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**WATERFALL PRO LLC**

**PERSONAL DATA PROCESSING POLICY**

Shakhty, 2017

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**1. GENERAL PROVISIONS**

Personal Data Processing Policy (hereinafter referred to as “**Policy**”) is developed in accordance with Federal Law dated 27.07.2006. No.152-FZ «On personal data» (hereinafter referred to as **FZ-152**). This Policy defines the order of personal data processing and the measures on ensuring the security of personal data in WATERFALL PRO LLC (hereinafter referred to as **Operator**) with the purpose of protecting the rights and freedoms of a person and citizen in the processing of his personal data, including the protection of privacy rights, personal and family secrets.

Following basic definitions used in the Policy:

**Automated personal data processing** – personal data processing via PC software;

**Personal data blocking** – temporary interruption of personal data processing (except where processing is required for personal data update or alteration);

**Personal data information system** – a set of personal data included into personal data databases, as well as the software and tools used for their processing;

**Personal data depersonalization** – actions making it impossible to identify personal data as related to a certain data subject without involving additional information;

**Personal data processing** – any action (operation) or series of actions (operations) performed towards personal data with or without the software, including the personal data acquisition, recording, systematization, accumulation, storage, update and alteration, extraction, use, transfer (distribution, presentation, providing access) depersonalization, blocking, deleting and annihilation;

**Operator** – state authority, municipal authority, legal or private person, who severally or jointly arranges and/or performs personal data processing, as well as defines the aims of personal data processing, volume of personal data subject to processing and data handling actions (operations);

**Personal data** – any information related to directly or indirectly specified or determined individual (subject of personal data);

**Personal data presentation** – actions aimed to disclosure of personal data to particular person or certain group of persons;

**Personal data distribution** – actions aimed to disclosure of personal data to uncertain group of persons (personal data transfer) or to introduction of unlimited group of persons with personal data, including publication of personal data in the mass media, placement in information and telecommunication networks or provision of access to personal data in any other way;

**Trans-border transfer of personal data** – personal data transfer to a foreign country, foreign government body, foreign individual or legal person;

**Personal data annihilation** – actions making it impossible to restore the personal data volume in the personal data information system and /or resulting in the elimination of tangible personal data carriers.

The company is obliged to publish or otherwise provide unlimited access to this Policy of personal data processing in accordance with Part 2 Art. 18.1. FZ-152.

**2. PRINCIPLES AND CONDITIONS FOR THE PROCESSING OF PERSONAL DATA**

**2.1. Processing principles of personal data**

Processing of personal data by Operator is performed on the basis of the following principles:

− Legitimacy and a fair basis;

− Limit the processing of personal data by achieving specific, pre-determined and legitimate purposes;

− Preventing the processing of personal data incompatible with the purposes of collecting personal data;

− Prevention of combining databases containing personal data, processing of which is carried out for purposes incompatible with each other;

− Processing only those personal data that meet the purposes of their processing;

− Correspondence of the content and volume of processed personal data to the stated processing objectives;

− Preventing the processing of personal data that is redundant in relation to the stated purposes of their processing;

− Ensuring of accuracy, adequacy and actuality of personal data with respect to the aims of personal data processing;

− Annihilation or depersonalization of personal data upon the achievement of the objectives of their processing or in case of a loss of the need to achieve these purposes, if the Operator can not eliminate the admitted violations of personal data, unless otherwise provided by federal law.

**2.2. Processing conditions of personal data**

The Operator performs processing of personal data in the presence of at least one of the following conditions:

− The processing of personal data is carried out with the consent of the subject of personal data to the processing of his personal data;

− The processing of personal data is necessary to achieve the goals stipulated by the international agreement of the Russian Federation or the law for the implementation and performance of the functions, powers and duties imposed by the legislation of the Russian Federation on the Operator;

− The processing of personal data is necessary for the administration of justice, the enforcement of a judicial act, an act of another body or authority to enforcement in accordance with the law of the Russian Federation on enforcement proceedings;

− The processing of personal data is necessary for the performance of a contract to which the subject of personal data is either a beneficiary or a guarantor or a contractor on the initiative of a personal data subject or a contract whereby the subject of personal data will be the beneficiary or guarantor;

− The processing of personal data is necessary to implement the rights and legitimate interests of the Operator or third parties or to achieve socially significant goals, upon conditions that this does not violate the rights and freedoms of the subject of personal data;

− The processing of personal data, access of an unlimited group of persons to which is provided by the subject of personal data or at his request (hereinafter referred to as, publicly available personal data);

− The processing of personal data subject to publication or compulsory disclosure in accordance with Federal Law.

**2.3. Confidentiality of personal data**

The Operator and other persons who got the access to the personal data are obliged not to disclosure and not to distribute the personal data to the third parties without consent of personal data subject if other is not provided by federal law.

**2.4. Publicly available sources of personal data**

In order to provide information, the Operator can create public sources of personal data of subjects, including directories and address books. The public sources of personal data with the written consent of the subject may include his surname, name, patronymic name, date and place of birth, position, contact phone numbers, e-mail address and other personal data reported by the subject of personal data. Information on the subject must be deleted at any time from the publicly available sources of personal data at the request of the entity or by a court or other authorized government bodies.

**2.5. Special categories of personal data**

The processing by the Operator the special categories of personal data related to race, national identity, political commitment, religious or philosophic views, health conditions, private life is allowed in the following cases, if:

− the subject of personal data gave the written consent for the processing of his personal data;

− Personal data is made publicly available by the personal data subject;

− The processing of personal data is carried out in accordance with the legislation on state social assistance, labor legislation, the legislation of the Russian Federation on pensions for state pensions, on labor pensions;

− the processing of personal data is required for the life, health and other vital interests protection of the personal data subject or for the life, health and other vital interests protection of the other persons and it is impossible to obtain the consent of the personal data subject;

− The processing of personal data is carried out for medical and preventive purposes, with a view to establishing a medical diagnosis, the provision of medical and medico-social services, provided that the processing of personal data is carried out by a person professionally engaged in medical activities and obliged in accordance with the legislation of the Russian Federation to keep medical secrecy;

− The processing of personal data is necessary to establish or exercise the rights of personal data subject or third parties, as well as for the administration of justice;

− Personal data shall be processed in accordance with the law on compulsory types of insurance, with insurance legislation.

The processing of special categories of personal data should be immediately stopped, if the reasons for which they were processed are fixed, unless otherwise provided by Federal law.

The processing of personal data concerning criminal convictions may be carried out by the Operator only in cases and in the manner determined in accordance with Federal laws.

**2.6. Biometric personal data**

The data which characterize physiological and biological features of the person, on the basis of which it is possible to establish his identity, biometric personal data can be processed by the Operator only with the written consent of the subject.

**2.7. Instruction for the processing of personal data to another person**

The operator may assign the processing of personal data to another person with the consent of the data subject, unless otherwise provided by Federal law, it can be as a person acting under the contract, and a strategic partner working with the Company to provide products and services or those that help Companies sell products and services to consumers. The entity processing personal data on behalf of the Operator, must respect the principles and rules of processing of personal data, stipulated by FZ-152.

**2.8. Trans-border transfer of personal data**

The operator must ensure that the foreign government, on whose territory is supposed to implement the transfer of personal data, gives adequate protection of the rights of personal data subjects, prior to such transfer. Trans-border transfer of personal data to foreign States that do not ensure adequate protection of the rights of subjects of personal data may be carried out in cases:

− The written consent of the subject of personal data on trans-border transfer of personal data;

− The execution of the contract which is the subject of personal data.

**3. RIGHTS OF THE SUBJECT OF PERSONAL DATA**

**3.1. Consent of the subject of personal data for the processing of his personal data**

The subject of personal data takes the decision on granting his personal data and gives consent to the processing freely, with his own will and in his interest. Consent to the processing of personal data may be given by personal data subject or his representative in any allowing form confirming the receipt of it, unless otherwise provided by Federal law. The obligation to provide proof of obtaining the consent of personal data subject to the processing of personal data or proof of the grounds specified in FZ-152 is assigned to the Operator.

**3.2. Rights of the subject of personal data**

The personal data subject has the right to receive from the Operator information regarding the processing of his personal data, if this right is not restricted in accordance with Federal laws. The personal data subject shall have the right to require the Operator to annihilate his personal data, its blocking or destruction in case personal data are incomplete, outdated, inaccurate, illegally obtained or are not necessary for the declared purpose of the processing, and also to take legal measures to protect his rights.

The processing of personal data for the purpose of promotion of goods, works and services in the market through direct contacts with potential consumers with a means of communication, as well as to political campaigning is permitted only with the prior consent of the data subject. Such processing of personal data is recognized without prior consent of the data subject, unless the Company proves that such consent was obtained.

The Operator is obliged to cease immediately the processing of personal data for above mentioned purposes at the request of the personal data subject.

It is forbidden to take decisions on the basis of exclusively automated processing of personal data that generate legal consequences in respect of the personal data subject or otherwise affect his rights and legal interests except cases, stipulated by Federal laws or with written consent of the subject of personal data.

If the personal data subject believes that the Operator is processing his personal data with violation of requirements FZ-152, or otherwise violates his rights and freedoms, the personal data subject may appeal the acts or omissions of the Operator in Authorized body on protection of the rights of personal data subjects or in legal order.

The personal data subject has the right to protect his rights and legitimate interests, including on indemnification and (or) compensation of moral harm in a legal order.

**4. ENSURING OF THE SECURITY OF PERSONAL DATA**

The security of personal data processed by the Operator is supported by the implementation of legal, organizational and technical measures necessary to meet the requirements of the Federal legislation in the field of personal data protection. To prevent unauthorized access to personal data by the Operator, the following organizational and technical measures are applied:

− Assignment of company officers responsible for organizing the processing and protection of personal data;

− Limitation of the group of persons who have access to personal data;

− Introduction to the subjects the requirements of Federal legislation and regulatory documents of the Operator concerning the processing and personal data protection;

− Registration, storage and handling of information carriers;

− Definition of threats to the security of personal data during their processing, formation of models of threats on their basis;

− Development of personal data protection system on the basis of model of threats;

− Check of the readiness and effectiveness of the use of information security tools;

− Delimitation of user access to information resources and software and hardware tools for information processing;

− Registration and recording of actions of personal data’s information systems users;

− Application of antivirus tools and means of restoring the system of protection of personal data;

− Application of appropriate means of firewalling, intrusion detection, analysis of security and cryptographic protection of information;

− Organization of pass control on the Operator’s territory, security of the facilities with technical means of personal data processing.

**5. FINAL CLAUSES**

Other rights and obligations of the Operator as operator of personal data are determined by the legislation of the Russian Federation in the field of personal data.

Company officers of the Operator, who are responsible for violation of norms regulating processing and protection of personal data, shall bear material, disciplinary, administrative, civil or criminal liability in the procedure established by Federal laws.