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Pursuant to Article 54, paragraph 5 and Article 55, paragraph 10 of the Law on Data Protection o persons ("Official Gazette of RS", No. 87/18) and Article 33, paragraph 5 of the Law on Freedom access to information of public importance ("Official Gazette of RS", No. 120/04, 54/07, 104/09 and 36/10),

The Commissioner for Information of Public Importance and Personal Data Protection issues

DECISION

**on the list of types of personal data processing operations for which it must be performed
assess the impact on the protection of personal data and seek an opinion
Commissioner for Information of Public Importance and Personal Data Protection**

1. This decision determines the list of actions for processing personal data for which the operator, before starting the processing, must perform an impact assessment on protection of personal data and seek the opinion of the Information Commissioner from of public importance and protection of personal data.
2. The assessment of the impact on the protection of personal data referred to in item 1 of this Decision shall be performed in case:
 - 1) systematic and comprehensive assessment of the condition and characteristics of the natural person being performed by automated processing of personal data, including profiling, on the basis on which decisions are made that are important for the legal position of an individual or similar way significantly affect it;
 - 2) processing of special types of personal data, ie data by which it is disclosed racial or ethnic origin, political opinion, religious or philosophical belief or union membership as well as genetic data processing, biometric data in for the purpose of uniquely identifying persons, health data or data on the sexual life or sexual orientation of a natural person or data on persons in connection with criminal convictions and criminal offenses and security measures, in large volume;
 - 3) systematic supervision of publicly accessible areas to a large extent;
 - 4) processing of personal data of children and minors for the purpose of profiling, automated decision making or for marketing purposes;
 - 5) use of new technologies or technological solutions for data processing on personality or with the possibility of processing personal data used for analysis or predicting the economic situation, health, preferences or interests, reliability or the behavior, location or movements of individuals;
 - 6) processing of personal data in a manner that includes tracking the location or behaviors of the individual in the case of systematic processing of communication data generated using telephone, internet or other means of communication;
 - 7) processing of biometric data for the purpose of unique identification of employees by the employer and in other cases the processing of personal data of employees by the employer using applications or systems to monitor their work, movements, communications, etc .;
 - 8) processing of personal data by crossing, linking or checking multi-source matches;
 - 9) processing of special types of personal data for the purpose of profiling or automated decision making.

3. Except in the cases referred to in item 2 of this Decision, the operator is obliged to perform assessment of the impact on the protection of personal data and in other cases if it is likely to do some kind of processing, especially using new technologies and taking given the nature, extent, circumstances and purpose of the processing, cause a high risk to the rights and the freedom of individuals.
4. After the assessment of the impact on the protection of personal data, the controller is obliged to, before starting the processing of personal data, the Commissioner for information of public importance and personal data protection apply for giving opinions.
5. For the request for giving an opinion from item 4 of this decision, the republic fee is paid administrative fee in accordance with the law.
6. Publish this decision in the "Official Gazette of the Republic of Serbia" and on the Internet page www.poverenik.rs.
7. This Decision shall enter into force on the eighth day from the day of its publication in the “Official Gazette Gazette of the Republic of Serbia ”, and has been applied since the day of application of the Law on Protection personal data ("Official Gazette of RS", No. 87/18).

Number 021-00-14 / 2019-04

In Belgrade, June 19, 2019

Deputy Commissioner,

Stanojla Mandić, s.r.