Approved by the Order of the FBA EAC Director General

*“Introduction of the Personal Data Policy and Regulations in the FBA EAC”*

from June 7, 2024.

**FBA EAC Policy on Personal Data Processing**

**1. General provisions**

* 1. This Policy of the ASSOCIATION “FINANCIAL AND BUSINESS ASSOCIATION OF EURO-ASIAN COOPERATION” (hereafter – FBA EAC) with regard to the processing of personal data (hereafter – Policy) is developed in compliance with the requirements of paragraph 2, part 1, article 18.1 of Federal Law No. 152-FZ from July 27, 2006 “On personal data” (hereafter – Law on personal data) to ensure the protection of human and citizen’s rights and freedoms in the processing of his personal data, including the protection of rights to privacy, personal and family secrets.

1.2. The policy applies to all personal data processed by FBA EAC (hereafter – Operator).

1.3. The Policy applies to the personal data processing relationships established by the Operator both before and after the approval of this Policy.

1.4. Pursuant to the requirements of part 2, article 18.1 of the Law on personal data this Policy is published in free access in the information and telecommunication network Internet on the website of the Operator.

1.5. Key concepts used in the Policy:

**personal data** – any information related to a directly or indirectly specified or identified natural person (personal data subject);

**personal data operator (operator)** – a state body, municipal body, legal entity or individual who independently or jointly with other persons organize the processing and (or) process personal data, as well as determine the purposes of personal data processing, the composition of personal data to be processed, actions (operations) performed in relation to personal data;

**personal data processing** – any action (operation) or set of actions (operations) with personal data performed with or without automation tools. The processing of personal data includes, but is not limited to:

* collection;
* recording;
* systematization;
* accumulation;
* storage;
* clarification (update, change);
* extraction;
* usage;
* transfer (dissemination, provision, access);
* depersonalization;
* blocking;
* deletion;
* destruction;

**automated personal data processing** – processing of personal data using computer technology;

**dissemination of personal data** – actions aimed at disclosing personal data to an unspecified group of people;

**provision of personal data** – action aimed at disclosing personal data to a specific person or a specific group of people;

**blocking of personal data** – temporary termination of personal data processing (except in cases when the processing is necessary to clarify personal data);

**destruction of personal data** – actions as a result of which it becomes impossible to restore the content of personal data in the personal data information system and (or) as a result of which the material carriers of personal data are destroyed;

**Depersonalization of personal data** – action as a result of which it becomes impossible to determine whether personal data belongs to a specific personal data subject without using additional information;

**Personal data information system** – set of personal data contained in databases and information technologies and technical means that ensure their processing.

1.6. Basic rights and obligations of the Operator.

1.6.1. The Operator has the right to:

1) independently determine the composition and list of measures necessary and sufficient to ensure the fulfillment of obligations provided by the Law on personal data and regulatory legal acts adopted in accordance with it, unless otherwise provided by the Law on personal data or other federal laws;

1. entrust the processing of personal data to another person with the consent of a personal data subject, unless otherwise provided by federal law, on the basis of a contract concluded with this person. The person who processes personal data on behalf of the Operator is obliged to comply with the principles and rules of personal data processing provided by the Law on personal data, to respect the confidentiality of personal data, and to take necessary measures to ensure compliance with the obligations provided by the Law on personal data;
2. if a personal data subject withdraws consent to the processing of personal data, the Operator has the right to continue processing personal data without the consent of the personal data subject if there are grounds specified in the Law on personal data.

1.6.2. The Operator is obliged to:

1) organize the processing of personal data in accordance with the requirements of the Law on personal data;

2) respond to requests from personal data subjects and their legal representatives in accordance with the requirements of the Law on personal data;

1. provide the authorized body for the protection of the rights of personal data subjects (the Federal Service for Supervision of Communications, Information Technology and Mass Media (Roskomnadzor)) upon request of this body with the necessary information within 10 working days from the date of receipt of such a request. This period may be extended, but not for more than five working days. To do this, the Operator must send a notification to Roskomnadzor indicating the reasons for extending the deadline of providing the requested information;
2. in accordance with the procedure established by the federal executive body authorized in the field of security, to ensure interaction with the state system for detecting, preventing and eliminating the consequences of computer attacks on information resources of the Russian Federation and inform the latter about computer incidents that have resulted in the unlawful transfer (provision, dissemination, access) of personal data.

1.7. Basic rights of the personal data subject. The personal data subject has the right to:

1. receive information concerning the processing of his personal data, except in cases provided by federal laws. The information is provided to the personal data subject by the Operator in an accessible form, and it should not contain personal data related to other personal data subjects, except in cases when there are legitimate grounds for the disclosure of such personal data. The list of information and the procedure for obtaining it are established by the Law on personal data;
2. require the Operator to clarify his personal data, block or destroy them if the personal data is incomplete, outdated, inaccurate, illegally obtained or is not necessary for the stated purpose of processing, as well as to take measures provided by the Law to protect their rights;
3. give prior consent to the processing of personal data in order to promote goods, works and services in the market;
4. appeal to Roskomnadzor or the court against illegal actions or omissions of the Operator during the processing of his personal data.

1.8. Control over the fulfillment of the requirements of this Policy is carried out by an authorized person responsible for organizing the processing of personal data by the Operator.

1.9. Responsibility for violation of the requirements of the legislation of the Russian Federation and the regulations of the FBA EAC in the field of personal data processing and protection is determined in accordance with the legislation of the Russian Federation.

**2. Purposes of personal data collection**

2.1. The processing of personal data is limited to the achievement of specific, predetermined and legitimate purposes. Processing of personal data incompatible with the purposes of personal data collection is not allowed.

2.2. Only personal data that meet the purposes of their processing is subject to processing.

2.3. The processing of personal data by the Operator is carried out for the following purposes:

* conducting its activities in accordance with the charter of the FBA EAC, including the conclusion and execution of contracts with counterparties;
* implementing labor legislation within the framework of labor relations and other relations directly connected with labor, including: assistance to employees in finding a job, getting education and promotion, attracting and selecting candidates for work for the Operator, ensuring personal safety of employees, monitoring the quantity and quality of work performed, ensuring the safety of property, accounting and maintaining personnel records, filling out and submitting required reporting forms to authorized bodies, organization of individual (personalized) registration of employees in the systems of compulsory pension insurance and compulsory social insurance;
* carrying out access control.

2.4. The processing of personal data of employees may be carried out solely for the purpose of ensuring compliance with laws and other regulatory legal acts.

**3. Legal grounds for personal data processing**

3.1. The legal basis for the processing of personal data is a set of regulatory legal acts, in compliance with which and in accordance with which the Operator processes personal data, including:

* Constitution of the Russian Federation;
* Civil Code of the Russian Federation;
* Labor Code of the Russian Federation;
* Tax Code of the Russian Federation;
* Federal Law No. 402-FZ from December 6, 2011 “On accounting”;
* Federal Law No. 167-FZ from December 15, 2001 “On compulsory pension insurance in the Russian Federation”;
* other legal acts regulating relations concerning the Operator’s activities.

3.2. The legal basis for the processing of personal data is also:

* Charter of the FBA EAC;
* Contracts concluded between the Operator and personal data subjects;
* Consent of personal data subjects to the processing of their personal data.

**4. Scope and categories of personal data processed,**

**categories of personal data subjects**

4.1. The content and scope of the personal data processed must comply with the stated purposes of processing provided in section 2 of this Policy. The personal data processed should not be redundant in relation to the stated purposes of their processing.

4.2. The Operator may process personal data of the following categories of personal data subjects.

4.2.1. Candidates for employment with the Operator – for the purposes of implementing labor legislation within the framework of labor relations and other relations directly connected with labor, and carrying out access control:

* last name, first name, father’s name;
* gender;
* citizenship;
* date and place of birth;
* contact information;
* information about education, work experience, qualifications;
* other personal information provided by candidates in resumes and covering letters.

4.2.2. Employees and former employees of the Operator, family members of the Operator’s employees (in cases when, according to the legislation, information about them is provided by the employee) – for the purposes of implementing labor legislation within the framework of labor relations and other relations directly connected with labor, and carrying out access control:

* last name, first name, father’s name;
* gender;
* citizenship;
* date and place of birth;
* image (photo);
* passport data;
* address of registration at the place of residence;
* address of actual residence;
* contact information;
* individual taxpayer number;
* insurance number of the individual personal account (SNILS);
* information about education, qualifications, professional training and advanced training;
* information about employment, the availability of incentives, awards and (or) disciplinary penalties;
* information about military registration;
* information about the payment of maintenance;
* information about income from a previous job;
* other personal data provided by employees in accordance with the requirements of labor legislation;
* other personal data contained in the documents, provision of which is provided by law;
* other personal data that the employee/owner of the personal data has chosen to disclose about himself, and the processing of which corresponds to the purpose of the processing.

4.2.3. Clients and counterparties of the Operator (individuals) – for the purposes of carrying out their activities in accordance with the Charter of the FBA EAC, and carrying out access control:

* last name, first name, father’s name;
* date and place of birth;
* passport data;
* address of registration at the place of residence;
* contact information;
* current position;
* individual taxpayer number;
* current account number;
* other personal data provided by clients and counterparties (individuals) necessary for the conclusion and execution of contracts.

4.2.4. Representatives of the FBA EAC members (individuals) – for the purposes of carrying out their activities in accordance with the Charter of the FBA EAC, and carrying out access control:

* last name, first name, father’s name;
* date and place of birth;
* passport data;
* address of registration at the place of residence;
* contact information;
* current position;
* individual taxpayer number;
* current account number;
* other personal data provided by representatives of the FBA EAC members, necessary for carrying out their activities in accordance with the Charter of the FBA EAC.

4.2.5. Representatives (employees) of the Operator’s clients and counterparties (legal entities) – for the purposes of carrying out their activities in accordance with the Charter of the FBA EAC, and carrying out access control:

* last name, first name, father’s name;
* passport data;
* contact information;
* current position;
* other personal data provided by representatives (employees) of the Operator’s clients and counterparties necessary for carrying out their activities in accordance with the Charter of the FBA EAC.

4.2.6. Any natural persons using the Operator’s web page (https:www.fbacs.com) – for user authentication:

* + depersonalized data (cookies).

4.3. The processing of biometric personal data by the Operator (information that characterizes physiological and biological features of a person, on the basis of which his identity can be established) is carried out in accordance with the legislation of the Russian Federation.

4.4. The Operator does not process special categories of personal data related to race, nationality, political views, religious or philosophical beliefs, health status, intimate life, except in cases provided by the legislation of the Russian Federation.

**5. Procedure and conditions of personal data processing**

5.1. The processing of personal data is carried out by the Operator in accordance with the requirements of the legislation of the Russian Federation.

5.2. The processing of personal data is carried out with the consent of personal data subjects to the processing of their personal data, as well as without it in cases provided by the legislation of the Russian Federation.

5.3. The Operator processes personal data for each purpose of their processing in the following ways:

* non-automated processing of personal data;
* automated processing of personal data with or without transfer of the received information via information and telecommunication networks;
* mixed processing of personal data.

5.4. The Operator’s employees, whose job responsibilities include personal data processing, are allowed to process personal data.

5.5. The processing of personal data for each purpose of processing specified in clause 2.3 of the Policy is carried out by:

* receiving personal data in oral and written form directly from personal data subjects;
* entering personal data into the logs, registers and information systems of the Operator;
* using other methods of personal data processing.

5.6. Disclosure of personal data to third parties and dissemination of them without the consent of a personal data subject is not permitted, unless otherwise provided by federal law. Consent to the processing of personal data authorized by a personal data subject for dissemination is prepared separately from other consents of the personal data subject to the processing of his or her personal data.

The requirements for the consent to the processing of personal data authorized by a personal data subject for dissemination are approved by the Order of Roskomnadzor No. 18 from February 24, 2021.

5.7. Transfer of personal data to the organs of inquiry and investigation, the Federal Tax Service, the Russian Pension Fund and other authorized executive bodies and organizations is carried out in accordance with the requirements of the legislation of the Russian Federation.

5.8. The operator takes the necessary legal, organizational and technical measures to protect personal data from illegal or accidental access, destruction, alteration, blocking, dissemination and other unauthorized actions, including:

* identifies security threats to personal data when processing them;
* adopts local regulatory acts and other documents regulating relations in the field of personal data processing and protection;
* designates persons responsible for ensuring the security of personal data in the Operator’s structural units and information systems;
* creates the necessary conditions for working with personal data;
* organizes the accounting of documents containing personal data;
* organizes the work with information systems in which personal data are processed;
* keeps personal data in the conditions under which their security is ensured and illegal access to them is excluded;
* provides training to the Operator’s employees who process personal data.

5.9. The Operator shall store personal data in a form that makes it possible to identify the personal data subject no longer than it is required for each purpose of processing personal data, if the retention period for personal data is not set by federal law or contract.

5.9.1. Personal data on paper media are kept in the FBA EAC for the duration of storage of documents, for which storage periods are provided by the legislation on archiving in the RF (Federal Law No. 125-FZ from October 22, 2004 “On archiving in the Russian Federation”, List of standard administrative archival documents produced during the activities of state bodies, local self-government bodies and organizations, with indication of the duration of their storage (approved by the Order of Rosarkhiv No. 236 from December 20, 2019)).

5.9.2. The retention period for personal data processed in personal data information systems corresponds to the retention period for personal data on paper media.

5.10. The Operator terminates the processing of personal data in the following cases:

* the fact of their illegal processing was detected. Term – within three working days from the date of detection;
* the goal of their processing is achieved;
* the consent of a personal data subject to the processing of personal data has expired or been withdrawn, when according to the Law on personal data the processing of these data is permitted only with consent.

5.11. When the purposes of processing personal data are achieved, as well as in case of withdrawal by a personal data subject consent to their processing, the Operator terminates the processing of these data if:

* otherwise is not provided by the contract to which a personal data subject is a party, beneficiary or guarantor;
* the operator is not entitled to carry out processing without the consent of a personal data subject on the grounds provided by the Law on personal data or other federal laws;
* otherwise is not provided by another agreement between the Operator and the personal data subject.

5.12. If the personal data subject requests the Operator to stop processing of personal data within a period not exceeding 10 working days from the date of receipt of the corresponding request by the Operator, the processing of personal data shall be stopped, except in cases provided by the Law on personal data. This period may be extended, but not for more than five working days. To do this, the Operator must send a notification to the personal data subject indicating the reasons for the extension.

5.13. When collecting personal data, also through the information and telecommunication network Internet, the Operator provides recording, systematization, accumulation, storage, clarification (updating, change), extraction of personal data of citizens of the Russian Federation using databases located in the territory of the Russian Federation, except for cases specified in the Law on personal data.

**6. Updating, correction, deletion, and destruction of personal data, responses to the data subjects’ requests for access**

**to personal data**

6.1. Confirmation of the fact of personal data processing by the Operator, the legal grounds and purposes of personal data processing, as well as other information specified in part 7, article 14 of the Law on personal data, are provided by the Operator to the personal data subject or his representative within 10 working days from the date of request or receipt of a request from the personal data subject or his representative. This period may be extended, but not for more than five working days. To do this, the Operator must send a notification to the personal data subject indicating the reasons for extending the deadline of providing the requested information.

The information provided does not include personal data related to other personal data subjects, except in cases when there are legitimate grounds for the disclosure of such personal data.

The request must contain:

* number of the main identity document of a personal data subject or his representative, information about the date of issue of the mentioned document and the issuing authority;
* information confirming a personal data subject’s participation in the relationship with the Operator (contract number, date of conclusion of the contract, reference designation and (or) other information), or information otherwise confirming the fact of personal data processing by the Operator;
* signature of a personal data subject or his representative.

The request can be sent in the form of an electronic document and signed with an electronic signature in accordance with the legislation of the Russian Federation.

The operator provides the information specified in part 7, article 14 of the Law on personal data to a personal data subject or his representative in the form in which a relevant request is sent, unless otherwise specified in the request.

If the request of a personal data subject does not reflect all the necessary information in accordance with the requirements of the Law on personal data, or the subject does not have the right to access the requested information, he gets a reasoned refusal.

The right of a personal data subject to access his personal data may be restricted in accordance with part 8, article 14 of the Law on personal data, also when the access of a personal data subject to his personal data violates the rights and legitimate interests of third parties.

6.2. In case of detection of inaccurate personal data when contacting a personal data subject or his representative, or at their request or at the request of Roskomnadzor, the Operator blocks personal data related to this personal data subject from the date of such a request or receipt of the mentioned request for a period of verification, if the blocking of personal data does not violate the rights and legitimate interests of the personal data subject or third parties.

In case of confirmation of the inaccuracy of personal data, the Operator, based on information provided by the personal data subject or his representative or Roskomnadzor, or other necessary documents, clarifies the personal data within seven working days from the date of submission of such information and unblocks the personal data.

6.3. In case of detection of illegal processing of personal data when contacting (receiving a request from) a personal data subject or his representative or Roskomnadzor, the Operator shall block illegally processed personal data related to this personal data subject from the date of such a request or receipt of the mentioned request.

6.4. If the Operator, Roskomnadzor or any other interested person detects the fact of illegal or accidental transfer (provision, dissemination) of personal data (access to personal data), which has resulted in a violation of the rights of personal data subjects, the Operator:

* within 24 hours, notifies Roskomnadzor of the incident, the alleged causes that led to the violation of the rights of personal data subjects, the alleged harm caused to the rights of personal data subjects, and the measures taken to eliminate the consequences of the incident, as well as provides information about the person authorized by the Operator to interact with Roskomnadzor on issues related to the incident;
* within 72 hours, notifies Roskomnadzor of the results of the internal investigation of the detected incident and provides information about the persons whose actions caused it (if any).

6.5. Procedure for the destruction of personal data by the Operator.

6.5.1. Terms and conditions for the destruction of personal data by the Operator:

* + achievement of the purpose of processing personal data or loss of the need to achieve this goal – within 30 days;
  + reaching the maximum retention period for documents containing personal data – within 30 days;
  + provision of the confirmation by the personal data subject (his representative) that the personal data were obtained illegally or are not necessary for the stated purpose of processing – within seven working days;
  + withdrawal of the consent to the processing of personal data by a personal data subject, if the retention of these data is no longer required for the purpose of their processing – within 30 days.

6.5.2. Upon achieving the purpose of personal data processing, as well as in the case of withdrawal of the consent to the processing of personal data by a personal data subject, the personal data shall be destroyed if:

* + nothing else is provided by the contract to which the personal data subject is a party, beneficiary or guarantor;
  + the operator does not have the right to process personal data without the consent of the personal data subject on the grounds provided by the Law on personal data or other federal laws;
  + nothing else is provided by another agreement between the Operator and the of personal data subject.

6.5.3. The destruction of personal data is carried out by a commission established by the Order of the FBA EAC Director General.

6.5.4. The methods of personal data destruction are specified in the Operator’s local regulations.