

Pursuant to Arts. 8, para. 1, item 1), 23, para. 1 and 121 of the Law on Electronic Communications (*Official Gazette of RS*, no. 44/10), Art. 12, para. 1, item 1) and 16 item 4 of the Statutes of the Republic Agency for Electronic Communications (*Official Gazette of RS*, no. 59/10),

the Managing Board of the Republic Agency for Electronic Communications, in its session held on 21 October 2011, adopted the following

RULES

on the terms and conditions for access to and usage of the data from a public directory

1. Introductory Provisions

Article 1

These Rules shall regulate in detail the terms and conditions regarding the access to and usage of the data on subscribers contained in the public directory of an operator providing publicly available telephone services and in the comprehensive directory.

Article 2

The terms used herein shall have the following meaning:

Public directory shall refer to a list of data on the subscribers of publicly available telephone services of an operator providing publicly available telephone services, which contains basic information (name and surname and/or company name, address and subscriber number) on the subscribers that gave their consent for including the personal data in the public directory.

Directory information service shall refer to publicly available telephone service of providing the public directory information on the subscriber numbers.

Provider of the public directory shall refer to a natural or legal entity providing through service of the comprehensive directory, which may or may not be an operator, and which shall register in the relevant register of the Republic Agency for Electronic Communications.

Comprehensive directory shall refer to a directory, which includes all subscribers of publicly available telephone services in the Republic of Serbia which gave their consent for their personal data to be included in the public directory.

2. Obligations of the operator providing publicly available telephone service

Article 3

An operator providing publicly available telephone services (hereinafter: operator) shall be required to:

- 1) make and keep an up-to-date directory with the data on their subscriber;
- 2) provide the users of their services with the access to the services of the information provision and public directories.

The data on subscribers of the publicly available telephone service shall be registered in the operator's public directory, with the consent of the subscribers for including the personal data in the public and comprehensive directory, free of charge.

In order to use the data for other purposes, the consent shall be obtained from the subscribers, in accordance with the law.

On a written request of a subscriber, the operator shall enter, erase or change the data on the subscriber in the directory, free of charge.

Article 4

The data on subscribers in the directory shall be collected, updated and published in accordance with the Law on Electronic Communications (*Official Gazette of RS*, no. 44/10, hereinafter referred to as Law), and the provisions regulating personal data protection.

Article 5

The operator shall fulfil any reasonable request for access to data from the public directory under objective and fair conditions, in accordance with the Law and the law regulating personal data protection.

A public directory shall contain the following data:

- name and surname or company name for a legal entity
- subscriber telephone number(s) and
- address and ZIP code.

The access to the data referred to in para. 2 herein shall be provided commercially.

Article 6

The operators shall be required to publish the publicly available directory with the data on their subscribers on their website, enable the access to the data through information services and SMS request.

The numbers for information services and SMS request shall be assigned according to the Numbering Plan and published in an appropriate manner together with the clearly indicated price of the service.

The operators may publish the directory in printed and/or electronic form, which shall be updated once every two years.

The operator shall be required to make sure that the data available on the website, through information service or SMS request, are updated within one working day as of the moment of a change is made.

Article 7

The operator shall be required to provide the user with the access to the public directory and information services 24 hours a day, 7 days a week.

Article 8

The operator shall be required to provide all registered public directory service providers with the access to the public directory of the subscribers, under terms and conditions referred to in Art. 5 herein.

The operator shall provide the directory service provider with updated information from the public directory no later than 5 days following the change.

In case a subscriber ports the number to the network of another operator, once the number is ported the receiving operator shall be responsible for the subscriber information in the publicly available directory of their subscribers.

3. Responsibilities of Public Directory Service Provider

Article 9

Public directory service provider shall be required to close an agreement with the operator in order to regulate the access to the data from the public directory of the operator to be used for the sole purpose of forming a comprehensive directory.

Public directory service provider shall be required to update the information in the comprehensive directory according to the information provided by the operators.

The access to the data from the comprehensive directory of the service provider shall be available to all users and made by means of:

- 1) printed and/or electronic form,
- 2) calling the information service of the service provider or sending an SMS request, using the numbers assigned according to the Numbering Plan and published in an adequate manner along with clearly indicated price of service,
- 3) access to the website of the service provider.

Number assignment for the purposes of the comprehensive directory shall be carried out in accordance with the Numbering Plan and the Law.

Article 10

The information from the comprehensive directory may be used for the sole purpose of being published in directory.

In order to use the information for other purposes a prior consent from the subscribers shall be required, in accordance with the Law.

Article 11

The Republic Agency for Electronic Communications shall keep records on the public directory service providers within the appropriate register.

4. Closing Provision

Article 12

These Rules shall enter into force on the eight day following their publication in the *Official Gazette of the Republic of Serbia*.

Belgrade, 21 October 2011

Chairman of the Managing Board

Ref. No. 1-01-3400-20/11

Prof. Dr. Jovan Radunovic