

**Megastore Systems GmbH**

**Argentinierstrasse 29/1 OG 1040 Wien**

## **POLICY**

# **OF THE COMPANY IN RELATION TO THE PROCESSING PERSONAL DATA**

## 1. GENERALITIES

The personal data processing policy (hereinafter-the Policy) was developed in accordance with the Federal law of 27.07.2006. № 152-FZ.

This Policy defines the procedure for processing personal data and measures to ensure the security of personal data in Megastore Systems GmbH (hereinafter – the Operator) in order to protect the rights and freedoms of man and citizen in the processing of his personal data, including the protection of the rights to privacy, personal and family secrets.

The Policy uses the following concepts:

automated processing of personal data – processing of personal data by means of computer equipment;

blocking of personal data - temporary termination of personal data processing (except for cases when processing is necessary to clarify personal data);

information system of personal data-a set of personal data contained in databases, and ensuring their processing of information technologies and technical means;

depersonalization of personal data - actions as a result of which it is impossible to determine, without the use of additional information, the belonging of personal data to a specific personal data subject;

processing of personal data - any action (operation) or a set of actions (operations) performed using automation tools or without the use of such tools with personal data, including collection, recording, systematization, accumulation, storage, clarification (update, change), extraction, use, transfer (distribution, provision, access), depersonalization, blocking, deletion, destruction of personal data;

operator - a state body, municipal body, legal or natural person, independently or jointly with other persons organizing and (or) carrying out the processing of personal data, as well as defining the purposes of personal data processing, the composition of personal data to be processed, actions (operations) performed with personal data;

personal data – any information relating directly or indirectly to an identified or identifiable natural person (personal data subject); the provision of personal data – actions aimed at revealing personal data to a certain person or circle of persons;

dissemination of personal data - actions aimed at disclosing personal data to an indefinite number of persons (transfer of personal data) or at familiarizing with personal data of an unlimited number of persons, including disclosure of personal data in the media, placement in information and telecommunication networks or providing access to personal data in any other way;

cross - border transfer of personal data-transfer of personal data to the territory of a foreign state authority of a foreign state, a foreign natural or foreign legal entity.

destruction of personal data - actions as a result of which it is impossible to restore the content of personal data in the information system of personal data and (or) as a result of which material carriers of personal data are destroyed;

The company is obliged to publish or otherwise provide unlimited access to this personal data processing Policy.

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

### 2.1 Principles of the processing of personal data

The processing of personal data from the Operator is based on the following principles:

- the rule of law and a fair framework;
- restrictions on the processing of personal data for specific, predetermined and legitimate purposes;
- prevention of personal data processing incompatible with the purposes of personal data collection;
- preventing the consolidation of databases containing personal data, the processing of which is carried out for purposes incompatible with each other;
- compliance of the content and volume of processed personal data with the stated purposes of processing;
- prevention of processing of personal data excessive in relation to the stated purposes of their processing;
- destruction or depersonalization of personal data upon achieving the goals of their processing or in case of loss of the need to achieve these goals, if the Operator can not eliminate the violations of personal data, unless otherwise provided by Federal law.

### 2.2 Conditions of personal data processing

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

- processing of personal data is carried out with the consent of the personal data subject to the processing of his personal data;
- processing of personal data is necessary to achieve the objectives stipulated by an international Treaty of the Russian Federation or by law, to perform and perform the functions, powers and duties assigned by the legislation of the Russian Federation to the operator;
- processing of personal data is necessary for the administration of justice, execution of a judicial act, an act of another body or an official subject to execution in accordance with the legislation of the Russian Federation on enforcement proceedings;
- processing of personal data is necessary for the execution of the contract, a party to which either the beneficiary or the guarantor of which is the subject of personal data, as well as for the conclusion of the contract on the initiative of the subject of personal data or the contract under which the subject of personal data will be the beneficiary or guarantor;
- processing of personal data is carried out, access of an unlimited number of persons to whom is provided by the subject of personal data or at his request (hereinafter-the publicly available personal data);
- processing of personal data subject to publication or mandatory disclosure in accordance with Federal law.

### 2.3 Confidentiality of personal data

The operator and other persons who have gained access to personal data are obliged not to disclose to third parties and not to distribute personal data without the consent of the subject of personal data, unless otherwise provided by Federal law.

The operator does not store on his website any information concerning the data of the credit or debit card of the Personal Data Subject.

### 2.4 Publicly available sources of personal data

In order to provide information, the Operator may create publicly available sources of personal data of subjects, including directories and address books. The subject's surname, name, patronymic, date and place of birth, position, contact phone numbers, e-mail address and other personal data reported by the subject of personal data may be included in the public sources of personal data with the written consent of the subject.

Data on the subject shall be excluded at any time from publicly available sources of personal data at the request of the subject or by the decision of the court or other authorized state bodies.

### 2.5 Special categories of personal data

Processing by the Operator of special categories of personal data relating to race, nationality, political opinion, religious or philosophical belief, health status, intimate life is allowed in cases where::

- the subject of personal data has agreed in writing to the processing of their personal data;
- personal data made publicly available by the subject of personal data;
- personal data shall be processed in accordance with the law on state social assistance, labour legislation, legislation of the Russian Federation on pensions for state pensions, labor pensions;
- processing of personal data is necessary to protect the life, health or other vital interests of the subject of personal data or life, health or other vital interests of other persons and obtaining the consent of the subject of personal data is impossible;
- processing of personal data is necessary to establish or exercise the rights of the subject of personal data or third parties, as well as in connection with the administration of justice;
- processing of personal data is carried out in accordance with the legislation on compulsory types of insurance, with the insurance legislation.

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

The processing of personal data on criminal records 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

Data which characterize physiological and biological features of the person on the basis of which it is possible to establish his personality - biometric personal data - can be processed by the Operator only in the presence of the consent in writing of the subject.

## 2.7 the Order of processing of personal data by another person

The operator has the right to entrust the processing of personal data to another person with the consent of the subject of personal data, unless otherwise provided by Federal law, on the basis of an agreement concluded with this person. The person processing personal data on behalf of the Operator is obliged to comply with the principles and rules of personal data processing.

## 2.8 cross-Border transfer of personal data

The operator is obliged to ensure that the foreign state to which the transfer of personal data is intended provides adequate protection of the rights of the subjects of personal data, prior to the commencement of such transfer.

Cross-border transfer of personal data in the territory of foreign States that do not provide adequate protection of the rights of personal data subjects may be carried out in cases:

- consent in writing of the personal data subject to cross-border transfer of his / her personal data;
- execution of the agreement, the party of which is the subject of personal data.

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

### 3.1 Consent of the personal data subject to the processing of his / her personal data

The subject of personal data takes the decision on granting his / her personal data and gives consent to the processing of their freely of their own will and in their interest. Consent to the processing of personal data may be given by the subject of personal data or his representative in any form that allows to confirm the fact of its receipt, unless otherwise established by Federal law.

The obligation to provide proof of obtaining the consent of the personal data subject to the processing of his personal data or proof of the existence of the grounds, is assigned to the Operator.

### 3.2 rights of the personal data subject

The personal data subject has the right to receive information from the Operator concerning the processing of his / her personal data, if such right is not limited in accordance with Federal laws.

The data subject shall have the right to require the Operator to Refine his / her personal data, their 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 their rights.

Processing of personal data for the purpose of promotion of goods, works, services in the market through direct contacts with potential consumers by means of communication, as well as for the purposes of political agitation is allowed only with the prior consent of the subject of personal data. The said personal data processing is recognized as being carried out without the prior consent of the personal data subject, unless the Company proves that such consent was obtained.

The operator shall immediately terminate the processing of his / her personal data for the above purposes at the request of the personal data subject.

It is prohibited to make decisions on the basis of exclusively automated processing of personal data that produce legal consequences in relation to the subject of personal data or otherwise affect his rights and

legitimate interests, except in cases provided for by Federal laws, or with the consent in writing of the subject of personal data.

If the personal data subject believes that the Operator performs the processing of his personal data in violation of the requirements of Federal law or otherwise violates his rights and freedoms, the personal data subject has the right to appeal against the actions or omissions of the Operator to the Authorized body for the protection of the rights of personal data subjects or in court.

The subject of personal data has the right to protect its rights and legitimate interests, including compensation for damages and (or) compensation for moral damage in court.

#### **4. SECURITY OF PERSONAL DATA**

The security of personal data processed by the Operator is ensured by the implementation of legal, organizational and technical measures necessary to ensure the requirements of 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:

- appointment of officials responsible for the organization of processing and protection of personal data;
- restriction of the composition of persons having access to personal data;
- familiarization of subjects with the requirements of Federal legislation and regulatory documents of the Operator for the processing and protection of personal data;
- organization of accounting, storage and circulation of media;
- definition of threats to the security of personal data during their processing, formation on their basis of models of threats;
- check the readiness and effectiveness of the use of information security tools;
- delineation of users ' access to information resources and software and hardware of information processing;
- registration and accounting of actions of users of information systems of personal data;
- the use of antivirus tools and means of restoring the system of protection of personal data;
- installation of a secure personal data transfer protocol (SSL, TLS);
- application, where necessary, of means of inter-network shielding, intrusion detection, security analysis and cryptographic protection of information;
- organization of access to the territory of the Operator, protection of premises with technical means of personal data processing.

## **5. FINAL PROVISION**

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

The Operator's officials, who are guilty of violating the rules governing the processing and protection of personal data, bear material, disciplinary, administrative, civil or criminal liability in accordance with the procedure established by Federal laws.