

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

RULEBOOK

on the Terms and Conditions for Access to and Usage of the Data from a Public Phone Directory

1. Introductory Provisions

Article 1

This Rulebook shall stipulate in detail the terms and conditions regarding the access to and usage of the data on subscribers contained in the public phone directory of an operator providing publicly available telephone services and in the comprehensive phone directory.

Article 2

The terms used herein shall have the following meaning:

Public phone directory means 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 phone directory.

Phone directory enquiries service means publicly available telephone service for providing information on subscriber numbers from the public phone directory.

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

Comprehensive phone directory means a phone 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 phone 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 phone 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 phone directories.

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

Article 4

The data on subscribers in the phone 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 rules regulating personal data protection.

Article 5

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

A public phone 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 phone 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 phone 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 phone directory and information services 24 hours a day, 7 days a week.

Article 8

The operator shall be required to provide all registered public phone directory service providers with the access to the public phone 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 phone 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 the Public Phone Directory Service Provider

Article 9

The public phone 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 phone directory of the operator to be used for the sole purpose of forming a comprehensive phone directory.

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

The access to the data from the comprehensive phone 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 phone 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 phone directory service providers in the appropriate register.

4. Closing Provision

Article 12

This Rulebook shall enter into force on the eight day following its publication in the *Official Gazette of the Republic of Serbia*.

Belgrade, 21 October 2011

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Chairman of the Managing Board

Prof. Dr. Jovan Radunovic