

**APPROVED BY**

Order of Operator-CRPT, LLC

dated February 17, 2020 No. 005

**Personal Data Processing Policy  
of Operator-CRPT, LLC**

## 1. General Provisions

1.1. Personal Data Processing Policy of Operator-CRPT, LLC (the Policy) is a local regulation of Operator-CRPT, LLC, and is approved by order of the General Director.

This Policy is developed in compliance with provisions of the following laws and regulations of the Russian Federation:

- Constitution of the Russian Federation;
- Civil Code of the Russian Federation;
- Labour Code of the Russian Federation;
- Tax Code of the Russian Federation;
- Federal Law No. 152-FZ On Personal Data, dated 7/27/2006 (FL No. 152 On Personal Data);
- Federal Law No. 14-FZ On Limited Liability Companies, dated 2/8/1998;
- Federal Law No. 402-FZ On Accounting, dated 12/6/2011;
- Federal Law No. 167-FZ On Compulsory Pension Insurance in the Russian Federation, dated 12/15/2001;
- Federal Law No. 53-FZ On Military Duty and Military Service, dated 3/28/1998;
- Federal Law No. 149-FZ On Information, Information Technology and Information Protection, dated 7/27/2006;
- Decree of the Government of the Russian Federation No. 687 On Approval of Regulations on Particularities of Personal Data Processing Without Use of Automation Equipment, dated 9/15/2008;
- Decree of the Government of the Russian Federation No. 1119 On Approval of Requirements for Personal Data Security during their Processing in Personal Data Information Systems, dated 11/1/2012;
- and other laws and regulations governing relations in the area of personal data security.

1.2. The Policy applies to all personal data processed by Operator-CRPT, LLC.

1.3. The Policy covers all personal data received both before and after approval of this Policy.

### 1.4. Main Definitions and Abbreviations Used in the Policy:

**Company** shall mean Operator-CRPT, LLC.

**Personal Data** shall mean any information related directly or indirectly to a specific or specified individual (personal data subject).

**Operator** shall mean any state authority, municipal authority, legal entity or individual who/which, independently or jointly with other entities or individuals, arranges and/or performs the personal data processing, as well as determines the purposes of personal data processing, the scope of personal data to be processed, and the actions (operations) with personal data.

**Personal Data Processing** shall mean any action (operation) or a set of actions (operations) performed with/without the use of automation equipment in relation to personal data, including acquisition, recording, systematization, accumulation, storage, correction (update, amendment), retrieval, use, transfer (dissemination, submission, access), depersonalization, locking, deleting, destruction of personal data.

**Automated Personal Data Processing** shall mean personal data processing with the use of computer equipment.

**Personal Data Information System (PDIS)** shall mean a complex of all personal data stored in databases and information technologies and equipment enabling their processing.

**Personal Data Dissemination** shall mean any actions intended to disclose personal data to the general public.

**Personal Data Submission** shall mean any actions intended to disclose personal data to a specific person or a specific group of people.

**Personal Data Locking** shall mean temporary interruption of personal data processing (unless the processing is required to correct the personal data).

**Personal Data Depersonalization** shall mean any actions which make it impossible to determine the ownership of personal data by a specific personal data subject without any additional information;

**Personal Data Destruction** shall mean any actions which make it impossible to restore the personal data content in the personal data information system and/or which result in destruction of personal data storage media.

**Cross-border Transfer of Personal Data** shall mean any personal data transfer to the territory of a foreign country, to a foreign state authority, to a foreign legal entity or a foreign individual.

**TT GIS** shall mean the track and trace government information system for the goods subject to mandatory marking with identification means.

**MDLP FGIS** shall mean the federal government information system for track and trace of medicines for human use.

## 2. Personal Data Processing

### 2.1. Personal Data Processing Concepts.

- Personal data shall be processed on the legitimate and equitable basis;
- Personal data processing shall be limited to achieving the specific, predefined and legitimate purposes;
  - It is not allowed to process personal data for any purposes which are inconsistent with the purposes of the personal data acquisition;
  - It is not allowed to integrate databases containing personal data processed for the purposes inconsistent with each other;
  - Only the personal data which meet the processing purposes shall be subject to processing;
  - The content and scope of processed personal data shall comply with the declared processing purposes. The processed personal data shall not be excessive with reference to the declared processing purposes;
  - When processing personal data, the personal data accuracy, sufficiency, and, as required, relevance with reference to the personal data processing purposes shall be ensured. Operator shall implement the necessary measures or enable their implementation for deleting or update of incomplete or inaccurate data.
  - Personal data storage in the format allowing to determine the personal data subject shall be performed only for a period which does not exceed that required for the personal data processing purposes, unless the personal data storage period is established by the applicable law. The processed personal data shall be destroyed or depersonalized after achieving the processing purposes or if achieving these purposes becomes irrelevant, unless otherwise provided by the applicable law.
  - The processed personal data shall be destroyed or depersonalized after achieving the processing purposes or if achieving these purposes becomes irrelevant, unless otherwise provided by FL No. 152 On Personal Data.

Operator and other entities or individuals granted access to the personal data shall assume an obligation not to disclose the personal data to any third parties and not to disseminate the personal data without prior consent of the personal data subject, unless otherwise provided by the law of the Russian Federation.

### 2.2. Terms and Conditions of Personal Data Processing

The Company processes personal data on the following basis:

- personal data are processed with prior consent of the personal data subject for his/her personal data processing;

- personal data processing is required to achieve the purposes provided by an international agreement to which the Russian Federation is a party or by the law, to perform and exercise the functions, powers and obligations assigned to the Operator by the law of the Russian Federation;
- personal data processing is required to perform the agreement to which the personal data subject is a party or a beneficiary or a guarantor, as well as to enter into an agreement initiated by the personal data subject or an agreement to which the personal data subject is a beneficiary or a guarantor;
- personal data processing is required to protect life, health and other vital interests of the personal data subject if obtaining of consent from the personal data subject is impossible;
- personal data processing is required to exercise rights and legitimate interests of the Company or third parties, or to achieve socially significant purposes, provided that it does not infringe any rights and liberties of the personal data subject;
- personal data are processed to which the access is provided for the general public by the personal data subject or at his/her request;
- personal data are processed which are subject to publishing or mandatory disclosure according to the federal law;
- personal data are processed in compliance with the purposes predefined and declared during the personal data acquisition, as well as in compliance with Operator powers determined by the applicable law of the Russian Federation and contractual relations with clients, employees and contractors of Operator.

Right of access to the personal data of the personal data subjects provided in paper and in electronic form shall be granted to Operator's employees according to their official duties.

Transfer of the personal data of the personal data subjects to third parties may be performed by Operator only in compliance with the requirements of the applicable law of the Russian Federation.

Operator may assign the personal data processing to a third party with prior consent of the personal data subject and in other cases provided by the applicable law of the Russian Federation under an agreement signed with this party (Operator assignment). A third party performing personal data processing by Operator assignment shall observe the principles and rules of personal data processing provided by Federal Law No. 152-FZ On Personal Data, dated 7/27/2006, and maintain confidentiality and security of the personal data during their processing.

A person performing the personal data processing by Operator assignment is not required to receive consent of the personal data subject for his/her personal data processing.

If Operator assigns the personal data processing to another party, Operator shall be responsible to the personal data subject for the actions performed by such party. A party performing the personal data processing by Operator assignment shall be responsible to Operator.

### **2.3. Purposes of Personal Data Processing:**

Personal data processing is performed by Operator for the following purposes:

- 1) enforcement of compliance with the Constitution of the Russian Federation, federal laws and other regulations of the Russian Federation;
- 2) exercising of rights and legitimate interests of the Company during the performance of activities provided by the Charter and other local regulations of the Company, or of third parties, or achieving of socially significant purposes;
- 3) governing of labor relations and other relations directly associated with them, including:
  - HR records management (automation of the Company HR management activities) and arrangement of recording of Operator's employees involved in labor relations with the Company, as well as keeping of accounting records;
  - assisting to employees in their employment, education and job promotion, ensuring of personal safety of employees, quantity and quality control of the work performed, ensuring of property safety;
  - engaging and selecting of applicants for employment with Operator;
  - arrangement of individual (personal) employee record keeping in the compulsory pension insurance system;

- performance of medical examination and medical checkup;
- submission of information to the insurer for execution of a voluntary health insurance policy, life insurance policy;
- submission of information to credit organizations for execution of a bank card and salary transfer to this card;
- 4) consideration of individual or collective, personal, written and oral applications or applications in electronic document form, with further notification of applicants about the consideration results;
- 5) exercising of functions, powers and obligations assigned to the Company by the law of the Russian Federation, including the obligations on submission of personal data to state authorities, to the Pension Fund of the Russian Federation, to the Social Insurance Fund, as well as to other state authorities;
- 6) entering into, performance and termination of civil law contracts, agreements, and performance of civil law relations;
- 7) implementation of access control;
- 8) arrangement of management bodies of the Company and its affiliates;
- 9) performance by the Company of its obligations provided by the Agreement on public and private partnership in relation to the facilities intended to ensure the marking of certain types of goods and monitoring of their circulation, signed between the Russian Federation and the Company on June 7, 2019;
- 10) performance by the Company of other obligations provided by law.

#### 2.4. Categories of Processed Personal Data

- The list of personal data processed by the Company is determined according to the law of the Russian Federation and local regulations of the Company in compliance with the personal data processing purposes specified in para. 2.3 of the Policy.
- The Company does not process sensitive personal data related to race, national identity, political views, religious or philosophical beliefs, intimate life, records of convictions.
- The Company processes biometric data of the Company's clients and employees, as well as members of the Company's management and supervision bodies (data describing physiological and biological features of a person and allowing to establish his/her identity which are used by the Company to confirm identity of the personal data subject). Biometric data are processed only with prior written consent of the personal data subject.
  - Personal data of the following personal data subjects are processed:
    - individuals who are currently employed by the Company;
    - individuals whose employment with the Company has been terminated;
    - individuals who have applied for employment;
    - individuals who are currently in civil law relations with the Company;
    - individuals who are members of the management and supervision bodies of the Company and its affiliates;
      - individuals acting (including under power of attorney) on behalf of legal entities which are participants of circulation of goods subject to mandatory marking with identification means and which are registered in TT GIS;
      - individual entrepreneurs who are participants of circulation of goods subject to mandatory marking with identification means and who are registered in TT GIS;
      - individuals acting (including under power of attorney) on behalf of pharmaceutical entities which are registered in MDLP FGIS;
      - individual entrepreneurs who are pharmaceutical entities and who are registered in MDLP FGIS;
      - individuals who are users of chestnyznak.ru website, as well as of other programs, mobile and other applications, widgets and other interactive means used and/or developed by the Company.
  - Personal data processed by Operator include:
    - data received in the course of employment relations;
    - data received for selection of applicants for employment;
    - data received in the course of civil law relations;

- data received in the course of election (appointment) to the Company's management and supervision bodies;
- data received in the course of operation in TT GIS and MDLP FGIS.

## 2.5. Personal Data Processing Operations

- Personal data processing by the Company includes the following: acquisition, recording, systemization, accumulation, storage, correction (update, change), retrieval, use, transfer (dissemination, submission, access), locking, deleting, destruction.
  - Personal data may be processed both with the use and without the use of automation equipment.
  - Any decisions that produce legal effects concerning the personal data subject or otherwise affect his/her rights and legitimate interests may be adopted only based on the automated processing of his/her personal data performed only with prior written consent of the personal data subject, or in the cases provided by the federal laws establishing the measures for ensuring observance of rights and legitimate interests of the personal data subject.
    - Personal data of the subjects may be received, further processed and transferred for storage both in paper and in electronic form.
    - Personal data documented in paper form shall be stored in lockable cabinets or in lockable rooms with limited access rights.
    - It is forbidden to store and place documents containing personal data in open-access electronic catalogs (file sharing services).
    - Personal data documented in any form allowing to identify the personal data subject shall be stored only for a period which does not exceed that required for the purposes of their processing, and be destroyed after achieving their processing purposes or if achieving of such purposes becomes irrelevant.
    - The Company shall perform cross-border transfer of personal data in cases provided by the law of the Russian Federation and the international law.
    - The Company shall maintain confidentiality of all processed personal data, i. e. it shall not disclose any personal data to third parties or disseminate any personal data without consent of the personal data subject, unless otherwise provided by the federal law.
    - The Company shall not process any personal data for the purposes of market promotion of goods, works, services via direct contacts with potential consumers using communication means.
    - Personal data may be received from a party other than the personal data subject (from a third party or from a different source). In this case, prior to the personal data processing, a notification is sent to the subject about his/her personal data processing, except for the following cases:
      - personal data subject is informed of his/her personal data processing by the corresponding Operator;
      - personal data are received by the Company according to the federal law or pursuant to the contract to which the personal data subject is a party or a beneficiary or a guarantor;
      - personal data are made public by the personal data subject or received from a public source;
      - if submission to the personal data subject of the information contained in the notification infringes rights and legitimate interests of third parties.
    - The Company interrupts the personal data processing or ensures its interruption if the personal data processing is performed by another party acting on behalf of the Company:
      - after achieving the personal data processing purposes;
      - after expiration of the established personal data processing period.
      - at request of the personal data subject or an authorized body for protection of personal data subject rights if the personal data are incomplete, outdated, inaccurate, acquired illegally or are not required for the declared processing purposes;
      - when the personal data subject withdraws his/her consent for the personal data processing if such consent is required according to the federal law;

– when the Company cannot eliminate the violations committed in the course of personal data processing.

The Company interrupts the personal data processing and destroys the personal data within thirty (30) days after the date of achieving the personal data processing purposes, unless otherwise provided by the agreement to which the personal data subject is a party or a beneficiary or a guarantor. The event of destruction of personal data shall be confirmed by a certificate.

#### **2.6. Cross-border Transfer of Personal Data**

• Cross-border transfer of personal data to the territory of foreign countries which do not comply with the above requirements may be performed only with prior written consent of the personal data subject for cross-border transfer of his/her personal data and/or under a contract to which the personal data subject is a party, and in other cases provided by FL No. 152 On Personal Data, Art. 12, para. 4.

#### **2.7. Processing of Applications from Personal Data Subjects**

The Company shall receive applications and requests from the personal data subjects and their legal representatives, including those related to provision of the information on personal data processing, possible familiarization with personal data, required update, locking or destruction of personal data, according to the law of the Russian Federation.

### **3. Personal Data Security**

To ensure personal data protection against unauthorized or inadvertent access to, destruction, change, locking, copying, submission, dissemination of personal data, as well as against other illegal actions in relation to personal data, the Company implements or ensures implementation of legal, managerial and technical measures provided by law concerning personal data security, in order to protect personal data which shall be kept confidential:

- Appointment of Company employees responsible for arrangement of personal data processing.
- Appointment of Company employees responsible for ensuring security of the personal data processed by PDIS owned by the Company.
- Approval of the list of people who have access to personal data shall be limited to those people whose job duties include the personal data processing, differentiation of users' rights of access to information resources and information processing firmware;
- Development and implementation of local regulations concerning the personal data processing issues.
- Implementation of managerial and technical measures for ensuring personal data security.
- Identification of personal data security risks in the course of their processing in the personal data information systems.
- Accounting of personal data storage media.
- Use of information security means which have passed the compliance verification procedure according to the established practice.
- Determination of the rules of access to personal data.
- Identification of events of unauthorized access to personal data, and implementation of measures.
- Restriction of access to the rooms and spaces where technical facilities used for personal data processing are installed, as well as where data storage media are stored.
- Arrangement of security procedures for the rooms and spaces where personal data are processed.
- Efficiency assessment and performance control of measures for ensuring personal data security implemented within the personal data security system.
- Acquisition and maintenance of confidentiality statements related to confidential information, including personal data, of all Operator's employees directly involved in the personal data processing.
- Recovery of personal data modified or destroyed as a result of unauthorized access to them.

- Familiarization of Operator's employees directly involved in the personal data processing with the laws of the Russian Federation on personal data, including the requirements for personal data security, local regulations concerning personal data processing issues.

#### **4. Basic Rights of Personal Data Subject and Obligations of Operator**

##### **4.1. Basic Rights of Personal Data Subject.**

###### **Subject shall be entitled to:**

- receive complete information related to his/her personal data processing, except for the cases provided by federal laws. Operator sends the information to the personal data subject in accessible form; the information shall not contain any personal data of other personal data subjects, except for the cases when such personal data are disclosed on any legitimate grounds. The list of information and procedure for its acquisition is established by FL No. 152 On Personal Data;

- access his/her personal data, including the right to receive a copy of any record containing his/her personal data, except for the cases provided by the federal law;

- request Operator to correct, lock or destroy his/her personal data if such personal data are incomplete, outdated, inaccurate, illegally acquired or are not required for the declared processing purpose, as well as to take any measures to enforce his/her rights according to the law;

- withdraw consent for his/her personal data processing;

- take measures to enforce his/her rights according to the law;

- appeal against wrongful actions or omissions by Operator during his/her personal data processing to an authorized body for protection of the rights of personal data subjects (Federal Service for Supervision of Communications, Information Technology, and Mass Media (Roskomnadzor)) or in a legal procedure;

- exercise other rights provided by law of the Russian Federation.

Personal data subject shall be entitled to receive information related to his/her personal data processing, including the information containing:

1) confirmation of the operation of personal data processing by Operator;

2) legal grounds and purposes of personal data processing;

3) personal data processing purposes and methods used by Operator;

4) name and location of Operator, information on people (except for Operator's employees) who may have access to personal data or to whom personal data may be disclosed under a contract signed with Operator or according to the federal law;

5) processed personal data of the corresponding personal data subject, their source, unless other procedure for such data submission is provided by the federal law;

6) period of personal data processing, including their storage period;

7) procedure for execution by the personal data subject of his/her rights provided by FL No. 152 On Personal Data;

8) information on performed or potential cross-border data transfer;

9) company name or last name, first name, patronymic and address of the entity or individual processing the personal data on behalf of Operator, if data processing is or will be assigned to such entity or individual;

10) other information provided by FL No. 152 On Personal Data or other federal laws.

Right of the personal data subject for access to his/her personal data may be restricted according to federal laws and in cases provided by FL On Personal Data, Art. 14, para. 8.

###### **4.2. Operator shall be entitled to:**

- determine, at its own discretion, the scope and the list of measures required and sufficient for ensuring the performance of its obligations provided by FL No. 152 On Personal Data and other laws and regulations adopted based on this law, unless otherwise provided by FL No. 152 On Personal Data or other federal laws;

- engage another entity or individual in personal data processing with prior consent of the personal data subject, unless otherwise provided by the federal law, under an agreement signed with such entity or



individual. Any entity or individual processing personal data on behalf of Operator must observe the principles and rules of personal data processing provided by FL No. 152 On Personal Data;

- if the personal data subject withdraws his/her consent for personal data processing, Operator shall be entitled to continue the personal data processing without consent of the personal data subject on grounds provided by FL No. 152 On Personal Data.

**4.3. Operator shall be obliged to:**

- arrange personal data processing according to FL No. 152 On Personal Data;
- when acquiring personal data, provide the personal data subject, at his/her request, with the information on personal data processing;
- send a notification to the personal data subject with indication of the information specified in FL No. 152 On Personal Data, Art. 18, para. 3, if personal data are received from a party other than the personal data subject prior to such personal data processing;
- if submission of personal data is mandatory according to the federal law, clarify to the personal data subject the legal consequences of refusal to provide his/her personal data;
- publish or otherwise ensure unrestricted access to the document determining its policy in relation to personal data processing, to the information on implemented requirements for personal data security;
- implement required legal, managerial and technical measures or ensure their implementation to protect personal data against unauthorized or inadvertent access to, destruction, change, locking, copying, submission, dissemination of personal data, as well as against other illegal actions in relation to personal data;
- respond to requests and applications of the personal data subjects, their representatives, and the authorized body for protection of the rights of personal data subjects;
- submit the required information to the authorized body for protection of the rights of personal data subjects (Federal Service for Supervision of Communications, Information Technology, and Mass Media (Roskomnadzor)), at request of such body, within 30 days after the date of receiving such request.

**5. Liability**

Operator, as well as its officials and the Company employees who are guilty of violation of any regulations governing personal data processing and security shall bear financial, disciplinary, administrative, civil or criminal responsibility, according to FL No. 152 On Personal Data, Art. 24, in accordance with the procedure established by the federal laws.