



**DECISION**  
**No. 4, dated 27/12/2012**

**ON DETERMINATION OF CASES FOR EXEMPTION FROM THE  
OBLIGATION OF NOTIFICATION OF PROCESSED PERSONAL DATA**

Pursuant to paragraph 4 of Article 21 of the Law no. 9887, dated 10/3/2008 “On protection of personal data” as amended, the Commissioner for Personal Data Protection

**DECIDED:**

1. The determination of cases for which the notification for processing personal data at the Commissioner for Personal Data Protection is not necessary, as follows:

When the processing of these data is performed by not-for-profit organizations, political organizations, trade unions, religious or philosophical organizations, for purposes of their legal activity, for members, sponsors or other persons continuously related to the activity of these organizations.

When the processing of these data concerns the management of human resources in the public and private sector, in the exercise of the rights and obligations stipulated in the laws and bylaws issued for their implementation, if the processing is limited to:

- i) the purpose of job admission;
- ii) applications;
- iii) competitions;
- iv) appointments;
- v) removals from duty;
- vi) promotions in duty;
- vii) assessment of job performance and results;
- viii) disciplinary measures;
- ix) personnel register;
- x) qualifications;
- xi) data in the job contract;
- xii) calculations of salaries.

Notification of sensitive data that may be processed for the purpose of fulfilling the obligation determined in letter “b” of paragraph 1 of this decision is mandatory.

c) When the data processing is performed under the Law no. 9154, dated 6/11/2003 “On archives”, but is limited to the fulfilment of the necessary purposes, in accordance with the Law no. 9887, dated 10/3/2008 “On protection of personal data”, as amended.

2. The Registration Department at the Commissioner for Personal Data Protection shall be responsible for the enforcement of this decision.

This decision shall enter into force immediately and shall be published in the Official Journal.

**COMMISSIONER**  
**Flora Çabej (Pogaçe)**