

Personal Data Processing Policy at BrainShells Limited

1. General provisions

1.1. The Personal Data Processing Policy of BrainShells Limited» (hereinafter referred to as the Policy) defines the main principles, goals, conditions and methods of processing personal data, lists of subjects and personal data processed in BrainShells Limited BrainShells Limited, functions of BrainShells Limited» when processing personal data, rights of personal data subjects, as well as those implemented in «BrainShells Limited" requirements for the protection of personal data.

1.2. The Policy has been developed taking into account the requirements of the Constitution of the Russian Federation, legislative and other regulatory legal acts of the Russian Federation in the field of personal data, as well as the requirements of Regulation No. 2016/679 of the European Parliament and of the Council of the European Union on the protection of individuals with regard to the processing of personal data and on the free circulation of such data, as well as on the repeal of Directive 95/46/EC (hereinafter referred to as "Directive 95/46 / EC"). EU Regulation).

1.3. The provisions of the Policy serve as the basis for the development of local regulations regulating «BrainShells Limited» the processing of personal data of employees of BrainShells Limited» and other personal data subjects in BrainShells Limited.

1.4. The Policy is the basis for the development by subsidiaries and organizations of BrainShells Limited of local regulations defining the personal data processing policy of these organizations.

2. Legislative and other regulatory legal acts of the Russian Federation, in accordance with which the Personal Data Processing Policy of BrainShells Limited is determined

2.1. The personal data processing policy of BrainShells Limited» is determined in accordance with the following regulatory legal acts:

- The Labor Code of the Russian Federation;
- Federal Law No. 152-FZ of July 27, 2006 "On Personal Data";
- Decree of the President of the Russian Federation No. 188 of March 06, 1997 "On Approval of the List of Confidential Information";
- Decree of the Government of the Russian Federation of September 15, 2008 No. 687 "On approval of the Regulation on the specifics of processing personal data performed without the use of automation tools";
- Decree of the Government of the Russian Federation of July 06, 2008 No. 512 "On approval of requirements for material carriers of biometric personal data and technologies for storing such data outside of personal data information systems";
- Decree of the Government of the Russian Federation of November 01, 2012 No. 1119 "On approval of requirements for the protection of personal data when processing them in Personal data information systems";

- Order of the FSTEC of Russia No. 21 of February 18, 2013 " On approval of the Composition of and the content of organizational and technical measures to ensure the security of personal data when processing them in personal data information systems";
- Roskomnadzor Order No. 996 of September 05, 2013 "On approval of requirements and methods for depersonalization of Personal data";
- other regulatory legal acts of the Russian Federation and regulatory documents of authorized state authorities.

2.2. In order to implement the Policy provisions, BrainShells Limited» develops relevant local regulations and other documents, including:

- regulation on the processing of personal data in "BrainShells Limited";
- other local regulations and documents regulating «BrainShells Limited» the processing of personal data at BrainShells Limited.

3. The main terms and definitions used in the local regulatory acts of BrainShells Limited regulating the processing of personal data

Personal data — any information relating directly or indirectly to a specific or identifiable natural person (subject of personal data).

Personal data authorized by the personal data subject for distribution — personal data, access of an unlimited number of persons to which is granted by the subject of personal data by giving consent consent to the processing of personal data authorized by the personal data subject for distribution in accordance with the procedure provided for by the current legislation of the Russian Federation.

Information — information (messages, data) regardless of the form of their presentation.

Operator — a state body, municipal body, legal entity or individual that independently or jointly with other persons organizes and / or performs the processing of personal data, as well as determines the purposes of processing personal data, the composition of personal data to be processed, actions (operations) performed with personal data.

Processing of personal data — any action (operation) or a set of actions (operations) performed with or without the use of automation tools with personal data, including collection, recording, systematization, accumulation, storage, clarification (updating, modification), extraction, use, transfer (distribution, provision, access) depersonalization, blocking, deletion, or destruction of personal data.

Automated processing of personal data — processing of personal data using computer technology.

Provision of personal data — actions aimed at disclosing personal data to a certain person or a certain group of persons.

Dissemination of personal data — actions aimed at disclosing personal data to an indefinite group of persons.

Cross-border transfer of personal data — transfer of personal data on the territory of a foreign state to an authority of a foreign state, a foreign individual or a foreign legal entity.

Blocking of personal data — temporary termination of processing of personal data (except for cases when processing is necessary to clarify personal data).

Destruction of personal data — actions that make it 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 — actions that make it impossible to determine whether personal data belongs to a specific personal data subject without using additional information.

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

4. Principles and purposes of personal data processing

4.1. "BrainShells Limited" processes personal data of employees of "BrainShells Limited" and other personal data subjects who are not in an employment relationship with "BrainShells Limited".

4.2. The processing of personal data in «BrainShells Limited» is carried out taking into account the need to ensure the protection of the rights and freedoms of BrainShells Limited employees BrainShells Limited» and other personal data subjects, including the protection of the right to privacy, personal and family secrets, based on the following principles:

- processing of personal data is carried out in "BrainShells Limited" on a legal and fair basis;
- the processing of personal data is limited to the achievement of specific, pre-defined and legitimate purposes;
- processing of personal data that is incompatible with the purposes of personal data collection is prohibited.
- it is not allowed to combine databases containing personal data, the processing of which is carried out for purposes that are incompatible with each other;
- only personal data that meets the purposes of their processing are subject to processing;
- the content and scope of the personal data processed corresponds to the stated purposes of processing. Redundancy of the processed personal data in relation to the stated purposes of their processing is not allowed;

- when processing personal data, the accuracy of personal data, their sufficiency, and, if necessary, their relevance in relation to the purposes of personal data processing are ensured. «BrainShells Limited» takes the necessary measures or ensures that they are taken to delete or clarify incomplete or inaccurate personal data;
- storage of personal data is carried out in a form that makes it possible to determine the subject of personal data, no longer than the purposes of processing personal data require, unless the period of storage of personal data is established by federal law, an agreement to which the subject of personal data is a party, beneficiary or guarantor;
- the processed personal data is destroyed or depersonalized upon reaching the processing goals, or if it is no longer necessary to achieve these goals, unless otherwise provided by federal law.

4.3. Personal data is processed by «BrainShells Limited» for the following purposes:

- ensuring compliance with the Constitution of the Russian Federation, legislative and other regulatory legal acts of the Russian Federation, and local regulatory acts of «BrainShells Limited»;
- performing the functions, powers and duties assigned by the legislation of the Russian Federation to «BrainShells Limited», including providing personal data to state authorities, to the Pension Fund of the Russian Federation, to the Social Insurance Fund of the Russian Federation, to the Federal Compulsory Medical Insurance Fund, as well as to other state bodies;
- regulation of labor relations with employees of «BrainShells Limited» (assistance in employment, training and promotion, ensuring personal safety, monitoring the quantity and quality of work performed, ensuring the safety of property);
- protection of the life, health or other vital interests of personal data subjects;
- preparation, conclusion, execution and termination of contracts with counterparties;
- providing access and intra-object modes in «BrainShells Limited»;
- formation of reference materials for internal information support «of BrainShells Limited's activities».
- execution of judicial acts, acts of other bodies or officials subject to execution in accordance with the legislation of the Russian Federation on enforcement proceedings;
- exercising the rights and legitimate interests of «BrainShells Limited» within the framework of carrying out activities stipulated by the Charter and other local regulatory acts of «BrainShells Limited», or third parties, or achieving socially significant goals;
- for other legitimate purposes.

5. List of subjects whose personal data is processed in BrainShells Limited

B «BrainShells Limited» processes personal data of the following categories of subjects:

- employees of BrainShells Limited» and its separate divisions;
- other subjects of personal data (to ensure the implementation of the processing purposes specified in section 4 of the Policy).

6. List of personal data processed by BrainShells Limited

6.1. The list of personal data processed in "BrainShells Limited" is determined in accordance with the legislation of the Russian Federation, the Regulations EU and local regulations of BrainShells Limited», taking into account the purposes of processing personal data specified in section 4 of the Policy.

6.2. BrainShells Limited does not process special categories of personal data related to race, nationality, political views, religious or philosophical beliefs, or intimate life «.» не осуществляется.

6.3. Processing of biometric personal data in "BrainShells Limited" is allowed only with the written consent of the personal data subject, except for cases stipulated by the legislation of the Russian Federation.

6.4. The processing of personal data authorized for distribution by the personal data subject is carried out in «BrainShells Limited» on the basis of the consent of the personal data subject to distribution, in compliance with the prohibitions and conditions for processing personal data established by the personal data subject.

7. Functions BrainShells Limited's functions in processing personal data

"BrainShells Limited" when processing personal data:

- takes measures necessary and sufficient to ensure compliance with the requirements of the legislation of the Russian Federation, EU Regulations and local regulations of BrainShells Limited» in the field of personal data;
- takes legal, organizational and technical measures to protect personal data from unauthorized or accidental access to it, destruction, modification, blocking, copying, provision, dissemination of personal data, as well as from other illegal actions in relation to personal data;
- appoints the person responsible for organizing the processing of personal data in «BrainShells Limited»;
- issues local regulations defining the policy and issues related to the processing and protection of personal data in «BrainShells Limited»;
- familiarizes employees of BrainShells Limited» who directly process personal data with the provisions of the legislation of the Russian Federation and local regulations of BrainShells Limited» in the field of personal data, including requirements for personal data protection, and trains these employees;
- publishes or otherwise provides unrestricted access to this Policy;
- notifies the subjects of personal data in accordance with the established procedure, or to their representatives, information about the availability of personal data related to: to the relevant subjects, provides an opportunity to get acquainted with these personal data

when contacting and / or receiving requests from these personal data subjects or their representatives, unless otherwise established by the legislation of the Russian Federation;

- stops processing and destroys personal data in cases stipulated by the legislation of the Russian Federation in the field of personal data and the EU Regulation;
- performs other actions stipulated by the legislation of the Russian Federation in the field of personal data and the EU Regulation.

8. Terms of Personal data processing at BrainShells Limited

8.1. Processing of personal data in "BrainShells Limited" is carried out with the consent of the personal data subject to the processing of his / her personal data, unless otherwise provided by the legislation of the Russian Federation in the field of personal data.

8.2. «BrainShells Limited does» not disclose or distribute personal data to third parties without the consent of the personal data subject, unless otherwise provided by federal law.

8.3. «BrainShells Limited» has the right to entrust the processing of personal data to another person with the consent of the personal data subject on the basis of a contract concluded with this person. The agreement must contain a list of actions (operations) with personal data.

data that will be processed by the person performing the processing of personal data, the purpose of processing, the obligation of such a person to respect the confidentiality of personal data and ensure the security of personal data when processing personal data.

their processing, as well as requirements for the protection of the processed personal data in accordance with Article 19 of the Federal Law "On Personal Data".

8.4. For the purposes of internal information support «BrainShells Limited» may create reference books, address books and other sources, which may include the personal data of the subject with the written consent of the personal data subject, unless otherwise provided for by the legislation of the Russian Federation.

8.5. Access to the personal data processed by BrainShells Limited «BrainShells Limited» is permitted only to employees of «BrainShells Limited» who hold positions in which personal data is processed.

9. List of actions with personal data and methods of processing them

9.1. «BrainShells Limited» collects, records, organizes, accumulates, stores, refines (updates, changes), retrieves, uses, transfers

(distribution, provision, access), depersonalization, blocking, deletion and destruction of personal data.

9.2. Processing of personal data in «BrainShells Limited» is carried out in the following ways:

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

10. Rights of personal data subjects

Subjects of personal data have the right to:

- full information about their personal data processed by «BrainShells Limited»;
- access to their personal data, including the right to receive a copy of any record containing their personal data, except in cases provided for by federal law;
- clarification of their personal data, their blocking or destruction if the personal data is incomplete, outdated, inaccurate, illegally obtained or not necessary for the stated purpose of processing;
- revocation of consent to the processing of personal data;
- taking legal measures to protect their rights;
- appeal of an action or omission of «BrainShells Limited» carried out by in violation of the requirements of the legislation of the Russian Federation in the field of personal data, to the authorized body for the protection of the rights of personal data subjects or to the court;
- exercise of other rights stipulated by the legislation.

11. Measures taken by BrainShells Limited to ensure the fulfillment of the operator's obligations when processing personal data

11.1. Measures necessary and sufficient to ensure that «BrainShells Limited» fulfills «BrainShells Limited» its operator's obligations under the Russian Federation legislation in the field of personal data include:

- appointment of a person responsible for organizing the processing of personal data in «BrainShells Limited»;
- adoption of local regulations and other documents in the field of personal data processing and protection;

- organizing training and conducting methodological work with employees of BrainShells Limited» who hold positions where personal data is processed;
- obtaining the consent of personal data subjects to the processing of their personal data, with the exception of cases stipulated by the legislation of the Russian Federation;
- separation of personal data processed without the use of automation tools from other information, in particular by recording them on separate material carriers of personal data, in special sections;
- ensuring separate storage of personal data and their physical carriers, which are processed for different purposes and which contain different categories of personal data;
- ensuring the security of personal data when it is transmitted through open communication channels;
- storage of tangible personal data carriers in compliance with the conditions that ensure the safety of personal data and exclude unauthorized access to them;
- implementation of internal control over the compliance of personal data processing with the Federal Law "On Personal Data" and the regulatory legal act adopted in accordance with it, the requirements for personal data protection, this Policy, and local regulatory acts of BrainShells Limited»;
- other measures provided for by the legislation of the Russian Federation in the field of personal data and the EU Regulation.

12. Monitoring compliance with the legislation of the Russian Federation and local regulations of BrainShells Limited in the field of personal data, including requirements for personal data protection

12.1. Monitoring compliance by structural divisions of the administration "BrainShells Limited"; the legislation of the Russian Federation and local regulations of "BrainShells Limited" in the field of personal data, including requirements for the protection of personal data, is carried out in order to verify the compliance of the processing of personal data in "BrainShells Limited" with the legislation of the Russian Federation and local regulations of BrainShells Limited» in the field of personal data, including requirements for personal data protection, as well as measures taken to prevent and detect violations of the legislation of the Russian Federation in the field of personal data, identifying possible channels of leakage and unauthorized access to personal data, eliminating the consequences of such violations.

12.2. Internal control over the compliance of BrainShells Limited» with the legislation of the Russian Federation and local regulations of BrainShells Limited» in the field of personal data, including requirements for the protection of personal data, is carried out by the person responsible for organizing the processing of personal data «by BrainShells Limited».

12.3. Personal responsibility for compliance with the requirements of the legislation of the Russian Federation and local regulations of BrainShells Limited» in the field of personal data in «BrainShells Limited»; as well as for ensuring the confidentiality and security of personal data in these divisions of BrainShells Limited» is assigned to its head.