

RULEBOOK ON PERSONAL DATA PROTECTION

Pursuant to the Law on Personal Data Protection (“Official Gazette of the Republic of Serbia”, No. 87/2018), applicable from 2024, the President of the Board of Directors Vladimir Đorić of the Association of Serbian Architectural Practices adopts the following

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I BASIC PROVISIONS

Article 1

The Rulebook on Personal Data Protection (hereinafter: the Rulebook) represents the basic document regulating the protection of personal data of employees, associates and all other persons engaged by the Association of Serbian Architectural Practices, as well as other persons whose personal data are processed by the Association of Serbian Architectural Practices (suppliers, clients).

This Rulebook is adopted in accordance with the Law on Personal Data Protection of the Republic of Serbia and other relevant sources in the field of personal data protection.

The purpose of this Rulebook is to systematically implement the provisions of the Law on Personal Data Protection by defining the fundamental rights and freedoms of natural persons with regard to personal data protection, the legal basis and purpose of processing, the types of data processed and the measures for personal data protection.

II TERMS AND DEFINITIONS

Article 2

Certain terms used in this Rulebook have the following meaning:

Commissioner for Information of Public Importance and Personal Data Protection – the authority responsible for supervising the implementation of the Law on Personal Data Protection (hereinafter: the Commissioner).

Personal data – any information relating to a natural person whose identity is determined or determinable, directly or indirectly, particularly by reference to an identifier such as a name, 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 of that person.

Data subject – the natural person whose personal data are being processed.

Processing of personal data – any operation or set of operations performed on personal data or sets of personal data, whether automated or not, such as collection, recording, classification, structuring, storage, adaptation, modification, consultation, use, disclosure by transmission or delivery, duplication, dissemination or otherwise making available, alignment, restriction, deletion or destruction.

Controller – a natural or legal person or public authority that independently or jointly with others determines the purpose and means of processing (here: Association of Serbian Architectural Practices).

Processor – a natural or legal person or public authority that processes personal data on behalf of the controller.

III PRINCIPLES OF PROCESSING

Article 3

Personal data must be processed lawfully, fairly and transparently.

Personal data may be collected for specific, explicit, justified and lawful purposes and may not be further processed in a way that is incompatible with those purposes.

Personal data must be adequate, relevant and limited to what is necessary in relation to the purpose of processing. They must be accurate and, where necessary, kept up to date.

Personal data must be stored in a form that allows identification of the data subject only for as long as necessary for the purpose of processing.

Personal data must be processed in a manner that ensures appropriate protection against unauthorized or unlawful processing, accidental loss, destruction or damage by applying appropriate technical, organizational and personnel measures.

This Rulebook applies directly to all employees of the Association of Serbian Architectural Practices who have concluded employment contracts for a definite or indefinite period, whether full-time or part-time, including temporary or occasional work engagements, regardless of whether work is performed at the employer's premises, at another location determined by the employer or from home.

This Rulebook also applies to all other natural persons whose personal data are processed by the controller, as well as entrepreneurs whose personal data are processed by the controller.

IV LAWFULNESS OF PROCESSING

Article 4

Processing is lawful if at least one of the following conditions is fulfilled:

- 1 The data subject has given consent to the processing of their personal data for one or more specific purposes.
- 2 Processing is necessary for the performance of a contract concluded with the data subject or for taking steps at the request of the data subject prior to concluding a contract.
- 3 Processing is necessary for compliance with the legal obligations of the controller.
- 4 Processing is necessary to protect the vital interests of the data subject or another natural person.

5 Processing is necessary for performing tasks in the public interest or in exercising official authority vested in the controller.

6 Processing is necessary for the purposes of legitimate interests pursued by the controller or a third party, except where such interests are overridden by the interests or fundamental rights of the data subject.

V RIGHTS OF DATA SUBJECTS

Article 5

If personal data are collected directly from the data subject, the controller must provide the following information at the time of collection:

- 1 identity and contact details of the controller and its representative
- 2 contact details of the data protection officer, if appointed
- 3 the purpose of the intended processing and the legal basis for processing
- 4 the existence of legitimate interests of the controller or a third party
- 5 recipients or categories of recipients of personal data
- 6 information about the intention to transfer personal data to another country or international organization

In addition to the information above, the controller must provide additional information in accordance with the Law on Personal Data Protection.

Article 6

If personal data are not collected directly from the data subject, the controller must provide the following information:

- 1 identity and contact details of the controller and its representative
- 2 contact details of the data protection officer
- 3 the purpose of processing and legal basis
- 4 categories of personal data processed
- 5 recipients or categories of recipients of personal data
- 6 information about the intention to transfer personal data to another country or international organization

Additional information must also be provided in accordance with the Law on Personal Data Protection.

Article 7

The data subject has the right to request from the controller information about whether their personal data are being processed and has the right to access those data.

This right may be restricted in cases prescribed by law.

The data subject has the right to rectification, completion, deletion, restriction and portability of personal data and may submit a request for protection of rights to the supervisory authority – the Commissioner.

The data subject also has the right to object to the processing of their personal data.

VI OBLIGATIONS OF THE CONTROLLER

Article 8

The controller is obliged to undertake all necessary technical, organizational and personnel measures to ensure that personal data processing is performed in accordance with the law.

The controller must ensure that only those personal data necessary for achieving the specific purpose of processing are processed.

The controller must maintain records of personal data processing activities.

The controller must cooperate with the Commissioner when exercising the Commissioner's authority.

VII PROCESSOR

Article 9

The controller may designate another person – a processor – authorized to process personal data on behalf of the controller.

The processor must ensure appropriate technical, organizational and personnel measures so that processing is performed in accordance with the law.

The processor may entrust processing to another processor only with the written authorization of the controller.

VIII DATA PROTECTION OFFICER

Article 10

The controller may appoint a Data Protection Officer.

The Data Protection Officer may be employed by the controller or engaged on the basis of a service contract.

The controller must publish the contact details of the Data Protection Officer and provide them to the Commissioner.

IX PERSONAL DATA PROCESSED BY THE ASSOCIATION OF SERBIAN ARCHITECTURAL PRACTICES

Article 11

The Association of Serbian Architectural Practices may process the following personal data of employees:

Name and surname, address, date and place of birth, gender, marital status, personal identification number, ID card number, citizenship, health insurance number.

Academic and professional qualifications including level of education, titles, skills, foreign language knowledge, training, employment history and CV.

Financial data including bank account number, salary and other compensations.

Communication data including email address, phone number and emergency contact details, as well as necessary personal data of family members when required for legal obligations.

The Association may process certain special categories of personal data such as health data in accordance with the Law on Personal Data Protection.

The Association will not process more personal data than necessary to achieve legally permitted purposes.

The Association may process the following personal data of clients:

Name and surname, date of birth, place of birth, residential address, gender, academic and professional qualifications, contact email address, contact phone number and employer or company from which the person comes.

The Association may process personal data of job candidates including:

Name and surname, date and place of birth, academic and professional qualifications contained in CVs and cover letters including level of education, titles, skills, foreign language knowledge, training and list of previous employers, as well as communication data such as email and phone number.

X SOURCES OF PERSONAL DATA

Article 12

The Association of Serbian Architectural Practices collects personal data directly from data subjects electronically, orally or in written form.

Personal data may also be collected from other sources provided that such data are relevant and necessary in accordance with the Law on Personal Data Protection.

All excessive data will be permanently deleted.

XI PURPOSE OF DATA PROCESSING

Article 13

Employment

The Association processes personal data for the purpose of establishing and implementing employment relationships and other contractual relationships with associates.

This includes data collected to determine the suitability and qualifications of candidates for specific positions, for managing working hours and absences, salary calculations, travel reimbursements and daily allowances, compensation during sick leave and other absences, disciplinary procedures and all other activities necessary for exercising rights and obligations under the Labour Law and other relevant regulations.

Business activities

The Association processes personal data for the purpose of conducting its business activities including procurement of products and services and payment for goods and services.

Compliance with legal regulations

The Association processes personal data in order to comply with legal obligations, particularly in the field of labour and tax legislation.

XII TRANSITIONAL AND FINAL PROVISIONS

Article 14

This Rulebook enters into force on the day of its adoption and remains valid for an indefinite period.

It shall be posted on the company notice board within three days from the date of adoption.

Article 15

For all matters not regulated by this Rulebook, the relevant provisions of the Law on Personal Data Protection shall apply.

Amendments and supplements to this Rulebook shall be adopted in the same manner and procedure as the Rulebook itself.

For the Controller
Association of Serbian Architectural Practices
