

BIG DATA REGULATIONS MAY BE INTRODUCED IN RUSSIA

A draft law regulating big data¹ was recently submitted to the State Duma.

The draft law defines "big user data" ("**big data**") as a set of information about individuals and/or their behaviour which is collected from various sources (including the Internet) and does not include any personal data of the individuals or information enabling a particular individual to be identified without using additional information and/or additional processing. Under the draft law, information will be regarded as big data only if it is collected from sources comprising more than 1,000 network addresses. The law will not apply to the collection and analysis of data for television audience research under the Russian law on mass media.

The following obligations are contemplated to be imposed on big data operators:

- (a) publishing an announcement on their website prior to the commencement of processing of big data, or, should there be no website, otherwise informing users of their intention to carry out such processing (specific requirements will be adopted by Roskomnadzor);
- (b) in cases of processing information for the benefit of third parties, obtaining the informed consent of users to the identification of their network addresses (the transfer and other forms of processing of big data between companies of a single group will not be treated as processing for the benefit of third parties);
- (c) in cases where big data is processed by identifying 100,000 network addresses or more, notify Roskomnadzor of the intention to process big data.

The draft law establishes a transition period of 180 days that market participants will be given to adapt to the new requirements.

Since the draft law is only at an early stage, there may yet be significant changes to the proposed model of big data regulation.

Key issues

- Big data will be defined in Russian legislation
- Certain obligations will be introduced for big data operators

¹ Draft law No. 571124-7 "On amendments to Federal Law No.149-FZ "On information, information technology and information protection" (available at the link: <http://sozd.parliament.gov.ru/bill/571124-7>)

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