

UPDATE ON COLLECTION OF PERSONAL DATA IN UZBEKISTAN

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The Uzbek Parliament has introduced amendments into the Code of Administrative Responsibility and the Criminal Code of the Republic that will have a significant impact on collection of personal data within the country. It has been determined that collection and dissemination of information about private life of individuals, constituting their private or family secret, without their consent is now punishable by large fines amounting to 10-40 minimum monthly wages. Repeated commission of the offence may lead to larger fines or imprisonment of wrongdoers' officers.

Although the concept of 'private secrecy' is not clearly defined by Uzbek law, it may be interpreted as embracing personal information of individuals (PII). PII is regarded to be confidential under Uzbek law and includes any information about individual's personality such as name, place of residence, marital status, place of employment and so forth. While it was illegal to collect, store and use PII prior to introduction of the above amendments, there was no clear legal responsibility for infringing these rules.

It should be noted that legal framework for collection, storage, processing and transfer of PII in Uzbekistan is in its developing stage and, hence, there are certain ambiguities, inconsistencies and 'grey' areas in this sphere. Thus, we advise companies dealing with PII to always obtain consents of the PII owners and to seek advice of their legal counsels, if certain sophisticated operations are carried out with PII.