Technical realization of conformity with 242-FZ

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The main definitions for the 242-FZ implementation (practical view performed by RKN)

Personal data – any information relating directly or indirectly to an identified or identifiable person (p.1, art.3, Federal Law-152); However there is possible to be in compliance with 242-FZ to apply depersonalization approach; The matrix of PD would be created by RKN and Ministry of Telecom and Mass Communications of RF till September 2015

Data Base of PD is – any mass data independently on the material objects (which might be word file, Excel file etc);

The process of citizen of RF identification - might be determined by Operator internally based on appropriate Policy created by Operator; advised by RKN to utilize the territory principle (all persons on the RF territory are citizen of RF)

When the 242-FZ should be apply to foreign legal entity which are not presents on the RF territory legally and physically – if the foreign legal entity operate on the territory of RF through performing access to its isite for the persons who is citizen of RF

The main difference between PD Base on RF territory and PD Base out of RF territory is that initial changes of PD should ALWAYS been done in PD base on the territory of RF

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The conclusion:

All PD of Citizen of RF which initially collected by Company/branch/ permanent establishment (independently on the place of legal foundation) on the territory of RF should be stored and modified on the territory of RF

All PD of Citizen of RF initially collected on the territory of RF in compliance with 242 – FZ might be send out of the RF to be processing on the territory of the other State

What each company need to check to be in formal compliance with 242-FZ:

? What are the Data Bases in a Company and where they are?

? Do that Data Bases store and processing a PD? Would it possible to apply depersonalization approach?

? What are the Data Bases would be not in compliance of 242 – FZ requirements?
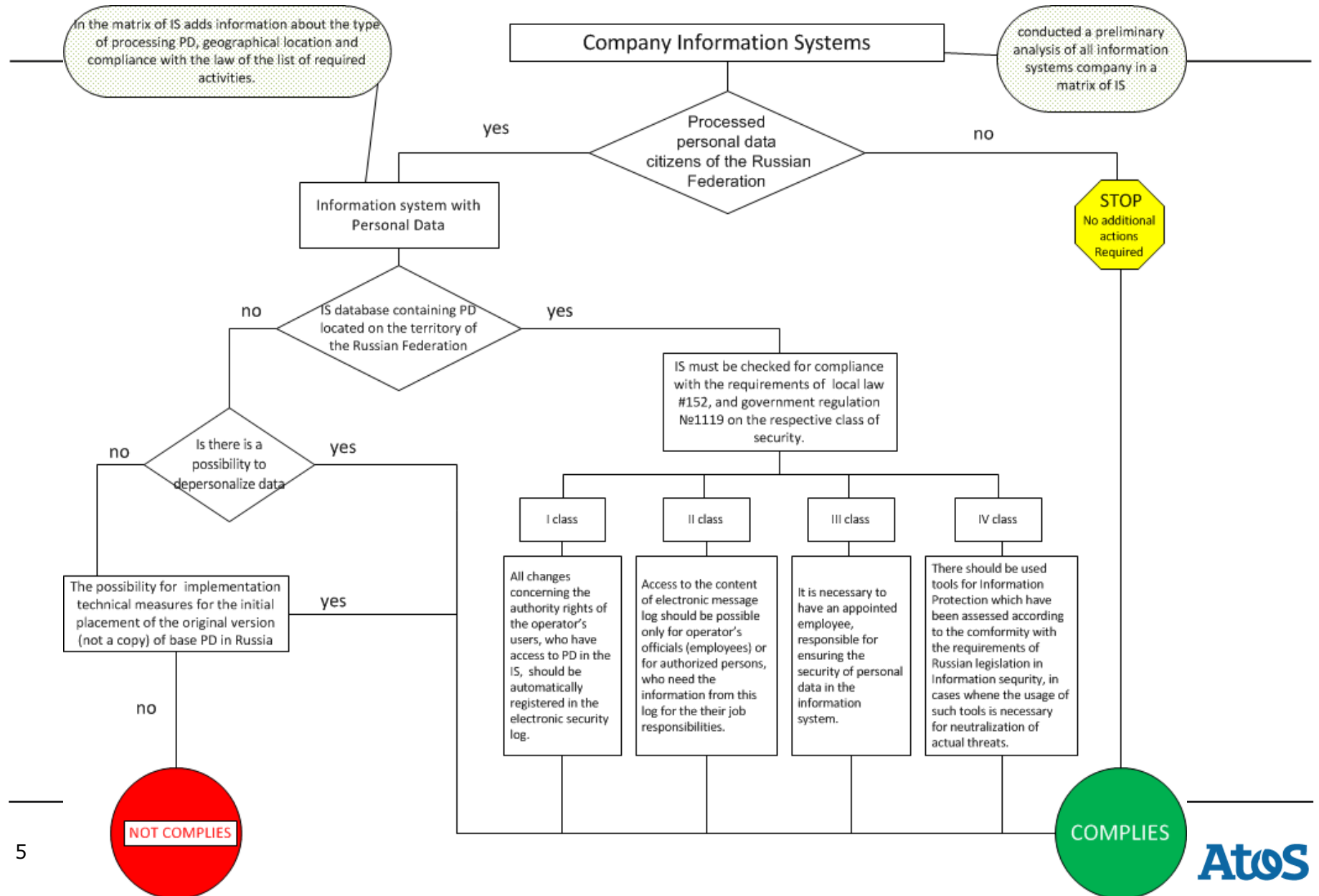
! Check your legal and technical opportunities to create a Data Base on the territory of RF

! Create internal business process for Citizen of RF identification

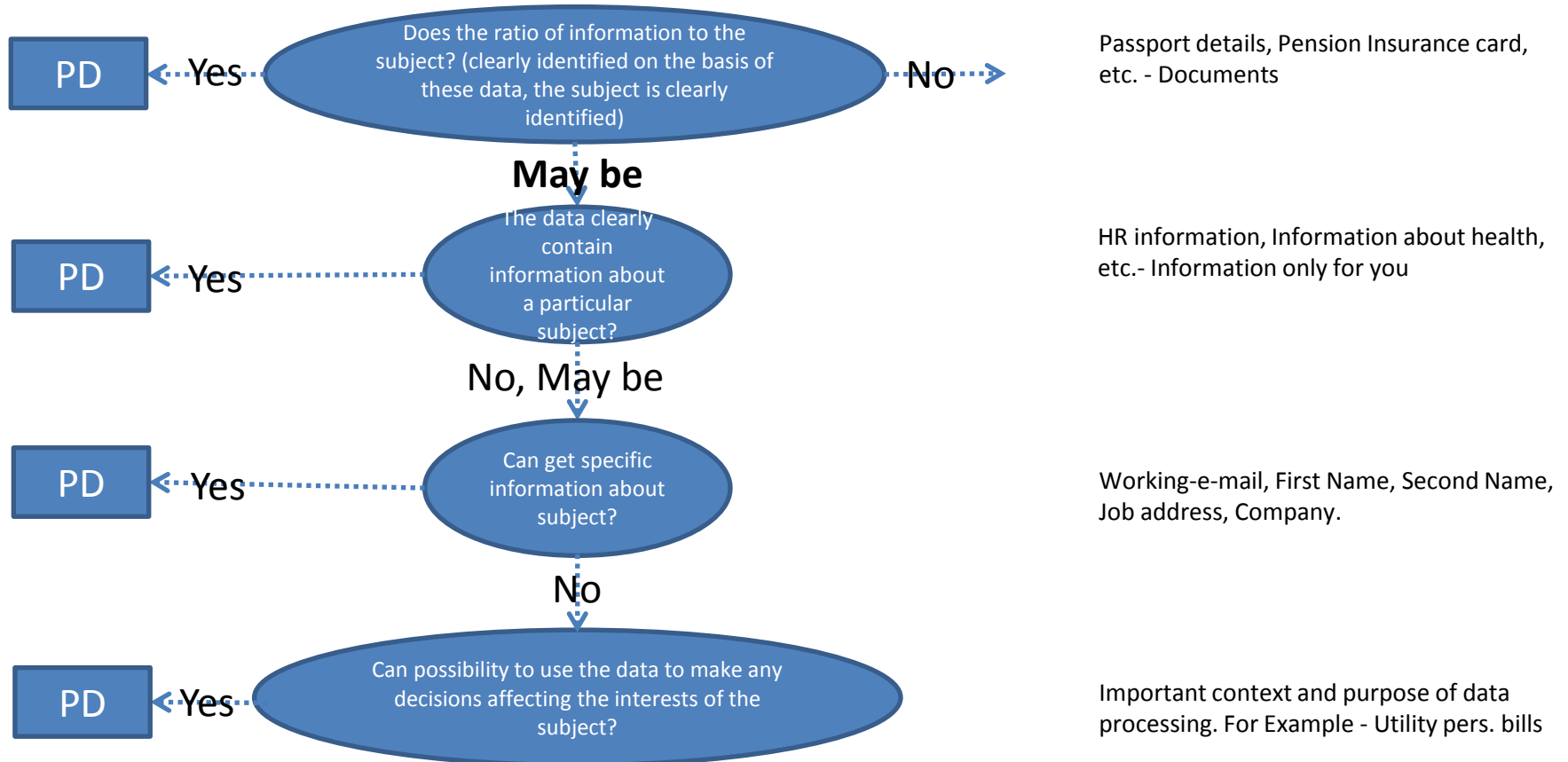Atos

Algorithm to access the conformity

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Personal data identification (1)

FL-152, part.3 (1) - personal data - any information relating directly or indirectly to an identified or identifiable person (the subject of personal data).

| PD | ←Yes | Does the ratio of information to the subject? (clearly identified on the basis of these data, the subject is clearly identified) | No→ | Passport details, Pension Insurance card, etc. - Documents |

May be

| PD | ←Yes | The data clearly contain information about a particular subject? | | HR information, Information about health, etc.- Information only for you |

No, May be

| PD | ←Yes | Can get specific information about subject? | | Working-e-mail, First Name, Second Name, Job address, Company. |

No

| PD | ←Yes | Can possibility to use the data to make any decisions affecting the interests of the subject? | | Important context and purpose of data processing. For Example - Utility pers. bills |

Act of Parliament UK, Data Protection Act 1998, (DPA)

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Personal data identification (2)

In determining the PD must just pay attention to the **collection** of information in IS

	alexandr.ivanov.ext@atos.net	av_1974@gmail.com **unsigned**	av_1974@gmail.com **signed**
Does the ratio of information to the subject? (clearly identified on the basis of these data, the subject is clearly identified)	MAY BE	NO	MAY BE
May be The data clearly contain information about the particular subject?	NO, MAY BE	NO	NO, MAY BE
No, May be Can get specific personal information about subject?	YES	NO	Ivanov Ivan Ivanovitch Position Mobile Phone Phone ICQ www.atos.net
No Can possibility to use the data to make any decisions affecting the interests of the subject?	YES	Theoretically unintended effects - NO	YES
	PD	**It doesn't PD**	**PD**

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Personal data identification (3)

Federal Law and Act	Question	Exchange	SAP
Algorithm	Identify is it PD?	Yes	Yes
FL - 242	Is PD outside RF?	Yes	Yes
FL - 242	Is collecting PD from subject?	No	Yes
FL-242, FL-152	There are exceptions?	No	No
FL - 242	Compliance?	transfer in accordance with the cross-border transfer	Need to move to RF
FL-152, Act 1119 from 01 nov 2012 and etc.	Compliance?	Need Audit	Need Audit

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MILESTONES

Compliance with Personal Data Protection Law

Analyze Phase

➤ Defining all the information systems where a personal data could be processed.
➤ Request information from appropriate owners of the systems. What kind of data is stored and processed by their systems.
➤ Analyze which type of PD they are processing, where these systems are located who is the legal owner, and is these systems are compliant with law requirements.

Technical Solutions Creation Phase

➤ When all information systems where personal data are processed clearly defined, we can proceed with technical solution creation.
➤ define the current technical solution based on information that was gathered from respective system owners.
➤ Create a solutions design according to the law requirements.
➤ Define the estimated cost of necessary equipment and workforce.

Analysis for Compliance with the Requirements of the Law carried out

➤ Start project for design solution implementation.
➤ Order required equipment and proceed with installation in a predetermined place in Data Center.
➤ Cooperate and coordinate with global colleagues in case of global systems are affected.

Solving Problems Communications with Employees

➤ Create a procedure to support all related equipment for all service levels that are involved in project implementation.
➤ During operational testing phase record all errors or issues to avoid them in future.
➤ Create all necessary Communication/Escalation and RACI matrix.
➤ All necessary Service Layer Agreement should be defined.

COMPLIANCE

Preparation started	Technical solutions creation started	Start implementation	Tests and troubleshooting	Fully operational
01/03/2015	01/04/2015	01/06/2015	01/08/2015	01/09/2015
Analyze phase	All necessary information is gathered	Analysis for compliance with the requirements of the law carried out	Solving problems communications with employees who involved into PD processing	

Thanks

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