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| Adopted by the T-CY at its 19th Plenary  Strasbourg, 9 July 2018  *Adopté par le T-CY durant sa 19ème Plénière*  *Strasbourg, 9 juillet 2018* | T-CY(2018)11 |

[Add logo or use letter head of requesting organization if necessary]

*[Ajoutez le logo ou utilisez l’en-tête de l’organisation requérante si nécessaire]*

Data Preservation Request

under Articles 29 and 30 Budapest Convention on Cybercrime[[1]](#footnote-1)

*Zahtjev za čuvanje podataka*

*shodno čl. 29 i 30 Budimpeštanske konvencije o računarskom kriminalu*

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| 1. date / *Datum* |
| DD/MM/YYYYY |

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| 1. reference / case number   *VEZA / BROJ PREDMETA* |
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| 1. request status   *STATUS ZAHTJEVA* |
|  New request / *Novi zahtjev*   Extension of previous request /*Nastavak prethodnog zahtjeva*   Ticket/reference number of previous request: / *Broj etikete/veze prethodnog zahtjeva* |

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| 1. REQUESTED AUTHORITY   *ORGAN KOJI PRIMA ZAHTJEV* |
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| 1. REQUESTING Authority \*   *ORGAN KOJI ŠALJE ZAHTJEV \** | |
| Organisation |  |
| Person in charge of the request  *Osoba zadužena za postupanje* |  |
| Address  *Adresa* |  |
| Telephone number  *Br. Telefona* |  |
| Cell phone number  *Br. mobilnog tel.* |  |
| E-mail address  *E-mail adresa* |  |
| Fax number  *Fax* |  |
| Office Hours  *Radno vrijeme* |  |
| Time Zone  *Vremenska zona* |  |
| ☐ | Response by email or other expedited means preferred / *Poželjno je da odgovor bude dostavljen putem e-maila ili drugog sredstva brze komunikacije* |
|  | Response preferred by means of:  *Poželjo je da odgovor bude dostavljen putem:* |

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| 1. SHOULD ADDITIONAL confirmation FROM THE requesting authority be needed, PLEASE CONTACT:   *UKOLIKO JE POTREBNA DODATNA POTVRDA OD ORGANA KOJI ŠALJE ZAHTJEV, MOLIMO DA KONTAKTIRATE:* | |  |
| Name  *Ime:* |  | |
| Job Title  *Zvanje:* |  | |
| Function  *Funkcija:* |  | |
| Telephone number  *Br. Telefona* |  | |
| Cell phone number  *Br. mobilnog tel.* |  | |
| E-mail address  *E-mail adresa* |  | |

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| 1. Investigative/Operational AUTHORITY in charge of the case   (if different from Requesting Authority)  *ISTRAŽNI/OPERATIVNI ORGAN KOJI JE NADLEŽAN ZA PREDMET*  *(UKOLIKO TO NIJE ORGAN KOJI ŠALJE ZAHTJEV)* | |
| Organisation  *Organizacija* |  |
| Person in charge at the authority  *Osoba zadužena za postupanje* |  |
| Address  *Adresa* |  |
| Telephone number  *Br. Telefona* |  |
| Cell phone number  *Br. mobilnog tel.* |  |
| E-mail address  *E-mail adresa* |  |
| Fax number  *Fax* |  |

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| 1. prosecution office or Court in charge if applicable   *NADLEŽNO TUŽILAŠTVO ILI SUD, UKOLIKO JE PRIMJENJIVO* | |
| Prosecution office in charge and case number  *Nadležno tužilaštvo i broj predmeta* |  |
| Court in charge and case number  *Nadležni sud i broj predmeta* |  |
| Prosecution or Court decisions related to the request  *Odluka tužilaštva ili suda u vezi sa zahtjevom* |  |

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| 1. FOLLOW UP THROUGH MUTUAL LEGAL ASSISTANCE   *POSTUPAK MEĐUNARODNE PRAVNE POMOĆI* | |
| ☐ | Please be informed that we intend to submit a request for mutual legal assistance to request the production of data.**\***  *Namjeravamo da uputimo zamolnicu za međunarodnu pravnu pomoć u ciju izrade podataka.\** |
| ☐ | Please find enclosed a mutual legal assistance request for the production of data.  *U prilogu se dostavlja zamolnica za međunarodnu pravnu pomoć u cilju izrade podataka.* |

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| 1. OFFENCES SUBJECT TO CRIMINAL INVESTIGATION OR PROCEEDINGS\*   *KRIVIČNO DJELO KOJE JE PREDMET ISTRAGE ILI KRIVIČNOG POSTUPKA\** | |
| ☐ Offence/s corresponding to Articles 2 through 11 Budapest Convention  *Krivično djelo/djela koja odgovaraju odredbama članova 2-11 Budimpeštanske konvencije* | Please specify offence under the law of the requesting State:  / *Molimo navedite krivično djelo predviđeno zakonom države molilje:* |
| ☐ Other offence/s  *Drugo krivično djelo/djela* | Please specify under the law of the requesting State:  / *Molimo navedite, u skladu sa zakonom države molilje:* |

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| 1. summary of the case\*   Including:  - brief description of the facts  - how the data sought is related to the investigation/offences  - purpose and necessity of request for preservation and/or partial disclosure of traffic data  - charges pressed/list of offences in the case  *KRATAK PREGLED PREDMETA\**  *Uključujući:*  *- kratak opis činjenica*  *- na koji način su traženi podaci povazani sa istragom/krivičnim djelima*  *- svrha i neophodnost zahtjeva za čuvanje i/ili djelimično otkrivanje podataka o prometu*  *- tužbe/krivična djela u ovom predmetu* |
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| 1. data to be preserved\*   *PODACI KOJE TREBA ČUVATI \** | | | |
| ☐ **Subscriber information / *Podaci o pretplatniku*** | Please specify:  *Molimo navedite:* | | |
| Period of interest  *Traženi period* | Start date: DD/MM/YYYY  Time (and time zone):  *Datum od: DD/MM/GGGG Vrijeme (i vremenska zona):* | End date: DD/MM/YYY  Time (and time zone):  *Datum do: DD/MM/GGGG Vrijeme (i vremenska zona):* | |
| ☐ If the system is a shared system, please preserve all basic subscriber information for all virtual systems on the IP. / *Ukoliko je riječ o zajedničkom sistemu, molimo da sačuvate sve osnovne podatke o pretplatniku za sve virtuelne sisteme na ovoj IP adresi.* | | | |
| ☐ **Traffic data / *Podaci o prometu*** | Please specify:  *Molimo navedite:* | | |
| Period of interest  *Traženi period* | Start date: DD/MM/YYYY  Time (and time zone):  *Datum od: DD/MM/GGGG Vrijeme (i vremenska zona):* | | End date: DD/MM/YYYY  Time (and time zone):  *Datum do: DD/MM/GGGG Vrijeme (i vremenska zona):* |
| ☐ **Content data / *Podaci o sadržaju*** | Please specify:  *Molimo navedite:* | | |
| Period of interest  *Traženi period* | Start date: DD/MM/YYYY  Time (and time zone):  *Datum od: DD/MM/GGGG Vrijeme (i vremenska zona):* | | End date: DD/MM/YYYY  Time (and time zone):  *Datum do: DD/MM/GGGG Vrijeme (i vremenska zona):* |

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| 1. information identifying the person or organisation (e.g. Service provider) in possession or control of the stored computer data AND The location of the computer system, IF AVAILABLE\*   *PODACI KOJI IDENTIFIKUJU LICE ILI ORGANIZACIJU (NPR. PRUŽALAC USLUGA) KOJA POSJEDUJE ILI KONTROLIŠE POHRANJENE RAČUNARSKE PODATKE I LOKACIJU RAČUNARSKOG SISTEMA, UKOLIKO JE DOSTUPNO\** |
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| 1. EXPEDITED DISCLOSURE OF PRESERVED TRAFFIC DATA UNDER ARTICLE 30 OF THE CONVENTION ON CYBERCRIME   Details/description of data to be disclosed[[2]](#footnote-2)  *BRZO OTKRIVANJE USKLADIŠTENIH PODATAKA O PROMETU NA OSNOVU ČLANA 30 KONVENCIJE O RAČUNARSKOM KRIMINALU* *MONTENEGRIN* |
| ☐ This request seeks to preserve traffic data concerning a specific communication. If, in the context of this request, the server reveals that a service provider in another jurisdiction was involved in the transmission of this communication, please immediately disclose to us the identity of that service provider and the path of the communication in line with Article 30 of the Convention on Cybercrime. *Ovim zahtjevom traži se čuvanje podataka o prometu koji se odnose na određenu komunikaciju. Ukoliko u smislu ovog zahtjeva server otkrije da je pružalac usluga u drugoj jurisdikciji bio uključen u prenos ove komunikacije, molimo da nam odmah otkrijete identitet tog pružaoca usluga i put komunikacije shodno članu 30 Konvencije o računarskom kriminalu.* |

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| 1. CASE STATUS   *STATUS PREDMETA* |
| ☐ Pre-trial phase / *Istraga*  ☐ On trial / *Suđenje*  ☐ Crime in progress / *Izvršenje krivičnog djela u toku*  Other details if necessary:  *Drugi podaci, ukoliko je potrebno:* |

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| 1. Urgency   *HITNOST* |
| ☐ **URGENT / *HITNO***  Response expected by: DD/MM/YYYY  *Odgovor se očekuje do: DD/MM/GGGG* |
| **REASONS FOR URGENCY**  ***RAZLOZI ZA HITNOST***  ☐ Threat to life and limb / *Ugrožavanje života i tijela*  ☐ Imminent threat of a serious nature to public security / *Neposredna ozbiljna prijetnja javnoj sigurnosti*  ☐ Crime in progress / *Izvršenje krivičnog djela u toku*  ☐ Suspect/offender in custody / *Osumnjičeni/počinilac se nalazi u pritvoru*  ☐ Suspect/offender about to be released from custody / *Osumnjičeni/počinilac će uskoro biti pušten iz pritvora*  ☐ Volatility of data / *Nestabilnost podataka*  ☐ Statute of limitation due to expire / *Zastarjelost će uskoro nastupiti*  ☐ Trial is imminent or in progress / *Suđenje je izvjesno ili je u toku*  ☐ Other: / *Ostalo:* |
| Brief details for urgency, if any ***DETALJI O HITNOSTI UKRATKO, UKOLIKO JE POTREBNO*** |
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| 1. CONFIDENTALITY   POVJERLJIVOST |
| ☐ We request that this preservation request is kept confidential and that customers are not notified.  Please inform us if your domestic law requires us to explain the reason for confidentiality; or – before taking any action – whether your domestic law requires customer notification or if you suspect that the provider may not comply with the request for confidentiality.  *Potrebno je da ovaj zahtjev za zaštitu podataka bude povjerljiv i da korisnici ne budu obaviješteni.*  *Molimo da nas obavijestite ukoliko vaši domaći propisi zahtijevaju da objasnimo razloge za povjeriljivost; ili – prije preduziimanja bilo kakve radnje – da li vaši domaći propisi zahtijevaju obavještenje korisnika ili postoji sumnja da pružalac usluga neće moći da udovolji zahtjevu za povjerljivost.* |

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| 1. Confirmation/notification requested, if available   *ZAHTIJEVANJE POTVRDE/OBAVJEŠTENJA, UKOLIKO JE DOSTUPNO:* |
| ☐ Confirmation of receiving the request / *Potvrda prijema zahtjeva*  ☐ Confirmation of preservation of the data / *Potvrda čuvanja podataka*  ☐ Information on the preservation period / *Informacija o periodu čuvanja*  ☐ Information on whether data is beyond the jurisdiction of the requested country / *Informacija o tome da li su podaci izvan nadležnosti države kojoj je upućen zahtjev*  ☐ Information on whether the data preserved will be destroyed after the preservation period / *Informacija o tome da li će sačuvani podaci biti uništeni nakon perioda čuvanja*  ☐ Other: / *Ostalo:* |

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| 1. Additional NOTES, IF ANY   *DODATNE NAPOMENE, UKOLIKO JE POTREBNO* |
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| 1. Signature and / or stamp of REQUESTING Authority if applicable   *POTPIS I / ILI PECAT ORGANA KOJI SALJE ZAHTJEV, UKOLIKO JE PRIMJENJIVO* | |
| Name  *Ime* |  |
| Position  *Funkcija* |  |
| Date / place  *Datum / mjesto* |  |
| Signature and/or stamp  *Potpis i/ili pečat* |  |

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| 1. Annex: Data specification form   *ANEKS: OBRAZAC SPECIFIKACIJE PODATAKA*  Please complete a separate form for each person or organisation believed to be in possession or control of data. Please complete as much as is possible or applicable.  *Molimo popunite poseban obrazac za svaku osobu ili organizacju za koju se vjeruje da posjeduje ili kontroliše podatake. Molimo da unesete što je više moguće podataka.* | | |
| **Details of person or organisation believed to be in possession or control of data**  ***Detalji osobe ili organizacije za koju se vjeruje da posjeduje ili kontroliše podatke*** | | |
| Business Name  *Poslovno ime* |  |  |
| Legal Name  *Pravno ime* |  |  |
| Contact name  *Ime kontakt osobe* |  |  |
| Address  *Adresa* |  |  |
| Country  *Država* |  |  |
| Phone  *Telefon* |  |  |
| Email Address  *Email* |  |  |
| **IPv4** | **1-255** | **1-255** |
|  |  |  |
| URL |  | |
| Date / *Datum* |  | |
| Time  *Vrijeme* |  | |
| Time Zone  *Vremenska zona* |  | |
| Proxy / *Proxy* |  | |
| Anonymization  *Anonimizacija* |  | |
| Port number  *Broj porta* |  | |
| **IPv6** | **Subnet – 64 bit** | **Host – 64 bit** |
|  |  |  |
| URL: |  | |
| Date / *Datum* |  | |
| Time  *Vrijeme* |  | |
| Time Zone  *Vremenska zona* |  | |
| Proxy / *Proxy* |  | |
| Anonymization  *Anonimizacija* |  | |
| **Other data**  ***Ostali podaci*** | | |
| E-mail address  *E-mail adresa* |  | |
| Social Networking ID  *ID društevnih mreža* |  | |
| Date / *Datum* |  | |
| Time  *Vrijeme* |  | |
| Time Zone  *Vremenska zona* |  | |
| Proxy / *Proxy* |  | |
| Anonymization  *Anonimizacija* |  | |

1. This template was adopted by the Cybercrime Convention Committee (T-CY) at its 19th Plenary (9-10 July 2018) to facilitate the preparation and acceptance of requests by Parties. Use of this template by Parties to the Budapest Convention is optional. Please note that items marked with asterisk (**\***) are required information pursuant to Article 29, paragraph 2 of the Convention on Cybercrime. [↑](#footnote-ref-1)
2. If necessary, please fill in the Annex (data specification form). [↑](#footnote-ref-2)