



REPUBLIC OF MACEDONIA



DIRECTORATE FOR PERSONAL DATA PROTECTION

Goce Delcev 18, 1000 Skopje,

Tel:+389 2 3230-635

www.privacy.mk

**ANNUAL WORKING PROGRAMME OF THE DIRECTORATE FOR
PERSONAL DATA PROTECTION FOR 2015**

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I. INTRODUCTION

Based on the Law **on Personal Data Protection** (“Official Gazette of the Republic of Macedonia” No. 7/05, 103/08, 124/10, 135/11 and 43/014) the Directorate for Personal Data Protection has been founded (the Directorate) as an independent authority and legal entity for supervising the activities undertaken while processing personal data and their protection on the territory of the Republic of Macedonia. The law guarantees the protection of personal data and the right to privacy and is fully in coordination with the European Union. During 2014 the Directorate for Personal Data Protection has proposed amending the Law on the protection of personal data in order to implement new solutions from a new general framework for the protection of personal data and the modernized Convention. In 2011 is adopted a strategy for the development of data protection in the Republic of Macedonia in the period 2012-2016 with an action plan as a medium for the development of the Directorate. In 2014 the Action plan was revised and it was amended. In 2012 was adopted also the Communication strategy for the protection of personal data for the period 2012-2016. The Directorate during 2014 received a certificate of system quality management according to ISO 9001: 2008. Annually the Directorate prepares work programs that are published on its website www.privacy.mk. The content of the work of the Directorate for Personal Data Protection for 2015 (Program) covers the basic functions of the Directorate established by the law.

In the program, the functions that the Directorate will perform in 2015 are systematized in the following areas:

1. Inspection;
2. Normative and analytical work;
3. Central Registry of personal data collections;
4. Programs and reports;
5. Trainings;
6. Projects;
7. Collaboration and consultations with the public, private and NGO sector;
8. International cooperation;
9. Committees, working groups, management quality system and others.

II. INSPECTION

1. Inspection

The regular inspection is conducted over the application and implementation of the Law on Personal Data Protection and other regulations brought on the base of the Law on Personal Data Protection.

The regular inspection will be conducted at the controllers, respectively the controllers in the following areas:

1. Education;
2. Tourism and catering industry
3. Health;
4. Judiciary;
5. Social protection;
6. Advocacy;
7. Banking;

8. Insurance;
9. Trade
10. Archive material

Deadline: Continuously during the calendar year

1.2 Ad-hoc inspections are conducted based on an initiative submitted by a state authority, legal or physical entity and in case the inspector thinks there has been a violation of the provisions of this law. The ad-hoc inspection is conducted in case of a filed request in accordance with the provisions of Article 18 of the Law on Personal Data Protection (“Official Gazette of the Republic of Macedonia” No, 7/05, 103/08 and 124/10).

1.3 The control inspection is conducted after the deadline determined with the resolution to determine if the resolutions with which a removal of deficiencies is ordered during the regular inspection.

2 Bringing education for controllers/processors in the cases determined by
The Law on personal data protection

Deadline: During the calendar year in accordance with the terms / requirements of inspectors.

3 Elaborating and bringing monthly plans for conducting inspection

Deadline: 15th of each month for the next month

4 Amending the monthly plans for inspections

Deadline: Continuously during the calendar year

5 Report on the inspections conducted in 2014.

Deadline: February 2015

6 Current and periodic reports (quarterly, monthly and other for the needs of the Directorate).

Deadline: Continuously during the calendar year

7 Maintaining and updating the collection of inspection (SIN) and preparation of current and periodic reports and analyzes for inspection

Deadline: Continuously during the calendar year

III. CENTRAL REGISTRY FOR COLLECTIONS OF PERSONAL DATA

The Directorate for Personal Data Protection in accordance with the provisions of Article 30 of the Law on Personal Data Protection manages an electronic Central Registry of collections of personal data (Central Registry). The Central Registry in 2015 will intensify the activities of:

1. Records of collections of personal data in the Central Registry

Deadline: Continuously during the calendar year

2. Reports for a more efficient implementation of the regulations for personal data protection in the following areas:

Deadline: Continuously during the calendar year

3. Redesign of the application solutions for managing the Central Registry and the website of the Directorate for Personal Data Protection

Deadline: Continuously during the calendar year

IV. NORMATIVE AND ANALYTICAL ACTIVITIES

1. The Directorate for Personal Data Protection based on the conducted inspections, realized projects and current activities will compose in 2011:
 1. An annual report about the work of the Directorate for Personal Data Protection in 2010
Deadline: first half of 2015
 2. Preparation of regulations for the protection of personal data that arise from the Law amending the Law on personal data protection.
Deadline: end of 2015
 3. Issuing permits for processing of special categories of personal data in accordance Article 29 of the Law on personal data protection.
Deadline: Continuously during the calendar year
 4. Issuing permits for transfer of personal data to other countries according to the regulations for personal data protection.
Deadline: Continuously during the calendar year
 5. Preparation of opinions at the request of the ministries, other state bodies in terms of materials, draft laws, bylaws and other draft regulations in the field of personal data protection that are in any way related to personal data protection, and submit to the Government for reviewing, defining i.e. establishing decision.
Deadline: Continuously during the calendar year
 6. Opinion on the regulations published in the Electronic National Register of regulations in Republic of Macedonia.
Deadline: Continuously during the calendar year
 7. Creating opinions on issues in the field of personal data protection by request of other state bodies and institutions, organizations established by law, municipalities, Skopje and the municipalities in Skopje and other controllers, processors and citizens.
Deadline: Continuously during the calendar year
 8. Opinion on the internal regulations - documentation of technical and organizational measures in accordance with the regulations for personal data protection upon request of the controllers
Deadline: Continuously during the calendar year
 9. Handling of complaints and proposals submitted to the Department by natural and legal entity.
Deadline: Continuously during the calendar year (up to 15 days and within 30 days for complex objects from the date of receipt of the complaint)
 10. Acting on the request of citizens to protect their right to privacy on the Internet (social networks).

Deadline: Continuously during the calendar year

V. PROGRAMMING AND REPORTS

The Directorate for the implemented activities in 2014 (inspections, implemented projects, handling of complaints and other activities) during 2015 year will develop:

1. Annual report of the Directorate for Personal Data Protection for 2014.
Deadline: March 2015
2. Preparation of annual/semi-annual reports and other related regulations:
 - 2.1. Annual Report on Free Access to Public Information for 2014 year;
Deadline: January 10, 2015
 - 2.2. Report pursuant to the Law on Administrative Procedure;
Deadline: January/July 2015
 - 2.3. Report in accordance with the Law on Complaints and suggestions;
Deadline: January/July 2015
 - 2.4. Semi-annual report for trainings conducted in accordance with the Training Program for civil servants of the Directorate;
Deadline: January/July 2015
 - 2.5. Report for adequate and equitable representation of community members;
Deadline: December 2015
 - 2.6. Report on the Progress in the adoption of the Law of The European Union.
Deadline: twice a year - May and September 2015
 - 2.7. Report on the attendance of the Directorate's FB fan page, and attendance on the web-site of the Directorate, in order to display indicative of the contents of citizens' interests and addressing the proposed measures for further publication.
Deadline: quarterly: January, April, July and October 2015.
 - 2.8. Report to EUROJUST for the implementation of the regulations for the protection of personal data in the judiciary.
Deadline: December 2015.
 - 2.9. Report on the activities of the Directorate for personal data protection upon the requirements and implications of the Ombudsman of the Republic of Macedonia.
Deadline: quarterly: January, April, July and December 2015
3. Preparation of plans and programs related to the Directorate, human resources capacity building, training and other controllers:
 - 3.1. Work Programme of the Directorate for Personal Data Protection for 2016.
Deadline: December 2015
 - 3.2. Training program for controllers and processors for 2016.
Deadline: December 2015
 - 3.3. Training programs for employees in the Directorate for Personal Data Protection for 2016.
Deadline: December 2015
 - 3.4. Annual Plan for adequate and equitable representation of communities.
Deadline: September 2015

VI. TRAININGS

1. The Directorate, during 2015, will conduct trainings for the controllers and processors according to the dynamics set and the areas determined in the Annual program for trainings for controllers of the collections of personal data and processors for the year 2015.
Deadline: Continuously during the calendar year

2. Continuous training of the employees in the Directorate according to the dynamics set in the Annual Program for trainings of public servant in the Directorate for Personal Data Protection in 2015.

Deadline: Continuously during the calendar year

3. The Directorate will conduct continuous training through internal training on work places and training through projects and participation in the Directorate and working meetings and trainings in EU countries and for the interested will also be provided a micro learning organized by MISA.

Deadline: Continuously during the calendar year

4. According to the Memorandum of Cooperation with Semos Education br.02-1612/1 31.07.2013, during 2015 the Directorate will conduct trainings for Certified digital security of computer users -CSCU according the Program for implementation of 6 certified trainings for digital security of computer users no.02-1612/2 31.07.2013 year.

Deadline: Continuously during the calendar year

5. Pursuant to the Agreement for the regulation of mutual rights and obligations to monitor training trainers and training delivery to other employees in the public administration for implementation of competence issue. 04-2490 / 09.05.2014, a public servant from the Directorate for Personal Data Protection will hold trainings for other employees in the public administration

Deadline: Continuously during the calendar year

6. During 2015 the Directorate will be included in trainings for judges and Prosecutors which will be organized in collaboration with the Academy for Judges and Prosecutors.

Deadline: Continuously during the calendar year

VII. PROJECTS

1. Projects by IPA

Within the framework of the project "IPA program 2012 - 2013 year, the Directorate will continue with the implementation of the project during 2015. The project will be implemented by signing two contracts, including: technical assistance for 24 months and a Contract procurement of equipment. The main objective of the technical assistance:

- Harmonization of national legislation with the new EU reforms for personal data protection.
- Improving the cooperation with the controllers and processors.
- Strengthening of the mechanisms for personal data protection in different sectors.
- To develop and implement a strategy for of personal data protection between 2017 and 2022.
- Implementation of ISO IT standards and privacy standards in Directorate for personal data protection

Deadline: Continuously during the calendar year

2. Within the Norwegian grant during 2015 will be accomplished a Project for continuous support in improving the system for personal data protection

Deadline: Continuously during the calendar year

3. The "Privacy Lesson" was initiated in 2014 and realized activities in all high schools in the City of Skopje. The Project will continue in 2015 in the high schools and other ELS in Skopje with a new component.

Deadline: Continuously during the calendar year

VIII. COOPERATION AND CONSULTATIONS WITH THE PUBLIC, PRIVATE AND NGO SECTOR

1. The Directorate gives opinions on harmonization of technical documentation and organizational measures to ensure confidentiality and protection of personal data processing and on the act of the way a video surveillance is operated by the controllers and processors with the regulations for personal data protection.

Deadline: Continuously during the calendar year

2. The Directorate provides indications for compliance of the controllers and processors with the regulations for personal data protection.

Deadline: Continuously during the calendar year

3. The Directorate holds consultations with the controllers from the public and private sector and the processors for more effective implementation of the regulations for personal data protection.

Deadline: Continuously during the calendar year

4. The Directorate cooperates with the Ombudsman of the Republic of Macedonia, together will organize conferences and workshops to raise awareness for the right to privacy and personal data protection.

Deadline: Continuously during the calendar year

IX. EUROPEAN INTEGRATION, INTERNATIONAL COOPERATION AND RELATIONS PUBLIC

1. European integration
 1. 1 Contribution to the preparation of documents for the approximation of national legislation with the European Union:
 - Preparation of NPAA -2015 -2016 and participation in the working group on political criteria for monitoring the status of implementation of the obligations of the Republic of Macedonia in the field - fundamental rights.

Deadline: Continuously during the calendar year

- Update and preparation of reports on the implementation of the objectives and activities of the Directorate;

Deadline: Continuously during the calendar year

- Preparation of periodic reports on the progress of the Republic of Macedonia in the EU integrations.

Deadline: May/August 2014

2. Contribution to the process of analysis and self assessment of the national legislation regarding the legislation of the European Union.

Deadline: Continuously during the calendar year

3. Active participation of the Directorate in the Subcommittee on Security and Human rights.

Deadline: Continuously during the calendar year

4. Contribution to the Inter-Ministerial Group on Human Rights in the process of creating The basic document for Human Rights of the Republic of Macedonia

Deadline: Continuously during the calendar year

2. International cooperation

2.1. In 2015, representatives from the Directorate will actively participate in relevant events in the field of protection of personal data at the Council of Europe, European Union and other institutions and bodies for the protection of personal data in the EU and the region, in order to strengthen international cooperation and exchange of experiences, as well as promotion of a practice of personal data protection, such as:

- Regular participation in working meetings in the Working Group 29 of the European Commission;
- Participation in the meetings and plenary session of the Consultative Committee for Personal data Protection of the Council of Europe (T-PD);
- Participation in the Annual Conference of the European authorities for personal data protection (Spring Conference);
- Participation in the International Conference of Data Protection;
- Participation in the meetings of the Joint Steering Committee of Eurojust;
- Participation in the meetings of the International Working Group on Data Protection in Telecommunications.

Deadline: Continuously during the calendar year

- Participation in the work of the International Working Group on Data Protection in Telecommunications

Deadline: Continuously during the calendar year

- Participation in the Working Party on personal data protection under the Police Cooperation Convention for Southeast Europe

Deadline: Continuously during the calendar year

2.2. According to the signed Agreed guidelines between the Directorate and the Officer for personal data protection from Eurojust and the Agreement between the Republic of Macedonia and EUROJUST will hold consultative meetings between the two institutions and share regular reports on the situation with the protection of personal data by the competent authorities for implementation of the Agreement.

Deadline: Continuously during the calendar year

2.3. Also in 2015 the Directorate will continue to submit applications for the use of Technical Assistance TAIEX, through which will seek professional help on more different areas within the competence of the Directorate, and through expert missions, study visits and workshops. So far six are being submitted and are expected to be approved and implemented in 2015.

Deadline: Continuously during the calendar year

3. Public Relations

3.1. Implementation of the Strategy for communication with the public (according to the Action Plan 2015)

Deadline: during 2015

-28 January - European Day of Data Privacy Day

Marking the Data Privacy Day by organizing National Conference for promotion of the educational materials for courses of primary education and high schools.

Deadline: January 2015

- February 9 - Safer Internet Day

Collaboration with IT departments, NGOs and media activities

- March 15 - Day of consumers

Realization of the project to protect the privacy of service users in one of the leading sectors

- June 22 - birthday of the Directorate

-Media Activities -

Organizing of an national conference and presentation of the activities and results of the Directorate

- 3.2. Review of the Strategy for Public Communication and a proposal for its amending and supplementing the Action Plan for 2015.

Deadline: second half of 2015

- 3.3. Raising public awareness and informing the citizens for their right to protection of personal data and privacy through:
 - Web portal of the daily "Nova Makedonija" where citizens have the opportunity to ask questions and the Directorate to answer them, and those answers are published every Monday;
 - Cooperation with higher education institutions and NGOs (Student Parliament, etc.) in order to run classes for privacy and personal data on a regular ongoing basis, through a Memorandum of Cooperation;
 - Cooperation with the "Prosvetno delo" Skopje and will approach to publishing adapted content area of protection of personal data in the journal "Drugarche", "Razvigor" and "Nash Svet".

Deadline: Continuously during the calendar year

4. As a tool for communication with the public, the Directorate uses their fan page on Facebook, through which corresponds to the current issues that are in the focus of public interest and inform current developments in the field of personal data protection in the European Union and the world.

Deadline: Continuously during the calendar year

5. As a tool for communication with controllers registered in the Central registry, and with other stakeholders in the country and abroad, and to raise public awareness and promotion of the Directorate, it is issued an E-newsletter of the Directorate.

Deadline: 4 issues during the 2015 year

X. COMMISSION, WORKING BODIES, QUALITY SYSTEM MENAGEMENT

- a. Commission to rule on the offense (Commission)
- a. Acting on requests from investigators and parties to initiate the infringement procedure under the Law on personal data protection, reviewing demands and actions (decisions, conclusions and other solutions and other Acts)

Deadline: under the terms of the Rules of the Commission

- b. Preparing documentation on lawsuits filed by the decisions of the Commission (complaints, reports, submissions, etc.).

Deadline: according to legal terms and rules of procedure for the operation of Commission

- c. Acting by decisions of the administrative courts and handling final and enforceable laws on personal data protection and competent courts (preparing documentation supported with execution of valid and enforceable decisions for the Directorate of personal data protection resulting from ongoing lawsuit).

Deadline: According to the legal deadlines

- d. Keeping records of misdemeanor proceedings

Deadline: Continuous with the procedures

2. Review the quality management system in order to control the efficiency and effectiveness of implementation of the functions of the Directorate, the processes provided by the procedures of system quality management will also be reviewed. With the Annual Plan for conducting internal audits in 2015 will be identified the processes that will be subject to internal checks. During October 2015 will be done certification and verification certificate obtained by external audit.

The quality Board will conduct a review of the quality system through

- Review of the results of internal audits of QMS;

- Review of the results of all external audits conducted in the Directorate;
 - Implementation of corrective and preventive measures of previous internal checks;
 - Results of the examination to the satisfaction of the parties, the questionnaires;
 - Results of the questionnaire for evaluating employees in the last 6 months and results of the examination of the satisfaction of employees;
 - Report of complaints from customers;
 - Evaluation of the quality objectives
 - Proposals for changes and improvement in the quality management system.
- For any shortcomings identified by the inspections and the review of the quality management system, will take appropriate measures.

Deadline: during 2015

XI. FINAL PROVISIONS

This program will be published on the website of the Directorate for Personal Data Protection.

**Director,
Dimitar Gjeorgjievski**