

On the basis of the Law on personal data protection ("Official Gazette RS" No. 87/2018) Executive Board of Club for Youth Empowerment 018 (KOM 018) adopted new

REGULATION ON PERSONAL DATA PROTECTION

I. PURPOSE AND OBJECTIVE OF THE REGULATION

Article 1

The Regulation on Personal Data Protection (hereinafter: the Regulation) is a general act, i.e., the main document adopted to further regulate the protection of personal data of individuals within the organization Club for Youth Empowerment 018 (hereinafter: KOM 018), or in a specific relationship with it (primarily employees, associates, consultants, and individuals engaged by KOM 018 in other capacities, as well as individuals with whom KOM 018 has established a certain form of business cooperation, whose data KOM 018 processes, e.g., users and clients), in accordance with the Law on Personal Data Protection of the Republic of Serbia ("Official Gazette of RS", No. 87/2018).

The purpose of adopting the Regulation is to ensure legal certainty and transparency regarding the processing of personal data of individuals referred to in Article 1 of this Article, as well as to determine the legal basis, purpose of processing, types of data processed, rights of data subjects regarding the processing of personal data, data protection measures, etc.

The Regulation establishes the obligations of employees regarding the protection of personal data of individuals, in accordance with the law.

The term "employees" includes, in addition to employees within the meaning of the Labour Law, individuals engaged on the basis of a work contract, copyright contracts, consultancy contracts, and similar contracts, whose contracts contain a clause obliging the engaged individual by KOM 018 to comply with the provisions of this Regulation, the text of which is attached and an integral part of each individual contract.

II. TERMS AND ABBREVIATIONS

Article 2

- Law on Personal Data Protection ("Official Gazette of RS", No. 87/2018, hereinafter: "Law on Personal Data Protection", "LPDP");
- Labour Law of the Republic of Serbia ("Official Gazette of RS", No. 24/2005, 61/2005, 54/2009, 32/2013, 5/2014, 13/2017 - Constitutional Court decision, 113/2017, and 95/2018-authentic interpretation) (hereinafter: "Labour Law");
- Commissioner for Information of Public Importance and Personal Data Protection of the Republic of Serbia (hereinafter: "Commissioner");
- Personal data means any information relating to an identified or identifiable natural person, directly or indirectly, in particular by reference to an identifier such as name and identification number, location data, identifiers in electronic communication networks, or one or more factors specific to the physical, physiological, genetic, mental, economic, cultural, or social identity;

- Special categories of personal data are data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, genetic data, biometric data, data concerning health, sex life, or sexual orientation of a natural person;
- Processing of personal data means any operation or set of operations which is performed on personal data or sets of personal data, whether or not by automated means, such as collection, recording, organization, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure, or destruction (hereinafter: processing);
- Controller is KOM 018 as a legal entity which, within the meaning of the LPDP, determines the purpose and manner of processing personal data;
- Processor is a natural or legal person, public authority, agency, or other body which processes personal data on behalf of the controller.

III. PERSONAL DATA PROCESSED BY THE CONTROLLER

Article 3

KOM 018 may process the following personal data of employees:

- Name and surname, address, date and place of birth, gender, marital status, personal identification number, identity card number, citizenship, health insurance number (LBO);
- Academic and professional qualifications: level of education, titles, skills, knowledge of foreign languages, training, employment history, biography;
- Financial data: bank account number, salary data, additional compensation data;
- Data on the performance of work obligations: position, assessment by the supervisory body (individuals), business email address, IP address, access credentials (e.g., username and password);
- Communication data: personal email address, phone number, emergency contact of relatives, as well as other data necessary for the fulfilment of legally prescribed employer obligations and the realization of employment contracts or other contractual relationships between the employee and KOM 018.
- KOM 018 may also process certain categories of special types of personal data, such as data on health status or data on religious beliefs, in accordance with Article 17 of the LPDP, special categories of personal data of employees for the purpose of fulfilling obligations or implementing legally prescribed authorizations in the field of labour, social security, and social protection.
- KOM 018 does not process a greater number or different types of personal data than those necessary to fulfil the specified purpose. If the processing of special categories of data is based on the consent of the individual (e.g., to adjust training conditions to the health status of participants), such consent must be given in writing and include detailed information about the type of data processed, the purpose of processing, and the method of data use.

KOM 018 may process the following personal data of users/clients:

- Name and surname, name of employer/institution/organization/educational institution represented or from which the person comes, date of birth, place of birth, address of residence, gender, data on academic and professional qualifications, contact email address, contact phone number,

- As well as all data that the client sends for further processing related to the implementation of contracted activities related to Legal or Obligatory regulations.
- KOM 018 may obtain a larger amount of data from users/clients by their own will, and only the basic ones necessary for the conclusion of business cooperation will be processed.

KOM 018 may process the following personal data of job candidates:

- Name and surname, address, contact information contained in the CV or cover letter (level of education, titles, skills, knowledge of foreign languages, training, list of previous employers; communication data: email, phone number).
- When announcing a job vacancy, KOM 018 does not impose a specific format of the CV; therefore, the candidate is allowed to determine it. In this sense, KOM 018 may obtain a larger amount of data than presented, by the will of the job candidate. All collected data will be kept for a period of 10 years to assess the future need for employing job candidates.

IV. SOURCES OF PERSONAL DATA

Article 4

KOM 018 collects (electronically, in writing, or verbally) personal data directly from the individuals to whom the data relate: employees, users, or clients.

KOM 018 may also collect personal data about employees and job candidates from other sources, primarily from former employers, provided that they are relevant to employment. All data that are not necessary for processing the specified purposes will be permanently deleted.

V. PURPOSE OF DATA PROCESSING

Article 5

KOM 018 processes personal data for the purposes specified in Articles 6-9 of this Regulation.

No more data or a wider range of data than those necessary to achieve the stated purposes are processed.

VI. EMPLOYMENT AND HUMAN RESOURCE MANAGEMENT

Article 6

KOM 018 processes personal data for the purpose of establishing and implementing an employment relationship, including other contractual relationships under which KOM 018 engages associates and consultants, such as data for determining the adequacy and qualifications of candidates for specific positions, for managing working hours and absences, for salary calculation, travel expenses, and daily allowances, for determining compensation for sick leave and other forms of absence from work, for assessing the progress of employees, for providing additional training and education, and for disciplinary proceedings.

Business Activities

Article 7

KOM 018 processes personal data for the purpose of project management, office organization, payment for goods and services, business development, and for the purpose of reporting to donors and service buyers on completed projects and for the implementation of trainings and other projects organized by KOM 018 or in which KOM 018 participates. KOM 018 may also send offers, promotional materials, invitations, and all other notifications.

Communications, Information Technology, and Information Security

Article 8

KOM 018 processes personal data for the purpose of managing and maintaining the functioning of communication and information networks, as well as maintaining information security.

Business Compliance with Relevant Regulations

Article 9

KOM 018 processes personal data in order to fulfil legal obligations and to align business operations with relevant legal regulations, primarily in the areas of labour and tax legislation.

VII. DATA SHARING

Article 10

- KOM 018 will share personal data with third parties only for the purposes listed below, taking all necessary measures to ensure that personal data are processed and protected in accordance with applicable regulations.
- KOM 018 may engage third parties - service providers - to perform certain data processing operations on behalf of KOM 018, in which case, KOM 018 acts as a data controller, and the service providers act as data processors. In this situation, only the data necessary for the agreed processing will be provided to the processors, and they may not use them for other purposes. In these cases, the terms of data processing and responsibility for data protection will be defined in a contract between KOM 018 and the data processor.

Personal data will only be disclosed to public authorities when required by law.

- KOM 018 will share the collected data with all its affiliated organizations only for educational and promotional materials, offers, and data for the conclusion of potential business activities.
- KOM 018 may share collected data with other legal entities/entrepreneurs/associations for the purpose of connecting them with individuals whose data have been collected for the purpose of the best business intentions and potentially benefiting both parties.
- All data shared by KOM 018 must not be used without prior consent from KOM 018 for their processing.

VIII. DATA RETENTION PERIODS

Article 11

Personal data will not be retained longer than necessary to achieve the purpose for which they were processed. If the retention period of personal data is prescribed by law, KOM 018 will retain the data within the statutory deadline. After fulfilling the purpose or expiry of the legally prescribed data retention period, the data will be permanently deleted.

In certain cases, personal data may be kept for a longer period for the purpose of fulfilling legal obligations or establishing, exercising, or defending legal claims, in accordance with applicable laws.

IX. RIGHTS OF INDIVIDUALS REGARDING DATA PROTECTION

Article 12

- Right to information

Employees and other individuals whose data are processed have the right to be informed about their rights, obligations, and matters relating to the processing of their personal data, in accordance with the LPDP, even before the processing of such data begins.

- Right of access

Employees and other individuals whose data are processed have the right to request from KOM 018 to enable access to their personal data, i.e., the right to determine the subject, manner, purpose, and scope of processing of such data, as well as to ask questions about the processing.

- Right to correction and supplementation

After reviewing their data, individuals whose data are processed have the right to request from KOM 018 correction, supplementation, or updating of the processed personal data.

- Right to erasure

Individuals whose data are processed may request from KOM 018 the erasure of their personal data in accordance with the LPDP, as well as the termination or temporary suspension of data processing.

- Right to withdraw consent for processing

In cases where the processing of personal data is based on the consent of the individual, the individual has the right to withdraw consent at any time, without affecting the legality of processing based on consent before its withdrawal.

- Right to object

Individuals whose data are processed have the right to object to the processing of their personal data if they consider that the processing is not necessary for the performance of tasks in the public interest or the exercise of official authority, as well as for the realization of legitimate interests pursued by KOM 018 or third parties.

- Right to data portability

Employees and other individuals whose data are processed have the right to receive personal data concerning them, which they have provided to KOM 018, in a structured, commonly used, and machine-

readable format, and have the right to transfer this data to another controller without hindrance from the controller to whom the personal data were provided.

- Right to lodge a complaint

Employees and other individuals whose data are processed have the right to lodge a complaint with the Commissioner if they believe that the processing of their personal data violates the provisions of the LPDP.

- Procedure for exercising rights

Employees and other individuals whose data are processed exercise their rights specified in this Article by submitting a written request to the person responsible for personal data protection in KOM 018, or by submitting a request electronically, using the email address published by KOM 018 for communication with data subjects. KOM 018 is obliged to respond to requests of individuals within the deadlines specified by the LPDP.

X. OBLIGATIONS OF EMPLOYEES

Article 13

- Every employee, as well as other individuals engaged by KOM 018 on any legal basis, is obliged to act in accordance with the provisions of this Regulation, as well as with the legal regulations and acts of KOM 018 that regulate the protection of personal data.
- Employees are obliged to protect the confidentiality of personal data, to keep them from unauthorized access, disclosure, loss, destruction, damage, and alteration, and to use them only for the purposes for which they were collected.
- Any violation of the provisions of this Regulation constitutes a disciplinary offense or material liability of employees, depending on the gravity of the committed violation, in accordance with the internal acts of KOM 018.
- Any employee who becomes aware of a violation of the provisions of this Regulation is obliged to report it to the person responsible for personal data protection in KOM 018.

XI. FINAL PROVISIONS

Article 14

This Regulation shall enter into force on the day of its adoption and shall be published on the website of KOM 018.

In Nis, February 12th 2021

S. Tosti

