About the law

Federal Law No. 152-FZ On Personal Data was entered into its force on July 27th, 2006.

Personal data any information concerning a certain individual or an individual that may be identified on the basis of that information (the subject of personal data), including his or her family name, first name, patronymic, the year, month, date and place of birth, address, family, social, property status, education, profession, incomes and other information;

Personal data operator – a state body, municipal body, legal entity or an individual that organises and/or effects processing of personal data and also determines the goals and content of personal data processing.


The law On Personal Data obligates operators to take all the necessary organizational and technical measures required for protecting personal data against unlawful or accidental access. The law’s ratification put a complicated task for most Russian companies and requires their immediate attention. By January 1, 2010, companies (operators) that process personal data in information systems must:

1. Take measures aimed to prevent any unauthorized access to personal data and (or) its transfer to persons who do not have the right to access this information;
2. Ensure the timely detection of acts of unauthorized access to personal data;
3. Prevent activities that affect the technical means of automated personal data processing in a manner potentially destructive to their performance;
4. Be able to promptly restore personal data that was either modified or destroyed through the unauthorized access to this data;
5. Continuously monitor the personal data protection level.

General provisions of the Law On Personal Data:

- Information systems that process personal data and that were created prior to the Law On Personal Data’s entry into force must be compliant with its requirements not later than January 1, 2010;
- An operator must send a notice about personal data processing to the state authority responsible for ensuring the security of the subjects of personal data. This agency is called the Federal Supervision Agency for Information Technologies and Communications (commonly referred to as Roskomnadzor);
- The subject of personal data has the right to protect his or her rights and lawful interests, including to compensation of losses and (or) compensation for moral damage, by challenging the actions or inaction of an operator, with this complaint addressed to either the authorized agency for ensuring the rights of the subjects of personal data or the courts;
- Violation of the Law’s requirements entails the civil, criminal, administrative and disciplinary liability of physical or legal entities.
Liability for violation of personal data legislation requirements

The following sanctions are provided for violation of legislative acts regulating the legal relations of personal data:

1. Administrative and civil prosecution;
2. Referral of materials concerning the institution of criminal proceedings to agencies of the prosecutor’s office;
3. Suspension of personal data processing;
4. Suspension of operator activities in cases when such are performed without license;
5. Confiscation of non-certified means of security and encryption equipment.

Set of measures on personal data security

Organizational measures of personal data security include:

- The formulation of administrative regulatory documents regulating the entire process of receiving, processing, storing, transmitting and protecting personal data;
- The definition of the list of personal data security measures.

Technical measures for protecting personal data imply the use of information security tools and software. When processing personal data with automated means, the application of technical means of protection is mandatory, with their number and protection level determined by the personal data system’s class;

Liabilities for the violation of personal data legislation requirements are presented in the table below:

<table>
<thead>
<tr>
<th>Normative-legal report</th>
<th>Article</th>
<th>Name of the article</th>
<th>Maximum measure of responsibility</th>
</tr>
</thead>
<tbody>
<tr>
<td>Criminal code</td>
<td>137</td>
<td>Disturbance of the inviolability of the private life</td>
<td>Penalty to 300000 rubles, arrest to 4 months, corrective labor up to 1 year</td>
</tr>
<tr>
<td></td>
<td>171</td>
<td>Illegal enterprise</td>
<td>Penalty to 300000 rubles, arrest to 6 months, corrective labor up to 1 year, deprivation of hold post right up to 5 years</td>
</tr>
<tr>
<td>Code RF about the administrative offenses</td>
<td>13.12</td>
<td>Disturbance of the rules of the protection of the information</td>
<td>Penalty to 20000 rubles, confiscation of means, stopping of activity</td>
</tr>
<tr>
<td></td>
<td>13.13</td>
<td>Illegal activity in information security</td>
<td>Penalty to 20000 rubles, confiscation</td>
</tr>
<tr>
<td></td>
<td>13.14</td>
<td>Divulging of information with limited access</td>
<td>Penalty to 5000 rubles</td>
</tr>
<tr>
<td></td>
<td>19.5</td>
<td>Nonfulfillment within the period of the legal order</td>
<td>Penalty to 500000 rubles</td>
</tr>
<tr>
<td></td>
<td>19.7</td>
<td>Unsubmission of information</td>
<td>Penalty to 5000 rubles</td>
</tr>
<tr>
<td></td>
<td>19.20</td>
<td>Realization of the activity, not connected with the extraction of profit, without the special permission (license)</td>
<td>Penalty to 20000 rubles</td>
</tr>
</tbody>
</table>
Personal data information system requirements

The requirement to ensure the security of personal data was established by the Government Resolution No. 781 of November 17, 2007 On the Confirmation of the Provision on Personal Data Security during its Processing in the Personal Data Information System. The provision establishes the requirements for ensuring the safety of personal data during its processing in information systems and depending on their class.

The information systems are classified by the operators themselves depending on the volume and content of the personal data they process. The classification is conducted in accordance with the joint decree of the Federal Service of Technical and Export Control, the Federal Security Service, and the Ministry of Information Technologies and Communications of February 13, 2008 On the Confirmation of the Procedure for the Classification of Personal Data Information Systems.

Control

Control over compliance with the legislation is entrusted on the following agencies:

- the Federal Supervision Agency for Information Technologies and Communications – the main personal data oversight agency;
- the Federal Security Service – the main oversight agency for the use of encryption equipment;
- the Federal Service of Technical and Export Control – the oversight agency responsible for the use of information protection equipment.

The authorized agency for protecting the rights of the subject of personal data effects both scheduled and unscheduled measures of control (oversight) for personal data processing’s compliance with the legislation of the Russian Federation. In 2008, the authorized agency conducted 76 scheduled and 40 unscheduled checks into civil appeals. It has been planned to conduct over 300 scheduled inspections in 2009.

Services provided by Pointlane for providing compliance with legislation

Pointlane is a full-service provider of consulting services and advice concerning the certification for personal data work:

- Advice concerning the latest legislative requirements and their impact on your organization;
- Preparing your organization’s personal data operator registration;
- Personal data inventory procedures;
- Threat modeling;
- The classification of personal data information systems (PDIS) and development of measures to lower this class, thus reducing the organization’s security costs while at the same time preserving its level of personal data security;
- Implementing security means;
- Preparing PDIS for certification;
- Preparing your organization for the acquisition of a Federal Service for Technical and Export Control license to provide the technical protection of confidential information;
- The preparation of answers to individual’s questions in terms of personal data legislation.
Advantages of taking personal data protection measures

After implementing a personal data protection system, the Client acquires:

- The opportunity to continue conducting his or her business without fear of hearing client or staff complaints;
- The ability to work with personal data inside the company, and to transfer that data to outside organizations;
- Protection from regulating agency claims;
- Protection from unforeseen or forced losses of business;
- Protection against unscrupulous competitors;
- An information system that complies with all the legislative standards and requirements.
ABOUT US

Pointlane is a Russian consulting company that provides information security services for businesses.

Pointlane LLC was established in 2008 by a team of professionals with extensive experience in information technology projects and specializing in solving complex information security tasks.

Areas of business:
- Information security auditing;
- Development and implementation of information security management processes;
- Implementation of information security products and systems;
- Business continuity management;
- Personal data protection.

Mission

The Pointlane company’s mission is to provide top-grade information security services that create the right conditions for safely conducting your business.

Our vision of business information security is simple to understand, implement and manage. Our core principle is to focus on the client.

We provide:
- an individual comprehensive approach to solving a specific client’s tasks
- maximum efficiency while minimizing costs of the client;
- information and technical support for the client.

Our principles

A success of any company depends on the management efficiency of its business processes. We help you build an information security process that your company can manage and enhance on its own.

Instead of one-time technical solutions, we offer approaches to the planning, implementation, control and enhancement of each information security process component.

Our work is focused on strengthening the competitiveness of our clients as well as preparing them for future market conditions and competition.

We stand out for our:
- Team of professionals

Each of our specialists has a specialized education in information security, telecommunications or economics as well as several certificates, ranging from CISA and CISSP to MCTS and MCSE:Security.
All of our company’s employees are highly-qualified specialists with extensive practical experience in maintaining the information security of various state and commercial organizations.

Constantly enhancing their training, our employees undergo various training sessions and qualification improvement courses, meaning that the company keeps forging ahead.

- Focus on each client’s business features

We have no standard approaches. Each company’s business is unique, and each client has his or her own business process specifications. Understanding this, we offer individual solutions.

Relying on our experience, we build a chain of client relations that satisfies every client request and specification.

We interact closely with our client’s experts while striving to achieve the best results and, first and foremost, focusing on the client company’s main business goals.

- Economic efficiency

Our services always have sound economic efficiency. Pointlane specialists are always prepared to consult the client about the expedience of a particular solution, and to explain and justify the economic efficiency of our services.

- Quality

To us, this comes first. We make every effort to ensure that our clients are satisfied and at the same aware of the great benefit and efficiency our solutions have provided.

- Practical experience

Pointlane has executed a range of small and medium-sized business projects; you can learn more about our clients on our corporate web site (www.pointlane.ru).

Our clients include Russian organizations that operate in various sectors of the economy: retail business and wholesale trade, the transportation industry, communications and real estate.

We hold our clients in high regard and enjoy positive feedback about the great quality of our work.

**Confidentiality**

We understand the tremendous importance of adhering to confidentiality when working with our client’s information. Our company follows a strict security policy on data processing and storage.
POINTLANE

Address: 109012, Russian Federation, Moscow, 4 Ilyinka st, office 407
Phone: +7 (495) 233-65-08
WEB: www.pointlane.com
Consulting: consult@pointlane.ru
Partnership: partners@pointlane.ru
Sales office: 109202, Russian Federation, Moscow,16 Basovskaya st, building 1, office 419