

FEDERAL LAW
NO. 242-FZ OF JULY 21, 2014
ON AMENDING SOME LEGISLATIVE ACTS OF THE RUSSIAN FEDERATION IN AS
MUCH AS IT CONCERNS UPDATING THE PROCEDURE FOR PERSONAL DATA
PROCESSING IN INFORMATION-TELECOMMUNICATION NETWORKS
(with the Amendments and Additions of December 31, 2014)

Adopted by the State Duma July 4, 2014

Approved by the Federation Council July 9, 2014

Article 1

The following amendments are hereby made to [Federal Law](#) No. 149-FZ of July 27, 2006 on Information, Information Technologies and Information Protection (Sobranie Zakonodatelstva Rossiyskoy Federatsii, 2006, No. 31, item 3448; 2010, No. 31, item 4196; 2011, No. 15, item 2038; No. 30, item 4600; 2012, No. 31, item 4328; 2013, No. 14, item 1658; No. 23, item 2870; No. 27, item 3479; No. 52, items 6961, 6963; 2014, No. 19, item 2302):

1) shall be supplemented with [Article 15.5](#) of the following wording:

"Article 15.5. Procedure for Restricting Access to the Information Processed in Breach of the Legislation of the Russian Federation on Personal Data

1. An automated information system "Register of Persons Infringing on the Rights of Data Subjects" (hereinafter referred to as "the register of infringers") is created for the purposes of restricting access in the network "Internet" to the information processed in breach of the legislation of the Russian Federation on personal data.

2. The following shall be included in the register of infringers:

1) the domain names and/or website reference of the Internet websites containing information that is processed in breach of the legislation of the Russian Federation on personal data;

2) the network addresses allowing to identify Internet websites containing the information processed in breach of the legislation of the Russian Federation on personal data;

3) reference to a court's decision that has become final;

4) information on the elimination of the breach of the legislation of the Russian Federation on personal data;

5) the date of dispatch of information to communication operators about the information resource for the purpose of restricting access to that resource.

3. The register of infringers shall be created, arranged and kept by the federal executive governmental body carrying out the functions of control and supervision in respect of mass media, mass communications, information technologies and telecom in the procedure established by the Government of the Russian Federation.

4. For the purposes of arranging and keeping the register of infringers the federal executive governmental body carrying out the functions of control and supervision in respect of mass media, mass communications, information technologies and telecom in accordance with the criteria defined by the Government of the Russian Federation may recruit the operator of such register, i.e. an organisation registered on the territory of the Russian Federation.

5. The ground for including the information mentioned in Part 2 of the present article in the register of infringers shall be a court's decision that has become final.

6. A data subject has the right of filing an application with the federal executive

governmental body carrying out the functions of control and supervision in respect of mass media, mass communications, information technologies and telecom asking for measures to be taken for restricting access to information processed in breach of the legislation of the Russian Federation on personal data on the basis of a court's decision that has become final. The form of said application shall be endorsed by the federal executive governmental body carrying out the functions of control and supervision in respect of mass media, mass communications, information technologies and telecom.

7. Within three working days after receiving a court's decision that has become final the federal executive governmental body carrying out the functions of control and supervision in respect of mass media, mass communications, information technologies and telecom shall do the following under said court's decision:

1) identify the hosting provider or the other person supporting information processing in an information-telecommunication network, inter alia the network "Internet", in breach of the legislation of the Russian Federation on personal data;

2) send to the hosting provider or the other person specified in Item 1 of the present part a notice in electronic form in Russian and English concerning the breach of the legislation of the Russian Federation on personal data with information about the court's decision that has become final, the domain name and network address allowing to identify in the network "Internet" the website on which information is processed in breach of the legislation of the Russian Federation on personal data and also the Internet website references allowing to identify such information, and a demand for measures to be taken for eliminating the breach of the legislation of the Russian Federation on personal data mentioned in the court's decision;

3) record the date and time of dispatch of the notice to the hosting provider or the other person mentioned in Item 1 of the present part in the register of infringers.

8. Within one working day after the time of receipt of the notice mentioned in Item 2 of Part 7 of the present article the hosting provider or the other person mentioned in Item 1 of Part 7 of the present article shall inform accordingly the owner of the information resource they provide services to and notify him of the need for taking measures immediately for eliminating the breach of the legislation of the Russian Federation on personal data specified in the notice or take measures for restricting access to the information processed in breach of the legislation of the Russian Federation on personal data.

9. Within one working day after the time of receiving the notice from the hosting provider or the other person mentioned in Item 1 of Part 7 of the present article concerning the need for eliminating the breach of the legislation of the Russian Federation on personal data the owner of the information resource shall take measures for eliminating the breach mentioned in the notice. In the event of refusal or default by the owner of the information resource the hosting provider or the other person mentioned in Item 1 of Part 7 of the present article shall restrict access to the relevant information resource within three working days after the time of receipt of the notice specified in Item 2 of Part 7 of the present article.

10. If the hosting provider or the other person mentioned in Item 1 of Part 7 of the present article and/or the owner of the information resource do not take the measures described in Parts 8 and 9 of the present article the domain name of the Internet website, its network address and Internet website references allowing to identify the information processed in breach of the legislation of the Russian Federation on personal data and also other details of that website and the information shall be sent across the automated information system to communication operators for the purposes of taking the measures of restricting access to that information resource, for instance to the network address, domain name and Internet website references.

11. The federal executive governmental body carrying out the functions of control and

supervision in respect of mass media, mass communications, information technologies and telecom or the operator of the register of infringers which has been recruited by it in accordance with Part 4 of the present article shall remove from that register the domain name, Internet website reference or network address allowing to identify the website in the network "Internet" on the basis of the application of the owner of the Internet website, the hosting provider or the communication operator within three days after the date of such application after the taking of measures for eliminating the breach of the legislation of the Russian Federation on personal data or under a court's decision overturning the court's decision issued earlier that has become final.

12. The procedure for interaction of the operator of the register of infringers with a hosting provider and the procedure for a communication operator to get access to the information contained in such register shall be established by the federal executive governmental body empowered by the Government of the Russian Federation.";

2) [Part 4 of Article 16](#) shall be supplemented with [Item 7](#) of the following wording:

"7) the location on the territory of the Russian Federation of the databases used to gather, record, systematise, accumulate, store, make more precise (update, modify) and retrieve the personal data of citizens of the Russian Federation."

Article 2

The following amendments are hereby made to [Federal Law No. 152-FZ of July 27, 2006 on Personal Data \(Sobranie Zakonodatelstva Rossiyskoy Federatsii, 2006, No. 31, item 3451; 2011, No. 31, item 4701\)](#):

1) [Article 18](#) shall be supplemented with [Part 5](#) of the following wording:

"5. While collecting personal data, for instance by means of the information-telecommunication network "Internet" the operator shall ensure the recording, systematising, accumulating, storing, making more precise (updating, modifying) and retrieving of the personal data of citizens of the Russian Federation by means of databases located on the territory of the Russian Federation, except for the cases mentioned in Items 2, 3, 4, 8 of Part 1 of Article 6 of the present Federal Law."

2) [Part 3 of Article 22](#) shall be supplemented with [Item 10.1](#) of the following wording:

"10.1) information on the location of the database containing information with the personal data of citizens of the Russian Federation;"

3) [Part 3 of Article 23](#) shall be supplemented with [Item 3.1](#) of the following wording:

"3.1) restrict access to the information processed in breach of the legislation of the Russian Federation on personal data, in the procedure established by the legislation of the Russian Federation;"

Article 3

[Part 3.1 of Article 1](#) of [Federal Law No. 294-FZ of December 26, 2008 on Protecting the Rights of Legal Persons and Individual Entrepreneurs in the Course of State Control \(Supervision\) and Municipal Control \(Sobranie Zakonodatelstva Rossiyskoy Federatsii, 2008, No. 52, item 6249; 2009, No. 18, item 2140; No. 29, item 3601; No. 52, item 6441; 2010, No. 17, item 1988; No. 31, items 4160, 4193; 2011, No. 17, item 2310; No. 30, item 4590; No. 48, item 6728; 2012, No. 26, item 3446; 2013, No. 27, item 3477; No. 30, item 4041; No. 52, items 6961, 6979, 6981; Rossiyskaya Gazeta, June 25, 2014\)](#) shall be supplemented with [Items 19](#) and [20](#) of the following wording:

"19) control over the observance of provisions in connection with the dissemination of information in the information-telecommunication network "Internet";

20) control and supervision over personal data processing."

Information on changes:

Federal Law No. 526-FZ of December 31, 2014 reworded Article 4 of this Federal Law

See the Article in the previous wording

Article 4

This Federal Law shall enter into force on September 1, 2015.

President of the Russian Federation

V.Putin

The Kremlin, Moscow