

Based on the Law on Personal Data Protection ("Official Gazette of RS", no. 87/2018), on December 17, 2018, Partners for Democratic Change Serbia (hereinafter: Partners Serbia) are adopting the following:

PERSONAL DATA PROTECTION RULEBOOK

1. THE PURPOSE AND AIM OF THE RULEBOOK:

The Data Protection Rulebook (hereinafter referred to as the Rulebook) is the umbrella document regulating the protection of personal data of employees, associates, consultants and other persons engaged by Partners Serbia, as well as other persons whose data is processed by Partners Serbia (users, clients), and in accordance with the Law on Personal Data Protection of the Republic of Serbia and the General Data Protection Regulation of the European Union (GDPR) and other relevant legal document in the field of personal data protection.

The aim is to ensure legal certainty and transparency regarding processing of personal data of employees and other persons whose data are processed, as well as determining the legal basis, purpose of processing, types of data being processed, and the rights of individuals regarding the processing of personal data, data protection measures, etc.

The Rulebook also establishes obligations of employees regarding the personal data protection of individuals. The rules also apply to associates, consultants and other persons engaged by Partners Serbia. The term "employees", therefore, also includes persons engaged based on work contracts, copyright contracts, contracts on the provision of consulting services, and so on.

2. TERMS AND ABBREVIATIONS

- **Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016, on the protection of individuals with regard to the processing of personal data and on the free movement of such data and repealing Directive 95/46 /EC** (hereinafter referred to as "Regulation", "GDPR");
- **The Law on Personal Data Protection** ("Official Gazette of the RS", No. 87/2018, hereinafter: "Data Protection Law", "PDPL");
- **The Labour Law of the Republic of Serbia** ("Official Gazette of Republic of Serbia", 24/2005, 61/2005, Decision of the Constitutional Court 54/2009, 32/2013, 75/2014, 13/2017 - Decision of the Constitutional Court, 113/2017 and 95/2018 – authentic interpretation) (hereinafter referred to as 'ZoR');
- **The Law on Records in the Field of Labour** ("Official Gazette of RS", No. 46/96 and "Official Gazette of RS", no. Regulation (EC) No 101/2005 – Other Law and 36/2009 – Other Law) (hereinafter: Law on Records)
- **The Commissioner for Information of Public Importance and Personal Data Protection of the Republic of Serbia** (hereinafter referred to as the "Commissioner");
- **Personal Data** is any information relating to an individual whose identity is determined or identifiable, directly or indirectly, on the basis of identity marks, such as name and identification

number, location data, identifiers in electronic communications networks or one or more of its physical, physiological, genetic, mental, economic, cultural and social identity;

- **Special types of Personal Data** are data that reveal racial or ethnic origin, political opinion, religious or philosophical belief or trade union membership, genetic data, biometric data, state of health, sexual life or sexual orientation of an individual.
- **Processing of Personal Data** is any action or set of actions carried out automatically or not automated with personal data or their sets, such as the collection, recording, classification, grouping or structuring, storage, comparing or alteration, detection, insight, use, disclosure by transmission or dissemination, duplication, dissemination or otherwise making available, comparison, restriction, erasure or destruction (hereinafter: processing);
- **The Controller** is an individual or legal entity, i.e. a public authority that independently or jointly with others determines the purpose and manner of processing. The law that determines the purpose and manner of processing may also determine the manager or prescribe the conditions for its determination.
- **The Processor** is an individual or legal entity, i.e. a public authority, which processes personal data on behalf of the Controller.

3. PERSONAL DATA CONTROLLER INFORMATION

The Controller of Personal Data is the association of citizens Partners for Democratic Changes Serbia, with the address Svetozara Markovića 60, Belgrade, MB: 17744585; PIB: 105917159, represented by Ana Toskić Cvetinović, Executive Director.

For all information on how we handle personal data, as well as for the exercise of the right to personal data protection, you can contact the Data Protection Officer, Milica Tošić, at the following e-mail address milica.tosic@partners-serbia.org.

4. PERSONAL DATA PROCESSED BY PARTNERS SERBIA

4.1. Partners Serbia may process the following personal data of employees:

Name and surname, address, date and place of birth, gender, marital status, registration number, Identity card number, nationality, health insurance number (LBO); Academic and professional qualifications: level of education, titles, data on skills, knowledge of foreign languages, trainings, employment history, resume; Financial data: bank account number, earnings and additional fees; Data on the execution of work obligations: position, the assessment of the supervisor, business e-mail address, IP address, access code; Communication data: e-mail, phone number, contact of relatives for emergencies; as well as other data necessary for the performance of legally prescribed obligations of the employer and the realization of the employment contract, i.e. other contractual relationship between the employee and Partners Serbia.

Partners Serbia do not process more or other types of personal data than are necessary to fulfil the stated purpose. For example, Partners Serbia may process special types of employee's personal data for the purpose of fulfilling obligations or applying legally prescribed powers in the field of work, social security, and social protection. If the processing of special types of data is carried out on the basis of the consent of the person (for example, in order to adapt the conditions of training to the health status of the participants), this consent must be given in writing, which includes detailed information on the type of data being processed, the purpose of the processing and the use of the data.

4.2. Partners Serbia may process the following personal data of users/ clients:

Name and surname, name of the employer/institution/organization/educational institution that the person represents or is from, date of birth, place of birth, address of residence, gender, information on academic and professional qualifications, contact e-mail address, contact phone number.

Name and surname, address, password, and courses attended by users of the E-learning platform on Partners Serbia website. More information about data management of platform users can be found in the Privacy Policy of the E-learning platform.

4.3. Partners Serbia may process the following personal data of job candidates:

Name and surname, date and place of birth; Academic and professional qualifications contained in the work biography and motivation letter: level of education, titles, data on skills, knowledge of foreign languages, training, list of previous employers; Communication data: e-mail, phone number.

Note: when announcing a job vacancy, Partners Serbia do not determine the form of the candidates resume, that is left to the candidate to determine for himself/herself. **In this sense, Partners Serbia can come into possession of a larger volume of data than presented, by the will of the job candidate.** All collected data is stored for a period of two years for the purpose of subsequent assessment of the need for hiring job candidates.

5. SOURCE OF PERSONAL DATA OF EMPLOYEES, USERS AND CLIENTS

Personal Data collected from the employee, user, client: it is a general rule that Partners Serbia collect personal data directly from the data subject (electronic, written or verbally).

Personal data collected from other sources: Partners Serbia may collect data on employees and job candidates from other sources, primarily former employers, if it is data that is relevant to employment. All excessive data will be permanently deleted.

6. PURPOSE OF DATA PROCESSING

Partners Serbia processes personal data for the purposes listed below. We will not process more data or a wider range of data than the one necessary for the realization of concrete purposes.

I Employment and Human Resources

Partners Serbia process personal data for the purposes of establishment and realization of employment, including other contractual relations based on which Partners Serbia hire associates and consultants. For example, data is processed for the purposes of determining the adequacy and qualifications of candidates for specific positions; for management of working hours and annual leave; for the calculation of wages, travel expenses and daily wage; for determining benefits based on sick leave and other forms of absence from the workplace; for evaluating the progress of employees; for providing additional training and education; for disciplinary procedures.

II Business activities

Partners Serbia process personal data for the purposes of project management, organization of office business, for payment of goods and services and business development. The data is also processed for the purposes of reporting to donors and service providers on implemented projects, and for the realization of trainings and other services provided by Partners Serbia, without or for a fee.

III Communications, Information Technologies and Information Security

Partners Serbia process personal data for management and maintenance purposes for functioning of the communication and information network, and information maintenance security.

IV Harmonization of business operations with relevant regulations

Partners Serbia process personal data in order to fulfill legal obligations and harmonization of business operations with relevant regulations, primarily from the domain of labor and tax legislation.

7. DATA TRANSFER AND EXPORT OF DATA FROM THE REPUBLIC OF SERBIA

- Partners Serbia will transfer personal data to third parties only for needs listed below. Partners Serbia will take all necessary measures in order to ensure that personal data is processed and secured in accordance with current regulations.
- External service providers. When necessary, Partners Serbia can engage third parties - service providers - to perform certain processing operations data for our account and on our behalf. In those situations, Partners Serbia have the status of controllers, and service providers have the status of data processors about the person (for example, Partners Serbia can hire a provider hosting service). In such cases, only the data necessary for the fulfillment of the purpose of the contracted processing shall be provided, and the processors cannot use them for other purposes. In these cases, the conditions of data processing, ie the responsibility for data protection will be defined by the contract between Partners Serbia and processors.
- Public bodies. Partners Serbia will transfer personal data to public authorities only when required by law. Partners Serbia will, for example, respond to written requests from courts, prosecutor's offices, and others public bodies.

Partners Serbia may allow stored data on beneficiaries of services, provided within projects financed by international donors to be taken out of the Republic of Serbia, in which cases the relevant data transferring rules shall be applied.

8. DATA RETENTION PERIODS

Personal data will not be retained longer than is necessary for the purpose for which they were collected.

If the period of storage of personal data is prescribed by law, Partners Serbia will keep the data for that prescribed legal period.

After the fulfillment of the purpose, that is, after the expiration of the legally prescribed period for storing of data, the data shall be permanently deleted.

In certain cases, personal data may be stored for a longer period, for needing to fulfill legal obligations or to establish, exercise or defend legal request, in accordance with applicable Serbian laws.

9. THE RIGHTS OF PERSONS WITH REGARDS TO THE PROTECTION OF PERSONAL DATA

- Right to access data - the employee or other person whose data is being processed by Partners Serbia has the right to request information from Partners Serbia whether they process data about him/her, which data and for what purpose, access to that data, expected storage period, a copy of that data, but also information on all other issues from Article 26 of the Law on Personal Data Protection. Right to access may be limited, in whole or in part, to the extent and duration that it is necessary and proportionate in a democratic society for the reasons provided in Article 28 of the Law on Personal Data Protection.
- The right to correction and amendment - the person to whom the data refers to has the right to request the correction of his inaccurate personal data without unnecessary delays. If the data is incomplete, the person has the right to update their data by providing an additional statement based on Article 29 of the Law on Personal Data Protection.
- The right to erasure - the employee or other person to whom the data relates to has the right to have their personal data deleted by the controller when it is no longer necessary to achieve the purpose for which they were collected or otherwise processed, if the person has revoked the consent on the basis of which the processing was done or has filed an objection to the processing, if the data was processed illegally, if erasure of data represents the fulfillment of the legal obligation of the controller or if personal data was previously collected in connection with the use of information society services from Article 16 paragraph 1 of the Law on Personal Data Protection.
- Right to restriction of processing - employee or other person to whom the data refer to has the right to demand from Partners Serbia that their data be processed in a limited way in the cases provided in Article 31 of the Law on Personal Data Protection.
- The right to transfer data - if the data is processed on the basis of consent of the person, or on the basis of the contract, in an automated way, the person to whom the data is related to has the right to receive previously submitted data in a structured form from Partners Serbia, as well as to, without interference, transfer that data to another controller.
- The right to stop processing (the right to an objection) - the person to whom the data refers to has the right to demand from Partners Serbia, in the form of an objection to the processing, the termination of the processing which for the legal basis is the realization of the legitimate interest of Partners Serbia or a third party, including profiling based on those provisions.
- The right against decision-making solely on the basis of automated processing - the person, whose personal data is processed and the decision made exclusively on the basis of automated processing, including profiling, shall not be applicable if that decision significantly affects his position or produces legal consequences for the person. Exceptions to this rule are provided in article 38, paragraph 2 of the Law on Personal Data Protection.

If the data is processed on the basis of consent, the person has the right to withdraw their consent, which does not affect the legality of data processing before the withdrawal of the consent.

Requests for the realization of rights, by the persons to whom the data refers to can be submitted to the Data Protection Officer in Partners Serbia - Milica Tošić, to the address: milica.tosic@partners-serbia.org with the subject: "Request for exercising the right to personal data protection".

In the event that the data subject is not satisfied with the Partners Serbia's response to the request, to fulfill the rights regarding the protection of personal data, the person has the right to file a complaint with the Commissioner for Information of Public Importance and Personal Data Protection, to the email address: office@poverenik.rs

Also, the person to whom the data refers to can request the realization of their rights by court, as well. Having in mind that Partners Serbia is committed to the values of dialogue and peace settlement of disputes, we encourage all interested parties to contact us directly to reach a mutually acceptable agreement on all disputed issues regarding the processing of personal data, prior to addressing the court.

10. OBLIGATIONS OF EMPLOYEES

Employees are obliged to provide their personal data that is required by the Partners Serbia for fulfilling its legal obligations and conducting the business of Partners Serbia.

Employees are obliged to respect and protect the personal data they process during work at or with Partners Serbia. Employees can process only the data that they have allowed access to, in accordance with the tasks they perform.

For more information, you can contact the person in charge of personal data protection at Partners Serbia - Milica Tošić (Personal Data Protection Officer), to the following email address: milica.tosic@partners-serbia.org

Date of last update to the Rulebook: **25 May 2023**