

FEDERAL LAW
NO. 149-FZ OF JULY 27, 2006
ON INFORMATION, INFORMATIONAL TECHNOLOGIES AND THE PROTECTION OF
INFORMATION

(with the Amendments and Additions of July 27, 2010, April 6, July 21, 2011, July 28, 2012, April 5, June 7, July 2, December 28, 2013, May 5, July 21, 2014)

Passed by the State Duma on July 8, 2006

Approved by the Federation Council on July 14, 2006

Article 1. Scope of this Federal Law

1. This Federal Law regulates relations arising in:

- 1) exercising the right to search, receipt, transfer, production and dissemination of information;
- 2) applying informational technologies;
- 3) ensuring protection of information.

2. The provisions of this Federal Law shall not apply to relations arising in the legal protection of the results of intellectual activity and means of individualisation equated thereto, save the cases envisaged by the present Federal Law.

Article 2. Basic Notions Used in this Federal Law

This Federal Law uses the following basic notions:

- 1) **information** means data (messages, data) irrespective of the form of their presentation;
- 2) **informational technologies** means processes, methods of search, collection, storage, processing, provision, dissemination of information and means of implementation of those processes and methods;
- 3) **informational system** means a totality of information contained in the databases and informational technologies and technical facilities providing for its processing;
- 4) **information-telecommunications network** means a technological system designed to transmit through communications lines information to which access is effected using computing technique facilities;
- 5) the **holder of information** means a person who by its own created information or obtained on the basis of law or contract the right to allow or restrict the access to information identified by certain features;
- 6) **access** to information means the possibility to receive and use information;
- 7) the **confidentiality of information** means the requirement which is binding upon the person who acquired access to certain information not to transfer that information to any third persons without the consent thereto of its holder;
- 8) **provision of information** means actions directed at obtaining information by a certain group of persons or transfer of information to a certain group of persons;
- 9) **dissemination of information** means actions directed at obtaining information by an unlimited group of persons or transfer of information to an unlimited group of persons;

10) **electronic message** means information either transmitted or received by the user of the information - telecommunications network;

11) **documented information** means information that is recorded on a tangible medium by documenting featuring the essential requisites making it possible to identify that information or, in cases specified under the legislation of the Russian Federation, its tangible medium;

11.1) **electronic document** means documented information presented in electronic form, that is, in a form which is fit for human perception with the use of computers, as well as for transmittance via information telecommunication networks or for processing in information systems;

12) **operator of informational system** means a citizen or legal entity conducting activity associated with the operation of informational system, including that involved in the processing of information contained in its data-bases.

13) an **Internet site** is the totality of computer programmes and other information contained in an information system to which access is provided through the Internet (hereinafter referred to as the Internet) by way of using domain names and/or network addresses enabling to identify sites on the Internet;

14) a **site page in the Internet network (hereinafter referred to as an Internet page)** is a part of the Internet accessible on the basis of an indication consisting of the domain name and symbols defined by the owner of an Internet site;

15) the **domain name** is a designation made by symbols which is intended for addressing sites on the Internet for the purpose of providing access to the information placed on the Internet;

16) the **network address** is the identifier in a data communications network enabling to find the user terminal and other communication means forming part of an information system when rendering telematic communication services;

17) the **owner of an Internet site** is the person which independently or at the own discretion thereof defines a procedure for using the Internet site, in particular a procedure for inserting information on such site;

18) the **hosting provider** is the person engaged in rendering the services involved in providing the computational power for inserting information in an information system which is connected to the Internet on a permanent basis.

19) **the comprehensive identification and identity verification system**, this being the federal state information system in respect of which a procedure for its use shall be established by the Government of the Russian Federation and which shall provide, where it is established by the Government of the Russian Federation, an authorised access to the information contained in information systems.

Article 3. Principles of the Legal Regulation of Relations in the Sphere of Information, Informational Technologies and Protection of Information

The legal regulation of relations arising in the sphere on information, informational technologies and protection of information is based on the following principles:

1) freedom of search, receipt, transfer, production and dissemination of information by any legal means;

2) imposition of restrictions on the access to information only by federal laws;

3) the openness of information on the activity of state bodies and local self-

government bodies a free access to that information, except for the cases specified under federal laws;

4) the equality of languages of the nations of the Russian Federation in setting up information systems and their operation;

5) ensuring the security of the Russian Federation in setting up information systems, their operation and protection of information contained therein;

6) the accuracy of information and the timeliness of provision of same;

7) the inviolability of private life, impermissibility of collection, storage, use and dissemination of information on the private life of a person without his or her consent thereto;

8) impermissibility of institution by statutory legal acts of any privileges for the use of certain information technologies over others, unless the necessity of using certain information technologies to set up and operate state informational systems is prescribed by federal laws.

Article 4. The Legislation of the Russian Federation on Information, Information Technologies and the Protection of Information

1. The legislation of the Russian Federation Article on information, information technologies and protection of information is based on the Constitution of the Russian Federation, international agreements of the Russian Federation and consists of this Federal Law and other federal laws regulating the relations on the use of information.

2. Legal regulation of relations connected with the organisation and operation of mass media shall be effected in accordance with the legislation of the Russian Federation on mass media.

3. The procedure for storing and using the documented information included as part of the archives funds shall be established by the legislation on the archives-keeping in the Russian Federation.

Article 5. Information as an Object of Legal Relations

1. Information may be an object of public, civil and other legal relations. Information may be freely used by any person and be transferred by one person to another person, unless federal laws impose restrictions on the access to information or any other requirements for the procedure of provision or dissemination of same.

2. Information shall, depending on the category of access thereto, be divided into generally accessible information and also information the access to which is restricted by federal laws (information of limited access).

3. Information shall, depending on the procedure for provision or dissemination of same, be divided into:

1) information that is freely disseminated;

2) information provided by agreement of persons involved in the relevant relations;

3) information that shall be provided or disseminated under federal laws;

4) information the dissemination of which in the Russian Federation is restricted or prohibited.

4. The legislation of the Russian Federation may specify types of information depending on its content or the holder thereof.

Article 6. Holder of Information

1. The holder of information may be a citizen (an individual), legal entity, the Russian Federation, a subject of the Russian Federation or a municipal entity.

2. The powers of the holder of information shall, on behalf of the Russian Federation, a subject of the Russian Federation or municipal entity, be exercised by state bodies and local self-government bodies accordingly within the limits of their respective powers established under appropriate statutory legal acts.

3. The holder of information shall, unless otherwise envisaged under federal laws, have the right:

1) to allow or restrict access to information, determine the procedure and terms of that access;

2) to use information, including to disseminate it, at his or her discretion;

3) to transfer information to other persons under a contract or on other legally-established grounds;

4) to protect by legally established means his or her rights in the case of illegal receipt of information or illegal use of same by other persons;

5) to undertake other actions involving information or to allow the undertaking of those actions.

4. The holder of information shall, while performing his or her obligations, be obligated:

1) to observe the rights and legitimate interests of other persons;

2) to undertake measures towards protection of information;

3) to restrict an access to information when such obligation is established under federal laws.

Article 7. Generally Accessible Information

1. Generally accessible information shall include data of common knowledge and other information to which access is not restricted.

2. Generally accessible information may be used by any persons at their discretion, subject to the restrictions established by federal laws in relation to dissemination of that information.

3. The holder of information which has become generally accessible by his or her decision shall be entitled to demand that the persons disseminating that information identify themselves as a source of that information.

4. The information placed by the holders thereof on the Internet in the format enabling its automated processing without its preliminary alteration by a person for the purpose of its repeated use shall be deemed generally accessible information placed in the form of public data.

5. Information in the form of public data shall be placed on the Internet subject to the requirements of the legislation of the Russian Federation on state secret. Where the placement of information in the form of public data can lead to the divulgence of data constituting state secret, the placement of the cited information in the form of public data must be terminated on demand of the body vested with the authority involved in the disposal of such data.

6. If the placement of information in the form of public data can entail a violation of the rights of holders of the information access to which is restricted in compliance with

federal laws or a violation of the rights of the subjects of personal data, the placement of the cited information in the form of personal data must be terminated by a court decision. If information in the form of public data is placed in defiance of the requirements of Federal Law No. 152-FZ of July 27, 2006 on Personal Data, the placement of the information in the form of public data must be suspended or terminated on demand of the authorized body engaged in the protection of the rights of the subjects of personal data.

Article 8. Right to Access to Information

1. Citizens (individuals) and organisations (legal entities) (hereinafter referred to as organisations) shall have the right to carry out searching and receipt of any information in any form and from any sources subject to the requirements established by this Federal Law and other federal laws.

2. Citizen (an individual) shall have the right to receive from state power bodies, local self-government bodies and their officials in the procedure established under the legislation of the Russian Federation information directly affecting his or her rights and freedoms.

3. Organisation shall have the right to receive from state power bodies, local self-government bodies information directly affecting the rights and obligations of that organisation and also information required in view of interaction with those bodies as that organisation conducts its authorised activity.

4. No restrictions may be imposed on access to:

1) statutory legal acts affecting the rights, freedoms and obligations of person and citizen and also those establishing legal status of organisations and the powers of state power bodies and local self-government bodies;

2) information on the state of the environment;

3) information on the activity of state power bodies and local self-government bodies and also on the use of budgetary funds (except for data constituting state or official secrets);

4) information accumulated in the open funds of libraries, museums and archives and also in state, municipal and other informational systems set up or intended to provide citizens (individuals) and organisations with such information;

5) other information the impermissibility of restriction on the access to which is established by federal laws.

5. The state bodies and local self-government bodies shall be obligated to provide access, in particular with the use of information telecommunication systems, including the Internet, to information on their activity both in the Russian language and in a national language of a corresponding constituent republic of the Russian Federation as is envisaged under federal laws, laws of the subjects of the Russian Federation and statutory legal acts of local self-government bodies. Person wishing to receive access to that information shall not be obligated to prove the necessity of receipt of same.

6. Decisions and actions (inaction) of state bodies and local self-government bodies, of public associations and officials infringing upon the right to access information may be appealed before a superior body or a superior official or in court.

7. In instances when illegal denial of access to information, untimely supply of information, provision of knowingly inaccurate information or information not corresponding to the content of inquiry for information has resulted in the infliction of

losses, those losses shall be reimbursed in accordance with civil legislation.

8. No charge shall be imposed on the supply of information:

1) on the activity of state power bodies and local self-government bodies sited by those organisations on information-telecommunications networks;

2) affecting the rights and obligations of interested persons established under the legislation of the Russian Federation;

3) other information specified under the law.

9. The fixing of a charge for supply by a state authority or local self-government body of information on their activity shall be made only in the instances and on the conditions specified under federal laws.

Article 9. Restriction of Access to Information

1. Restriction of access to information shall be established by federal laws for the purposes of protecting the basic foundations of the constitutional system, morality, health, rights and legitimate interests of other persons, ensuring the defences of the country and security of the state.

2. Observing the confidentiality of information to which access is restricted under federal laws shall be obligatory.

3. Protection of information constituting a state secret shall be such as is envisaged under the legislation of the Russian Federation on state secrets.

4. The federal laws shall specify the conditions for categorising information as data constituting commercial secrets, official secrets and other secrets, the necessity to observe the confidentiality of that information and also responsibility for disclosure of same.

5. Information received by citizens (individuals) as they perform their professional duties or by organisations as they conduct certain types of activity (professional secrets) shall be subject to protection in instances when those persons are placed under an obligation under Federal Laws to observe the confidentiality of such information.

6. Information constituting a professional secret may be provided to third persons in accordance with federal laws and/or by court decision.

7. The period for fulfilling the obligations to observe the confidentiality of information constituting a professional secret may be restricted only with the consent thereto of a citizen (an individual) who provided such information about himself or herself.

8. It is prohibited to demand that a citizen (an individual) supply information on his or her private life, including information constituting a personal or family secret and to obtain such information against the will of a citizen (an individual), unless otherwise is envisaged under federal laws.

9. The procedure for access to the personal data of citizens (individuals) shall be established by Federal Law on Personal Data.

Article 10. Dissemination of Information or Supply of Information

1. Dissemination of information in the Russian Federation shall be effected freely subject to the requirements established under the legislation of the Russian Federation.

2. Information disseminated without using mass media shall include true data on its holder or on other person disseminating the information and in the form and volume which is sufficient for identification of that person.

3. In using to disseminate information the means making it possible to identify recipients of information, including items of mail and electronic messages, a person disseminating information shall be obligated to provide a recipient of information with the possibility to refuse such information.

4. The provision of information shall be effected in the procedure that shall be established by agreement of the persons involved in exchange of information.

5. Instances of and conditions for the obligatory dissemination of information or provision of information, including supply of obligatory copies of documents shall be such as established under Federal Laws.

6. It is prohibited to disseminate information which is aimed at the propaganda of war, inciting national, racial or religious hatred and hostility and also other information the dissemination of which is subject to criminal or administrative responsibility.

Article 10.1. The Duties of an Organiser of Dissemination of Information on the Internet

1. Organiser of dissemination of information on the Internet is a person pursuing the activity of ensuring the operation of information systems and/or computer software which are intended and/or used to receive, transmit, deliver and/or process electronic messages of users of the Internet.

2. In the procedure established by the Government of the Russian Federation an organiser of dissemination of information on the Internet shall notify the federal executive governmental body carrying out the functions of control and supervision in the field of mass media, mass communications, information technologies and telecom of the commencement of the activity specified in Part 1 of the present article.

3. The organiser of dissemination of information on the Internet shall store on the territory of the Russian Federation information about the facts of reception, transmission, delivery and/or processing of voice information, written text, images, sounds or other electronic messages of users of the Internet and information about these users for six months after the end of such actions and also provide said information to the empowered state bodies carrying out operative investigation activities or ensuring the security of the Russian Federation in the cases established by federal laws.

4. The organiser of dissemination of information on the Internet shall ensure the implementation of the requirements established by the federal executive governmental body in the field of telecom by agreement with the empowered state bodies carrying out operative investigation activities or ensuring the security of the Russian Federation as applicable to the equipment and software/hardware used by said organiser in the information systems operated by it so that these bodies implement measures in the cases established by federal laws for the purpose of fulfilling the tasks vested in them, and also shall take measures for preventing the disclosure of the organisational and tactical techniques used to implement these measures. The procedure for interaction of organisers of dissemination of information on the Internet with the empowered state bodies carrying out operative investigation activities or ensuring the security of the Russian Federation shall be established by the Government of the Russian Federation.

5. The duties envisaged by the present article shall not extend to the operators of state information systems, the operators of municipal information systems, the telecom operators that provide communication services under a relevant licence, in as much as

licensable activities are concerned and also they shall not extend to the citizens (natural persons) who pursue the activities specified in Part 1 of the present article for personal, family and household needs. For the purposes of applying the provisions of the present article the Government of the Russian Federation shall define a list of personal, family and household needs in the event of pursuance of the activities specified in Part 1 of the present article.

6. The composition of the information that is subject to storage under Part 3 of the present article, the place and the rules for the storage thereof, the procedure for the provision thereof to the empowered state bodies carrying out operative investigation activities or ensuring the security of the Russian Federation, and also the procedure for exercising control over the activities of organisers of dissemination of information on the Internet which are relating to the storage of such information and the federal executive governmental body empowered to exercise that control shall be defined by the Government of the Russian Federation.

Article 10.2. The Details of Dissemination of Generally Accessible Information by a Blogger

1. The owner of a website and/or a website page on the Internet on which generally accessible information is placed and to which access exceeds 3,000 users of the Internet per day (hereinafter referred to as "blogger") when said information is placed and used, for instance when said information is placed on the given website or website page by other users of the Internet shall ensure the observance of the legislation of the Russian Federation, for instance:

1) shall not allow the website or website page on the Internet to be used for the purpose of committing the acts punishable under a criminal law, disclosing the information classified as state or another specifically law-protected secret, disseminating the materials containing public appeals for carrying out terrorist activities or publicly justifying terrorism, other extremist materials and also the materials propagating pornography, the cult of violence and cruelty and the materials containing obscene language;

2) shall verify the reliability of placed generally accessible information before it is placed and shall immediately delete unreliable information that has been placed;

3) shall not allow the dissemination of information about the private life of a citizen in breach of the civil legislation;

4) shall observe the bans and restrictions envisaged by the legislation of the Russian Federation the referendum and the legislation of the Russian Federation on elections;

5) shall observe the provisions of the legislation of the Russian Federation that regulate the procedure for disseminating mass information;

6) shall observe the rights and lawful interests of citizens and organisations, for instance the honour, dignity and business reputation of citizens as well as the business reputation of organisations.

2. The following is hereby prohibited when information is placed on a website or website page on the Internet:

1) the use of the website or website page on the Internet for the purpose of concealing or falsifying information of public significance, disseminating knowingly

unreliable information under the disguise of reliable messages;

2) the dissemination of information for the purpose of discrediting a citizen or some categories of citizens on the basis of sex, age, race or ethnicity, language, religion, trade, place of residence and work and also in connection with their political convictions.

3. The blogger is entitled to:

1) freely search, receive, transmit and disseminate information by any method in accordance with the legislation of the Russian Federation;

2) set out on his website or website page on the Internet his personal judgements and assessment with an indication of his name or pseudonym;

3) place or allow the placement on his website or website page on the Internet texts and/or other materials of other users of the Internet, unless the placement of such texts and/or other materials contravenes the legislation of the Russian Federation;

4) disseminate advertisements on an onerous basis in keeping with the civil legislation, Federal Law No. 38-FZ of March 13, 2006 on Advertisement on his website or website page on the Internet.

4. An abuse of the right of disseminating generally accessible information that has manifested itself as breach of the provisions of Parts 1, 2 and 3 of the present article shall entail criminal, administrative or another liability in accordance with the legislation of the Russian Federation.

5. On his website or website page on the Internet the blogger shall place his name and initials and an e-mail address for sending legal-significance messages to him.

6. On his website or website page on the Internet the blogger shall place immediately after receiving a court's decision that has become final and contains demand for its being published on the website or website page.

7. The owners of websites on the Internet who have registered as network editions in accordance with Law of the Russian Federation No. 2124-I of December 27, 1991 on Mass Media are not bloggers.

8. The federal executive governmental body carrying out the functions of control and supervision in the field of mass media, mass communications, information technologies and telecom shall keep a register of the websites and/or website pages on the Internet on which generally accessible information is placed and to which access exceeds 3,000 users of the Internet per day. For the purpose of ensuring the formation of the register of websites and/or website pages on the Internet the federal executive governmental body carrying out the functions of control and supervision in the field of mass media, mass communications, information technologies and telecom:

1) shall organise the monitoring of websites and website pages on the Internet;

2) shall endorse a methodology for assessing the number of users of a website or website page on the Internet per day;

3) has the right of requesting from organisers of dissemination of information on the Internet, bloggers and other persons the information required for keeping such register. Within 10 days after receiving a request from the federal executive governmental body carrying out the functions of control and supervision in the field of mass media, mass communications, information technologies and telecom said persons shall provide the information so requested.

9. In the event of detection in information-telecommunication networks, for instance on the Internet, of a website or website page which contain generally accessible

information and to which access exceeds 3,000 users of the Internet per day, including the consideration of relevant applications of citizens or organisations, the federal executive governmental body carrying out the functions of control and supervision in the field of mass media, mass communications, information technologies and telecom:

1) shall include said website or website page on the Internet in the register of the websites and/or website pages on the Internet on which generally accessible information is placed and to which access exceeds 3,000 users of the Internet per day;

2) shall identify the hosting provider or the other person which ensures the placement of the website or website page on the Internet;

3) shall send to the hosting provider or the person mentioned in Item 2 of the present part a notice in electronic form in Russian and English concerning the need for provision of details allowing to identify the blogger;

4) shall record the date and time of dispatch of the notice to the hosting provider or the person mentioned in Item 2 of the present part in the relevant information system.

10. Within three working days after receiving the notice mentioned in Item 3 of Part 9 of the present article the hosting provider or the person mentioned in Item 2 of Part 9 of the present article shall provide the information allowing to identify the blogger.

11. Having received the information specified in Item 3 of Part 9 of the present article, the federal executive governmental body carrying out the functions of control and supervision in the field of mass media, mass communications, information technologies and telecom shall send a notice to the blogger informing that his website or website page has been included in the register of the websites and/or website pages on the Internet on which generally accessible information is placed and to which access exceeds 3,000 users of the Internet per day, with reference to the provisions of the legislation of the Russian Federation applicable to said website or website page on the Internet.

12. If during three months access to the website or website page on the Internet is below 3,000 users of the Internet per day that website or that website page on the Internet shall be removed on the blogger's application from the register of the websites and/or website pages on the Internet on which generally accessible information is placed and to which access exceeds 3,000 users of the Internet per day, with a notice to this effect being sent to the blogger. The given website or website page on the Internet may be removed from that register when no application is filed by the blogger if access to the given website or website page on the Internet during six months is below 3,000 users of the Internet per day.

Article 11. Documenting of Information

1. The legislation of the Russian Federation or agreement between the parties may provide for requirements for the documenting of information.

2. The documenting of information within the federal bodies of executive power shall be effected in the procedure prescribed by the Government of the Russian Federation. The rules of documents keeping and documents turnover established by other state bodies and local self-government bodies within the limits of their respective competence must conform to the requirements established by the Government of the Russian Federation in part concerning document keeping and document turnover for the federal executive authorities.

3. Abrogated.

4. For purposes of making civil-law contracts or legalisation of other legal relations involving persons exchanging electronic messages, the exchange of electronic messages each of which is signed with an electronic signature or with other analogue of an autograph of the sender of that message in the procedure established by federal laws, other statutory legal acts or agreement of the parties shall be regarded as an exchange of documents.

5. The right of ownership and other rights in things to tangible media containing documented information shall be established under civil legislation.

Article 12. State Regulation in the Sphere of Application of Information Technologies

1. State regulation in the sphere of application of information technologies shall provide for:

1) regulation of relations associated with the search, receipt, transfer, production and dissemination of information by using information technologies (informatisation) on the basis of principles established under this Federal Law;

2) development of information systems of various purposes to provide citizens (individuals), organisations, state bodies and local self-government bodies with information and also to ensure the interaction of those systems;

3) creation of conditions for the effective use in the Russian Federation of information-telecommunications networks;

4) ensuring children's information safety.

2. State bodies and local self-government bodies shall in keeping with their respective powers:

1) take part in developing and realising directed programs of application of informational technologies;

2) create informational systems and provide access to information contained therein in the Russian language and national language of a corresponding constituent republic of the Russian Federation.

Article 13. Informational Systems

1. Informational systems shall comprise:

1) state informational systems - federal informational systems and regional informational systems created on the basis of federal laws and laws of the subjects of the Russian Federation respectively, on the basis of legal acts of state bodies;

2) municipal informational systems created on the basis of decision of a local self-government body;

3) other informational systems.

2. Unless otherwise is envisaged under federal laws, the operator of an informational system shall be the owner of technical facilities used to process information contained in the data-bases that is lawfully using those data-bases or a person with whom the owner made a contract for operation of the informational system. In the instances and in the procedure established by federal laws, the information system operator shall provide for the possibility of placing information on the Internet in the form of public data.

3. The rights of the holder of information contained in the informational system data-bases shall be protected irrespective of the copyrights and other rights for such data-bases.

4. The requirements established under this Federal Law for the state informational systems shall apply to municipal informational systems, unless otherwise is provided under the legislation of the Russian Federation on local self-government.

5. The specificity of operation of state informational systems and municipal informational systems may be established in accordance with technical regulations, statutory legal acts of state bodies and statutory legal acts of local self-government bodies making decisions on the creation of those informational systems.

6. The procedure for the creation and operation of informational systems not being state informational systems or municipal informational systems shall be such as established by operators of those informational systems in accordance with the requirements set under this Federal Law or other federal laws.

Article 14. State Informational Systems

1. State informational systems shall be created for the purposes of realising the powers of state bodies and ensuring the exchange of information between those bodies and also for other purposes as may be established under federal laws.

2. The state informational systems shall be created and operated subject to the requirements provided for by the legislation of the Russian Federation on the contractual system in the sphere of purchasing goods, works and services for meeting state and municipal needs.

3. State informational systems shall be created and operated on the basis of statistical and other documented information supplied by citizens (individuals), organisations, state bodies and local self-government bodies.

4. Lists of types of information to be supplied in an obligatory fashion shall be established under federal laws, while the conditions for supply of same - by the Government of the Russian Federation or by appropriate state bodies, unless otherwise is stipulated under federal laws. If when creating or operating the state information systems it is planned to process the generally accessible information provided for by the lists endorsed in compliance with Article 14 of Federal Law No. 8-FZ of February 9, 2009 on Providing Access to information about the Activities of the State Bodies and Local Authorities or such information is being processed, the state information systems shall provide for placement of such information on the Internet in the form of public data.

4.1. The Government of the Russian Federation shall specify the instances when an access through the use of the Internet to the information contained in the state information systems is provided exclusively to the information users that have passed authorization in the comprehensive system of identification and identity verification, as well as a procedure for using the comprehensive system of identification and identity verification.

5. Unless otherwise is envisaged by a decision to create a state informatiol system, the functions of its operator shall be performed by the customer that made a state contract for the creation of such information system. Notably, the commissioning of the state information system shall be carried out in the procedure established by the customer.

6. The Government of the Russian Federation shall have the right to impose requirements for the procedure for creating and commissioning of individual state informational systems.

7. It is not allowed to operate state information systems without the proper legalisation of the rights for the use of its components being objects of intellectual property.

8. Technical facilities designed to process information contained within state informational systems, including software technical means and means of information protection, shall comply with the requirements of legislation of the Russian Federation on technical regulation.

9. The information contained within state information systems and also other data and documents available at the disposal of state bodies shall constitute state information resources. The information contained in state information systems shall be deemed official. The state bodies specified by the normative legal act which regulates the functioning of a state information system are obliged to ensure the reliability and relevance of the information contained in the given information system, access to the cited information in the cases and in the procedure provided for by law, as well as the protection of the cited information against unlawful access thereto, elimination, modification, blocking, copying, supply, dissemination and other wrongful actions.

Article 15. Use of Information-Telecommunications Networks

1. The use on the territory of the Russian Federation of information-telecommunications networks shall be made subject to the requirements of the legislation of the Russian Federation in the field of communications, this Federal Law and other statutory legal acts of the Russian Federation.

2. Regulation of the use of information-telecommunications networks access to which is not restricted to a specified group of persons shall be effected in the Russian Federation with due regard for the universally accepted international practice of activity of self-regulating organisations in that field. The procedure for the use of other information-telecommunications networks shall be determined by the owners of those networks with due regard for the requirements set under this Federal Law.

3. The use on the territory of the Russian Federation of information-telecommunications networks in economic and other activity may not serve as a basis for imposing additional requirements or restrictions concerning regulation of the said activity conducted without the use of those networks and also for non-observance of the requirements established under federal laws.

4. Federal laws may provide for the obligatory identification of personality, organisations using an information-telecommunications network when conducting entrepreneurial activity. Notably, the recipient of an electronic message located on the territory of the Russian Federation shall have the right to conduct a check-up making it possible to identify the sender of an electronic message and in instances specified by federal laws or agreement of the parties, it shall be obligated to conduct such a check-up.

5. Transfer of information by using information-telecommunications networks shall be made without any restrictions, subject to compliance with the requirements set under federal laws for dissemination of information and protection of objects of intellectual property. Transfer of information may be restricted only in the procedure and on the

conditions which have been established under federal laws.

6. The specificity of connection of state informational systems to information-telecommunications networks may be specified under statutory legal acts of the President of the Russian Federation or statutory legal acts of the Government of the Russian Federation.

Article 15.1. The Comprehensive Register of Domain Names, Indications of Site Pages on the Internet and Network Addresses Enabling to Identify the Sites on the Internet Whose Dissemination in the Russian Federation Is Prohibited

1. For the purpose of restricting access to the Internet sites containing information whose dissemination in the Russian Federation is prohibited, the comprehensive automated information system "The Comprehensive Register of Domain Names, Indications of Site Pages on the Internet and Network Addresses Enabling to Identify the Sites on the Internet Whose Dissemination in the Russian Federation Is Prohibited" shall be created (hereinafter referred to as the register).

2. The following shall be included in the register:

1) domain names and/or indications of site pages in the Internet network containing information whose dissemination in the Russian Federation is prohibited;

2) network addresses enabling to identify the sites in the Internet network containing information whose dissemination in the Russian Federation is prohibited.

3. The register shall be created, formed and kept by the federal executive power body authorised by the Government of the Russian Federation in the procedure established by the Government of the Russian Federation.

4. The federal executive power body exercising the functions of control and supervision in respect of mass media, mass communications, information technologies and communications may engage in the procedure and in compliance with the criteria defined by the Government of the Russian Federation for forming and keeping the register by the register's operator, this being an organisation registered on the territory of the Russian Federation.

5. As grounds for including in the register the data cited in Part 2 of this article shall be deemed:

1) decisions of the federal executive power bodies authorized by the Government of the Russian Federation which are adopted in compliance with their scope of authority in the procedure established by the Government of the Russian Federation in respect of the following which can be disseminated through the Internet:

a) materials with pornographic images of minors and/or announcements about engaging minors as performers for participation in entertainment events of pornographic nature;

b) information about the ways and methods of developing, making and using narcotic agents, psychotropic substances and their precursors, places where such agents, substances and their precursors can be acquired, about the methods and places of cultivating plants containing narcotic agents;

c) information on ways of committing suicide, as well as calls for committing suicide;

d) information about minors being victims of unlawful actions (omission to act), whose dissemination is prohibited by federal laws;

e) information which violates the provisions of Federal Law No. 244-FZ of December 29, 2006 on the State Regulation of the Organisation and Conduct of Gambling and on Amendments to Some Legislative Acts of the Russian Federation and of Federal Law No. 138-FZ of November 11, 2003 on Lotteries concerning ban on the organisation and conduct of gambling and lotteries by means of the network "Internet" and other communication means;

2) an effective court decision on declaring the information disseminated through the Internet as the one whose dissemination in the Russian Federation is prohibited.

6. The decision on including into the register of domain names, indications of site pages on the Internet and network addresses enabling to identify the sites on the Internet whose dissemination in the Russian Federation is prohibited may be appealed against with court by the Internet site owner, hosting provider and communications operator engaged in rendering the services involved in providing access to the Internet within three months since the date when such decision is rendered.

7. Within 24 hours as from the time of receiving from the register operator a notification on the inclusion of a domain name and/or a page indication on the Internet in the register the hosting provider is bound to inform of it the Internet site owner being serviced by it and to notify him of a need for immediate deletion of the Internet page containing information whose dissemination in the Russian Federation is prohibited.

8. Within 24 hours as from the time of receiving from the hosting provider a notice about the inclusion of the domain name and/or the Internet page indication in the register the owner of the Internet site is bound to delete the Internet page containing information whose dissemination in the Russian Federation is prohibited. In the event of the refusal or inaction of the owner of the Internet site, the hosting provider is bound to restrict access to such Internet site within 24 hours.

9. In the event of failure of the hosting provider and/or the Internet site owner to take the measures cited in Parts 7 and 8 of this article, the network address enabling to identify the Internet site containing information whose dissemination in the Russian Federation is prohibited shall be included into the register.

10. Within 24 hours as from the time of inclusion into the register of the network address enabling to identify the Internet site containing information whose dissemination in the Russian Federation is prohibited, the communications operator engaged in rendering the services involved in providing access to the Internet is bound to restrict access to such Internet site.

11. The federal executive power body exercising the functions of control and supervision in respect of mass media, mass communications, information technologies and communications or the register operator engaged by it in compliance with Part 4 of this article shall delete from the register the domain name, the Internet page indication or the network address enabling to identify the Internet site on basis of an application of the Internet site owner, hosting provider or communication operator engaged in rendering the services involved in providing access to the Internet at the latest within three days as from the date of such application after taking measures aimed at deleting information whose dissemination in the Russian Federation is prohibited or on the basis of an effective court decision on the reversal of the decision of the federal executive power

body authorized by the Government of the Russian Federation on the inclusion into the register of the domain name, the Internet page indication or the network address enabling to identify the Internet site.

12. A procedure for interaction of the register operator with the hosting provider and a procedure for obtaining access to the information contained in the register by the communication operator engaged in rendering the services involved in providing access to the Internet shall be established by the federal executive power body authorized by the Government of the Russian Federation.

13. The procedure for restricting access to Internet websites envisaged by the present article shall not be applicable to the information to which access is subject to restriction in the procedure envisaged by Article 15.3 of the present Federal Law.

Article 15.2. Procedure for Restricting Access to Information Disseminated in Breach of Exclusive Rights to Motion Pictures, for Instance Cinema Films and Television Films

1. If films, for instance cinema films or television films, or the information required for obtaining them through the use of information-telecommunication networks have been discovered in information-telecommunication networks, for instance in the Internet, which are disseminated without the permission of the right-holder or without other legal grounds, the right-holder is entitled to file an application -- under a court judgement that has become final --- with the federal executive governmental body in charge of control and supervision in the field of mass media, mass communications, information technologies and telecommunications for measures to be taken for restricting access to the information resources which distribute such films or information. The form of said application shall be endorsed by the federal executive governmental body in charge of control and supervision in the field of mass media, mass communications, information technologies and telecommunications.

2. On the basis of a court judgement that has become final the federal executive governmental body in charge of control and supervision in the field of mass media, mass communications, information technologies and telecommunications shall do the following within three working days:

1) identify the hosting provider or the other person ensuring the placement of said information resource in an information-telecommunication network, for instance in the Internet, which provides services to the owner of a website in the Internet containing information containing the motion pictures, for instance cinema films and television films, or the information required for obtaining them through the use of information-telecommunication networks without the permission of the right-holder or without another legal ground;

2) send a notice in electronic form in Russian and English to the hosting provider or the other person specified in Item 1 of the present part concerning the breach of exclusive rights to the motion pictures, for instance cinema films and television films complete with the title of the work, its author, right-holder, domain name and web address allowing one to identify the website on the Internet that has been used to place the information containing the motion pictures, for instance cinema films and television films, or the information required for obtaining them through the use of information-

telecommunication networks without the permission of the right-holder or without other legal grounds and also the page indices of the Internet website allowing one to identify such information and demand that measures be taken to delete such information;

3) fix the date and time of dispatch of the notice to the hosting provider or the other person specified in Item 1 of the present part in the relevant information system.

3. Within one working day after receiving the notice specified in Item 2 of Part 2 of the present article, the hosting provider or the other person specified in Item 1 of Part 2 of the present article shall inform accordingly the owner of the information resource to whom they provide services and notify him of the need to immediately delete the illegally placed information and/or take measures for restricting access thereto.

4. Within one working day after receiving the notice from the hosting provider or the other person specified in Item 1 of Part 2 of the present article concerning the need to delete the illegally placed information the owner of the information resource shall delete such information. In the event of refusal or omission by the owner of the information resource the hosting provider or the other person specified in Item 1 of Part 2 of the present article shall restrict access to the relevant information resource within three working days after the time when the notice specified in Item 2 of Part 2 of the present article was received.

5. If the measures specified in Parts 3 and 4 of the present article are not taken by the hosting provider or the other person specified in Item 1 of Part 2 of the present article and/or the owner of the information resource, the domain name of the Internet website, its web address, the page indices of the website on the Internet allowing one to identify the information containing the motion pictures, for instance cinema films and television films, or the information required for obtaining them through the use of information-telecommunication networks and placed without the permission of the right-holder or without other legal grounds and also another details of that website and information shall be sent via the cooperation system to communication operators so that measures be taken to restrict access to that information resource, for instance the Internet website or to the information placed thereon.

6. Under a court judgement that has become final the federal executive governmental body in charge of control and supervision in the field of mass media, mass communications, information technologies and telecommunications shall do the following within three working days after receiving the court judgement on revocation of the restriction on access to an information resource that contains motion pictures, for instance cinema films and television films, or the information required for obtaining them through the use of information-telecommunication networks distributed without the permission of the right-holder or without other legal grounds: notify the hosting provider or the other person specified in Item 1 of Part 2 of the present article and communication operators of the revocation of the measures for restricting access to that information resource.

7. Within 24 hours after receiving, via the cooperation system, information on the information resource containing motion pictures, for instance cinema films and television films, or the information required for obtaining them through the use of information-telecommunication networks distributed without the permission of the right-holder or without other legal grounds the communication operator that provides the service of providing access to the Internet shall restrict access to such information resource, for

instance to the Internet website or a page of the website.

8. The procedure for operating the cooperation information system shall be established by the federal executive governmental body in charge of control and supervision in the field of mass media, mass communications, information technologies and telecommunications.

9. The procedure envisaged by the present article is not applicable to the information subject to inclusion in the register in accordance with Article 15.1 of the present Federal Law.

Article 15.3. Procedure for Restricting Access to the Information Disseminated in Breach of a Law

1. In the event of discovery on information-telecommunication networks, for instance in the Internet, of information that contains calls for mass disorders, pursuance of extremist activities, participation in mass (public) events conducted in breach of established procedure, including inter alia cases when a notice is received concerning the dissemination of such information from federal governmental bodies, governmental bodies of subjects of the Russian Federation, local self-government bodies, organisations or citizens, the Procurator General of the Russian Federation or deputies thereof shall send a demand to the federal executive governmental body that carries out the functions of control and supervision in the field of mass media, mass communications, information technologies and communication for measures to be taken for restricting access to the information resources that disseminate such information.

2. On the basis of the message mentioned in Part 1 of the present article the federal executive governmental body that carries out the functions of control and supervision in the field of mass media, mass communications, information technologies and communication shall immediately:

1) send a demand via the interaction system to communication operators for taking measures for restricting access to the information resource, for instance to a website on the Internet or to the information that is placed on it and contains calls for mass disorders, pursuance of extremist activities, participation in mass (public) events conducted in breach of established procedure. This demand shall comprise the domain name of the website on the Internet, network address and the indicators of Internet website pages allowing to identify such information;

2) identify the hosting provider or the other person that supports the placement on the information-telecommunication network, for instance on the Internet, of said information resource that provides services to the owner of the Internet website used to place the information containing calls for mass disorders, pursuance of extremist activities, participation in mass (public) events conducted in breach of established procedure;

3) send a notice in electronic form in the Russian and English languages to the hosting provider or the other person mentioned in Item 2 of the present part concerning the breach of the procedure for dissemination of information with an indication of the domain name and network address allowing to identify the Internet website used to place the information containing calls for mass disorders, pursuance of extremist activities, participation in mass (public) events conducted in breach of established procedure, and also the indicators of Internet website pages allowing to identify such information and a

demand for measures to be taken for deleting such information;

4) record the date and time when the notice is sent to the hosting provider or the other person mentioned in Item 2 of the present part in the relevant information system.

3. Having received the demand of the federal executive governmental body that carries out the functions of control and supervision in the field of mass media, mass communications, information technologies and communication for the access restriction measures to be taken, the communication operator that provides the services of giving access to the Internet shall immediately restrict access to the information resource, including inter alia the Internet website, or to the information that is placed on it and contains calls for mass disorders, pursuance of extremist activities, participation in mass (public) events conducted in breach of established procedure.

4. Within 24 hours after receiving the notice specified in Item 3 of Part 2 of the present article the hosting provider or the other person specified in Item 2 of Part 2 of the present article shall inform about it the owner of the information resource and notify him of the need for immediately deleting the information containing calls for mass disorders, pursuance of extremist activities, participation in mass (public) events conducted in breach of established procedure.

5. If the owner of the information resource has deleted the information containing calls for mass disorders, pursuance of extremist activities, participation in mass (public) events conducted in breach of established procedure he shall send a notice concerning it to the federal executive governmental body that carries out the functions of control and supervision in the field of mass media, mass communications, information technologies and communication. Such notice may also be sent in electronic form.

6. Having received the notice mentioned in Part 5 of the present article and having verified its reliability the federal executive governmental body that carries out the functions of control and supervision in the field of mass media, mass communications, information technologies and communication shall immediately notify through the interaction system the communication operator that provides the services of giving access to the Internet of the resumption of access to the information resource, including the Internet website.

7. After receiving the notice mentioned in Part 6 of the present article the communication operator shall immediately resume access to the information resource, including the Internet website.

Article 15.4. Procedure for Restricting Access to the Information Resource of an Organiser of Dissemination of Information on the Internet

1. In the event of establishment by a decision on a case of an administrative offence that has become final that an organiser of dissemination of information on the Internet has defaulted on the duties envisaged by Article 10.1 of the present Federal Law the federal executive governmental body shall send a notice setting a term of at least 15 days for the performance of such duties to its address (the address of its branch or representative office).

2. If within the term mentioned in the notice the organiser of dissemination of information on the Internet defaults on executing the duties envisaged by Article 10.1 of the present Federal Law access to the information systems and/or computer software which are intended and/or are used for receiving, transmitting, delivering and/or

processing electronic messages of users of the Internet and whose operation is ensured by the given organiser shall be restricted by the telecom operator that provides the services of giving access to the Internet until the execution of such duties under a court's decision that has become final or a decision of the empowered federal executive governmental body.

3. The procedure for interaction of the empowered federal executive governmental body with the organiser of dissemination of information on the Internet, the procedure for sending the notice mentioned in Part 1 of the present article, the procedure for restricting and resuming access to the information systems and/or software specified in Part 2 of the present article and the procedure for informing citizens (natural persons) about such restriction shall be established by the Government of the Russian Federation.

Article 16. Protection of Information

1. Protection of information shall represent the undertaking of legal, organisational and technical measures towards:

- 1) ensuring protection of information against any illegal access, destruction, modification, blocking, copying, supply, dissemination and also against other illegal actions in respect of that information;
- 2) observance of confidentiality of information of limited access;
- 3) realisation of the right of access to information.

2. State regulation of relations in the sphere of protection of information shall be effected by establishing the requirements for the protection of information and also responsibility for violation of the legislation of the Russian Federation on information, information technologies and on protection of information.

3. The requirements for protection of generally accessible information may be set only for achieving the goals specified in Items 1 and 3 of Part 1 of this Article.

4. The holder of information and the operator of the information system shall, in instances specified under the legislation of the Russian Federation, be obligated to take measures:

- 1) to prevent unauthorised access to information and/or transfer of information to persons having no right of access to information;
- 2) to detect cases of unauthorised access to information promptly;
- 3) to exclude the possibility of unfavorable consequences associated with violation of the procedure for access to information;
- 4) to prevent the technical information processing facilities from being affected in a way that may result in the non-functioning of same;
- 5) to provide for immediate restoration of information that has been modified or destroyed as a result of unauthorised access thereto;
- 6) to ensure monitoring over the level of protection of information;

5. The requirements for protection of information available within the state information systems shall be such as prescribed by the federal executive body charged with ensuring information security and the federal executive body duly authorised in the sphere of countering technical intelligence services and technical protection of information, within their respective powers. In setting up and operating state information systems, methods and ways used in information protection shall be in conformity with the

said requirements.

6. Federal laws may impose restrictions upon the use of certain information protection means and the conduct of individual types of activity in the sphere of information protection.

Article 17. Responsibility for Offences in the Sphere of Information, Informational Technologies and Protection of Information

1. Violation of the requirements of this Federal Law shall entail disciplinary, civil-law, administrative or criminal responsibility in accordance with the legislation of the Russian Federation.

2. Persons whose rights and legitimate interests have been violated in connection with disclosure of information of limited access or through any other unlawful use of that information shall have the right to resort as appropriate to the judicial protection of their rights, including by filing suits for damages, compensation of moral harm, for protection of honour, dignity and business reputation. The claim for compensation of losses may not be satisfied when the claim is made by a person who failed to take measures towards observance of the confidentiality of information or who violated the requirements set under the legislation of the Russian Federation for protection of information, provided the undertaking of those measures and observance of those requirements were the obligations of that person.

3. When the dissemination of specified information is restricted or prohibited under federal laws, the civil-law responsibility for dissemination of that information shall not be born by the person providing services associated either with:

1) transfer of information supplied by other person, on the condition of it being transferred without modifications and corrections therein;

2) or with storage of information and provision of access thereto, provided that person had no way of being aware of unlawfulness of dissemination of information.

4. A hosting provider and the owner of a website in the Internet network are not liable to a right-holder and a user for restrictions on access to information and/or restrictions on the dissemination thereof in accordance with the provisions of the present Federal Law.

Article 18. On the Invalidation of Individual Legislative Acts (Provisions of Legislative Acts) of the Russian Federation

The following shall be invalidated as from the effective date of this Federal Law, viz:

1) Federal Law No. 24-FZ of February 20, 1995 On information, informatisation and protection of information (Sobraniye Zakonodatelstva Rossiiskoy Federatsii, 1995, No.8, Item 609);

2) Federal Law No. 85-FZ of July 4, 1996 On Participation in International Exchange of Information (Sobraniye Zakonodatelstva Rossiiskoy Federatsii, 1996, No. 28, Item 3347);

3) Article 16 of Federal Law No. 15-FZ of January 10, 2003 On Making changes and amendments to individual legislative acts of the Russian Federation in connection with the adoption of the Federal Law On Licensing of Individual Types of Activity (Sobraniye Zakonodatelstva Rossiiskoy Federatsii, 2003, No. 2, Item 167);

4) Article 21 of Federal Law No. 86-FZ of June 30, 2003 On Amending Individual Legislative Acts of the Russian Federation, Invalidation of Individual Legislative Acts of the Russian Federation, Provision of Individual Guarantees To Officials of Internal Security Bodies, Bodies For Control Of the Turnover of Narcotic Drugs and Psychotropic Substances and of Federal Bodies of Tax Police To Be Abolished In Connection With Taking Measures To Improve State Administration (Sobraniye Zakonodatelstva Rossiiskoy Federatsii, 2003, No. 27, Item 2700);

5) Article 39 of Federal Law No. 58-FZ of June 29, 2004 On Amending Individual Legislative Acts Of the Russian Federation and Invalidation of Individual Legislative Acts of the Russian Federation In Connection With Taking Measures to Improve State Administration (Sobraniye Zakonodatelstva Rossiiskoy Federatsii, 2004, No. 27, Item 2711)

President of the Russian Federation

V. Putin

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