

# Newsletter

## *New penalties for the breach of the Russian personal data and information laws*

February 25<sup>th</sup>, 2021

Dear Ladies and Gentlemen,

On February 24<sup>th</sup> 2021, the President signed the law which increases administrative penalties for breaches of personal data laws and introduces new penalties for breaches of information laws.

The law enters into force on March 27<sup>th</sup> 2021. Liability terms, for communication providers' failure to ensure sustainable operations, enter into force on February 1<sup>st</sup> 2023.

### Violations in the area of data processing

Below you can find a table summarizing the maximum penalties to be imposed on legal entities and companies' officials, for the violation of Russian laws on personal data (except the data localization requirement).

No.	Type of offence	Fine for legal entities	Fine for company's officials
1.	Data processing without an appropriate legal ground, <b>or</b> excessive data processing	up to <b>RUB 100,000</b> (app. EUR 1,115, USD 1,355) for the first offence and <b>RUB 300,000</b> (app. EUR 3,345, USD 4,070) for a repeated offence	up to <b>RUB 20,000</b> (app. EUR 220, USD 270) for the first offence and <b>RUB 50,000</b> (app. EUR 560, USD 680) for a repeated offence
2.	Data processing without written consent, <b>or</b> in breach of the requirements for written consent (when such consent is statutorily required)	up to <b>RUB 150,000</b> (app. EUR 1,670, USD 2,035) for the first offence and <b>RUB 500,000</b> (app. EUR 5,575, USD 6,775) for a repeated offence	up to <b>RUB 40,000</b> (app. EUR 440, USD 540) for the first offence and <b>RUB 100,000</b> (app. EUR 1,115, USD 1,355) for a repeated offence
3.	Failure to provide easy access to the privacy policy, which also includes the absence of such a policy	up to <b>RUB 60,000</b> (app. EUR 670, USD 815)	up to <b>RUB 12,000</b> (app. EUR 135, USD 160)
4.	Failure to handle a data subject's request to access his/her data	up to <b>RUB 80,000</b> (app. EUR 890, USD 1,085)	up to <b>RUB 12,000</b> (app. EUR 135, USD 160)
5.	Failure to comply with the requirements for data specification, blockage, deletion	up to <b>RUB 90,000</b> (app. EUR 1,000, USD 1,120) for the first offence and <b>RUB 500,000</b> (app. EUR 5,575, USD 6,775) for a repeated offence	up to <b>RUB 20,000</b> (app. EUR 220, USD 270) for the first offence and <b>RUB 50,000</b> (app. EUR 560, USD 680) for a repeated offence
6.	Violation of the requirements for non-automated (manual), data processing, which have triggered unauthorized access, or other unlawful data processing	up to <b>RUB 100,000</b> (app. EUR 1,115, USD 1,355)	up to <b>RUB 20,000</b> (app. EUR 220, USD 270)

We would also like to remind you that certain penalties may be multiplied, e.g., per the amount of data subjects who have lodged complaints regarding unlawful data processing. Supervisory authorities and courts confirmed such practice in 2020.

In addition to the increase of the above penalties, the new law sets out the penalties up to **RUB 1,000,000** (app. EUR 11,150, USD 13,560) for the

violation of the law known as "On the Sovereign Internet" and up to **RUB 3,000,000** (app. EUR 33,450, USD 40,680) for the violation of fundamental human rights and freedoms, including the freedom of the media, by the owners of information resources.

We hope that the information provided herein will be useful for you. If any of your colleagues would also like to receive our newsletters, please send them the link to complete a [Subscription Form](#). If you would like to learn more about our [Data Protection and Cybersecurity Practice](#), please let us know in reply to this email. We will be glad to provide you with our materials.

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If you have any questions, please, do not hesitate to contact ALRUD partner



**Maria  
Ostashenko**

**Partner**  
Commercial, Intellectual Property,  
Data Protection and Cybersecurity

Sincerely,  
ALRUD Law Firm

E: [mostashenko@alrud.com](mailto:mostashenko@alrud.com)