Operator from unauthorized or accidental access to them, destruction, modification, blocking, copying, provision, distribution of PD, as well as from other illegal actions in relation to PD;
- carry out internal control over the compliance by the Operator's employees with the requirements of the legislation of the Russian Federation in the field of personal data, including the requirements for the protection of personal data;
- familiarize the Operator's employees with the provisions of the legislation of the Russian Federation in the field of personal data, local instruments on issues of personal data processing, and requirements for the protection of personal data;
- organize the reception and processing of requests and inquiries from personal data subjects or their representatives, as well as exercise control over the reception and processing of such requests and inquiries;
- in case of violation of the requirements for the protection of personal data, take the necessary measures to recover the violated rights of personal data subjects.

5.4. PDP curator is entitled to:

- have access to information related to the processing of personal data entrusted to them and including:
  - purposes of personal data processing;
  - categories of the processed personal data;
  - categories of subjects, whose personal data is processed;
  - legal grounds of personal data processing;

- a list of actions with personal data, a general description of the methods of processing personal data used by the Operator;
- description of measures envisaged by articles 18.1 and 19 of the Federal code dated 27.07.2006 N 152-Ф3 "On personal data", including the information on the existence of encryption (cryptographic) tools and names of these tools;
- date of start of personal data processing;
- the term or conditions for termination of personal data processing;
- information on the presence or absence of cross-border transfer of personal data during processing thereof;
- information on ensuring the security of personal data in accordance with the requirements for the protection of personal data established by the Government of the Russian Federation;
- involve other employees of the Operator in the implementation of measures aimed at ensuring the security of personal data, assigning them the relevant duties and assigning responsibility.

#### 5.5. PDP curator provides:

- timely detection of an unauthorized access to personal data and immediate communication of this information to the person responsible for organizing the processing of personal data;
- preventing any impact on technical means of automated processing of personal data, which may result in disruption of their functioning; recovery of personal data modified or destroyed due to an unauthorized access thereto;
- constant monitoring of the level of protection of personal data;
- compliance with the conditions of the usage of information security tools envisaged by the operational and technical documentation;
- accounting of the applied means of information protection, operational and technical documentation for them, as well as personal data carriers;
- upon detection of violations of the procedure for providing personal data, immediate suspension of the provision of personal data to personal data information system users until the causes of the violations are identified and these causes are eliminated;
- investigation and preparation of conclusions on the facts of non-compliance with the conditions for storing PD material carriers, the usage of information security tools that may lead to a breach of PD confidentiality or other violations leading to a decrease of the PD security level, development and adoption of measures to prevent possible dangerous consequences of such violations.

5.6. In accordance with the set goals and objectives, the extraction, usage and transfer (distribution, provision, access) of PD are performed only by the PDP curator.

5.7. Depersonalization, blocking, deletion, destruction of personal data are carried out only by the PDP curator.

5.8. Destruction of paper documents is performed by means of a paper-cutting machine by shredding the documents into pieces, ensuring that the text cannot be recovered.

Destruction upon completion of personal data completion on electronic media is performed by mechanically violating the integrity of the media, preventing the reading or recovery of personal data, or by deleting from electronic media using methods and means of guaranteed deletion of residual information.

## **6. INTERACTION WITH OTHER OPERATORS DURING PERSONAL DATA PROCESSING USING ELECTRONIC INTERACTION SYSTEM**

6.1. Based on bilateral and multilateral agreements, the Operator may process personal data within the framework of electronic information interaction using the electronic interaction system (hereinafter referred to as the "EIS").

6.2. According to the agreed regulations, the Operator within the framework of the EIS, on the grounds of received requests, sends information including personal data of subjects processed by the PDP Service.

6.3. According to the list approved by the Operator's order, the PDP curator within the EIS framework has the right to send requests for the provision of information, including personal data of subjects.

6.4. Termination of an agreement with another operator is the basis for the destruction by the Operator of the personal data processed within the framework of such an agreement.

## **7. RESPONSIBILITIES OF THE SUPERVISOR AND EMPLOYEES OF THE OPERATOR**

7.1. Supervisor of the Operator shall:

- assist the PDP curator in carrying out the responsibilities;
- organize the elimination of identified violations of the legislation of the Russian Federation, statutory instruments of the authorized federal executive body, internal documents of the Operator, as well as the reasons and conditions contributed to the violation.

7.2. Employees of the Operator shall:

- assist PDP curator in performing the responsibilities;
- immediately inform their direct supervisor and the PDP curator (within the scope of their competence) about alleged violations of the legislation of the Russian Federation, including statutory instruments of the authorized federal executive body, and internal documents of the Operator committed by the employees or contractors of the Operator.

## **8. CONTROL, LIABILITY FOR VIOLATION OR FAILURE TO FULFILL THE PROVISION**

8.1. Control over the implementation of the Regulation is imposed on the PDP curator.

8.2. Persons violating or failing to comply with the requirements of the Provision are subject to disciplinary, administrative (articles 5.39, 13.11 - 13.14, article 19.7 Russian Code of Administrative Offences) or criminal liability (articles 137, 140, 272 of the Russian Criminal Code).

8.3. The heads of the structural divisions of the Operator bear personal responsibility for the performance of duties by their subordinates.