



REQUIREMENT FOR COOKIES' CONSENT.

<p>EU: Bulgaria, Czech Republic, Hungary, Romania, Slovakia</p>	<p>Under the current legislation, opt out principle applies in the Czech Republic and Bulgaria. In Hungary, Romania and Slovakia, opt in principle applies. For Romania, in addition, the browser settings may be used for consent purposes. This will change under a new e-Privacy Regulation to 'opt-out' regime in all EU countries.</p>
<p>Serbia</p>	<p>There is no specific legislation on cookies in Serbia. However, to the extent that cookies are seen to process personally identifying information, an individual's consent is required.</p> <p>Under the current regulation, the only way to give consent is in writing, but the new model of the personal data protection law, which was prepared by the Serbian data protection authority and has not yet been officially presented to the Serbian Government, introduces the opt-in regime.</p> <p>Therefore, cookies policy should be carefully reviewed for Serbia.</p>
<p>Ukraine</p>	<p>There is no specific legislation on cookies in Ukraine. However, in the event cookies are seen to process personally identifying information, an individual's consent is required. Opt-in approach is advisable.</p>
<p>Turkey</p>	<p>There is no specific legislation concerning cookies in Turkey. Therefore, collecting, processing and transferring of information obtained through cookies may require users' prior consent if the information obtained through relevant cookies qualify as personal data. Opt-in approach is advisable.</p>
<p>Kazakhstan</p>	<p>Cookies are generally considered as personal data under the Kazakhstani legislation. Collecting and processing of cookies require user's prior written consent. In practice, such consent can be given by opt in option.</p>

IS DIRECT MARKETING BY E-MAIL SUBJECT TO PRIOR CONSENT?

<p>EU: Bulgaria, Czech Republic, Hungary, Romania, Slovakia</p>	<p>Yes, subject to exceptions available (such as e-mails to customers). No major changes expected due to e-Privacy Regulation. It shall be noted that EU legislation underlines the importance of ease to 'opt-out': <i>'the opportunity to object, free of charge and in an easy manner, to such use. The right to object shall be given at the time of collection and each time a message is sent'</i>.</p>
<p>Serbia</p>	<p>Yes, under the Serbian Consumer Protection Law, direct marketing emails may only be sent to the recipient with a prior approval.</p>
<p>Ukraine</p>	<p>No. The Ukrainian legislation permits distribution of commercial electronic messages without individual's prior consent if there is an option to unsubscribe from such messages.</p>
<p>Turkey</p>	<p>Yes. Direct marketing emails may only be sent to the recipient with a prior approval. This approval may be obtained in writing or by any electronic means. Certain exceptions are available, such as emails to shopkeepers and tradesmen.</p>
<p>Kazakhstan</p>	<p>No. However, for the purposes of direct marketing a user is required to share his/her personal data, then this will require obtaining his/her prior written consent for collection and processing of his/her personal data.</p>



IS DIRECT MARKETING BY PHONE SUBJECT TO PRIOR CONSENT?

<p>EU: Bulgaria, Czech Republic, Hungary, Romania, Slovakia</p>	<p>Yes, except for Romania. For Romania, there are no specific provisions regulating live marketing by telephone. Consequently, it could be said that no restrictions are provided for direct marketing by telephone, given that the consent can be obtained directly from the individual at the outset of the telephone conversation and not necessarily through a prior procedure.</p>
<p>Serbia</p>	<p>Yes, under the Serbian Consumer Protection Law, direct marketing by phone may only be made to the receiver with prior approval.</p>
<p>Ukraine</p>	<p>No. Ukrainian legislation does not expressly require an individual's prior consent for direct marketing by phone. However, if such marketing concerns processing of personal data, it is a subject to prior consent.</p>
<p>Turkey</p>	<p>Yes. Direct marketing by phone may only be made to the receiver with prior approval. This approval may be obtained by writing or by any electronic means of communication.</p>
<p>Kazakhstan</p>	<p>No. However, if for the direct marketing purposes, a user is required to share his/her personal data, then this will require obtaining his/her prior written consent for collection and processing of his/her personal data.</p>

UPCOMING CHANGES IN LOCAL LEGISLATION DUE TO NEW E-PRIVACY REGULATION.

<p>EU: Bulgaria, Czech Republic, Hungary, Romania, Slovakia</p>	<p>Local regulators have not (yet) prepared new legislation as a result of EU e-Privacy Regulation. The new legislation is expected to be available in some countries (in particular, the Czech Republic and Slovakia) once the e-Privacy Regulation is adopted by the European Parliament.</p>
<p>Serbia</p>	<p>As a part of the EU accession process, Serbia was supposed to adopt a new data protection regulation by the end of 2016, but this requirement has not yet been fulfilled.</p> <p>The Serbian data protection authority has prepared a model of a completely new law on personal data protection, which implements most of the rules from the new EU General Data Protection Regulation. It is expected that this model law will be officially presented to the Serbian Government soon, but we cannot predict whether in the end this particular model will be adopted by the Serbian Parliament.</p>
<p>Ukraine</p>	<p>No upcoming changes in Ukrainian legislation. Ukraine committed to adopt adequate safeguards for the protection of privacy under the EU-Ukraine Association Agreement, dated 27 June 2014. It is therefore likely that the e-Privacy Regulation will be implemented in Ukraine in the near future.</p>
<p>Turkey</p>	<p>There are no proposed changes to the Turkish e-Privacy legislation.</p>
<p>Kazakhstan</p>	<p>While the regulation of personal data protection is relatively new in Kazakhstan and it still needs to be improved, no specific changes in the Kazakhstani legislation are expected due to the new e-Privacy Regulation.</p>