SmartSuite

Framework / Privacy / Global Privacy Regulations

Law on Personal Data Protection (Zakon o zaštiti podataka o ličnosti), Official Gazette of the Republic of Serbia No. 87/2018

Serbia's Law on Personal Data Protection (Official Gazette No. 87/2018), in application since August 21, 2019, is the GDPR-model law supervised by the Commissioner (Poverenik).



What it is

Serbia's Law on Personal Data Protection (Zakon o zaštiti podataka o ličnosti, Official Gazette of the Republic of Serbia No. 87/2018) is the national data protection law that binds every controller and processor established in Serbia, and foreign controllers that offer goods or services to or monitor people in Serbia (Article 3); it entered into force on November 21, 2018 and has applied since August 21, 2019, nine months later (Article 102), when it repealed the 2008 law (Article 101). It is modeled on the EU GDPR and also carries the rules for processing by competent authorities for law-enforcement purposes.

At a glance

PUBLISHER
National Assembly of the Republic of Serbia (law); Commissioner for Information of Public Importance and Personal Data Protection (Poverenik) as supervisory authority

TYPE
Regulation

VERSION
Official Gazette of the Republic of Serbia No. 87/2018 (102 articles); a draft replacement law was in public debate July 30 to September 10, 2026

EFFECTIVE
August 21, 2019 (applied nine months after entry into force, Article 102); in force November 21, 2018

DOMAIN
Privacy

FAMILY
Global Privacy Regulations

REGION
Republic of Serbia

ADOPTION MODEL
Regulatory Compliance

IMPLEMENTATION COMPLEXITY
Medium

Source: poverenik.rs/en/data-protection/citizens/

Why it matters

- **A GDPR-model law with Serbian specifics** The principles, lawful bases, rights and obligations track the GDPR, so a GDPR program covers most of it, while the Commissioner's own forms, the Government's adequacy list and Serbian-language records are local requirements.
- **One supervisory authority** The Commissioner for Information of Public Importance and Personal Data Protection supervises the law (Article 73), handles complaints, and must act on a complaint within 60 days or the complainant may go to the Administrative Court (Article 83).
- **Fixed breach clock** Article 52 requires notice to the Commissioner without undue delay and, where possible, within 72 hours of learning of a breach, with reasons for any delay; Article 53 adds notice to data subjects when the risk is high.
- **Defined transfer routes** Articles 63 to 70 set adequacy (Council of Europe Convention 108 parties and EU-recognized countries count as adequate), appropriate safeguards including standard contractual clauses drawn up by the Commissioner, binding corporate rules and the derogations in Article 69.

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How SmartSuite supports Serbia Personal Data Protection Law

Record of Processing (Article 47)

Keep each processing activity as a record with purpose, data subject and data categories, recipients, transfers, retention and security measures, exportable for a Commissioner inspection.

Lawful Basis and Consent Register

Record the Article 12 basis per purpose and the Article 15 consent evidence, and flag special-category processing against the Article 17 exceptions.

Data Subject Request Workflow

Log access, rectification, erasure, restriction, portability and objection requests (Articles 26 to 37) with deadlines, responses and the Article 21 plain-language reply.

DPIA and Prior Consultation

Run the Article 54 impact assessment as a record, link risks to controls, and track any Article 55 consultation with the Commissioner before processing starts.

Breach Notification (Articles 52 and 53)

Capture discovery time, risk assessment, the 72-hour Commissioner notice, reasons for any delay, processor notices and data subject communications.

Processors and Transfers

Track processor contracts under Article 45 and the Article 65 safeguards for each transfer (adequacy, Commissioner standard contractual clauses, binding corporate rules) in Third Party Risk Management.

Common framework mappings

CIS Controls v8.1 | GDPR | HIPAA | ISO 27001:2022 | ISO 27002:2022 | ISO 27701 | NIST CSF 2.0 | NIST Privacy Framework v1.0 | NIST 800-53 Rev.5 | SOC 2

Official resources

Law on Personal Data Protection (Official Gazette No. 87/2018), Commissioner's copy

The Commissioner's file of the law as published in Official Gazette of the Republic of Serbia No. 87/2018 (Serbian).

poverenik.rs/h-content/uploads/2024/02/ZZPLnovembar2018-2.doc

Commissioner for Information of Public Importance and Personal Data Protection

The supervisory authority's English site: rights, complaints, forms and decisions under the law.

poverenik.rs/en/home

Frequently asked questions

Who must comply with Serbia's Law on Personal Data Protection?

Under Article 3 the law applies to controllers and processors established in Serbia for activities carried out there, wherever the processing happens, and to foreign controllers and processors that offer goods or services to people in Serbia or monitor their behavior in Serbia; those foreign organizations must appoint a representative in Serbia unless Article 44 exempts them. Purely personal or household processing is outside the law.

When did the law enter into force and apply?

Article 102 provides that the law enters into force on the eighth day after publication in the Official Gazette (No. 87/2018), which was November 21, 2018, and applies after nine months, from August 21, 2019. On that date Article 101 repealed the earlier Law on Personal Data Protection of 2008.

What are the breach notification deadlines?

Article 52 requires the controller to notify the Commissioner of a breach that may risk individuals' rights and freedoms without undue delay and, where possible, within 72 hours of learning of it, giving reasons for any later notice; a processor must inform the controller without undue delay. Article 53 requires notice to the affected data subjects without undue delay when the breach may cause a high risk, unless one of its exceptions applies.

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When is a data protection officer mandatory?

Article 56 requires a data protection officer where processing is carried out by a public authority (other than a court acting judicially), where the core activities require regular and systematic large-scale monitoring of data subjects, or where the core activities consist of large-scale processing of special categories of data or data on criminal convictions. Articles 57 and 58 set the officer's independence, resources and tasks.

What are the penalties for breaching the law?

Article 95 treats the listed breaches as misdemeanors with fines of 50,000 to 2,000,000 dinars for controllers and processors that are legal entities, 20,000 to 500,000 dinars for entrepreneurs and 5,000 to 150,000 dinars for responsible persons and natural persons. Separately, Article 86 gives anyone who suffers material or non-material damage a right to compensation from the controller or processor, and the Commissioner's decisions are binding and enforceable.

License included / downloadable: Yes The law is a Serbian statute published free in the Official Gazette of the Republic of Serbia; the Commissioner's site carries the Serbian text and forms, and the platform links to it. No official English translation is published by the Commissioner.

Full framework page and mappings: smartsuite.com/frameworks/serbia-official-gazette-no-87-2018-personal-data-protection-law

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