



Manual for Personal Data Protection at Makedonski Telekom

1. Aim of the Manual

The right to privacy and personal data protection of the customers is a priority for the Deutsche Telekom Group (the Group).

Makedonski Telekom AD – Skopje (MKT), as a member of the Deutsche Telekom Group, pays much attention to the protection of personal data within all of their business processes by implementing the standards set by the regulations on privacy and personal data protection in the Republic of Macedonia and the standards enforced within the Group which are elaborated in detail in the Binding Corporate Rules Privacy of Deutsche Telekom.

Within this context, an important factor in the operation of MKT is the right to privacy and personal data protection of the product and service customers as personal data subjects.

This Manual should serve as a practical tool which provides a clarification of the meaning of the terms used in the personal data protection regulations, it elaborates the protection principles of personal data that are mandatorily taken in consideration with every processing of personal data of customers, also it provides the customers with a more comprehensive presentation of their rights and defines the key obligations of MKT as controller of personal data collections, that arise from the Law on Personal Data Protection, the Privacy Code of Conduct of Deutsche Telekom and the other regulations from this area.

2. Meaning and definitions of the terms used throughout the Manual

2.1 Terms arising from the regulations on personal data protection

PERSONAL DATA is information referring to an identified or identifiable natural person. An identifiable person is a person whose identity can be established directly or indirectly, on the basis of the personal identification number of the citizen or on the basis of one of more features specific to their physical, physiological, mental, economic, cultural or social identity.

Personal data are: name and surname, address, date of birth, personal identification number of the citizen, ID card number, photograph on ID documents, telephone number, e-mail address etc.

PROCESSING OF PERSONAL DATA, means obtaining, recording or holding the information or data or carrying out any operation or set of operations on the information or data, including organisation, adaptation or alteration of the information or data, retrieval, consultation or use of the information or data, disclosure of the information or data by transmission, dissemination or otherwise making available, or alignment, combination, blocking, erasure or destruction of the information or data. MKT process the personal data automatically and manually.

PERSONAL DATA SUBJECT is a natural person whose personal data are processed at MKT. Product and service customers of MKT are subjects of personal data.



PERSONAL DATA CONTROLLER is a natural or legal person, public authority or another authority that, either alone or jointly with other persons, determines the purposes for which and the manner in which any personal data are, or are to be processed. MKT is personal data controllers.

PERSONAL DATA PROCESSOR is any natural or legal person or an authorized state authority that processes the personal data on behalf of and for the account of the data controller.

PERSONAL DATA PROTECTION OFFICER is a person authorized by the controller to monitor the implementation of the personal data protection regulations and ensure compliance of the operation with the personal data protection principles.

SPECIAL CATEGORIES OF PERSONAL DATA (sensitive data) are personal data revealing racial or ethnic background, political, religious, philosophic or other affiliation, membership in a trade union organization and data referring to the health of people, including genetic data, biometric data or data pertaining to their sexual life. MKT does not process special categories of personal data for the customers.

2.2. Terms used in the area of electronic communications

SECRECY AND CONFIDENTIALITY OF ELECTRONIC COMMUNICATIONS – The Constitution of RM guarantees freedom and inviolability of all forms of communication. Confidentiality of the communications shall apply to: the content of electronic communications, traffic and location data relating to communications and unsuccessful attempts to establish a connection. The secrecy of the electronic communications may be deviated from only on the basis of a court decision, under conditions and within a procedure determined by law.

CUSTOMERS DATA are the data of persons using electronic communication services collected for purposes of establishing a contractual relation with MKT, including the preparation of the contents thereof or alteration of said contractual relation.

TRAFFIC COMMUNICATION DATA are data related to the implementation of electronic communication services which particularly include: personal data pertaining to the identification of the customer, numbers of the calling and called line, identification numbers about the used service (telephone and fax) and beginning and end of the call. When it comes to traffic communication data, it is irrelevant whether those data concern natural or legal persons because these data are in any case subject to the secrecy of electronic communications.

MKT may store and process traffic data required for billing and payments until payment for services. After the invoice is paid, these data are deleted. In line with the Law on Electronic Communications, MKT is obliged to store unprocessed traffic data of the last 24 months.

LOCATION DATA are data designating the geographic position of the terminal equipment of the user of the electronic communication service. The data regarding the location referring to the customer may be processed only in anonymous form or on the basis of prior consent from the customer to the extent or for a period required for the provisioning of a value added service.



The customer who has agreed to the processing of location-related data has the possibility of cancelling any further processing of those data in a simple way and free of charge.

The processing of location-related data, excluding personal data, may be transferred to third parties providing value added services.

The location-related data referring to emergency service numbers, MKT is obliged to submit to competent emergency call centre, appropriately.

3. Principles for personal data protection

The culture of respecting the privacy and customer care are the benefits making MKT recognizable on the market of electronic communications. Therefore, when processing personal data, MKT is governed by the following principles for the protection of personal data:

- **Process them justly and in accordance with a law**

Just processing of personal data usually implies the respect for the “principle of necessity” – processing of data in a scope required to achieve a certain goal. Personal data processing in accordance with a law implies the existence of a legal basis and respect for any possible legal restrictions arising from other laws. The data processed at MKT on the basis of a law may be used for:

- Conclusion, supervision and termination of subscriber contracts
- Charging of services
- Preparation and issuance of telephone books.

- **Collect them for specific, clear and legally determined purposes and process them in a manner complying with those purposes**

MKT is governed by the purposes and legal basis for the processing of data. The use of products and services is not subject to the customer's consent on the use of their personal data for other purposes other than for fulfilling the rights and obligations arising from the subscriber contract.

- **Be relevant, appropriate and not more extensive than the ones required to meet the purpose by processing them (economy of data)**

The principle of necessity restricts the scope of data which may be processed only to the data indispensable to meet the purposes for which they are processed. For example, the data about the marital status of the customer would be irrelevant, inappropriate and too extensive in respect of the aim which should be achieved by establishing a subscriber relation. Moreover, regardless of the type of the established business relation, the processing of the data about the ethnicity of the customer would be irrelevant, inappropriate and too extensive.

- **Be correct, complete and updated where necessary, whereas all appropriate measures shall be taken to delete or correct the data in view of the purposes for which they were collected or processed (quality of data)**



This principle refers to the quality of the data, according to which MKT as personal data controller only ensure they are correct. Updating of data means replacement of data which used to be correct by new data or supplementing them. The customer is concurrently entitled to ask that operations for deletion or correction of their data are taken.

- **To keep them in a form which enables identification of the customer not for a longer period than the one necessary for the achievement of the purpose for which the data were collected**

This principle delimits the period in which personal data may be legally processed, whereas after the termination of the purpose for which they were collected, they should be destroyed, i.e. made anonymous. When the subscriber relation is terminated, these data must be stored for a period of one year as of the day of issuing the last bill to the subscriber for the provided services. If during that period an order was issued by a competent authority for storing and transmission of said data, within the period listed in the order of the competent authority.

The principle of data deletion shall be also deemed complied with if the identification characteristics of the customers are deleted (anonymization) or if the identification characteristics are replaced by other characteristics (pseudonymization). Anonymization and pseudonymization are performed in a way ensuring that the customer's identity is not revealed or that it can be revealed only by exerting unreasonably great efforts.

4. Rights of customers

The customers who are subjects of personal data have the following rights:

- Be informed of the processing of their personal data
- Access to their personal data, and
- Supplement, modify, delete or seek termination of the use of their personal data.

Find hereinafter a more detailed clarification of these rights:

- For purposes of transparency, MKT is obliged to inform the customer of the aims and the legal basis of the processing of their personal data.
- Every customer is entitled to access their own personal data. The request for access to the data must be submitted in writing. MKT is obliged to answer the customer within 15 days as of the day of receiving the request, without however being obliged to answer the same or similar request again if there is no change in the meantime in the customer's personal data, unless six months have elapsed from the day of submitting the previous request until the new request. If the customer does not receive an answer to the request for access to personal data, they may file a request for the establishment of violation of the right to personal data protection before the Directorate for Personal Data Protection.
- The customer is entitled to seek that their personal data are supplemented, altered, deleted or its use be terminated. At the request of the customer, MKT is obliged to supplement, alter, delete or stop the usage of personal data if the data are incomplete, incorrect or not updated or if their processing is not legally compliant. No matter if the customer has filed a request for supplementing, alteration or deletion of the personal data, if MKT finds that the personal data are incomplete,



Incorrect or not updated, they will be obliged to supplement, alter or delete them. MKT is obliged to inform in writing the personal data subject of the supplements, alterations or deletions within 30 days as of the day of receiving the request.

5. Obligations of MKT

5.1 Obligation of the employees/hired persons to protection of the personal data and maintenance of the secrecy of the electronic communications

MKT employees/hired persons, when undertaking their working tasks and obligations:

- Learn the regulations about personal data protection and the documentation on the technical and organizational measures for ensuring secrecy and protection when processing personal data, and
- Hand sign a Statement on secrecy and protection when processing personal and traffic communication data and Statement on confidentiality of business information.

By those statements they commit to comply with the principles for personal data protection; process them in line with the instructions obtained from MKT unless otherwise regulated by law, and keep confidential the personal data and the measures for their protection. Such statements shall survive the termination of their working relation/engagement at MKT.

- Attend mandatory training on personal data protection.

MKT continuously inform the employees/hired persons of their immediate obligations and responsibilities regarding the personal data protection.

5.2. Informing the customers of their rights

MKT is obliged to inform the customer of:

- The identity of the controller
- The purposes of the processing
- The right to access alter or delete the personal data.

5.3. Customer's consent for any additional processing of their personal data

MKT is to ensure special consent for every additional processing of data beyond the purposes of meeting the established subscriber relation. The consent is a freely and explicitly given statement of will of the customer whereby they agree that their personal data should be processed for a certain purpose.

Only upon prior consent, may the personal data of the customer, the traffic data and the location data be processed for purposes of direct marketing and profiling (opt-in principle).

5.3.1. What is direct marketing?

Any form of communication carried out in any manner for the purpose of sending advertising, marketing or propaganda material which is immediately directed to an identified customer.



5.3.2. What is profiling?

Processing of personal data of the customer and data regarding conducted traffic for purposes of contacting them about offers of products and services appropriate to their habits and needs.

The customer is entitled to withdraw granted consent at any time, free of charge and in a simple manner.

In accordance with the Law on Electronic Communications, the electronic e-mail addresses of the customers of products or services may be used for direct marketing purposes of similar products or services of MKT; however, the customers must be permitted to opt out of the use of said addresses at any time, free of charge and in a simple-to-use procedure (opt-out principle).

5.4. External parties

Legal and natural persons entering in business relations with MKT on the basis of which they have access to documentation and personal data of the MKT customers are committed to confidentiality and personal data protection by means of special confidentiality agreements and agreements on data processing which usually form integral part of the contracts establishing the specific business relation.

6. Who should the customer address in order to fulfil their rights?

The customer should address the Personal Data Protection Officer at MKT. The Personal Data Protection Officer should act in line with the internal regulations so that the customer's rights are fulfilled in a simple, fast and efficient manner without causing unnecessary delay or costs. The customer receives an answer to their request within 15 days.

6.1 Which instance can the customer address next?

If the customer is dissatisfied with the answer and information given by the Personal Data Protection Officer of MKT and they believe their rights have been violated, the customer may file a request for the establishment of a violation of the right to personal data protection to the Directorate for Personal Data Protection. Due to the particularity of this procedure, the Directorate may decide not to reveal the personal data of the customer as a submitter of the request to MKT as an opposing party.

The personal data protection inspector from the Directorate conducts a procedure regarding violations of the right to personal data protection and decides by means of a final decision which cannot be appealed. The case may be brought before the Administrative Court within 15 days as of the day of receiving the decision.

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