

Data. Protection. Adding Value.

GDPR Local Insights*



Croatia

Legislation

Act on Implementation of General Data Protection Regulation (OG 42/18), supplemented by data protection rules in special fields of law legislation.

Supervisory Authority

Croatian Personal Data Protection Agency

Special Conditions for Data Processing

Legal basis for direct marketing is consent and, if special conditions are met, a legitimate interest.

The employer may not ask the job candidate or employee for information that is not directly related to the employment relationship. Information concerning pregnancy can be requested only if the employee personally demands a certain right provided for by law or another regulation for the protection of pregnant women.

There are restrictions on the scope of employees' personal data that can be processed by the employer, as a data controller. It is also prescribed when and for what purpose the biometric data or the criminal record of the employee may be processed.

There are special conditions for CCTV that relate to justifying the need for CCTV, notifying the data subjects, keeping of records. Monitoring of employees is allowed-only if special conditions are met, but with prior information to employees. In regard to residential buildings, it is prescribed that CCTV may cover only access to entry and exit from residential buildings and common premises in residential buildings.

Monitoring of public areas by means of CCTV is allowed only to public authorities and other entities performing public services, in case special conditions are met.

Special Categories of Data

Processing of genetic data for the calculation of the risk of disease and other health aspects of data subjects within the framework of activities for the conclusion or execution of life insurance contracts and contracts with clauses on survival is prohibited and can not be lifted by the consent of the data subject.

Processing of biometric data in the private sector may be carried out only in certain cases. In case of processing of biometric data for the purpose of reliable identification of users of services, a legal basis is consent.

Restrictions on Individuals' Rights

Public bodies producing official statistics do not need to provide data subjects with the right of access to personal data, the right to correct personal data, the right to restriction of personal data processing or the right to object to personal data processing, in order to ensure conditions necessary to achieve the purpose of official statistics in so far as such rights are likely to render impossible or seriously impair the achievement of the specific purposes, and such derogations are necessary for the fulfilment of those purposes.

Other Relevant Exemptions

Designating and changes of Data Protection Officer requires a special notification to the regulator.

Criminal liability is prescribed for: collecting, processing and using personal data of natural persons contrary to the conditions specified in the law as well as transferring personal data from Republic of Croatia contrary to provisions of law.

Your local contacts:



Dzenet Garibovic

Senior Manager, PwC Croatia

+385 99 311 0672

dzenet.garibovic@pwc.com



Marija Perak

Senior Associate, PwC Croatia

+385 99 534 8211

marija.perak@pwc.com

*The overview intends to provide general insights on the level of supplementary rules implemented in a country and for such purpose provides examples where the relevant member states have made use of the exemption provided by the GDPR. It is therefore non-exhaustive.

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