



2014

ANNUAL REPORT



**Directorate for Personal
Data Protection**



Directorate for Personal Data Protection

Annual Report

2014

GLOSSARY OF MOST OFTEN USED TERMS

Article 2 of the Law for protection of personal Data ("Official Gazette of the Republic of Macedonia" No.7/2005) and the amendments to the Act ("Official Gazette" No. 103/08, 124/10, 135/11 defines the meaning of the following terms:

1. "Personal data" shall be any information pertaining to an identified natural person or person that can be identifiable, the identifiable entity being an entity whose identity can be determined directly or indirectly, especially as according to the personal identification number of the citizen or on the basis of one or more characteristics, specific for his/her physical, mental, economic, cultural or social identity;
2. "Personal data processing" shall be every operation or a sum of operations performed on personal data, automatically or otherwise, such as: collection, recording, organizing, storing, adjusting, or altering, withdrawing, consulting, using, revealing through transmitting, publishing or making them otherwise available, aligning, combining, blocking, deleting or destroying;
3. "Personal Data Collection" shall be a structured group of personal data available in accordance to specific criteria, regardless whether it is centralized, decentralized or dispersed on a functional or a geographical basis.
4. "Personal Data Subject" shall be any natural person to whom the processed data refer to;
5. "Controller of the Personal Data Collection" shall be any natural person or legal entity, a state administration authority or other authority, who independently or together with others determines the purposes and the ways of personal data processing (hereinafter: the controller). When the purposes and the ways of personal data processing are determined by law or any other regulation, the same law, i.e. regulation determines the controller or the special criteria for his/her selection;
6. "Personal Data Collection Processor" shall be a natural person or a legal entity or a legally authorized state administration authority processing the personal data on the behalf of the controller .
7. "Third Party", shall be any natural person or legal entity, a state administration authority or other authority, which is not a personal data subject, a controller, a Personal Data Collection Processor or any person who, under a direct authorization by the controller or by the Personal Data collection processor is authorized to process the data;
8. "User" shall be any natural person or a legal entity, a state administration authority or other authority, to whom the data are disclosed.
9. "Consent of the personal data subject" shall be freely and explicitly given statement of will, of the personal data subject whereby (s)he agrees to the processing of his/her personal data for previously determined purposes;
10. "Special categories of personal data" shall be personal data revealing the racial or ethnic origin, the political views, religious, philosophical or other beliefs, membership in a trade union and data relating to the health condition of the people, including genetic data, biometric data or data referring to the sexual life;
11. "Third country" shall be a country not being a European Union member or not being a member of the European Economic Community. Other terms used in this Report .

GLOSSARY OF MOST OFTEN USED TERMS

12. The most important international laws governing the right to privacy: the Universal Declaration of Human Rights, the European Convention on Human Rights and the International Covenant on Civil and Political Rights.

13. The right to privacy in the Constitution of the Republic of Macedonia: encompasses some basic rights: to every citizen is guaranteed the respect and protection of the privacy of his/hers personal and family life, dignity and reputation, every citizen is guaranteed the inviolability of the home, thus, right to inviolability of the home may be restricted only by a court order when the detection or prevention of crime or the protection of human health; security and confidentiality of personal data are guaranteed; freedom and secrecy of correspondence and other forms of communication are guaranteed, there can be a restriction from this right only by virtue of a court decision and the appropriate legal action.

LIST OF ABBREVIATIONS

EDPS European Data Protection Supervisor
DPDP Directorate for Personal Data Protection
LPDP Law on Personal Data Protection
EC European Commission
EU European Union
MOI Ministry of Internal Affairs
MES Ministry of Education and Science
MF Ministry of Finance
ME Ministry of Economy
MAFW Ministry for Agriculture, Forestry and Water economy
MJ Ministry for Justice
HIFM Health Insurance Fund of Macedonia
BED Bureau for Education Development
PP Public Prosecutor
NGO Non-Governmental Organization
NERR National Electronic Regulations Registry
MISA Ministry for Information Society and Administration
MLSP Ministry for Labor and Social Policy
CSCU Certified Secure Computer User
BEG Balkan Energy Group
EVN Company for distribution and supply of electricity in the Republic of Macedonia

MRT Macedonian Radio Television
CEEDPA Central and Eastern European Personal Data Protection Authorities
IWGDPT International Working Group on Data Protection in Telecommunications
CHW Case handling workshop
CAHDATA The Ad hoc Committee on data protection
TAIEX Technical Assistance and Information Exchange instrument
Eurojust European Union's law enforcement agency
Eurojust European Union's Judicial Cooperation Unit
JSB Joint supervisory body
Article 29 Working Party A working group set up under Article 29 of Directive 95/46/EC of EU
RM Republic of Macedonia

404

Inspections performed

314 regular	168 public sector
81 incidental	216 private sector
9 control	11 natural persons

66 Trainings

53 trainings for personal data protection
13 CSCU trainings for digital security

371 complaints received

	356 resolved
331 natural persons	15 transferred to 2015
36 legal entities	
4 anonymous	

202

Complaints on personal data abuse on social media

130 fake FB profile
12 fake FB profile of juvenile
47 hacked FB profiles
13 other social networks

2014

Key facts

438 Registered controllers in the Central Register of DPDP

755 personal data collections registered in the Central Register of DPDP

438 officers for personal data protection registered in the Central Register

27 opinions issued on draft laws

28 opinions issued on materials and bylaws

45 opinions issued upon other basis

297 opinions issued upon adjustment of documents with the Law on personal data protection

16.081.000 MKD denar currency

Approved budget for 2014

15.739.292 MKD denar currency

Budget implementation (97,88%)

2.306.317 MKD denar currency

Income per trainings

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1. INTRODUCTION

Legal framework

In the Republic of Macedonia the right to protection of personal data is guaranteed in Article 18 of the Constitutional Act of the Republic of Macedonia in 1991: "The safety and confidentiality of personal data are guaranteed. Citizens are guaranteed protection from violation of their personal integrity resulting from the registration of information through their data processing", while the right to privacy is regulated in Article 17, 25 and 26 from the Constitutional Act. The Law on Protection of Personal Data ("Official Gazette of the Republic of Macedonia" no. 7/2005) and the amendments to the Act ("Official Gazette" No. 103/08, 124/10, 135/11) is in compliance with the Directive of the European Parliament and of the Council 95/46/EC. The legal framework for the protection of personal data in the country complements the Law on Ratification of the Convention of the Council of Europe br.108/81 for the Protection of Individuals with regard to Automatic Processing of Personal Data ("Official Gazette" No. 07/2005), ratified on 24.03.2006 and entered into force on 01.07.2006. The Parliament of the RM in 2007 have ratified the Additional Protocol to the Convention regarding supervisory authorities and transborder of data.

In 2010 are the second made amendments to the Law on Protection of Personal Data ("Official Gazette" no. 124/10) that ensure compliance of legislation and rule of law, the transposition of the European Union acquis, the harmonization of the Law on protection of personal data with the national legislation of the Republic of Macedonia and the establishment of a more efficient system of protection of personal data.

During 2014, were initiated amendments to the Law on personal data protection and the proposal has been submitted for review to the relevant Ministry, followed by a further analysis by the Government or the Parliament of the RM.

Due to great importance of privacy for the individual, in most countries in the world this right is regulated by the Constitutional Act of the country as the highest constitutive act of the state, as is the case in the Republic of Macedonia. In our Constitutional Act, in the section titled to Civil and Political Rights and Liberties, several human rights are included that are components of the right to privacy, since privacy is broad, complex concept or sublimates of few individual rights. In this sense, it is important to mention the following rights:

- ⇒ Every citizen is guaranteed the respect and protection of the privacy of his/hers personal and family life, the dignity and reputation (Article 25).
- ⇒ Every citizen is guaranteed the inviolability of the home. The right of inviolability of the home may be restricted only by a court decision when detection or prevention of crime is an issue or the protection of citizen's health (Article 26).
- ⇒ The freedom and confidentiality of correspondence and all other forms of communication is guaranteed. This right may be restricted only based on a court decision and in an appropriate legal proceedings (Article 17).

The rise of the right to privacy to the level of constitutionally guaranteed human right indicates the great importance of this right of the individual, which carries certain rights/powers and duties/responsibilities as for the individual holder of the right and the other individuals, but and the state and its institutions as well.

Privacy is one of the fundamental human rights established and governed by the most important international legal documents including the Universal Declaration of Human Rights, the European Convention on Human Rights and the International Covenant on Civil and Political Rights. According to the Universal Declaration of Human Rights, an act of largest global international organization - UN: "No one shall be subjected to arbitrary interference with his private and family life, home or correspondence, nor to attacks upon his/hers honor and reputation. Everyone is entitled to legal protection against such interference or attacks."

A similar definition gives the Council of Europe, as the most important international organization in the field of promotion and protection of human rights and freedoms in Article 8 of the European Convention on Human Rights, according to which: "Everyone has the right to respect for his private and family life, home and correspondence. Public authorities should not interfere in the exercise of this right except such as is in accordance with the law and is necessarily needed in a democratic society, which is in the interests of public safety, the economic wellbeing of the country, for the prevention of public disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others."

The Republic of Macedonia joined the Convention for the Protection of Human Rights and Fundamental Freedoms of the Council of Europe in 1995, ratified on 10 April 1997, which supplements the legal framework for the protection of human rights and fundamental freedoms.

The Law on personal data protection provided the establishment of the Directorate for Personal Data Protection (hereinafter: the Directorate), which will be responsible for monitoring the legality of actions taken during the processing of personal data and their protection in the territory of the Republic of Macedonia.

The Directorate for Personal Data Protection was established on 22 June 2005, when the first Director was appointed with the Decision of the Parliament of the Republic of Macedonia ("Official Gazette" br.50/05). The Directorate is an independent and autonomous authority as a legal entity. This status provides an independence in relation to the executive, legislative and judicial powers, as well as in terms of the authorities of local government.

The Directorate is managed by a Director, who is appointed and dismissed by the Parliament, with a procedure led by the Commission for appointment within the Parliament, via previously published public notice, for a period of 5 years with the right of reelection. The Director has a Deputy appointed and dismissed by the Parliament on the proposal of the Commission for appointment for a period of 5 years. For its work the Director and the Deputy are responsible in front of the Parliament.

The Director submits to the Parliament of the RM an Annual Work Report of the Directorate. If necessary and upon a request of the Parliament, the Director shall submit an additional report. The Director brings and adopts all decisions about the work of the Directorate.

The Directorate is headquartered at: Blvd. "Goce Delchev" no. 18, MRTV building, 14th floor, Skopje.

1.2 Mission and Vision

Mission

The mission of the Directorate for personal data protection is fulfilled through supervising the legality of actions taken during the processing of personal data and their protection in the country.

Vision

The vision of the Directorate is proceeding according to European standards and criteria, using modern information and communication technologies and procedures to ensure full implementation of the regulations for personal data protection and the support of the citizens of the Republic of Macedonia in the realization of the right personal data protection.

1.3 Competences

DPDP is the creator of policy for consistent enforcement of regulation for the protection of personal data at national level, in particular:

- Prepares and adopts secondary legislation related to enforcement of regulations to protection of personal data;
- Gives opinions on draft laws in different areas;
- Gives opinion on the secondary legislation of controllers in the area of personal dataprotection;
- Develops policies and provides guidelines concerning the protection of personal data at national level;
- Gives opinion on draft codes of conduct relating to the protection of personal data;

Legality and fairness of the processing of personal data

- Supervises the legality of the processing of personal data under the provisions of the Law on personal data protection;
- Issues prior approval for processing of personal data;
- Issues a ban to the controller for further processing of personal data;

Authority responsible for keeping a register and records

- Keeps Central Register of collections of personal data for controllers and processors
- Keeps record for transfer made of personal data into other countries
- Issues an approval for transfer of personal data to other countries
- Keeps record for issued opinions for acts for video surveillance

Promoter/guardian of the right to protection of personal data

- Acts upon initiatives of citizens and requests for determination of violation of the right;
- Gives answers to the complaints from individuals regarding irregularities in the processing of their personal data;
- Continuously educates the controllers and processors and gives expert assistance
- Leads infringement proceedings through the Misdemeanor Commission in accordance with the Law;

The only national authority responsible for implementing regulations concerning the protection of personal data

- Acts upon requests of supervisory authorities in the area of protection of personal data to other countries in the performance of their activities through legal assistance in the Republic of Macedonia;
- Accomplishes international cooperation with other authorities for protection of personal data, participates in the work of international authorities and institutions.

Performs other duties determined by the Law

2. MANAGEMENT POLICIES AND STRATEGIC OPERATIONS

2.1 Work Strategy

Basic development policies of the work of the Directorate for Personal Data Protection in the reporting year of 2013 were fully aimed at implementing the strategic priorities and targets for ensuring lawfulness and fairness in the processing of personal data, as well as a transparent and effective system of exercising the right to protection of personal data of every citizen.

The need to provide comprehensive and effective measures to implement the strategic priorities at work, as defined in the basic strategic document "Strategy for the protection of personal data in the Republic of Macedonia 2012-2016 and the Action Plan for its implementation," in large part meant achieving effective cooperation with all relevant authorities, institutions, public and private sector, civil society, the media and among all social structures and social and political life.

In fulfillment of the strategic goals and priorities for the work in 2014, were adopted annual documents for the Directorate and were published on the website of the Directorate: Annual Work Programme for 2014 and Annual Program for the Inspection of 2014, and Monthly plans for inspections during 2014. Thus the Directorate is recognized as an entity and the subject that in its work performance manifests professionally organized and transparent monitoring of work by all involved subjects and concerned parties in the implementation of strategic priorities, and setting clear goals to work throughout the year.

In June 2014 was adopted the Strategic Plan of the Directorate for personal data Protection for the period 2015-2017 as a guide for all employees in the Directorate, in terms of the priorities, goals and objectives of the Directorate. The function of the document is directing the activities of the Directorate towards realization of the strategic goals more efficiently and effectively achieving the mission and vision of the institution.

As part of its work, the decisions at the executive level were upgraded through continuous follow up of new trends and development programs, as to other institutions at national level, and by actively monitoring the developments at European and international level of the work of the authorities for personal data protection, especially in the Opinions issued by the Article 29 Working Party as an advisory body to the European Commission, within the Directorate for Justice.

2.2 Work Analysis

In 2014 as planned by the Action Plan, the Directorate has achieved the following results:

- ⇒ Supervision in the following areas: education, telecommunications, justice, labor relations, public administration, health, economy;
- ⇒ Continuous record keeping and approval of the registration of controllers and their collections of personal data;
- ⇒ Preparation of annual/semi-annual and other reports;
- ⇒ Trainings of controllers and processors within the established timeframes and areas identified in the annual training program for controllers and processors for 2014.
- ⇒ A realization of the project –Sustainable system for continuous primary and high school education in the principles of personal data protection.
- ⇒ The operating procedures have been adopted, and as part of the Norwegian grant for institutional strengthening of the Directorate "Technical assistance for strengthening the organizational and institutional capacities for personal data protection -In the second half of 2014 was fully implemented an ISO standardization of the Directorate; review of the web-site of the Directorate, preparing a Study on Cloud computing, establishment of IT tools in order to increase public awareness and promotion of the requirement for determining a violation of the right to personal data protection and other activities provided in the project.
- ⇒ Cooperation of the Directorate with BEG, EVN, MRTV, Water-supply Service and Sanitation Skopje for providing updated information to service users and their right to personal data protection by providers through a project activity titled "With confidence to better service;
- ⇒ The Directorate hosted and co-organized the Conference CEEDPA, in April 2014 in Skopje;
- ⇒ The Directorate hosted and co-organized IWGDPT - International Group for the protection of personal data in telecommunications - Berlin Group, in May 2014.
- ⇒ In October 2014, the Directorate hosted the 26th Case Handling Workshop for personal data protection.
- ⇒ Concluded a Memorandum for cooperation with Institutions for higher education in the country.
- ⇒ Implemented activities of the Project "PRIVACY LESSON" - lectures in 21 high schools on the territory of the City of Skopje.

According to the Report of Facebook DZLP fun page likes and post reach ratio and the website's visits of the Directorate for Personal Data Protection, it is established that the planned activities of the Communication Strategy for 2014 are fully achieved now, taking into account the increase of 46% post engagement on the Facebook fun page of the Directorate for personal data protection, as well as an increased traffic on the website of the Directorate for personal data protection.

During the report in 2014 the Directorate for Personal Data Protection conducted and completed the procedure for establishing a system for quality management in accordance with ISO 9001: 2008 and it has issued a certificate under Rreg.No.Q 1083/0 from 10.11.2014 by the Macedonian Organization for Certification and Evaluation MKS DOO Skopje.



Whilst performing the inspection and certification by the auditors was noted that the system of management is well positioned and is applied in practice and weren't found any gaps in terms of the requirements of ISO 9001: 2008, which may reflect the quality of service. The observations and recommendations for improvement made by the auditor, and defined in the Audit Report for the evaluation of the system of quality management, shall be incorporated in the system. The next reassessment of the system will be in 2015.

The Directorate for personal data protection will continuously review the system for quality management and improving processes for successful implementation of the delivered service.

In 2014, by the State Audit Office was conducted an audits in order to assess the efficiency and effectiveness of the financial management and control, in terms of doing things in an efficient and effective way, work compliance with the laws and regulations, protection of property, use of budget funds, strengthening accountability in the execution of tasks and internal audits. The period covered by the audit was in between 2013 and 2014.

According to the Audit Report was concluded that: regulations for the organization and systematization, code of conduct and strategic documents were adopted and implemented, , controls procedures for internal controls were adopted and implemented, a distinction between the responsibilities and authority was made, control activities for regular monitoring were established,

compliance and approval of records documentation, internal audit was established, indicating that the necessary actions were undertaken to establish and ensure the efficiency and effectiveness of the system of financial management and control and internal audit for the smooth realization of the goals of the Directorate.

A Strategy for risk management was also adopted, in order to support the process of risk management.

2.3 Human Recourses

Professional, ambitious, quality and capable staff is imperative for each institution that strives for successful work and achieving high results in the scope of its activities. The Directorate for Personal Data Protection has highly educated and extremely high quality personnel who make great efforts in adopting timely and relevant decisions to meet the objectives.

In 2014, were done three amendments to the Act of Post Systematization in the Directorate for Personal Data Protection, upon prior approval by the Administration Agency . Changes have been made to ensure more efficient organization of work processes and utilization of human resources, and with that three jobs were classified, the Deputy Head of Department, stockman and



general worker. In 2014, after the changes in the organizational structure were described a total of 49 jobs, 53 employees spread across organizational units.



In 2014, the number of employees in the Directorate was 22 employees and all of them have the status of civil servants. During the year, due to the departure of staff in the private sector or other government institutions three positions were made free , one position for Junior Officer, Advisor and Head of Department. By signing the contract for volunteer service, the Directorate volunteered two volunteers. For the purposes of the Directorate during 2014 were engaged 15 external entities to provide services in a different basis (in relation to copyright treaties and other agreements to temporarily perform work: translations of documents and materials, cleaning products, paint services, engaging people to support the organization of conferences, preparing graphics solution for the official mascot of the Directorate "Privatko", Members of the Commission for the competition "Privacy is all mine, although I am a child").

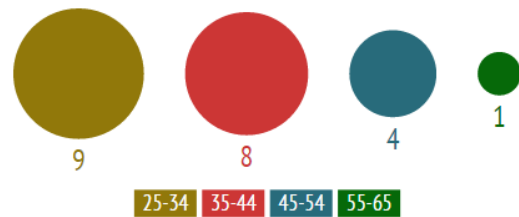
During 2014 procedures for employing a total of 6 people were initiated. Through a public announcement for employment of civil servants a procedure for employing 5 people was initiated for the positions of: Head of Unit, two positions for adviser and two positions for junior associate. The initiated recruitment procedures were partly completed in early 2015 and were employed two civil servants. The rest will be repeated in 2015.

Education of employees



Also, during 2014 the recruitment procedure was initiated for one individual through the Program of the Government of RM to employ 300 people with disability, by taking one employer from PE Macedonian Forests- Skopje, the process ended in January 2015. In terms of education, most (21 out of 22) of the employees have higher education that indicates a high level of expertise and knowledge in the area they operate. In view of the age of the employees, most of them (77% of the total number of employees) are aged between 25-44 years old, which additionally contributes to the great commitment, ambition and fresh ideas that promote the work of the Directorate and contribute to achieving high results.

The Trainings and education to enrich the knowledge and experience of the employees are one the priorities of the Directorate. During the reporting year 2014, especial attention

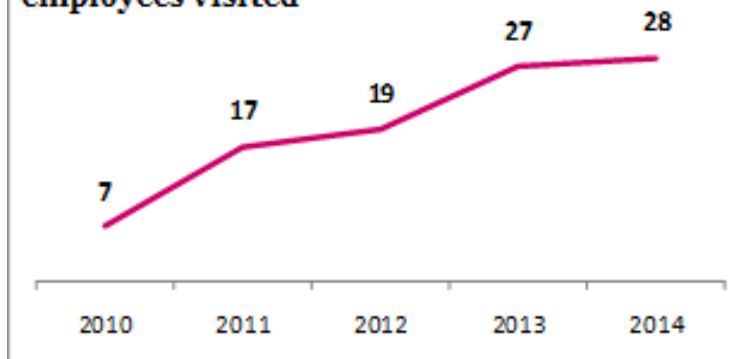


was paid to professional trainings and improvement of the employees, through attending generic and specialized trainings provided by the Annual training program for civil servants of the Directorate.

During the 2014 employees of the Directorate attended 28 training, of which 23 were specialized trainings and 5 generic trainings organized by MISA as participants, speakers, trainers. Most of the trainings were conducted with financial means from the European Commission through the TAIEX instrument, part from the Norwegian grant to strengthen the organizational and institutional capacity for personal data protection, as well as from the Directorate for personal data protection and from other organizations or institutions.

Additionally trainings for the media and personal data protection were also realized, as well as trainings for trainers for some of the employees which are not included in the Annual training program and also the Directorate for the first time hosted the International Case Handling Workshop, where experts from the Member States of the EU and the Balkans took part.

Number of trainings the employees visited



One of the inspectors attended a 3 month program in Republic Slovenia, which included seminars and training in European integration, good management practices and personal data protection funded by an independent Foundation, European Fund Balkans.

The number of trainings that the staff from the Directorate has visited is in continuous growth, which is another indication of the commitment of the Directorate to dispose of a highly qualified and quality staff that continuously upgrade and thrive. Available to the staff of the Directorate there's also a library where there can be found hundreds of translated literature from different fields, as part of the project "1000 books" of the Government, and are in function of enriching the knowledge of the employees through examples and best practices from abroad.

Internal acts

As part of its work, the Directorate for Personal Data Protection acts upon internal acts/documents adopted over the years, as given in the Appendix:

Regulations (effective) of the Directorate for personal data protection

- ⇒ Regulation on technical and organizational measures to ensure confidentiality and protection of personal data processing ("Official Gazette of RM" br.38/09 and 158/10)
- ⇒ Regulation about the form and content of the notification processing of personal data and the manner of notification to the Central Registry of collections of personal data - ("Official Gazette of RM" No. 155/08)
- ⇒ Regulation Amending the Regulation for the form and content of the identification card and manner of issuing and revoking ("Official Gazette of the RM" No. 158/10)
- ⇒ Regulation about the form and content of the request to establish a violation of the right to protection of personal data ("Official Gazette of the RM" No. 144/11)
- ⇒ Regulation on the content and form of the act for the manner of performing video surveillance ("Official Gazette of the RM" No. 158/10)
- ⇒ Regulation about the form and content of the application for registration of the transfer of personal data ("Official Gazette of the RM" No. 158/10)
- ⇒ Regulation on procedure for the inspection ("Official Gazette of the RM" No. 158/10.)

- ⇒ Regulation for the form and content of the identification and the manner of issuing and revoking ("Official Gazette of the RM" No. 143/08)
- ⇒ Regulation on the manner of keeping records of offenses, imposed sanctions and decisions in infringement proceedings, as well as the access to information contained in the record ("Official Gazette of the RM" No. 136/08)
- ⇒ Rulebook on the internal organization of the Directorate for Personal Data Protection 01- 1292/1 from 24.06.2012 year
- ⇒ Rulebook on systematisation of job vacancies in the Directorate for Personal Data Protection
- ⇒ Regulation about the form and content of the invitation for education, the conduct of education, as well as executing it ("Official Gazette of the RM" No. 158/10)
- ⇒ Regulation on determining the obligations and responsibilities of the administrator of the information system and of the authorized personnel. no.01-293 / 6 from 15.02.2011
- ⇒ Rulebook on easy backup, archiving and storage, as well as the return of stored personal data
- ⇒ Rulebook on the destruction of documents, as well as the destruction, deletion and cleaning media in the Directorate for Personal Data Protection
- ⇒ Regulation for reporting, response and recovery incidents in the Directorate for Personal Data Protection

List of Guidelines in operation of the Directorate

- ⇒ Guidelines on internal order of the Directorate for Personal Data Protection
- ⇒ Instruction for procedures when security of classified information in danger in the Directorate for Personal Data Protection
- ⇒ Guidelines for the use of official vehicles of the Directorate for Personal Data Protection
- ⇒ Guidelines for the use, storage, maintenance and records of the movable property of the Directorate for Personal Data Protection
- ⇒ Guidelines for type, method of preparation, use and storage of classified information in the Directorate for Personal Data Protection
- ⇒ Instructions on how to perform the external control
- ⇒ Instruction on how to use the software for inspection

- ⇒ Guidelines for the management process of professional training and development
- ⇒ Guidelines on the organization and implementation of training for controllers and processors in 2012
- ⇒ Instruction for the handling of the inspector of protection of personal data in the settlement
- ⇒ Instructions for maintaining the hygiene and cleaning the business premises in the Directorate
- ⇒ Guidelines on posting articles on the website of the Directorate
- ⇒ Guidelines on keeping records of authorized personnel to carry out the processing of personal data and the transfer of media out of the premises of the Directorate
- ⇒ Guidelines for preparation and execution of a census in Directorate
- ⇒ Guidelines on handling incoming invoices in the Directorate
- ⇒ Instructions on how to use the library of the Directorate for Personal Data Protection
- ⇒ Instructions for using the taxi club card for work purposes of the Directorate
- ⇒ Guidelines for the deployment of and access to the premises of the Directorate for Personal Data Protection
- ⇒ Guidelines for the reception of clients and visitors in the Directorate for Personal Data Protection
- ⇒ Guidelines for internal work procedures for the implementation of projects of final recipients/beneficiaries of the IPA Component I

List of programs, plans, strategies and decisions in force of the Directorate

- ⇒ Program to implement practical curricula for students in the Directorate for Personal Data Protection no.04-1807/1
- ⇒ Volunteer Program in the Directorate for Personal Data Protection no.04-1806/1
 - ⇒ Program implementation of certified trainings for digital security of computer users-CSCU Nr.01-1612/2
 - ⇒ Program for creating a system for technical and organizational measures to ensure confidentiality and protection of personal data processing бр.01-743/1
 - ⇒ Program for the establishment and development of financial management and control no.01-1961/1
 - ⇒ Communication strategy on the Protection of Personal Data 2012-2016
 - ⇒ Decision about the form and content of the Initiative to perform inspection no.02-850/1

- ⇒ Decision on determining the length of the holiday of the civil servant or other employee at the Directorate for Personal Data Protection no.04-860/1
- ⇒ Decision on determining the amount of the costs for conducting trainings for the interested controllers and processors no.02-1396/1
- ⇒ Decision to use the means of representation of the Directorate for Personal Data Protection br.02-731/1

As part of its work, the Directorate has established a total of 22 procedures.

2.4 Financial performance

2.4.1. REALIZATION OF THE BUDGET FOR 2014 - account type 637

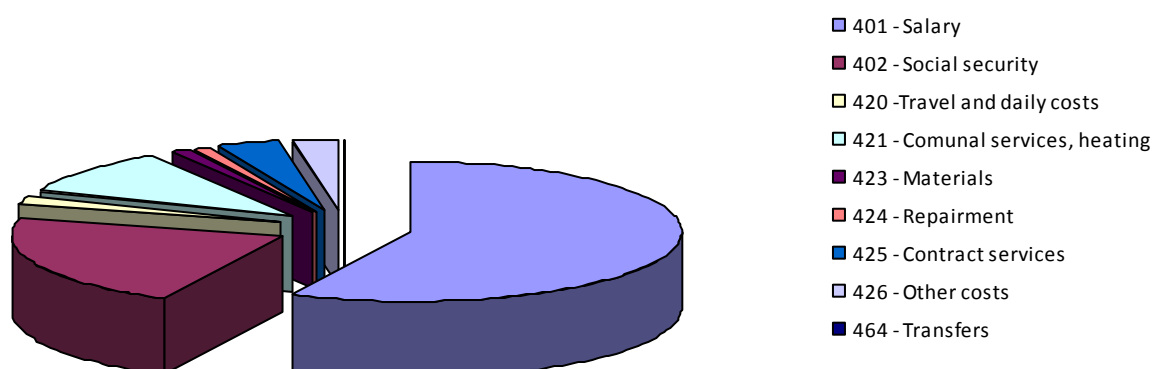
Of the total approved budget of the Directorate for 2014 in the amount of 16.081.000 million denars, 97.88% were realized, or 15,739,292 denars.

	denars
Total budget	16.081.000
Total income (Transfers from the budget of RM)	15.739.292
Total cost	15.739.292
Net surplus earnings - profit before tax	0
Tax excess earnings - profit	0
Net surplus of income - profit transfer in the next year	0

Respective to the structure of the budget with all approved reallocate funds during 2014, 12.721.000 million denars or 79.11% of the funds are concerning basic salaries and social security contributions, 3.345.000 million denars or 20.80% of the assets concerning goods and services, and 15,000 denars 0.09% of the assets concerning various transfers. In comparison with the approved budget the Directorate had in 2013, which amounted to 15.297.000 million denars, it increased by 5, 12%.

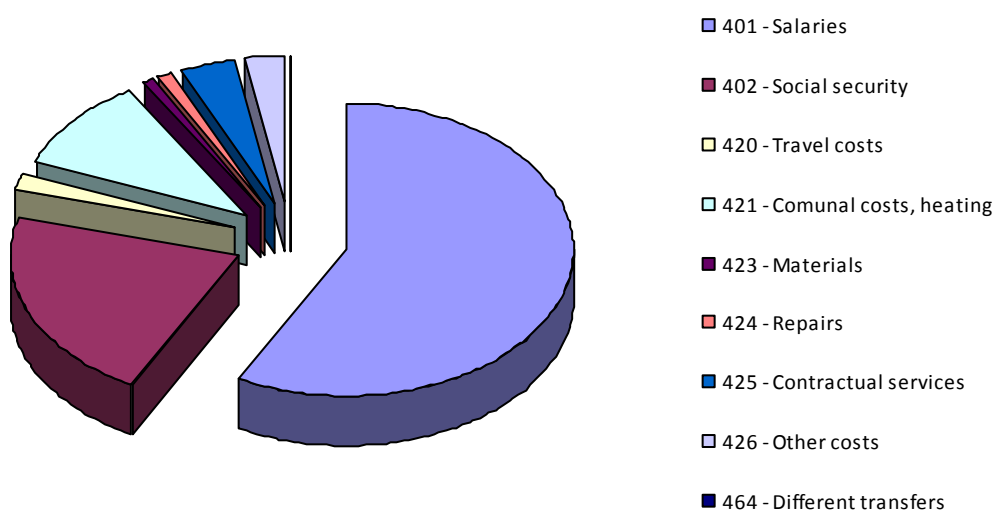
Budget
16.081.000
denars

Structure of the total Budget for 2014



	Budget 2014	Realization	% of realization
401	9.207.000	9.097.844	98,81%
402	3.514.000	3.364.970	95.76%
420	290.000	290.000	100%
421	1.700.000	1.616.478	95,09%
423	150.000	150.000	100%
424	190.000	190.000	100%
425	590.000	590.000	100%
426	425.000	425.000	100%
464	15.000	15.000	100%
Вкупно	16.081.000	15.739.292	97,88%

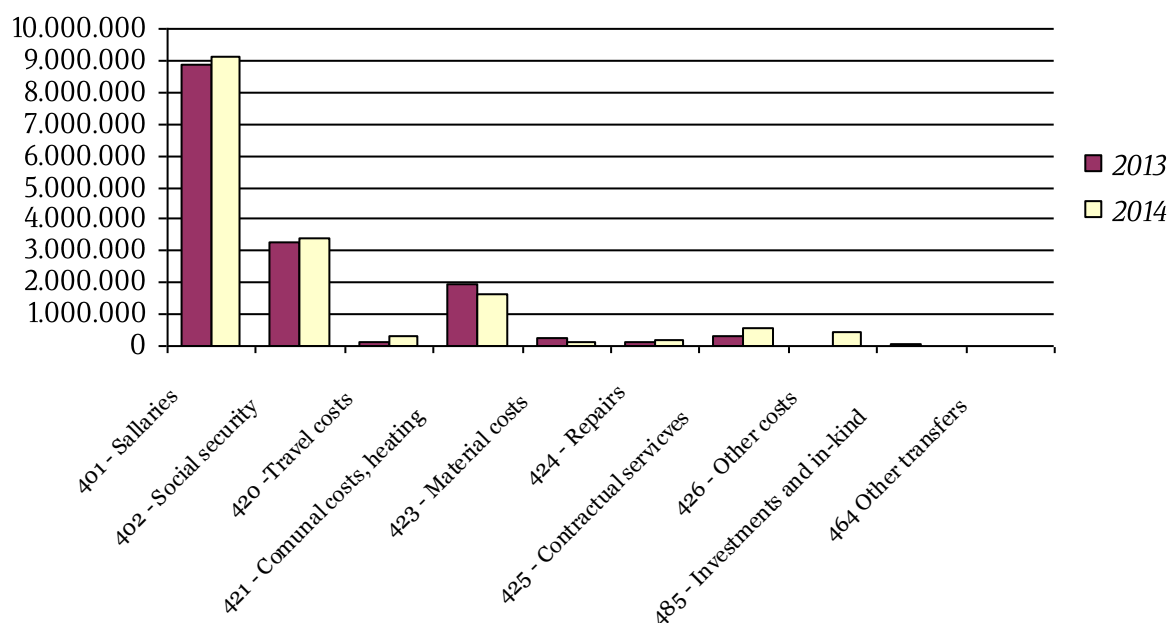
Realization of budget



	Realization 2013	Realization 2014	2014/2013 %
401	8.870.377	9.097.844	102,56
402	3.280.829	3.364.970	102,56
420	140.000	290.000	207,14
421	1.975.916	1.616.478	81,81
423	244.000	150.000	61,48
424	100.598	190.000	188,87
425	309.063	590.000	190,90
426	30.000	425.000	1.416,67
464	0	15.000	100
485	60.000	0	0
Вкупно	15.010.783	15.739.292	105

Table Comparison 2014 v.s 2013

Comparison of financial realization- 2013 compared to 2014



1.4.2 REALIZATION OF THE BUDGET FOR 2014– ACCOUNT 631

	denars
Total approved budget for 2014	4.300.000
Transferred income from 2013	1.083.201
Total income	2.306.317
Total costs	2.457.505
Net surplus earnings - profit before tax	932.013
Tax excess earnings - profit	0
Net surplus of income - profit transfer in the next year	932.013

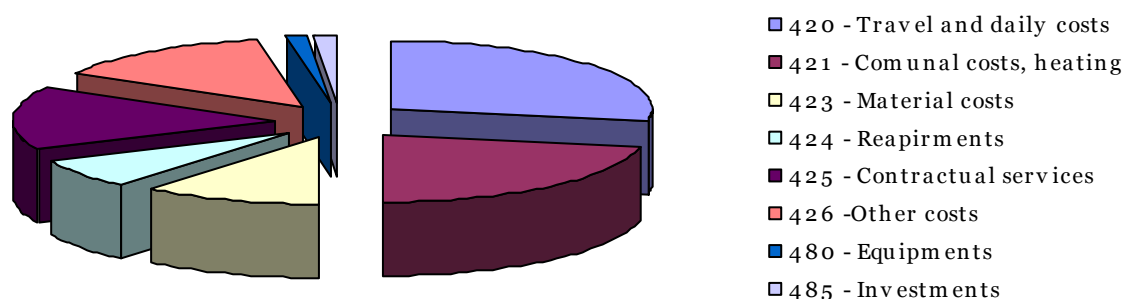
Table Realization of the Budget for 2014– account 631

The Directorate based on the trainings for personal data protection for processors and controllers of personal data in the course of 2014 generated revenue of 2,306,317 denars.

Related to this, we need to point out that in 2014 was realized a continuity and a satisfactory level of trainings.

Of the total approved budget for projected revenues of the Directorate for 2014 in the amount of 4,300,000.000 denars, were realized 57.15% or 2,457,505 denars. Regarding the structure of the approved budget, 97.21% or 4.18 million denars of funds are concerning goods and services, a 2,79% or 120,000 denars of funds are concerning capital expenditures.

Структура на вкупниот одобрен Буџет за 2014 година



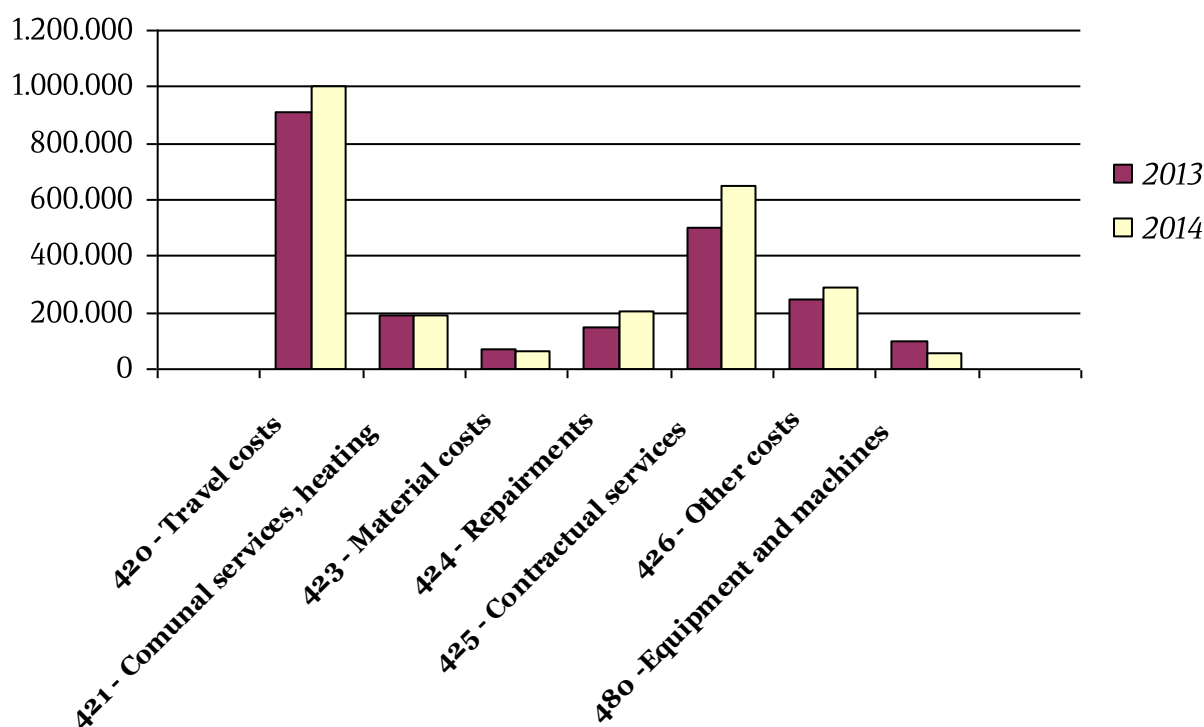
	Budget 2014	Realization	% of realization
420	1.200.000	999.016	83,25
421	950.000	189.647	19,96
423	480.000	63.748	13,28
424	300.000	206.470	68,82
425	650.000	650.000	100,00
426	600.000	290.508	48,42
480	60.000	58.116	96,86
485	60.000	0	0,00
Вкупно	4.300.000	2.457.505	57,15

Table 5 - Realization of financial assets in 2014

	Realization 2013	Realization 2014	2014/2013 in per- cent
420	913.957	999.016	109,31
421	191.955	189.647	98,80
423	72.728	63.748	87,65
424	149.824	206.470	137,81
425	498.820	650.000	130,31
426	244.582	290.508	118,78
480	100.268	58.116	57,96
Вкупно	2.172.134	2.457.505	113,14

Table 6 – Comparison of realization of financial assets 2013 compared to 2014

Comparative view of financial realization - 2013 compared to 2014



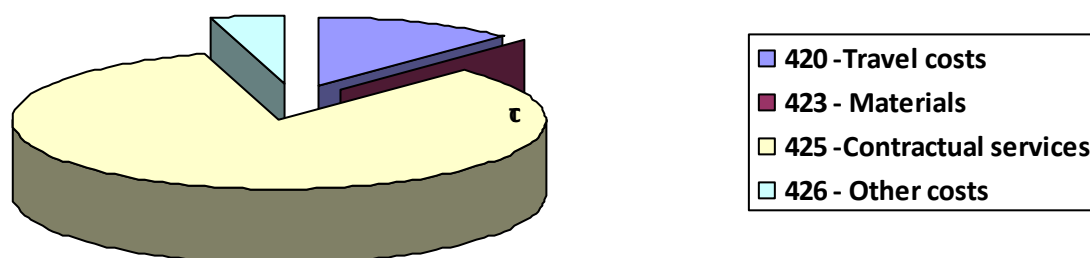
1.4.3 REALIZATION OF BUDGET– ACCOUNT 785

	<i>denars</i>
Transfer assets form previous years	3.759.309
Total income	22.422.724
Total costs	9.001.107
Net surplus earnings - profit before tax	17.180.926
Tax excess earnings - profit	0
Net surplus of income - profit transfer in the next year	17.180.926

The Directorate for personal data protection based on contracts for donations with the Norwegian Ministry of Foreign Affairs in 2014 realized a total income of 26,182,033 denars, of which 10,618,510.00 denars are assets that the Directorate achieved in December 2014 based on the new Agreement MAK-14-0014, that will realize the new project "Continuing support to strengthening capacities for personal data protection" in 2015. Based on an Agreement for donation by the Norwegian Ministry of Foreign Affairs, compared with 2013 when it was realized income of 6,033,545, was noted an increase of funds received in 2014, which is more than fourfold.

Of the total revenue available based on contracts for donations for 2014 were realized 34.38% or 9,001,107 denars. Regarding the structure of usage of assets, 100% of the assets are concerning goods and services.

Structure of realized costs 2014



Realization	
420	1.101.982
423	3.700
425	7.502.361
426	393.064
Total	9.001.107

Table.8 - Preview of realized financial assets for 2014

The Directorate based on the trainings for personal data protection for processors and controllers of personal data in the course of 2014 generated revenue of 2,306,317 denars.

Related to this, we need to point out that in 2014 was realized a continuity and a satisfactory level of trainings.

Of the total approved budget for projected revenues of the Directorate for 2014 in the amount of 4,300,000.000 denars, were realized 57.15% or 2,457,505 denars. Regarding the structure of the approved budget, 97.21% or 4.18 million denars of funds are concerning goods and services, a 2,79% or 120,000 denars of funds are concerning capital expenditures.

3. INPECTION

One of the core competencies of the Directorate for Personal Data Protection, as an independent state authority, is supervision of the legality of the actions taken in the processing of personal data and protection. As an essential tool for the implementation of this competence of the Directorate established by Article 37 of the Law on Personal Data Protection are the supervisions performed by inspectors from the Sector for implementing inspections with the two sections.

Inspections are planned on an annual basis, with a sector-based approach, with a program that is made at the end of the current year for the following year, and implemented through monthly plans for inspection in which controllers are specified, the collections that are subject to the audit and the date of the start of the inspections. The Annual Program and Monthly plans for inspection are published on the WEB site of the Directorate www.dzlp.mk and www.privacy.mk. Performing regular inspections are carried out in precisely defined legal terms and procedures during the inspection. During the performance of the regular inspections the inspectors also educate

the controllers for the right of personal data protection, and with this is realized the preventive role of the Directorate.

Also, the Directorate conducts incidental inspections on applications submitted for violation of the right to personal data protection and on an initiative from a state authority, legal entity or a physical person, or on a suspicion for violations of the provisions of the Law on personal data protection. The Directorate also conducts supervisions when after an executed inspection the injures set by the inspectors won't be removed by the deadline.

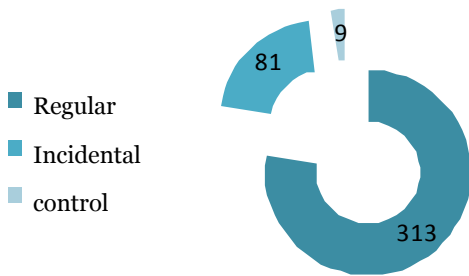
404

**Inspections
performed**

In order continuous education of inspectors and capacity building, especially the inspection supervision part, in 2013, the inspectors were involved in training for capacity upgrading, as presenters and trainers in more training for controllers, as well as presenters and organizers of many of conferences and projects for the area they cover. Inspectors already hold ISO 27001 certification in 2011, ISO 27005 for Risk Management in 2012, which contributes to increased capacity for supervision in a complex IT infrastructure of controllers and processors including the management of risks.

3.1 Performed inspections

Number of inspections performed

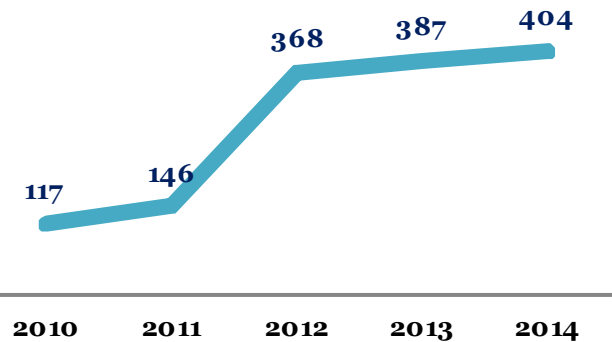


data protection in this context, which means the right to personal data protection, is already a reality in the country.

Inspections are performed by 10 inspectors and 3 people authorized to perform the inspection by the Director.

Statistical review of performed supervision according the years, shows continued growth in the number of conducted inspections due to increased capacity and efficient operation of the inspectors in the Directorate, and the growing awareness of citizens to recognize the violation of personal data protection and report to the Directorate as a relevant authority in order to be sanctioned.

Number of inspections performed through years



3.1.1 Minutes from conducted inspections

On the basis of the performed inspections (regular, incidental and supervision) over the reporting 2014, 341 minutes of performed inspections in total are developed and submitted : 288 regular, 44 incidental and 9 control ones.

3.1.2 Solutions for defined injuries from the conducted inspections

In 2014, after the conducted inspections (regular and irregular) 300 solutions for defined injuries in total were adopted. Of these, 229 were adopted after conducted regular inspections and 29 after incidental inspections.

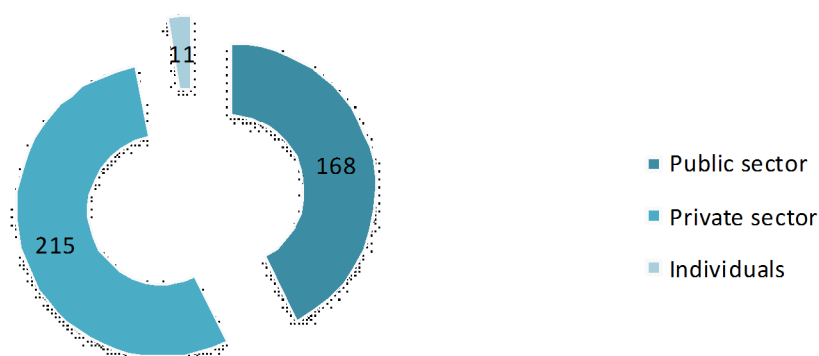
3.1.3 Decisions after conducted inspections

In 2014, were adopted total 24 decisions:

- 15 Decisions to pause the procedure;
- 4 Decisions to stop the procedure;
- 3 Decisions of rejection;
- 2 Decisions of not having a condition for proceeding;

Area	Number of inspections performed
Education	112
Video surveillance	4
Judiciary (notaries, executors)	4
Health	42
Employment	19
Housing	5
Wholesale and retail	21
Utilities	11
Insurance	4
Public services	1
Electronic telecommunication	30
Construction	2
Prosecution	2
Tourism	14
Individuals misused personal data	4
Economy	11
Finance	9
Water Supply	1
Public transport	1
Judiciary	25
Post offices	1
Banking	12
Law enforcement agencies	1
Public administration	4
Manufacture	1
Internet	3
Radio tax	2
Taxes	1
Energy	3
Transport	5
Associations	3
Supply steam and air conditioning	2
Consulting services	1
Asylum	1
Information Technologies	1
Trade and services	5
Security	1
Media	4
Chambers	1
Physical person-videosurveillance	1
Informatics	8
Cadastre	1
Textile / apparel	11
Total (regular and incidental)	395

Performed inspections according under sectors



In terms of the sector in which the controllers operate and where inspections are conducted, of a total of 395 regular and incidental inspections, 168 are conducted in the public sector, 216 in the private sector and 11 inspections to physical entities that happen to be controllers. Supervisions are performed in the controllers that after previously performed regular or incidental inspection the determined violations are not corrected within the deadline for removal of violations by inspection subject - the controller.

3.1.4 Administrative Disputes

During 2014 were initiated five (5) administrative disputes against the legal acts of the Directorate in conducting inspection procedures and for which the litigation is still pending. Three administrative cases are with confirmed decision in favor of the Directorate, for which the administrative dispute was initiated in 2012 and 2013.

3.2 SIN- Inspection Software

In 2011 began operating the inspection software for implementation of electronic management of the inspections. The software, which is designed according to the specific needs of the Directorate's inspectors, is in function of providing more efficient and economical management of the inspection procedures, planning inspection and generating documents and reports on specific parameters for different purposes and needs. During 2014 with a certain configurations were made a series of improvements of the software, all in order to provide more effectively generated statistical data for the development of quantitative analyzes and reports on the inspections.

3.3 Offences and penalties

The Directorate for personal data protection in accordance with the Law on personal data protection is also a sanctioning body, and for this purpose it is established a Commission for decision making on offenses. The Commission during 2014 acted upon six (6) cases. In two cases, the request for initiation of proceedings was filed in 2014, and in four cases the requests were submitted in previous years.

In one case the procedure was duly completed in 2014 and submitted a valid and enforceable solution to PRO (Public Revenue Office) for forcible execution. After requests for initiation of criminal proceedings during 2014 in three (3) cases was made a decision and imposed sanctions, but the solutions to which imposed fines are still not final, against two (2) of the decisions perpetrators have filed lawsuits, and a complaint was lodged by the authorized person in legal entity. The procedures for these lawsuits filed to the Administrative Court are still pending.

4. Complaints, Opinions and Approvals

4.1 Acting upon received complaints

The Directorate for Personal Data Protection, as an independent authority, within its powers acts upon complaints and proposals of citizens of Republic of Macedonia. In the reporting period 2014

to the Directorate for Personal Data Protection were filed a total of 371 complaints, out of which 331 from physical entities, 36 from legal entities and 4 anonymous submitters. Of the total number of complaints received, 2 were forwarded to the competence of another authority while others are in the area of personal data and from these five complaints

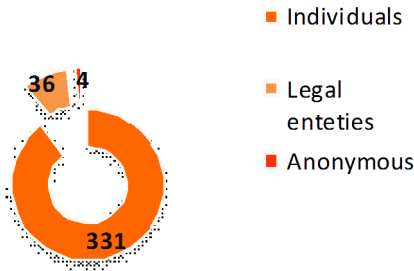
were transferred to Sector for implementing inspections for further acting upon them. As of 31.12.2014, from the total number of complaints 15 of them had an ongoing settlement procedure and are transferred to be finalized in 2015. In the other cases was acted within the legal deadlines and were determined.

The large number of complaints to the Directorate indicates having a high level of public awareness of the existence and significance of the right to personal data protection, and also recognition of the Directorate for

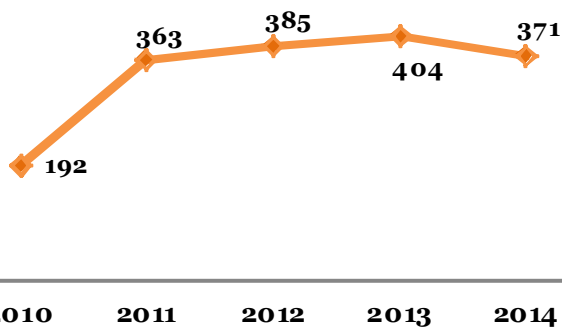
**Complaint
received**

371

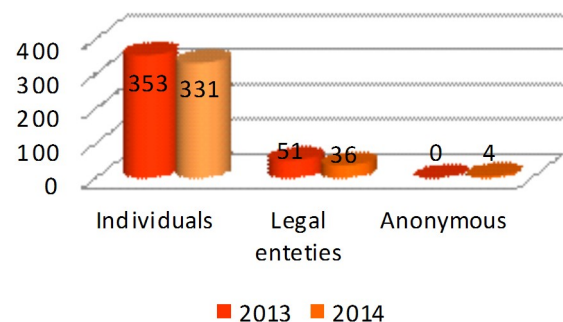
Personal Data Protection as a competent authority to act upon complaints. The fact that only 89% (331 out of a total of 371) of the complaints received are from individuals indicates successful implementation of a number of campaigns, initiatives for promotion of the right to personal data protection of, dissemination of info materials in 2014, with the



Complaints received through years



aim of increasing public awareness of the right to personal data protection, that the citizens have.



202

Complaints for personal data abuse on social networks

Compared with 2013, according to analysis and observations done by the Directorate, the number of received complaints has noted a slight decline, but the result shows an increasing awareness among citizens, as well as the intensive education and training completed for controllers of personal data in order to properly collection and process personal data and respect the right to privacy.

Compared with 2013, according to analysis and observations done by the Directorate, the number of received complaints has noted a slight decline, but the result shows an increasing awareness among citizens, as well as the intensive education and training completed for controllers of personal data in order to properly collection and process personal data and respect the right to privacy.

AREA	No. of complaints received
Law enforcement agencies	3
Public services	1
Health	1
Education	7
Banking	9
Electronic telecommunication	9
Organizations	3
Employment	8
Finance	2
Energy	1
Housing	3
Media	4
Judiciary	6
Local government	3
Post services	1
Retailers	1
Internet	29
Radiodifusion	1
Transport	1
Public administration	58
Lottery	1
Social networks	10
Social networks– FB fake	130
Social networks– FB hacked	47
Project -personal data update	3
Video surveillance	14
Other social networks	3
Fake FB profiles of minors	12
Total	371

Table. Received complaints in areas

4.2 Authorization of data transfer abroad

The transfer of personal data abroad is done through a written request for an approval for transfer or notice of transfer. If the transfer of data is in the EU Member States and Member States of the European Economic Area (EEA) approval isn't required and shall be performed only by notifying the Directorate since it is considered that the national laws of these countries are in full compliance with the Directive 95/46/EC and provide an adequate level of personal data protection. The transfer of data out of these territories is done only if the Directorate has issued a prior approval of a request for transfer and only if the other state provides an adequate level of personal data protection. During 2014, we received 16 notifications for transfer of personal data in the EU member states. To the Directorate in the reporting 2014 were submitted 8 requests

for transfer of personal data in the United States and Serbia and all of them are resolved. Five (5) requests are approved, one (1) request is rejected, and for two (2) requests the procedure was being stopped.

Sector	Total	Countries
Manufacture	2	Holland Great Britain
Trade	8	Germany Bulgaria Austria Croatia Czech Republic Great Britain
Insurance	1	Germany
Banking	2	Slovenia Greece
Health	1	Germany
Sport	1	Switzerland
Telecommunication	1	Slovenia

Sector	Country of transfer	Approved	Refused	Stopped procedure	In procedure
Trade	USA	4	/	/	/
	Serbia	/	/	1	/
Manufacture	USA	/	/	1	/
Employment mediation	USA	/	1	/	/
Internet	USA	1	/	/	/

Table Request for transfer abroad

Table. Notification for transfer abroad |

4.3 Authorization of biometric data processing

According to Article 29 of the Law on personal data protection, processing of biometric data necessary identity confirmation of the personal data, as well as processing of personal number (PIN) of the subject can be made only with prior received approval by the Directorate. During 2014 to the Directorate were submitted two (2) applications for approval for biometric data processing. At the end of the reporting year the process for both requests was still in progress, and they remained to be implementation in early 2015. In 2014, to the Directorate was submitted a request for processing person's images and it's still being acted on. The Directorate has received four (4) requests for identification number (PIN) processing. Out of these, three (3) have been granted, and one (1) has been rejected.

4.4 Actions upon applications for free access to public information

During 2014 to the Directorate were submitted a total of twelve (12) requests upon free access to public information. The Directorate within the legal deadline acted on all requests, where ten (10) requests were answered positively, i.e. Directorate had the required information. In addition, for two (2) requests for free access to information were made two (2) conclusions on termination of the procedure, because the Directorate is not the holder of the information. These requests apply to information on the number of violations of personal data, video surveillance, conducted proceeding for awarding a public procurement, infringement proceedings for breach of the Law on personal data protection in the insurance sector, financial operations, Human resources and work program of the Directorate. Besides requests for free access to public information, to the Directorate were submitted three (3) requests for Opinions regarding the application of exemption from free access to public information specified in Article 6, paragraph 1,

item 2 of the free access to public information in cases where the information holders may have to refuse a request for access to information in accordance with the law, if the information relates to personal data which disclosure would breach the personal data protection.

No. of request received	Approved	Termination of proceedings– The Directorate is not the holder of the information	Refused
12	10	2	/

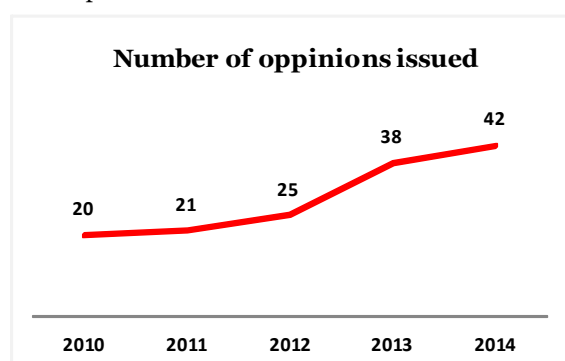
Table Requests free access to public information

4.5 Opinions and suggestions

In accordance with the Rules of Procedure of the Government (Article 68, paragraph 1 point 9), the Directorate for Personal Data Protection in reporting 2014 issued professional opinions on materials, draft laws, bylaws and other proposals regulations relating to the personal data protection. Since 2011 is also used ENER, the only Electronic Register of Regulations, a tool designed for electronic access to information of the citizens, NGOs, chambers of commerce, business chambers, business associations and legal entities, representatives of government and separate ministries for the new proposed legislation. Ministries are required to publish on ENER all the proposed laws, drafts and draft laws, except of the laws that are passed under the emergency procedure, and make them available for comment, they have 10 days for publication. The Directorate for personal data protection in the report 2014 has issued 27 Opinions on drafts and draft laws from different line ministries, or authorized bodies, of which 13 posts under the laws of ENER.

	Issued opinions on draft laws	Duly ministry proposes law
1. *	Draft Law Amending the Law on Credit Bureau	Treasury
2. *	Draft - Law on prevention, prevention and prevention of domestic violence	Ministry of Labour and Social Policy
3. *	Draft Law Amending the Law on Volunteering	Ministry of Labour and Social Policy
4. *	Draft law on court interpreters	Ministry of Justice
5. *	Draft law on public prosecutor office	Ministry of Justice
6. *	Draft Law on Enforcement	Ministry of Justice
7. *	Draft - Law on National Spatial Data Infrastructure of the Republic of Macedonia	Ministry of Justice
8. *	Law officers and administrative Draft Law on Public Employee	MISA
9. *	Draft text of the Law on Electronic Communications	MISA
10. *	Draft Law Service	MOE
11. *	Draft - Law on trade of green markets	MOE
12. *	Draft - Law on crafts	MOE
13. *	Draft Law on Safety of Road Traffic	MI
14th	Draft Law on representation work in customs procedures	Ministry of Finance Customs Administration
15th	The working text of the Law on Prohibiting and Preventing the performance of unregistered activity	Ministry of Labour and Social Policy
16th	Draft - Law on customs measures for the implementation of protection of intellectual property	MF-Customs
17th	Law on representation work in customs procedures	MF-Customs
18th	Draft Law on Prevention of Money Laundering and Terrorist Financing	Treasury and the Department for Financial Intelligence
19th	Draft Law Amending the Law on Banks	Treasury
20th	Law to prohibit and prevent the perpetration of unregistered activity	MLSP
21st	Draft Law Amending the Law on Police	MI
22nd	Draft Law Amending the Law on Prevention of Corruption	Ministry of Justice
23rd	Draft Law Amending the Law on Forests	Public Enterprise for Forest Management "Macedonian Forests"
24th	Draft Law Amending the Law on Real Estate Cadastre	Agency for Cadastre and Real Estate
25th	Draft Law on Amendments to the Law on Registration of domicile and residence of citizens	MI
26th	Draft Law Amending the Law on ID card	MI
27th	Law on Copyright and Related Rights	Ministry of Culture

Table Opinions issued via ENER



4.5.1 Expert opinions upon materials, by-laws and other proposal regulations

On applications received from the other state authorities, in 2014 the Directorate published 28 posts on materials, by-laws and other regulations, 4 of which are concerning the bilateral agreements in which the Republic of Macedonia is part of.

Therefore, the total number of issued opinions on materials, draft laws, laws and regulations during the reporting 2014 is 55 issued posts. In the previous year, were issued a total of 38 posts, in 2014 was noticed an increase of 45% to the total number of issued opinions, indicating that the Directorate for Personal Protection data has built a recognition of an institution consulted on materials, proposed laws, regulations and other draft regulations concerning personal data protection.

Type of regulation		Requested by
1	Report on conducted negotiations with the harmonized text of the Agreement between the Government of the Republic of Macedonia and the Republic of Serbia for reciprocal	MoI
2	The draft text of the Agreement for the transfer of data from the criminal records of the Ministry of Interior in the criminal records of the Supreme Court of the Republic of	MoI
3	Regulation Amending the Regulation on technical inspection of vehicles	MoI
4	Rules Amending the Rulebook on forms for weapons and ammunition and the manner of keeping records of weapons and ammunition	MoI
5	Rules on the calculation and cancellation of registration number of the citizen, the form and content of the forms, and the manner of keeping records of the registration number	MoI
6	Regulation amending the Regulation on the form, content, manner of issuing license of experts to carry out technical inspection of vehicles and the amount of costs for issuing	MoI
7	Regulation amending the Regulation on the manner of conducting driving tests and criteria in regard to the premises and material - technical and IT equipment of test centers, keeping records in relation to driving exams conducted and the form and content	MoI
8	Rules on the form, content and manner of keeping the register of the aviation police aircraft	MoI
9	Regulation Amending the Regulation on the form and content of license plates and test plates of vehicles and manner of issuance	MoI
10	Information on the introduction of electronic services by the Health Insurance Fund of Macedonia	Government—
11	Regulation Amending the Regulation on the form and content of the form of a driver's card for registering the negative points, the manner of their issuance by the Ministry of Interior and driving records of issued cards kept by the Ministry of Interior	MoI
12	Rules on the form and content of the security questionnaire for conducting a security check of the person employed in the Ministry of Interior	MoI
13	Regulation Amending the Regulation on the form and content of the application for obtaining authorization to perform work on technical services for individual approval of vehicles for the transport of dangerous goods and the necessary supporting documenta-	MoI
14	Regulation amending the Regulation on the forms of travel documents and visas to nationals of the Republic of Macedonia, on the manner of photographing for travel docu-	MoI

	Type of regulation	Requested by
15	Regulation amending the Regulation on the application form for the issuance of identity cards for detectives and the form and manner of issuing of identity cards to perform the detective activity	MoI
16	Regulation Amending the Regulation on the form of application for asylum, the method of taking fingerprints and photographing of asylum seekers, the form and procedure for issuing and replacement of documents of asylum seekers and who have been granted asylum or temporary protection in the country and the manner of keeping records	MoI
17	Information on activities undertaken by the Working Group for the introduction of interoperability in relation to records of convicted with Proposed Conclusions	Government of the RM
18	Rulebook on providing of custom needs firewood to an individual with state forest and the form and content of the form for recording the cut wooden table subscriptions	PP "Macedonian Forestry"
19	Information on implementation of the Project for interconnectivity and data exchange	MLSP
20	Information on establishment of the National Center for responding to computer incidents (MKD-CIRT), the Action Plan	MISA
21	The draft text of the Regulation on the provision of security and integrity of public electronic communications networks and services and activities that operators should take the breach of the security of the personal data of subscribers	MES
22.	Information about the promotion of the Register of students and analysis of people who studied at foreign universities, in order to see if you can use their facilities, depending on what you have studied, whether employed or not and the like and activities Ministry of Education and Science for realization of this conclusion	MISA
23.	Annex Agreement on providing secrecy and protection of personal data processing by the Ministry of Information Society and Administration and Asseko CEE with a declaration of confidentiality and protection of the processing of personal data and the Agreement on exchange of information between the Ministry of Information Society and Administration and Employment Agency Macedonia	MISA
24.	Set photos and data of employees (name, location, phone, e - mail address, etc.) on the website of the Agency for Agricultural Development www.agencija.gov.mk	ARD
25.	The draft text of the Agreement between the Government of the Republic of Macedonia and the Republic of Turkey on mutual recognition and exchange of national driving licenses	MoI
26	Compliance of the Cooperation Agreement between the Southeast European Law Enforcement Center and the International Criminal Police Organization-INTERPOL and Cooperation Agreement between the Southeast European Law Enforcement Center and the United States of America (text proposed for the agenda of the eighth meeting of the Council of the Centre for implementation the law in Southeast Europe (SELEC)	MoI
27	The draft text of the Agreement between the Government of the Republic of Slovenia and the Government of the Republic of Macedonia on police cooperation	MoI
28	Project preparation of the Strategy and Action Plan for the reform of the judicial system and provided materials for its manufacture-part publicity and transparency of justice	MJ

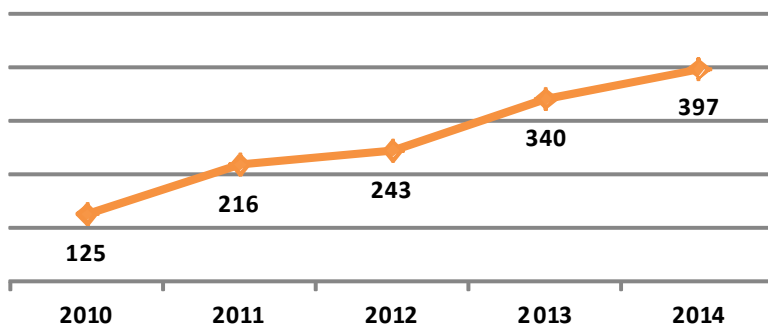
4.5.2 Opinion on the controllers' documentation compliance

In 2014 were prepared opinions on the documentation compliance for technical and organizational measures to ensure confidentiality and protection of personal data processing for 297 controllers (educational institutions, hospitals, government agencies, hotels, companies for wholesale and retail, notaries and others.). In terms of 2013, there has been an increase of 30% of the number of such opinions issued, suggesting that the controllers have serious approach towards harmonization of its internal documents and principles of work with the Law on personal data protection, while recognizing the Directorate as an authority responsible for personal data protection and the right to privacy and it is consulted on different Opinions.

4.5.3 Opinion regarding the application of the regulations for personal data protection (upon the request of the controllers on different grounds)

To the Directorate were submitted 45 requests for opinions related to the regulations of personal data protection of the controllers and processors and all have been answered in due time. In terms of the responsibilities established by law the Directorate develops education policies and provides guidance on personal data protection. For this purpose, the Directorate has issued 25 indications during 2014 on various issues, according to requests from controllers, from individuals, as well as a duty in certain sectors. In agreement to the summary of the total number of issued opinions the past five years, can be notified a persuasive and continuous growth. This shows that the Directorate enjoys high degree recognition as an authority responsible for protection of personal data and the right to privacy between controllers and processors of personal data, and is more consulted regarding issuing opinions. Also, in late 2013 the Directorate approaches giving opinions on ENER, and during 2014 a total of 27 published opinions on Laws, 13 opinions were issued on ENER, which is a significant segment of the progress that the Directorate is exercising in the field of issuing opinions. The increase in issued opinions on all basic points and the increased awareness of controllers of personal data for the right to personal data protection and their efforts to harmonization of internal regulations and documentation with the Law on Personal data Protection is due to the intensive promotional activities that the Directorate has undertaken to raise awareness.

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5.1 Registration of controllers and collections of personal data

Central Registry of the Directorate for Personal Data Protection is a function of the tool for creating base controllers of personal data collections, according to the legal obligation to report the controllers. During 2014, the Central Registry had a significant contribution to the transparent functioning of the Directorate as an instrument for exercising the right to inform the citizens about the collection of personal information maintained by controllers, and application or request for deletion of data unfounded stretch.

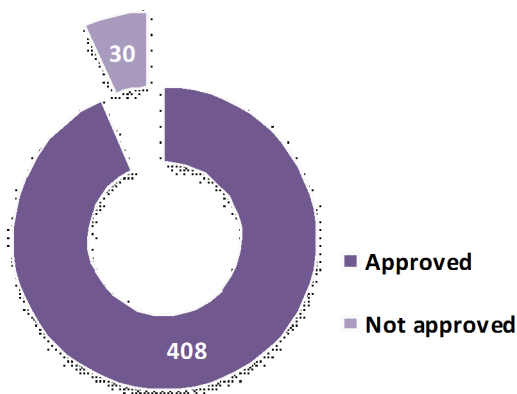
438 controllers

755

Collections of personal data

The Central Register also provides a solid basis for internal observations and analysis of the situation with the collection of personal data in certain areas and the opportunity for targeted action:

Controllers



In the reporting period of 2014, the Central Register registered a total of 438 controllers and 755 collections of personal data, of which:

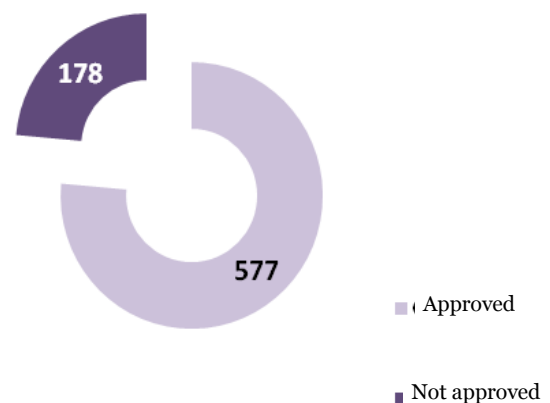
- 408 controllers with official status - approved;
- 30 controllers with status- not approved;
- 577 collections of personal data approved;
- 178 collections of personal data not approved;

proved;

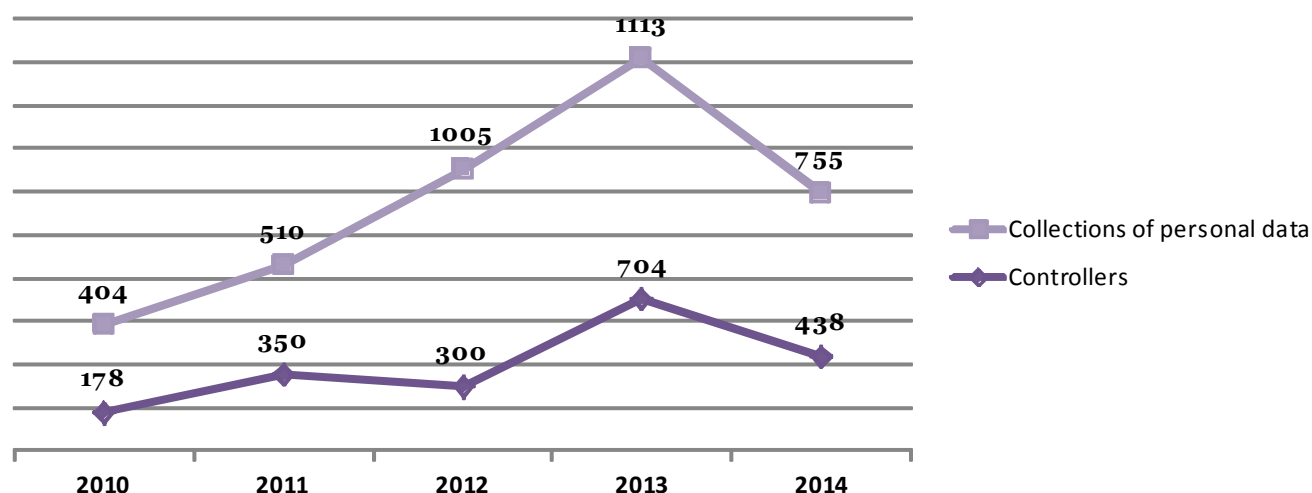
Since the establishment of the Central Registry in 2008, as of 2014, the total number of approved controllers 1450 and 3385 collections of personal data.

Continued growth in registrations is a result of the education provided within the training of the Directorate as well as immediate information when performing inspections.

Collections of personal



Number of registered collections and controllers through years

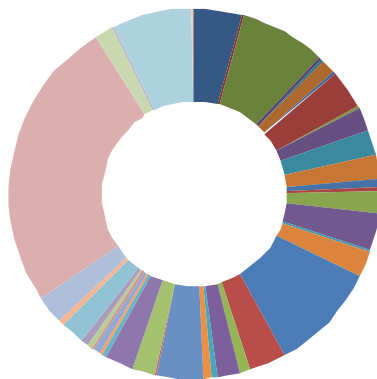


In November, a new application to the Central Register of personal data collections was put into operation. In order to easier use, on the website of the Directorate there are video tutorials that show the process of registration of controllers, input of new data collection and updating of existing data .

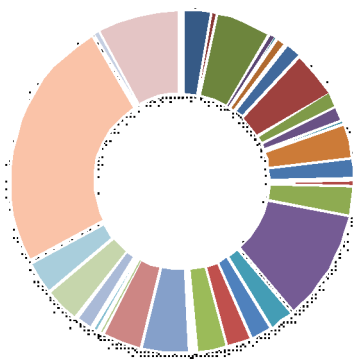
Legal entity	Number of controllers	Number of collections
A person who performs public job authorized by law	8	35
Temporary employment agency	11	22
Stock Company (JSC)	25	81
State authority	4	5
Limited Liability Company (LLC)	82	136
Limited liability of a person (LLC)	84	114
Unit of local government	3	10
Health Organization	11	10
Health institution	86	92
Citizens Association	2	1
Public Enterprise	11	19
Public company (general partnership)	2	/
Limited partnership	1	/
Limited partnership with shares (KDA)	1	5
Educational and upbringing	39	117
Educational and scientific institution	5	9
State Authorities	4	2
Other chambers and business associations	2	2
Subsidiaries and representative offices of foreign companies	4	3
Reference	17	66
Sole proprietor	2	2
Institution performing public activity	4	23

Table Number on controllers and collections of personal data in areas

Controllers having status "approved"



Preview of collections in municipalities

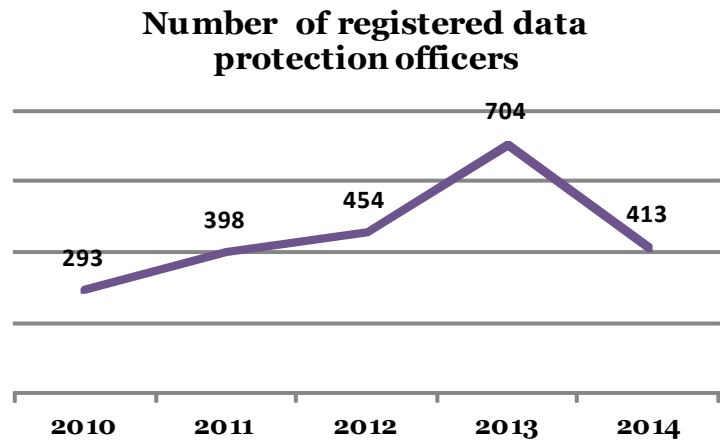


5.2 Officer for Personal Data Protection

With the amendments to the Law on Personal Data Protection in 2010, Article 26 -A, was initially established the instrument "officer for the protection of personal data" – a responsible person for protection of personal data. The Directorate for Personal Data Protection pays particular attention to continuous information sharing with the officer for the protection of personal data, as one of the strategic goals and priorities, taking into account the important role they have in their institutions, companies, authorities, etc. Thusly, building a network of officers for the protection of personal data, the Directorate directly and indirectly provides long term trained staff out of its own institutional performance, a kind of "branches" that have an obligation and duty to care for the legal process and the right to protection personal data.



The number of reported officers for protection of personal data in 2014 is 438. The total number of officers from the establishment of this instrument in 2010 and until now is a growing, with 1484 officers registered in total. Compared with 2013, the number of registered controllers, processors and officers is in light decline, due to the use of new software application that updated



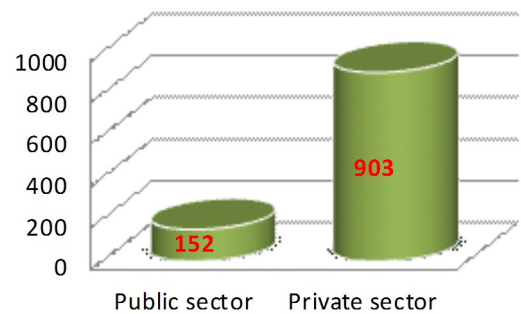
all data by the controllers of personal data. The new software solution allows precise selection of controllers that update already registered collections and data, with appropriate review of changes, unlike the old application that any update of the collection of data by the controllers represented as a new entry. However, the total number of registered officers indicates a high level of information and awareness among controllers to implement the regulations on protection of personal data, and those controllers largely recognize this instrument as an important tool for the implementation of internal regulations and technical and organizational measures to ensure confidentiality and protection of personal data processing.

6. TRAININGS

Given the need for education in the field of protection of personal data in order to improve the quality of data protection in the Republic of Macedonia by the controllers and processors of personal data collections, as well as raising public awareness in general, Directorate for personal data protection in 2014, organized and conducted trainings for controllers and processors of personal data collections. The trainings were conducted in accordance with previously established annual training program, the Guidelines on how to organize and conduct training for controllers and processors and the Decision on determining the amount of the costs of training to interested controllers and processors ("Official Gazette" no. 148/10). In 2014 the total number of trainings organized and conducted amounted **53 trainings for secrecy and protection of personal data processing** attended by **903 participants in total**.

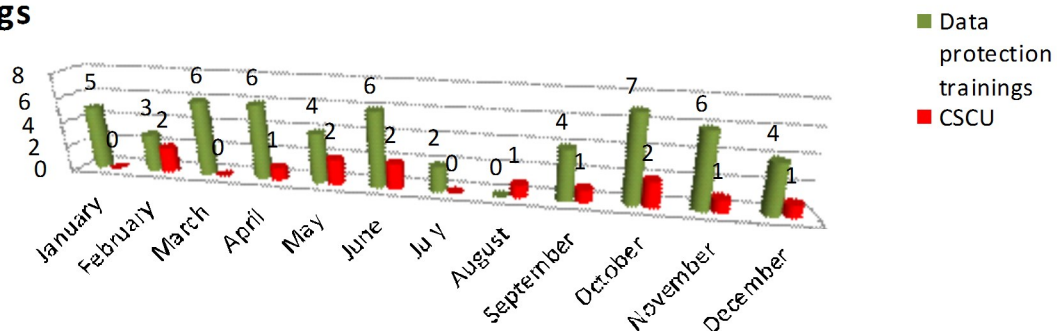
Following the development of modern technology which further rise the question of security of Internet communications and data protection in general, the Directorate for Personal Data Protection of the Republic of Macedonia in cooperation with the EC Council -Semos education conducted **13 certified training** for digital security of computer users - CSCU, where **152 participants** gained knowledge and skills on how to protect their computers and electronic data, and thus to reduce vulnerability and increase the level of security of their privacy.

Number of participants

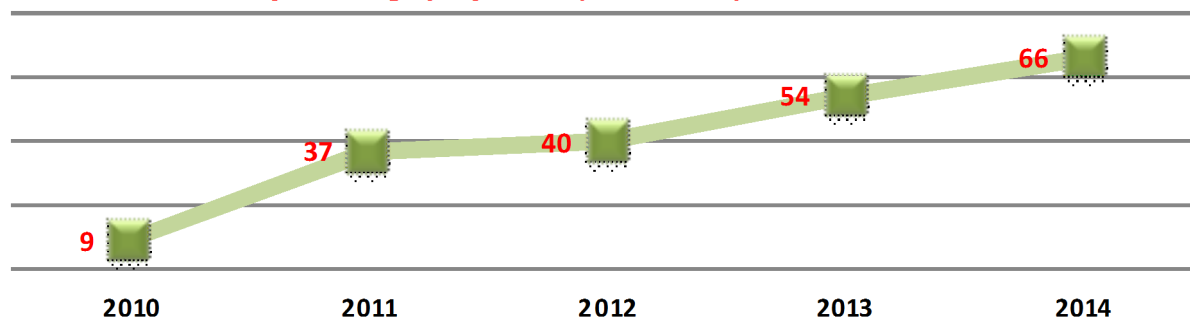


In 2014, with the support from USAID two workshops were organized on the protection of personal data in the courts, one for the Presidents of the Courts, the second for Court's Administrators.

Trainings



Number of trainings performed(2010-2014)



	Area	No. of trainings performed	No. of participants
1	Education	2	38
2	Health	15	302
3	Media	/	/
4	Finance and banking	2	44
5	Recruiting	1	7
6	Telecommunications	1	18
7	Retirement funds	/	/
8	Public administration	/	/
9	Social protection	/	/
10	Economy	12	183
11	Judiciary	1	10
12	Insurance	2	39
13	Private insurance	1	13
14	State authorities	3	59
15	Tourism	3	27
16	Local government	/	/
17	Trade	6	104
18	Accounting	1	16
20	NGO	1	19
21	Housing	1	9
22	Training centres	1	15
	Total	53	903

Table. 17 Number of trainings performed

In 2014, the Directorate for Personal Data Protection signed a Memorandum of Cooperation No.01-795/1 from 05.03.2014, with the Pharmaceutical Chamber of Macedonia, under which 9 trainings for providing secrecy and protection of personal data processing were conducted, and where the participants were representatives of the controllers in the field pharmacy, members of Pharmaceutical Chamber of Macedonia.

Making a comparative analysis in terms of 2013, there is an increase in the number of training for 22%, i.e. respectively, in 2014, 12 more trainings were held. There has also been an inherent increase compared to the certified trainings for digital security of computer users CSCU conducted, where in 2013, only two training sessions were conducted, while in 2014 the total number of CSCU trainings conducted reached the number of 13 such training .

The Commission of the Directorate, in charge to conduct trainings, organized a two-day training sessions intended for representatives of non-governmental organizations working in the field of AIDS. This training is organized in cooperation with the Global Fund, and within the project „Maintaining low AIDS prevalence in the country", supported by the Global Fund at the Ministry of Health of the Republic of Macedonia. The training was organized for the purpose of successful implementation of the regulations for the protection of personal data.

7. COMMUNICATIONS AND PUBLIC RELATIONS

Transparency and highly informed and educated public is one of the main objectives of the Directorate for Personal Data Protection. Regarding this, the Directorate carries out activities aimed at raising public awareness, as well as informing and educating citizens for the right on privacy protection and personal data protection, as well as promotion of the results of the Directorate.

In 2014, with the help of both online and offline media, the Directorate put efforts to increase the reach of the presented information as well as the number of people reached.

From 2013 year, within the implementation of the management system of ISO 9001, the Directorate adopted a special procedure for the realization of activities in the field of communication with the public and those responsible for it, which was the basis for planning and implementation of communication and promotional activities in 2014.

7.1 Cooperation with media

The Directorate is building strong cooperation with the media on a regular and ongoing basis as a strategic asset in achieving its goals of raising public awareness, as well as informed and educated citizens. During 2014, the Directorate continued the cooperation with the daily newspaper "Nova Makedonija", where in the section titled as "Privacy is only yours" 34 articles were published. Texts had question/answer structure, and the questions were previously posted by the citizens through the portal of the newspaper, and they were related to the protection of privacy and personal data in the banking and insurance sector, social media, video surveillance and the like. The successful cooperation with "Nova Makedonija" through the section "Privacy is only yours" resulted in publication titled "Antology: Privacy is only yours!", as a systematic set of published articles in the newspaper, in order to deliver to every citizen the information on the importance of the matter of protection of privacy and personal data, as well as promotion of the Directorate for Personal Data Protection as the sole competent authority to act in this area.



The Directorate for Personal Data Protection has signed a Memorandum of Cooperation with online portal fakulteti.mk, site targeting young people and students, in order to publish content and materials to inform the target groups in higher education in the field of protection of personal data, as necessary step in raising public awareness of the need to respect the regulations for the protection of personal data.

Media	No. of content
Newspaper	41
TV	75
Radio	7
Net portals	168
Total	291



In terms of media coverage, the press the numbers in the table indicates full coverage of Directorate's activities due to all current issues that are in the focus of interest of the public ,and the media as intermediaries transmit them to the public. Representatives of the Directorate in several occasions were guest -speakers in TV shows broadcasted on national televisions, as well as interviews with more newspapers and magazines.

7.2 Newsletter

The Directorate publishes E-newsletter, as a tool to inform about the activities and initiatives of the Directorate for continuous promotion of the right to protection of personal data and the right to privacy of citizens. During 2014 four editions of the newspaper were published.

The paper includes content covering current events, activities and initiatives of the Directorate, current news in the field of protection of personal data, performed inspection on controllers in certain areas as well as response to questions from citizens.

7.3 "Privatko" -official mascot of the Directorate

In 2014, the Directorate promoted its official mascot "PRIVATKO" to be used in various campaigns, publications, conferences, congresses, seminars, promotional events to raise awareness for the protection of personal data.



7.4 Online Media

The web site of the Directorate www.privacy.mk is the main medium for online communication of news and events from the Directorate, as well as in the field of protection of personal data and privacy. During 2014, on the web portal, 212 news were published on Macedonian and English, being updated daily with new content and updates. During 2014, the web page was visited more than 17,000 times. Following the latest trends in transit from conventional media to online media, the Directorate for Personal Data Protection in support of its goals of informing citizens and raising public awareness in general, possess Facebook, Twitter and YouTube profiles. They are updated on daily basis with news, photos from events organized by the Directorate, various articles related to the right to protection of personal data and privacy protection from imminent domestic and foreign media, and sharing useful content published by foreign authorities for the protection of personal data.



Facebook has proven to be an excellent tool for communication with citizens, in order to give them directions for further action if they need advice or if they use any of the services offered by the Directorate. During 2014, there has been a dramatic growth in Facebook profile likes, with 654 new likes or total 1101 likes and reach 1200 views of the published information.

7.5 Events and campaigns

7.5.1 January 28th-European Day for the Protection of Personal Data

The Directorate for Personal Data Protection celebrated the European Day of Data Protection, January 28, by organising a National conference to present the results of the completed project "Sustainable system for continuous primary and secondary education in the principles of protection of personal data", funded by the European Union through the IPA 2009th

Representatives from the Ministry of Education, Bureau of Educational Development, the EU Delegation in Macedonia and the project team of Directorate addressed the objectives of the project in order to raise public awareness and education of the teachers for the protection of personal data and presentation the results of the workshops under the project. The occasion was used to promote "Manual for teachers to study the protection of personal data in primary and secondary education" and recommendations were made for further action to enter the curricula and content for the detailed study of the right to privacy and protection of personal data in a separate study subject in the educational process.

At the National Conference the results were also published from the Competition “Privacy is all mine, although I am a child”, which was organized jointly with AD Prosvetno Delo, aimed for the students from primary education.



7.5.2 Campaign “You’re safe”

In the period from 16 to 28 May 2014, the Directorate for Personal Data Protection in partnership with 13 insurance companies and two brokerage companies, supported by the National Bureau of Insurance Supervision Agency realized the campaign “You are safe!” The Campaign was aimed at raising awareness among insured about the degree of protection to the processing of their personal data by all entities in the insurance sector, in order to increase the scope of the insured as life and non-life insurance in the Republic of Macedonia, on the rights and obligations for protection of personal data when the contract for insurance (life and non-life) is made.

As a result of the conducted campaign “You’re safe! - By the Directorate for Personal Data Protection in collaboration with partners of the campaign a manual for the protection of personal data in the sector – insurance was prepared.

7.5.3 Campaign “WITH TRUST TOWARDS BETTER SERVICES”

In the period from January until March 15, 2014, the Directorate of Personal Data Protection, EVN Macedonia, Supply heat Balkan Energy LLC - Skopje, PE Water Supply and Sanitation - Skopje, Macedonian Radio Television implement joint projects: WITH TRUST TOWARDS BETTER SERVICES.



The personal data to the users should be processed equitably and in the accordance with law and to be adequate, relevant and not excessive in relation to the purposes for which they are collected and processed

For full respect for this principle, updating the personal data will be done by filling out a form that citizens will be submitted along with the accounts, and that citizens will be able to leave in the marked boxes at any of the toll stations of EVN Macedonia, Supply heat Balkan Energy LLC - Skopje, PE Water Supply and Sanitation - Skopje. Through this project, the Directorate for Personal Data Protection, EVN Macedonia, supply heat Balkan Energy LLC - Skopje, PE Water Supply and Sanitation - Skopje, Macedonian Radio Television highlight common commitment to achieving uniform protection of personal data of citizens through equitable treatment and update of personal data in public services throughout the territory of the Republic of Macedonia and further development and raising the level of cooperation in the future, to better protect the citizens and to raise the social responsibility of public services to citizens and the community.



7.5.4 Campaign "The key to good service is In Your Hands"

On 10th of November, 2014 the Directorate for Personal Data Protection and EVN Macedonia started the project "The key to good service is in your hands".

The aim is to raise awareness among citizens about the need to update their personal data as users of the EVN Macedonia, as well as their obligations to provide personal data in the context of the exemptions from the application of the Law on protection of personal data.

It is believed that with this project, the DPDP with EVN will achieve harmonized protection of citizens' personal data, and emphasize the need to update the collection of personal data among providers of public services, with a goal of better protection and improvement of the service.

КЛУЧОТ ЗА ДОБРАТА УСЛУГА Е ВО ВАШИ РАЦЕ!



Ажурирајте ги своите лични податоци, затоа што само со точни податоци ќе можете да добиете најквалитетна услуга од ЕВН.

Доколку сметате дека на било кој начин Ви се повредени личните податоци, можете да поднесете Барање за исправка на погрешните лични податоци или Барање за утврдување на погрешна на правото на заштита на личните податоци во:

- Најблискиот Кориснички енерго центар (КЕЦ) на ЕВН Македонија
- Дирекцијата за заштита на личните податоци на info@privacy.mk или тел.: (02) 3230 636.

„Приватно“
официјална
насовета на DPDP

7.5.5 Educating the youngest content in the magazines of "Prosvetno delo"

Considering the fact that the youngest population is one of the most vulnerable target groups in order to prevent violations of the right to protection of personal data, complemented by the efforts of the Directorate in Education of the youngest and information regarding the implementation of regulations on protection of personal data, as well as the protection of privacy, in 2014 the Directorate for Personal Data Protection had a series of activities to promote information and how to achieve the protection of personal data.



In accordance with the received approval from the Ministry of Education and Science - and the expert opinion of the Bureau for Development of Education, DPDP began publishing educational content in the magazines "Drugarche", "Razvigor" and "Nash Svet", published by the "AD Prosvetno delo" - Skopje.



7.5.6 The Directorate for Personal Data Protection present at the "Book Fair" event 2014

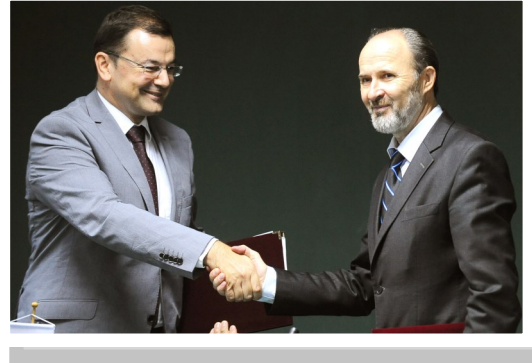
In light of the already established good cooperation with "AD Prosvetno delo", and in the spirit of achieving joint activities, the Directorate for Personal Data Protection, with its promo - desk was present at the "Book Fair" event, at the desk of the biggest publisher "AD Prosvetno delo" from the period of 08 to 14 of April, 2014. Representatives of the Directorate for Personal Data Protection were present to answer questions posed by citizens and share information and materials, promotional brochures and flyers, with the aim of informing the public and raising public awareness. The purpose of the presence of representatives of the Directorate for Personal Data Protection is a direct and immediate education for the right to protection of personal data, as well as completing several questionnaires designed especially for children and parents, in order to analyze the level of awareness and the level of knowledge of the subject to the privacy and protection of personal information, especially for the target groups in the educational process.

7.5.7 Project "Privacy classes"

In the period from September 15 to December 1, 2014, the Directorate for Personal Data Protection in partnership with the City of Skopje, the OSCE Mission in Macedonia and Foundation Metamorphosis-for Internet and Society implemented the project "Privacy Lessons".

The Directorate for Personal Data Protection has been continuously implementing initiatives and projects to raise public awareness, especially among target groups in education.

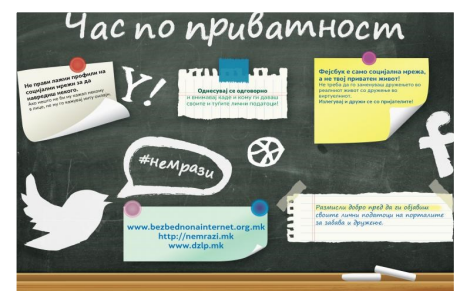
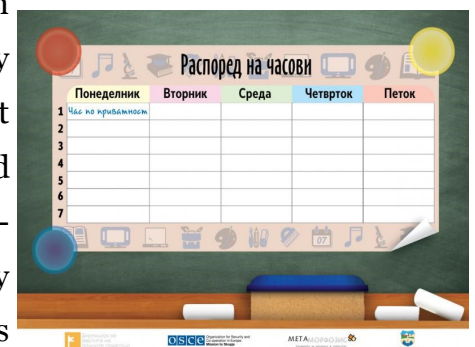
As the main instigator of the idea of starting such a project was undoubtedly the increased number of complaints received about personal data abuse on social networks, for invasion of privacy, as well as statistics that proves the lack of privacy policies by children, parents, teachers, the indicative use of hate speech, expression of lies in cyberspace among different ages and nationalities. Even more, the results from the research made by Helssinki institute in Macedonia, according to which in 2013, 116 hate crimes were recorded, where the most frequent offenders and victims are minors, of whom about 72% of the total number of registered incidents occurred in Skopje and municipalities around the capital.



Towards the successful planning and implementation of the planned activities of the project, DPDP approached to partnership with the OSCE Mission in Skopje Department of rule of law, the Metamorphosis Foundation for Internet and Society and the City of Skopje as a responsible for 21 secondary schools in its area where it was planned to implement activities.

In the approach to commencement of realization of the project on June 9, 2014 a joint initiative of the management of secondary schools of the City of Skopje, Skopje Sector for the development of education, established a network of coordinators-nominated representatives/teachers with different educational profile communication and coordination of joint activities in secondary schools. The network consists of different profiles of teachers from different courses, educators, psychologists, etc.

During the implementation of the project lectures were conducted in all 21 secondary schools in the territory of Skopje, where students had the opportunity to familiarize themselves with the terms personal data, privacy, protection on social networks, spreading hate speech, which should register if they suspect the



abuse of personal data, for video surveillance in schools, for their rights, but also obligations to store their, and others' personal data. Particular interest was shown by the students about examples of the practice of the Directorate for Personal Data Protection, as well as issues of setting up video surveillance in school and/or classroom, examples of practice for teachers of Personal Data Protection, prevention of hate speech on the Internet.

Apart from the lectures at all secondary schools special information corners with brochures, flyers, content, information on how to act if their personal data is misused, hate speech, etc. were placed.

After completing the lectures, research through annexation of the students who were part of lectures (total 613) was performed, in order to assess the level of effectiveness and efficiency of implemented lectures, as well as the level of awareness among the students who were part of it. Results show that students pay very little attention to the privacy and often expose their privacy at risk while using social networks. There is a real need and space for education in order to raise the level of awareness about these issues and require a serious approach in this area.

The project will contribute to a sustainable cooperation with the Ministry of Education and Science and the Bureau for Development of Education, developing a comprehensive approach to the introduction of the right to privacy in the curriculum, encouraging not only youth, but also teachers and parents to participate in the creation new curricula by sharing experiences and views with good building practices, raise awareness about the protection of personal data of all target groups (institutions, students, teachers and parents). For this purpose, it is crucial to continue these activities, not only on the territory of Skopje, but also on national level.

7.5.8 Cooperation with Student Parliament of the University "Ss. Cyril and Methodius"

The Directorate for personal data protection and the Student Parliament of the University "Ss. Cyril and Methodius" held a panel discussion on "Students and their right to protection of personal data".

The debate discussed the right of students to protect their personal data, the role and powers of the Directorate for Personal Data Protection, the support of students in their cases when personal data is misused, and the presentation of the concept of privacy.



It was made a reference to the rights of the students and the role of the Student Ombudsman and UKIM in the protection of those rights, and of the Ombudsman as a mechanism to protect those rights. Finally, were elaborated on-going issues, like whether the modern smart technology (applications, platforms, etc.) that students use may lead to abuse of personal data.

This debate, as a common activity between the Directorate for Personal Data Protection and the Students' Parliament of UKIM, was declared by signing a memorandum of cooperation, which marked the start of series planned activities between the two institutions aimed to promote the right to protection of privacy and personal data of students.

7.5.9 Humanitarian action of DPDP and the Red Cross of Macedonia

In anticipation of the Easter holidays, and in order to fulfill its human commitment for action and help to the poorest and most vulnerable, teams of the Directorate for Personal Data Protection and the Red Cross of the Republic of Macedonia Skopje visited three families to whom food and clothing were donated. The Directorate for Personal Data Protection and the Red Cross of Republic of Macedonia for the second time organize joint charitable action, on the basis of the Memorandum of



Cooperation signed with the Red Cross of the Republic of Macedonia in July 2012

8. International cooperation

8.1 Activities related to the process of EU integration

8.1.1 Report of Progress for 2014 by the European Commission

Directorate for protection of personal data contributes to Report Progress for 2014 by the European Commission through the submission of the report on the current situation in the field of protection of personal data.

According to the report for 2014 adopted by the European Commission, the Directorate received a positive assessment of their work and the results achieved in 2014.

The section dedicated to the progress of the Directorate, as it follows:

“The Directorate for Personal Data Protection further increased the number of inspections carried out, of which 60 % were conducted in the private sector and 40% in the health sector and judiciary. Almost half of these inspections confirmed violations. The number of complaints to the Directorate remained stable at 404 in 2013, of which 62 % related to the abuse of data on social networks. Overall, the number of detected and confirmed violations increased almost five-fold, from 56 in 2012 to 254 in 2013 as a result of the Directorate’s proactive approach. Public awareness-raising activities also continued, resulting in a 30 % increase in visitors to the Directorate’s website. The number of data protection controllers and officers has increased and their training has been improved, but four staff also left. The Directorate submitted its first report to Eurojust on personal data protection in the public prosecution system. Sector-specific legislation is still not harmonised with data protection legislation and far greater efforts need to be made to ensure that the Directorate is systematically consulted on any new policies and draft legislation. Some further fine-tuning of the data protection legislation is also needed to bring it fully into line with the acquis.”

NPAA National Programme

NPAA National Programme for the Adoption of the EU Acquis Within the continuous delivery of updating the situation regarding the use and adoption of the European Union acquis, the Directorate implemented the objectives defined in Chapter 3:23 - Judiciary and fundamental rights of the National Programme for the Adoption of the Acquis (NPAA) planned for 2013 year concerning the protection of personal data.

It involves auditing/outline of activities within the Action Plan for implementation of the Strategy for Protection of personal data 2012-2106, a number of activities to implement the strategy document and communication strategy to raise awareness of right to protection of personal data; implementation of inspections carried out in accordance with monthly plans within the annual inspection program. According to figures from the executed inspection, evaluation lists of successful completed training, and the number of complaints received from citizens, an analysis of the need to open the info- centers in the country is made.

Current activities are conducted to raise public awareness of controllers / processors implemented through continuous training (generic and specialized training per sectors) in compliance with the Annual program and additional training requirements by controllers/processors of personal data collections. According to the number of trainings conducted and the number of registered controllers and collections of personal data it is established that "Promotion of registry of collections of personal data" is maximally covered. Determined are medium-term priorities - adoption of amendments to the Law on protection of personal data in order to further align with the acquis, in accordance with note of the Progress Report on Macedonia, modernization of Convention 108 of the Council of Europe will lead to its ratification in order to become integral part of national legislation; of particular importance is the introduction of a legal basis for on-line inspection and practical implementation thereof; Tracking and increase the level of enforcement of fines imposed for violations in accordance with legislative powers, as well as adoption of new strategic documents for the next period.

Inter-ministerial body for human rights

The Directorate is one of the 12 representatives in the Inter-Ministerial Body for Human Rights, and during 2014 one meeting was held. Apart other topics, at the sessions of the Interministerial body for human rights was discussed for the review of the reporting obligations of the Republic of Macedonia in terms of international human rights instruments, the Republic of Macedonia's candidat status to join the UN Human Rights Council for 2014 - 2016, the review of current liabilities of the country in the field of human rights in the context of EU integration, the government's program of cooperation with UNICEF, the proposed measures to ensure the accreditation with status "A" of the Ombudsman by the International Coordinating Committee of National institutions for the Protection and Promotion of human rights (Paris Principles compliance), recording hate motivated cases by relevant institutions, initiating procedures for signing and ratification of international agreements in the field of human rights by the Republic of Macedonia and reports from visit of the mechanisms for monitoring of UN and the Council of Europe.

It was also discussed the possibility of ratification of some important international instruments in the field of protection and promotion of human rights, such as the Convention of the Council of Europe on preventing and combating violence against women and domestic violence, better known as the Istanbul Convention, as well as the obligations Macedonia has in context of international human rights instruments, including current obligations in the field of human rights in the context of EU integration

EUROJUST

EUROJUST - is a European Union body established in 2002 aimed at strengthening the effectiveness of the institutions of the Member States responsible for investigating and prosecuting serious forms of transnational and organized crime. Eurojust is first permanent network of judicial authorities worldwide. Eurojust organizes meetings between investigative judges, prosecutors and police officers with similar responsibilities from different countries working individual cases or with certain forms of crime. Eurojust has a unique role in the legal area of the European Union. Its mission is to promote the development of pan - European cooperation in criminal cases. Joint Supervisory Body at Eurojust (JSB) is a body within the Eurojust and is responsible to supervise the lawfulness of the processing of personal data in Eurojust submitted by all Member States concerning cases subject to work Eurojust. In 2008, the Republic of Macedonia has started negotiations with Eurojust in order to conclude an Agreement for cooperation. Moreover, during the negotiations was agreed that one of the main prerequisites for concluding this agreement is to establish an adequate system of protection of personal data in the country, which resulted in the adoption of the Law on Amending the Law on protection of personal data deleting the section contained in the Law on Ratification of the Convention for the Protection of Individuals with regard to Automatic Processing of personal Data, which refers to the fact that this Convention shall not apply to criminal proceedings. After completion of these processes on 28 November 2008 was signed the Agreement on Cooperation between Macedonia and Eurojust (EUROJUST) and published in the "Official Gazette of the RM" No. 51 of 2009. In this respect, and in accordance with the provisions of Article 17 of the Law on Ratification of the Agreement on Cooperation between Macedonia and Eurojust (EUROJUST) stipulates that the National Authority for the Protection of Personal Data (in this particular case: the Directorate for Personal Data Protection) in the Republic Macedonia shall report annually to Eurojust on the situation in the judiciary in relation to the implementation of the regulations on the protection of personal data.

On this basis, in 2014 the Directorate performed inspections in the three Prosecution offices in Skopje and sublimated the findings of the inspection into the Second National Report submitted to Eurojust. The purpose of this report is to present factual situation public prosecutor's offices in the Republic of Macedonia regarding the application of regulations protection of the personal data processing.

EUROPOL

EUROPOL - Europol has one of most robust rules on personal data protection in the area of oversight of law enforcement agencies. Directorate for Personal Data Protection has actively participated in the preparations for the signing of Operational and Strategic cooperation agreement between the RM and Europol. Also, continuously monitors proposed changes in the EU in terms of protection of personal data in the Law Enforcement Sector. Of particular interest and relevance to the work of the Directorate is DPO EUROPOL- Office for Personal Data Protection in EUROPOL, as an independent and integral part of this institution, whose main task is to ensure legal compliance with the decision of the EU Council and to provide guidance and independent support and consultation, especially for the operating department at EUROPOL. It conducts regular inspections over databases of EUROPOL; having full access to the entire volume of data being processed in/by EUROPOL, so incorrect, out of date or unnecessary information searches are "saved", i.e. stored and can be subject to further investigation. Namely, the system allows EUROPOL through analytical software to examine the validity/viability of a search for personal data or illegal deletion or modification of data via the possibility of preservation of access logs, so that every change is automatically saved, enabling the verification by the DPO Office of the necessity of access and the legal basis for data processing.

Considering the fact that the Directorate for Personal Data Protection has actively participated in the adoption of the new Law on Criminal Procedure¹⁰, repeatedly pointed out the need for a balance between the public interest, that measures should be taken to combat crime and respect the right of privacy by law enforcement. In particular, in the fight against terrorism and crime, one should not forget the basic human rights and freedoms, but rather it is necessary for them to provide protection. Consequently, in Chapter XV of the Code of Criminal Procedure ("Official Gazette of the RM" No. 150/10 and 100/12) incorporates provisions for the protection of personal data in criminal proceedings relating to the processing of personal data by the public Prosecutor for the purpose of criminal proceedings; accuracy, change, delete and storage of personal data, giving users personal data, the right to be informed of the personal data and supervising the processing of personal data.

After the performed inspection over the legality of personal data processing in the Ministry of Interior of RM, Department for International Police Cooperation Unit- Europol, the Directorate determined that there is a necessity for establishment of complete and specific system of protection of personal data customized in the area of establishing a procedure for the right on access and correction of personal that data subjects have, as well as full adoption of the necessary documentation for the technical and organizational measures to ensure confidentiality and protection of personal data processing.

8.2 Participation in the activities of EU bodies for the protection of personal data, conferences and workshops

Consultative Committee of the Council of Europe to protect the individual from automatic processing of personal data T-PD Council of Europe is leading human rights organization in Europe. Currently has 47 member countries, 28 of which are EU member states. All member states of the Council have signed the European Convention on Human Rights, an international treaty (tool) designed to protect human rights, democracy and the rule of law. European Court of Human Rights monitors implementation of the Convention on Human Rights by member states. Individuals can file a complaint or to start proceedings in cases of violation of human rights court in Strasbourg, but only after one takes all remedies in respective country. What is new is that the European Union is preparing to sign the European Convention on Human Rights, which will create a common European legal space for over 820 million people in this segment. The Convention on the protection of individuals with regard to Automatic Processing of Personal Data (Convention 108) is open for accession on 28 January 1981 and is the first legally binding international instrument in the field of data protection. Under this Convention signatory countries are urged to take all necessary steps in national law to apply the principles of the Convention in order to ensure their territory protect fundamental human rights in relation to the processing of personal data. The Directorate is a full member of the Consultative Committee for the Protection of the individual from automatic processing of personal data T-PD.

In June, 2014 in Strasbourg, participants from the Directorate attended the 31st Plenary session of the Consultative Committee of the Convention for the Protection of Individuals in connection with Automatic Processing of Personal Data (T-PD), organized by the Council of Europe.

The Directorate gave its opinion on the following documents prepared by the Council of Europe - Consultative Committee T-PD:

- Latest developments of the Directorate for Personal Data Protection;
- Information on activities to mark the "28th January " - International Day for the Protection of Personal Data .

The Council of Europe, through T - PD Consultative Committee continued discussions on amending the Convention 108 of the Council of Europe on the protection of individuals with regard to automatic processing of personal data including the Additional Protocol to the Convention regarding supervisory authorities and transmission data to third countries

During 2014, the Directorate took active participation in the Committee on the second and third working meeting held in the reporting year, and were focused on the revision and modernization of the Convention 108. The final meeting of the subcommittee for the protection of personal data final reading of the proposals to modernize the Convention was performed, as well as new directions were made in context of the adoption of the Convention at the meeting of the Ministerial committee, within the council of Europe.

The main objective of modernization of the Convention is to ensure that the basic principles for protection of personal data really apply in as many countries in order to guarantee an adequate level of protection of the people regarding the processing of personal data. It should be noted that special emphasis is put on the evaluation of the implementation of the Convention by the Parties. News that were inserted in the modernization process of the Convention are expanding the scope of its application on any type of personal data processing, new definitions for the controller, processor and consumer, introducing new institutes: Privacy accountability, Privacy Assessment and Privacy by Design, as well as regulation of the transmission of data in participating countries and ways to access and entry into force of the Protocol which modernizes the Convention. According the work program 2012-2013 of the Consultative Committee of Convention 108 in the section entitled "other work"- proposal for reviewing the implementation of Recommendation no. (97) 5 on the protection of medical data and new forms of processing of medical data, a questionnaire was prepared, with the sole purpose of identification of the new trends in the field, as basis for further update of the database.

The Directorate for Personal Data Protection approached to distribution of a questionnaire to healthcare organizations on the territory of the Republic of Macedonia and answered questionnaires were collected and forwarded to the Council of Europe. There were 10 questionnaires collected from the public and private health institutions in the Republic of Macedonia.

Article 29 Working Party

The Directorate has observer status in the Working Group 29. During 2013, the Directorate has made commitments to participate in the work of this very important body for the protection of privacy. Representatives of the Directorate attended all four meetings of Article 29. Participation has enabled recognition of the professionalism of the Directorate and opened the doors for direct bilateral and multilateral cooperation with other participants. The exchange of views

During the reporting year, the Directorate by providing opinions and share experiences, participate in the creation of the following documents of the Working Group 29:

- ⇒ Consultation on possible improvements for the WP 29's methods and organizations- Lichtenstein ;
- ⇒ Answer to the Request for information on data sharing –Ireland;
- ⇒ Opinion on the interpretation of Article 7 letter b of the Directive 95/46/EC;
- ⇒ Advise on any activity carried out in respect of the social network "Ask for me";
- ⇒ Answer to the Request for information on the powers of the DPDP to control Security Intelligence Agency;
- ⇒ Answer on request for information for dealing with some cases in relation to" selling of customer databases";
- ⇒ Enquire for comments on standardization request in support of the implementation of privacy management in the design and development and in the production and service provision process of security technologies;
- ⇒ Request on the Right to monitor processing of personal data in courts;

Using multilateral cooperation, the Directorate for Personal Data Protection has initiated an international discussion and exchange of views on the issue of collecting personal data from pre-paid users by mobile operators. The Directorate sent a request to all the members of Working Group 29 for their opinion on the regulation and control their powers over video surveillance in private ownership. At the request of Directorate responses were received from 6 countries, which contributed to the preparation of a comprehensive analysis of various practices in this field. At the end of 2014, a discussion was initiated in order to determine the status of the churches as controllers of personal data , according to the national legislative in every country. Apropos this question, the Directorate received 11 answers.

The DPDP gave their opinion on individual issues and towards DPA of other countries:

- ⇒ Opinion on the issue of registers of illiquid companies in Macedonia - a request from Commissioner for Information of Public Importance and Personal Data protection of Serbia;
- ⇒ Request on the use of traffic (video) recorders – State Inspectorate for Personal Data Protection of Lithuania;
- ⇒ Question on subject access requests to TFTP data – Request from the Office of Personal data protection of Czech Republic;

During 2014, the following material (opinions, working documents, letters etc.) were issued by the Article 29 Working Party (Art. 29 WP):

- ⇒ Working Document on surveillance of electronic communications for intelligence and national security purposes

- ⇒ Joint statement of the European Data Protection Authorities assembled in the Article 29 Working Party
- ⇒ Working Document Setting Forth a Co-Operation Procedure for Issuing Common Opinions on “Contractual clauses” Considered as compliant with the EC Model Clauses
- ⇒ Guidelines on the implementation of the Court of Justice of the European Union judgment on “Google Spain and inc v. Agencia Española de Protección de Datos (AEPD) and Mario Costeja González” c-131/121
- ⇒ Opinion 9/2014 on the application of Directive 2002/58/EC to device fingerprinting
- ⇒ Opinion 8/2014 on the Recent Developments on the Internet of Things
- ⇒ Statement on the results of the last JHS meeting
- ⇒ Statement on Statement of the WP29 on the impact of the development of big data on the protection of individuals with regard to the processing of their personal data in the EU
- ⇒ Statement on the ruling of the Court of Justice of the European Union which invalidates the Data Retention Directive
- ⇒ Opinion 7/2014 on the protection of personal data in Quebec
- ⇒ Statement on the role of a risk-based approach in data protection legal works
- ⇒ Opinion 06/2014 on the "Notion of legitimate interests of the data controller under Article 7 of Directive 95/46/EC"
- ⇒ Opinion 05/2014 on "Anonymisation Techniques onto the web"
- ⇒ Opinion 04/2014 on "Surveillance of electronic communications for intelligence and national security purposes"
- ⇒ Working document 01/2014 on "Draft ad hoc contractual clauses “EU data processor to non-EU sub-processor”"
- ⇒ Opinion 03/2014 on "Personal Data Breach Notification"
- ⇒ Opinion 02/2014 on a "Referential for requirements for Binding Corporate Rules submitted to national Data Protection Authorities in the EU and Cross Border Privacy Rules submitted to APEC CBPR Accountability Agents"
- ⇒ Opinion 01/2014 on the "Application of necessity and proportionality concepts and data protection within the law enforcement sector."

Spring Conference of European Data Protection Authorities Spring Conference of European authorities for the protection of personal data in 2014 was held in Strasbourg, on the topic "Resolution of the audit of the Convention on the protection of individuals with regard to Automatic Processing of Personal Data (Convention 108)." The Conference supported the efforts of the Council of Europe to modernize Convention 108 and the additional protocol, and in this context emphasize that any reduction in the level of protection afforded by the Convention would be a huge step back, urges member states of the Convention to practice protecting and enhancing the current level of protection as provided under the Convention and the Consultative Committee (T-PD) in general. The conclusion was that effective protection of personal data requires the establishment of independent oversight bodies.

8.2.4 Study visit of the project "Continuing activities within the project Sustainable learning about the EU and training system "- Module" Justice and Internal Affairs – Police"

A delegation from the Directorate for Personal Data Protection performed a study visit within the project "Continuing activities within the project Sustainable Learning for EU and training system - to introduce EU institutions." During the visit, the delegation was briefed about the work of the European Commission, the European Council regarding Justice and Home Affairs. They presented information about Europol, CEPOL, as well as the Strategy for EU security (COSI).

The work of OLAF- the European Anti-fraud Office was also presented, the cooperation it has with national legal authorities and obligations that Macedonia has in that area.

At the meeting with representatives of the General Directorate for Enlargement-Department for European Integration, it was discussed about the Union's enlargement and the problems that Macedonia has in the negotiation phase.

Regional training on "Personal data protection “

In April 2014, a representative from the Directorate for Personal Data Protection participated in the regional training on "Protecting the data" organized by the Office of GIZ (Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH, Open Regional Fund for South East Europe - Legal Reform - Regional Project IPA 2010 "Fight against organized crime: strengthening public prosecution", which was held in Tirana, Albania.

The subject of this regional training was to analyze the instruments and mechanisms of the Council of Europe and the European Union for use in the protection of personal data in the implementation of actions for the purpose of criminal proceedings, including investigations and prosecution of criminal activities, by presenting rules and practices.

Membership in GPEN- Global Privacy Enforcement Network

The Directorate for personal data protection joined the Global Privacy Enforcement Network. The mission of the members of the network is to discuss the practical aspect of the implementation of the Law for privacy protection, collaboration and sharing best practices in solving cross border challenges. At same time, the members of this network work on developing different joint priorities for implementing and joint implementation of initiatives and campaigns to increase awareness for personal data protection.

Modern merchandising and consumer activities in great manner rely on information flow across borders. These global data transfers occur through jurisdictions that have wide variety of implementation on Laws on privacy and different arrangements of implementation. The Global Privacy Enforcement Network (GPEN) is created to strengthen privacy protection globally by helping state authorities in implementation of Law on privacy through strengthening their capacity, locally, for cross border cooperation

Participation at 28th International conference Info-tech 2014

Representatives from the Directorate for Personal Data Protection, participated at the 28th International conference Info-tech 2014 in Varna, Bulgaria. On the Conference, there was a presentation of materials related to several topics: Information technologies, Information security, Networking and communication technologies, Distributed systems and applications, Technologies for system design and investigation, Intelligent systems and applications, Technological aspects of e-Governance, Technological aspects of data protection.

Participation at the final conference of the PHAEDRA project

The Director of the Directorate for Personal Data Protection, Mr. Dimitar Gjeorgjievski participated at the final conference of the PHAEDRA project in Krakow, Poland being implemented in order to improve the practical cooperation between the Authorities for personal data protection in the EU and beyond.

The director took part in a panel discussion in the second part and was a speaker on "Implementation of privacy in practice - international experience in dealing with cases in practice."

The Director took the opportunity to talk with representatives from several universities in Poland, as well as representatives from the business community attending the conference, discussing the possibilities of joint application projects for use of EU funds important for promoting the work and capacity of the Directorate for protection of personal data.

Participation at CIS Forume

On the basis of a signed memorandum of cooperation with CIS Austria, representative of the Directorate took part in the CIS Security Forum Information, held in October in Albania. Safety of Information today is one of the key factors of the business. Impairment of security can lead to loss of data, adversely affect the company's image, but it is also important to control systems for management of information security.

Therefore, the Directorate supports all efforts to raise awareness implementation of standards in data protection. That topics covering this area were present at this year's forumie the latest challenges in the field of safety information and measures legislation for protection of data and how these changes will bring security for business competitive advantage and customer satisfaction.



16th Meeting of the Central and Eastern Europe Data Protection Authorities – CEEDPA

The Directorate hosted the 16th Meeting of the Central and Eastern Europe Data Protection Authorities – CEEDPA, organized in Skopje, the Republic of Macedonia in the period of 02-03 of April, 2014. Representatives from Data Protection Authorities from Central and Eastern Europe, i.e. Albania, Bulgaria, Czech Republic, Montenegro, Macedonia, Hungary, Serbia, Poland, Romania, Slovakia, Slovenia, Bosnia and Herzegovina, Georgia, Moldova and representative from the Council of EU, were gathered in Skopje to discuss for many issues of concern, as well as for the results achieved in 2013. During the two working days it was discussed the modernization of the legislation for personal data protection, “big data” challenges, smart metering, video surveillance of employees, protection of personal data in election processes. In reference to the modernization and amendments on the Law on personal data protection, representatives of the Republic of Macedonia introduced the newest proposals of having third party as data protection surveillance mechanism. special attention for the area of anonymization of courts decisions, analyses of lawsuits, mostly experiences exchanged and lessons learned from all of the participants. Also, video surveillance on private property did raise some questions. Video surveillance for employee control modalities were discussed as well, particularly from the aspect of the protection employer's legitimate interest and the protection of the right to dignity of employees, two declarations were adopted and signed:



- ⇒ A Declaration on new member of CEEDPA – as of second of April, Georgian DPA is a new member to CEEDPA, which resulted by great support from all members, showing that benefits from CEEDPA enlargement are significantly more valuable when we share experiences
- ⇒ A Declaration on mutual assistance and enhanced cooperation;

The second Declaration was in light of expressing the joint need for strengthening our cooperation and marking the current state of works on change of the EU data protection framework, and as a host, Macedonia strongly considered as important to establish a firm voice to be heard from the Central and Eastern Europe on urging EU Council for prompt adoption of future EU data protection regulation. especially taking into account the ongoing works on the 'one-stopshop' system within the future EU data protection framework, which provides for specific competences and scope of responsibilities of DPAs in the context of trans-border data processing, under that provision of circumstances this should be considered as a step forward from the countries of Central and Eastern Europe, and among them the non EU member states, to declare and adopt such narrative. One must admit that any declaration expressing support to each other, that brings down positive thinking and commitment towards collaboration are more than welcomed. In that sense, a declaration on mutual assistance in situations arising from future EU data protection package and recalling for the Council of Europe and the European Union to guarantee consistent framework, as well supporting activities for building capacities of DPA in non-EU members are issues of necessity, and as a fact were recognized and adopted by all CEEDPA members.



55th meeting of the International Working Group on Data Protection in Telecommunications sector (IWGDPT).

In the period from 05 to May 6, 2014 the Directorate for Personal Data Protection of the Republic of Macedonia, together with the Berlin Commissioner for Data Protection, hosted the 55th consecutive meeting of the International Working Group on Data Protection in the Telecommunications sector.

At the meeting 40 experts from national authorities for personal data protection discussed the working papers relating to "big data", monitoring Internet communication "web tracking", laptops and privacy, smart TV and to the protection of privacy on social networks.

Within this meeting, 2nd Workshop by PHAEDRA consortium was organized on the topic "Improving practical cooperation for support and assistance among data protection authorities. During the workshop, the results of recent activities and proposals were given opportunities for developing international cooperation among law on personal data protection in terms of opportunities to develop international cooperation between authorities responsible for implementation of laws on protection of personal data, as well as other parties interested in building culture of privacy.





26th Case Handling Workshop

The Directorate for Personal Data Protection hosted the 26th workshop for acting upon cases (Case Handling Workshop) under the auspices of the European Conference, which was held in Skopje between 6 to 7 October 2014.

The Workshop (CHWS) is a series of events organized by the authorities for data protection, once a year in different Member hosts, in order to exchange ideas, experiences, knowledge, and information practical issues at the operational level. The workshop is a subset of the spring conference for data protection. This year the Directorate for Personal Data Protection hosted the representatives of the authorities to protect data internationally, the EU, as well as the European Commission and the European Protection Supervisor Data attend.



The workshop has no authority to make its own policies, prepare reports and it is not meant to be a forum where you make decisions. The focus the workshop is to review the practical aspects of everyday data protection, operational procedures and exchange of national experiences and best practices. Different types of problems can be discussed concerning the type of complaints, investigations and enforcement of legal responsibilities, the application of certain legal provisions or procedural issues, communication questions etc.

The 26th Workshop discussed several cases on the following topics:

- ⇒ Protection of personal data in the judicial system;
- ⇒ Excessive collection of personal data and the right balance between the protection of personal data and the right of access to public documents;
- ⇒ Video surveillance;
- ⇒ Copies of ID cards to banks and other institutions;
- ⇒ Biometric data;
- ⇒ Protection of personal data in marketing;
- ⇒ Transfer of personal data;

Hosting such an event contributes to the development of mechanisms for practical mutual assistance and cooperation in performing the duties of the data protection authorities. Of particular importance are international experiences on these topics regarding the complaints received in the past, as well as the performed inspection.

Using EU funds

TAIEX - Instrument of the European Commission for technical support and information exchange Using the TAIEX, technical assistance and information exchange, instrument managed by the Directorate General for Enlargement of the European Commission in 2013 was "a success story" for the Directorate. Namely, TAIEX supports partner countries in terms of approximation, application and enforcement of EU legislation. It greatly facilitates demand adequate expertise designed to address issues in a short period of time.

In 2014 TAIEX managed to organize 15 events for the Protection of personal data on topics ranging from data protection in the context of biometrics, social networks, data processing law enforcement, etc., where more than 500 participants were educated on issues of data protection.

Study visit in Bulgaria on "Joint activities of the data protection authorities - common supervisory inspection- 08-10 January, 2014

With the support of the instrument TAIEX, the European Commission, representatives from the Directorate for Personal Data Protection from 8 to January 10, 2014 realized a study visit of the Commission for Personal Data Protection in Sofia, Bulgaria on "joint activity of the Data Protection Authorities - common supervisory inspection. The purpose of the study visit was to gain experience on protection of personal data in the implementation of joint inspection in multinational company.

Representatives of the Directorate for Personal Data Protection of the Republic of Macedonia and the Commission for Personal Data Protection of the Republic of Bulgaria during the three-day visit identified the strengths and the challenges that will face the authorities for the protection of personal data when conducting joint inspections. These experiences are expected to be taken into account in the drafting and adoption of new regulations for the protection of personal data in the European Union.

Workshop on "European Privacy Seal" 13-14 - February 2014

In February, international workshop on the subject - European privacy seal with support from the Instrument for Pre-Accession Assistance of the European Commission, TAIEX was held in Skopje, which included practices for getting the privacy seal. European privacy seal is scheme for determining the compliance of the new product or service that companies plan to offer market val-

ues, principles and rules on the protection of personal data specified in the regulations on protection of personal data.

Experts from supervision authorities for personal data protection from Hungary, Ireland and Germany shared their experiences on the audit of the protection of personal data and the process for obtaining a European privacy seal was of great importance for the future steps that the Directorate for Personal Data Protection should take in this area.

Study visit to Finland on "The protection of personal data of employees communication" – 02-07 March 2014

With the support of TAIEX support, a delegation of the Directorate for Personal Data Protection performed a study visit in the Authority for Personal Data Protection. Theme of the visit was "Protection of personal data communication to employees. The purpose of this visit was to get a clear picture of the legal framework, its implementation in practice and best practices applied within the EU, with particular reference to the experience of Finland and the Finnish authority for protection of personal data.

During the study visit was presented to EU legislation regarding the protection of personal data of employees, implementation of the principles and norms for the protection of personal data of workers and job seekers and the manner of conducting the inspection. This experience was very important for the Directorate in terms of preparation and submission of new legislative provisions relating to the protection of the privacy of workers.

Study visit to Germany on "The protection of personal data of asylum seekers"- 18-19 of March 2014

Through TAIEX support, a delegation of the Directorate for Personal Data Protection performed a study visit to Germany on the topic "The protection of personal data of asylum seekers". Within the study visit were shared experiences and best practices regarding the protection of personal data of asylum seekers, people with refugee status and persons under subsidiary protection, their right to be informed about the protection of their personal data, technical and organizational measures to protect this data, and methodology for inspection over the processing of personal data of these persons. Experiences regarding the transfer and exchange of data between EU Member States and the central database at EU level (EURODAC) were also shared.

Workshop on "Computer for rapid intervention teams (CERTs) and protection of personal data" – 24-25 of April 2014

The Directorate for Personal Data Protection, supported by the instrument of the European Union TAIEX, in the period from 24 to 25 April 2014 organized a workshop on "Computer teams for

rapid response and protection of personal data (CERTs)".

The purpose of the workshop was to explain the legal framework for establishing adjust the national teams for rapid intervention, the categories of personal data that will be collected and processed by these teams, as this data will be used, processed and structured in the future, as well as technical measures related to processing, sharing and protection of personal data. The workshop presented best practices and achievements from Sweden, the Netherlands and Bulgaria, as well as legal aspects of information sharing and cross - border cooperation between CERT's teams and cooperation with Europol, or the European Centre for the fight against cyber crime.

Expert mission to create and implement training for protection of personal data, 19-21 of May 2014

In the period from 19-21 May at the premises of the Directorate for Personal Data Protection was held Procedures training mission for Personal Data Protection with the participation of German and Polish experts with support from the European Union instrument TAIEX.

The main purpose of the expert mission was to extend assistance to the Directorate for establishing training modules for the organization and implementation of training for the protection of personal data controllers and processors of personal data. The expert mission were presented significant shared experiences in terms of what skills should have a trainer, how to construct training, the best ways, methods and techniques for their implementation, as well spodeluvnje best practices and experiences by experts. During the workshops were shared experiences and recommendations for the establishment of modules for online courses for individuals, as well as the best ways to implement evaluation and getting feedback (feedback) from the already delivered.

Workshop on "Protection of personal data and cloud computing" 29 of May 2014

The Directorate for Personal Data Protection, with support from the office for technical assistance TAIEX European Commission on May 29, 2014 in Skopje organized a workshop on "Cloud computing" aimed at sharing best practices in relation to the risks arising from the use of cloud computing and how to overcome these risks. The best examples of the legal regulation of the relationship between providers of cloud computing services and their customers, in terms of protection of personal data transmitted were also presented.

At the Workshop, the supervision experts from the authorities of personal data protection from Slovenia, Denmark, Spain and the UK shared their experiences regarding the risks inherent in the processing of personal data in the "Cloud computing" and that technical and organizational measures to protect Personal data should be taken to protect the data. The program covers the major recommendations of the Opinion5/2012 of the Working Group on Article 29 relating to

Cloud Computing, which was adopted on July 1, 2012, as well as the specific recommendations that were adopted by the national supervisory authorities of the Member States of the European Union.

Workshop –Privacy by measure, privacy impact assessment and enhanced technology, 01 of July 2014

On 01.07.2014, in Skopje a Workshop on Privacy Impact Assessment , assess the impact of privacy and technology issues involving the privacy was held- with support from the Instrument for Pre-Accession Assistance of the European Commission. The purpose of the Workshop was to exchange experiences and practical examples of the use of the tool to assess the impact of privacy. Using this tool reduces the risks arising from the misuse of privacy, reduces costs for an organization in terms of non-compliance to compliance obligations to protect the individual processing of the data. At the same time, the application of these tools undoubtedly improves conditions for doing business; it increases the level of competitiveness as the labor market and the market better services.

Experts from the supervisory authorities for the protection of personal data in the United Kingdom, Slovenia, Italy, France and Germany shared their experiences regarding the above issues and to introduce the mechanism of Privacy by design which is another step towards modernizing one organization that implements and respects the positive protection regulations of the privacy. The labor market increasingly respected organizations in its operations include processes to identify and minimize privacy risks.

Expert mission "Protection of personal data against media" 07-10 of July 2014

With support from the office for technical support TAIEX of the European Commission, in the period from July 7 to 10 at the premises of the Directorate for Protection of Personal Data, expert mission was held on the topic: "The protection of personal data versus media" with experts from the Czech Republic, representatives of the Agency for audio and audio visual Media Services. During the expert mission, discussion was opened in relation to the Macedonian legislation related to privacy against media compared to best practices on Czech authority for protection of personal data in terms of supervision and inspection over the media, as well as sharing experiences relating to the protection of personal data and the right to free access to Public Information. Experts from the Czech Republic shared their best practices in campaigning, communication and public relations, and their experiences relating to complaints lodged by individuals whose personal data have been abused by journalists.

Expert mission "Establishing a legal basis for the implementation of on-line inspection" 23-26 of September 2014

In the period from 23 to 26 September 2014, in the premises of the Directorate for Personal Data Protection held expert mission on the topic "Establishment of legal basis for the implementation of on-line inspection" of employees in the Directorate.

Expert mission was particularly request by the Directorate for Personal Data Protection with support from the Instrument for Pre-Accession Assistance of the European Commission, TAIEX, aimed at amending the legislation on protection of personal data in order to create a legal basis for the implementation of Online inspections. Such tools have so far applied only Finnish and French authorities for the protection of personal data. Expert mission offers and exchange of experiences and practical examples of the use of this tool by the expert from Finland, Mr. Aarnio Reijo, the Ombudsman for protection of personal data of Finland.

Using this tool consequently expected to build the capacities of the Directorate for Personal Data Protection, to outline the key role of the Directorate for selection of controllers over who will carry out surveillance of non-compliance to fulfill the obligation to protect the individual in handling data. At the same time, the positive practice of Finland pointed example of those RM institutions should be involved in the procedure for performing on-line supervision.

Study visit for the implementation of the E-privacy Directive with special emphasis on cookies, 10-11 of November 2014

Three representatives from the Directorate for Personal Data Protection in the period 10-11 November 2014 visited the Italian Authority for Personal Data Protection Garante, in terms of practical implementation of the directive on privacy and electronic communications. Directive 2002/58 on privacy and electronic communications, otherwise known as the Directive on E-privacy, is the EU directive on data protection and privacy in the digital world. It is a continuation of previous efforts, directly from the Directive on the protection of personal data. It deals with the regulation of a number of important issues such as confidentiality of information, treatment of data traffic, spam and cookies. This Directive was amended by Directive 2009/136, introducing several changes, especially in what concerns cookies (cookies), which are now subject to prior consent. Of particular importance was the practice Italian authority for the protection of personal data in order to conduct an inspection on cookies and decisions issued by them on the controllers in telecommunications. Within the study visit were shared experiences and best practices regarding implementation of the Directive, the standard procedures for supervision and inspection by the competent authority, as well as raising awareness of issues connected to "cookies and sharing experiences related to specific cases and decisions of Italian DPA".

8.4 Bilateral and multilateral cooperation

Norwegian Grant for "Technical assistance for strengthening the organizational and institutional capacities for protection of personal data".



The project supported by the Norwegian Data Protection Authority has started in September 2013 and as the main goal of this project was further strengthening of the organizational and institutional capacity of the Directorate for Personal Data Protection for better and more effective protection of privacy on social networks, improving the services of social networks in terms of protection of the right to privacy, raising public awareness about the right

to privacy when using the Internet, as well as strengthening their knowledge regarding contemporary technological developments and emerging issues related to privacy as cloud computing.

With this project, the Directorate for Personal Data Protection provided the support from the Norwegian authorities for personal data protection by creating better mechanisms for the protection of personal data on social networks, raising awareness about privacy and technological development, and capacity building of the Directorate for Personal Data Protection by providing a more efficient way to protect personal information on the Internet and social networks.



Within the project, in March 2014, representatives of Norwegian Authority for Personal Data Protection DATATILSYNET and NorSIS Center Security information was performed their second visit to the Directorate.

During the implementation of the first component of the project related to protection of personal data in social networks, as part of the Directorate rapid intervention team was established in order to respond to the requests of citizens whose personal data or privacy is misused on social networks.

The second component of the project was aimed for employees of the Directorate, controllers and processors of personal data, to gain knowledge in Cloud computing and data protection.

Within this component analysis of the organizational and institutional capacities for protection of personal data, as well as Survey to measure the level of awareness for cloud computing companies in Macedonia were made, which are now available on the website of the Directorate.

Within the project, a delegation from Directorate for Personal Data Protection Director led a study visit to Norway authority for protection of personal data.



In November 2014, a two-day Final Conference of the project dedicated to the challenges of social networks related to privacy and cloud computing was organized.

The occasion was used to promote Manual for the manner of handling complaints and requests for determining a violation of the right to privacy and data protection, in context of social networks and work in "cloud".

Cooperation with OSCE Mission to Skopje

The Directorate for Personal Data Protection and the OSCE Mission in Skopje, Department of rule of law, through the exchange of letters, expressed commitment to implement a series of activities within the project "Privacy classes- implemented in secondary schools in the City of Skopje. Namely, the OSCE Mission in Skopje is committed to supporting this initiative of the Directorate for protection of personal data which arise according to the analyzes that are conducted in the past, and the number of complaints received by the citizens. The initiative was positively addressed by the Ministry of Education and Science, Bureau for Development of Education and the City of Skopje. This collaboration resulted in the implementation of joint activities to raise awareness of the implementation application of regulations on protection of personal data they are expected to continue in 2015.

Cooperation with the UNICEF Office in Macedonia

The Directorate for Personal Data Protection and the Office of UNICEF in the Republic of Macedonia expressed willingness to cooperate and implement a series of joint activities, especially in the assessment and analysis of the institutional response to the protection of children's rights.

Namely, the Directorate considered it more than needed to engage in activities aimed at getting analyzes as well as to the way to improve and strengthen the institutional response to the protection of children's rights, taking into account the attention and efforts towards that Directorate was focused in the last period, which relate to raising awareness of young people about the protection of personal data and continuously develops initiatives to popularize the right to privacy and the safe use of social networks. The message was recognized and acknowledged by the UNICEF office in the Republic of Macedonia expressed declarative commitment of both sides to cooperation that has the potential to bring about positive changes in the field of protection of children's rights.

This collaboration is expected to result in the implementation of joint activities in the field of protection of children's rights, but summarize the results of the analysis of the subject makes the UNICEF Office in Macedonia and those results are expected in 2015. The results of this analysis will be appropriately incorporated into the strategy of the Directorate from 2015 to 2020

At annual bases the Directorate prepares annual work programs that are published on its Web site www.dzlp.mk. During the planning of future priorities includes the activities from the Strategy for development of data protection in the Republic of Macedonia for the period 2012-2016, with an Action plan as a medium term document for the development of the Directorate and Communication Strategy for the Protection of Personal data for the period 2012-2016. Based on these strategic documents, and based on the stated conditions of the plan of the completed inspection and the number of complaints made by sectors, the contents of the Program for work is defined. The content of the program of work of the Directorate for Personal Data Protection for 2014 (The Program), covers the basic functions and organization of the Directorate established by law. The functions performed by the Directorate in 2015 systematized in sectors are the following:

- **Inspection supervision** - During the regular inspection of the controllers or processors, it is planned to be conducted in the following sectors: education, tourism and hospitality, health, justice, social welfare, banking, insurance, trade and archival material. Incidental inspection will be carried out based on a motion filed by the state body, legal or natural person, as well as in the case of suspicion of the inspector for violation of this law. If after the deadline specified in the decision of the completed regular inspection to determine whether the decisions made by ordering the removal of deficiencies/determined during regular inspections supervision, the Directorate will carry out control supervision. Implementation of education for controllers/processors in the cases stipulated by the Law on the protection of personal data will be one of the priorities of the Directorate in 2015, as well as the continuous maintaining and update of the software for inspection supervision (SIN) and preparation of current and periodic reports and analysis for inspection.
- **Central registry of collections of personal data** - will be continuously recording and issuing approval of registration of controllers and their collections of personal data.

Normative and analytical work - continuous preparation of annual/semi-annual reports and other related regulations, as well as continuous preparation of opinions at the request of ministries, other state administration bodies, in terms of materials, draft laws, bylaws and other regulations proposed from the area of protection of personal data, or that are in any way are related to the protection of personal data, as well as opinions published on the Electronic national register (ENER).

- **Training**

During 2015, the Directorate will carry out trainings for controllers and processors within the established timeframes and areas specified in the Annual training program for controllers and pro-

processors for 2015. Attention will be also paid to continuous training of employees in the Directorate within the established timeframes specified in the Annual training program for civil servants in the Directorate for Personal Data Protection in 2015, as well as training through projects and participation of Directorate's personnel on working meetings and trainings in EU Member States. Micro learning will be also organized by MISA.

According to the Memoranda of Cooperation, during 2015 the Directorate for personal data protection will conduct certified training for digital security of computer users -CSCU, as well as more specific training at the request of the controllers. According to the training program of the Directorate, during 2015 the Directorate will also engage in trainings for judges and public prosecutors, organized in cooperation with the Academy of Judges and Public Prosecutors.

Projects

Within the Sectoral fiche IPA program 2012 - 2013 year, the Directorate will start with the implementation of the project during 2015. The project will be implemented through the signing of two agreements, namely: technical assistance for 24 months and an agreement for the purchase of equipment. The main objective of the technical assistance is:

- ⇒ harmonization of national legislation with new reforms for the protection of personal data in the EU.
- ⇒ Improving cooperation with controllers and processors.
- ⇒ Strengthening the mechanisms for the protection of personal data in different sectors.
- ⇒ To develop and implement a strategy for the protection of personal data from 2017 to 2022.
- ⇒ Implement ISO IT standards and privacy standards in the Directorate for Personal Data Protection.
- ⇒ During 2015 ,within the Norwegian grant will be implemented Project continued support for improving the system of protection of personal data.
- ⇒ Continuously during the calendar year, the Project "Privacy classes- which began in 2014 and was implemented within all secondary schools in the City of Skopje, will continue in secondary schools in other municipality in Macedonia, and in Skopje will continue with a new component.
- ⇒ Co-operation and consultation with the public, private and NGO sector

Directorate will continue with issuing opinions on the compliance documentation for technical and organizational measures to ensure confidentiality and protection of personal data processing and act the way video surveillance controllers and processors with the regulations on protection of personal data and to provide indications on the compliance of the controllers and processors with the regulations on protection of personal data.

Also, consultations will be held with the controllers from the public and private sectors and processors for more efficient implementation of the regulations on protection of personal data.

- **European integration, international cooperation and public relations**

In terms of European integration approach to the preparation of documents for the approximation of national legislation with the European Union is planned: Preparation of NPAA -2015 - 2016 and participation in the working group on political criteria for monitoring the status of implementation of obligations of the Republic of Macedonia area - Fundamental rights. Furthermore, updating and preparing reports on the implementation of the objectives and activities of the Directorate, the active participation of representatives of the Directorate in the Subcommittee on Security and Human Rights as well as contribution to the Inter-Ministerial Group on human rights in the process of creating a basic document on human rights Republic of Macedonia.

During 2015, on the field of international cooperation it is planned an active participation in relevant events in the field of protection of personal data of the Council of Europe, the European Union and other institutions and bodies for the protection of personal data in the European Union and the region, in order to strengthen international cooperation and exchange of experiences in promoting the culture of protection of personal data, such as: regular participation of the working meetings within the 29 Working Party of the European Commission, participation in meetings and plenary session of the Consultative Committee for the Protection of Personal Data of the Council of Europe (T-PD), part of the Annual Conference of the European authorities for the protection of personal data (Spring Conference), participation on the International conference on the protection of personal data, participation in meetings of the Joint Steering Committee of Eurojust, participation in meetings of the International Group for the protection of personal data in Telecommunications, and participation in the Working Group on Data Protection in the Police Cooperation Convention in South-East Europe. In 2015, The Directorate will continue to submit applications to exercise the instrument of technical assistance through TAIEX, which will provide professional assistance in many different areas of the Directorate, and through expert missions, study visits and workshops.

In 2015, one of the priorities of the Directorate will be raising public awareness on the right to protection of personal data. In this direction we will implement the strategy for communication with the public (according to the Action Plan in 2015), according to which is planned the celebration of the International Day for the protection of personal data by organizing a National Conference on the promotion of educational material for courses in elementary and secondary education. On June 22nd on the occasion of the tenth anniversary of the establishment of the Directorate will take place organized by the National Conference and presentation of the activities and results of the Directorate for the past 10 years.

Further, activities will be undertaken in order to raise public awareness and informing the citizens about the right to protection of personal data and privacy through the web portal of the daily "Nova Makedonija" where citizens can ask questions, continuation of cooperation with Institutions for higher education and NGOs (Student Parliament and others) in order to conduct classes for the protection of privacy and personal data on a regular ongoing basis through signed MoUs; will continue cooperation with "AD Prosvetno delo" - Skopje and will proceed with the publication of adapted content area of protection of personal data in the journal "Drugarce", "Razvigor" and "Nash Svet". The FB fan page of the Directorate on Facebook will be continuously updated, as one of the most frequently used mediums through which the Directorate responds to current issues that are in the focus of interest among citizens, as well as inform the public about current developments in the field of protection of personal data in the European Union and the world. The preparation and publication of E- newsletter as a tool for communication with registered controllers in the Central Register and with other stakeholders in the country and abroad will also continue, quarterly published through the year.

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