



**Cabinet of Ministers of the Republic of Azerbaijan**

**Decision № 161**

**«On approval of Requirements for protection of personal data»**

***Baku city, 6 September 2010***

Pursuant to paragraph 1.3 of the Order of the Republic of Azerbaijan «On application of the Law of the Republic of Azerbaijan «On personal data» № 275 dated 4 June 2010, the Cabinet of Ministers of the Republic of Azerbaijan hereby decides:

1. «Requirements for protection of personal data» shall be approved (attached herewith).
2. Supervision over enforcement of «Requirements for protection of personal data» approved by the paragraph 1 of the present Decision shall be exercised by the Ministry of Communication and Information Technologies of the Republic of Azerbaijan, Ministry of National Security of the Republic of Azerbaijan, Ministry of Internal Affairs of the Republic of Azerbaijan, Ministry of Justice of the Republic of Azerbaijan and Special State Guard Service of the Republic of Azerbaijan within the frame of their powers.
3. The present Decision shall enter into force from the day of its signing.

***Prime minister of the Republic of Azerbaijan***

***A. RASI-ZADA***

**Approved**  
by the Decision of the  
Cabinet of Ministers  
of the Republic of Azerbaijan  
№ 161, dated 6 September 2010

## **Requirements for protection of personal data**

### **1. General provisions**

1.1. Requirements for protection of personal data (hereinafter referred to as «the Requirements») have been developed pursuant to the Order of the Republic of Azerbaijan «On application of the Law of the Republic of Azerbaijan «On personal data» № 275 dated 4 June 2010.

1.2. Requirements shall regulate relationships emerging in connection with protection personal data and respective information systems in the course of collection, processing, distribution and issuance of personal data by the owner or operator of those personal data.

### **2. Main safety requirements put before information systems processing personal data**

2.1. The following main technical and organizational safety requirements shall be provided in the course of processing of personal data in information systems:

2.1.1. prevention of impacts which lead to breach of operation of automated technical means in the course of processing of personal data;

2.1.2. reveal of facts of illegal interference with personal data;

2.1.3. prevention of illegal interference with, copying of personal data and/or transfer of personal data to those personal unauthorized to process such data;

2.1.4. availability of possibility of immediate restoration of changed or deleted personal data;

2.1.5. permanent supervision of level of protection of personal data;

2.1.6. identification of threats directed to safety of personal data in the course of their processing and development and permanent improvement of personal data protection system which provides neutralization of possible threats to this end;

2.1.7. performance of operations with personal data only on the basis of manuals and software verified and approved by the owner of personal data (record, systematization, upgrading, extraction, deprivation of titles, storage, transfer, deletion of personal data);

2.1.8. availability of the respective document on compliance of protection means and methods of information systems of personal data with exploitation and technical documents;

2.1.9. installation protection means and their putting into operation in compliance with exploitation and technical documents;

2.1.10. arrangement of trainings on studying rules for working with information protection means for those persons using such means and on improvement of their knowledge and skills;

2.1.11. registration of applied information protection means, their exploitation and technical documents and personal data carriers;

2.1.12. registration of those persons authorized to process personal data in the information system;

2.1.13. acquisition of written statement on non-distribution of data from natural persons acting in the field of collection, processing and protection of personal data within the period of activity and upon leaving the position;

2.1.14. supervision over compliance with terms and conditions provided for in exploitation and technical documents in the course of use of information protection means;

2.1.15. investigation of facts leading to breach of confidentiality of personal data and reduction of level of protection of such data as a result of failure to comply with terms and conditions of storage of personal data carriers and information protection means and elaboration of the opinion thereof and development and enforcement of measures for removal of hazardous results of such breaches;

2.1.16. equipping of personal data storage centers with reserve energy system and fire safety alarm;

2.1.17. placement of archive system of data center in a single building;

2.1.18. use of licensed software in information systems;

2.1.19. conduct of division of powers of personal data users and authentication of those powers in terms of equipment and software;

2.1.20. addressing of users applying for acquisition of personal data from the information system through their own protection servers;

2.1.21. availability of not less than 256-bit length of cipher system key used for transfer of information;

2.1.22. description of personal data protection system;

2.1.23. performance of state expert examination of project documents of information systems of personal data.

### **3. Supervision in the field of personal data protection**

Authorities exercising supervision over enforcement of the present Requirements shall, at least once a year, conduct monitoring of correct organization of personal data protection in information systems.

### **4. Final provisions**

4.1. Upon entry of the present Requirements into force, owners or authorized operators of personal data existing prior to effective date of the Law of the Republic of Azerbaijan «On personal data» shall be obliged to arrange personal data protection in compliance with the present Requirements within the period of 6 months, at the latest.

4.2. Natural persons acting in the field of collection, processing and protection of personal data shall bear liability for non-distribution and protection of those data in accordance with the legislation.