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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)

*Zahtev za skladištenje podataka*

*U skladu sa članovima 29 i 30 Budimpeštanske konvencije o suzbijanju kompjuterskog kriminala*

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

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| 1. reference / case number   *REFERENCA / BROJ PREDMETA* |
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| 1. request status   *STATUS ZAHTEVA* |
|  New request / *Novi zahtev*   Extension of previous request /*Proširenje prethodnog zahteva*   Ticket/reference number of previous request: / *Referentni broj prethodnog zahteva* |

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| 1. REQUESTED AUTHORITY   *ZAMOLJENA ČLANICA* |
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| 1. REQUESTING Authority \*   *ČLANICA KOJA ZAHTEVA \** | |
| Organisation |  |
| Person in charge of the request  *Osoba zadužena za zahtev* |  |
| Address  *Adresa* |  |
| Telephone number  *Broj telefona* |  |
| Cell phone number  *Broj mobilnog telefona* |  |
| E-mail address  *E-mail adresa* |  |
| Fax number  *Broj fax-a* |  |
| Office Hours  *Radno vreme* |  |
| Time Zone  *Vremenska zona* |  |
| ☐ | Response by email or other expedited means preferred / *Poželjan odgovor imejlom ili drugim ekspeditivnim sredstvom komunikacije* |
|  | Response preferred by means of:  *Poželjan odgovor 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 ZAHTEVA MOLIMO KONTAKTIRAJTE:* | |  |
| Name  *Ime:* |  | |
| Job Title  *Radno mesto:* |  | |
| Function  *Funkcija:* |  | |
| Telephone number  *Broj telefona:* |  | |
| Cell phone number  *Broj mobilnog telefona:* |  | |
| E-mail address  *E-mail adresa:* |  | |

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| 1. Investigative/Operational AUTHORITY in charge of the case   (if different from Requesting Authority)  *ISTRAŽIVAČKO / OPERATIVNI ORGAN NADLEŽAN ZA PREDMET*  *(ukoliko je različit od organa koji podnosi zahtev)* | |
| Organisation  *Organizacija* |  |
| Person in charge at the authority  *Osoba zadužena u oraganizaciji* |  |
| Address  *Adresa* |  |
| Telephone number  *Broj telefona* |  |
| Cell phone number  *Broj mobilnog telefona* |  |
| E-mail address  *E-mail adresa* |  |
| Fax number  *Broj fax-a* |  |

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| 1. prosecution office or Court in charge if applicable   *NADLEŽNO TUŽILAŠTVO ILI SUD UKOLIKO JE PRIMENJIVO* | |
| 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  *Odluke tužilaštva ili suda u vezi sa predmetom* |  |

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| 1. FOLLOW UP THROUGH MUTUAL LEGAL ASSISTANCE   *PRAĆENJE KROZ UZAJAMNU PRAVNU POMOĆ* | |
| ☐ | Please be informed that we intend to submit a request for mutual legal assistance to request the production of data.**\***  *Obaveštavamo vas da nameravamo da podnesemo zahtev za uzajamnu pravnu pomoć u zahtevu za dostavljanja podataka.\** |
| ☐ | Please find enclosed a mutual legal assistance request for the production of data.  *U prilogu dostavljamo zahtev za uzajamnu pravnu pomoć u traženju dostavljanja podataka.\** |

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| 1. OFFENCES SUBJECT TO CRIMINAL INVESTIGATION OR PROCEEDINGS\*   *PREKRŠAJI KOJI SU PREDMETI KRIVIČNE ISTRAGE ILI POSTUPKA \** | |
| ☐ Offence/s corresponding to Articles 2 through 11 Budapest Convention  *Prekršaji koji odgovaraju članovima 2-11 Budimpeštanske konvencije* | Please specify offence under the law of the requesting State:  / *Navedite krivično delo prema zakonu države koja zahteva:* |
| ☐ Other offence/s  *Ostali prekršaji* | Please specify under the law of the requesting State:  / *Navedite krivično delo prema zakonu države koja zahteva:* |

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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  *REZIME PREDMETA\**  *Uključujući:*  *- kratak opis činjenica*  *- kako se traženi podaci odnose na istragu/prekršaje*  *- svrha i neophodnost zahteva za očuvanje i/ili delimično otkrivanje podataka*  *- tužbe / spisak krivičnih dela u slučaju* |
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| 1. data to be preserved\*   *PODACI ZA ČUVANJE\** | | | |
| ☐ **Subscriber information / *Podaci o pretplatniku*** | Please specify:  *Molimo navedite:* | | |
| Period of interest  *Period interesovanja* | Start date: DD/MM/YYYY  Time (and time zone):  *Početni datum: DD/MM/YYYY Vreme(i vremenska zona):* | End date: DD/MM/YYY  Time (and time zone):  *Krajnji datum: DD/MM/YYY Vreme(i vremenska zona):* | |
| ☐ If the system is a shared system, please preserve all basic subscriber information for all virtual systems on the IP. / *Ako je sistem zajedničk, molimo vas da sačuvate sve osnovne podatke o pretplatniku za sve virtuelne sisteme na IP.* | | | |
| ☐ **Traffic data / *Podaci o prometu*** | Please specify:  *Molimo navedite:* | | |
| Period of interest  *Period interesovanja* | Start date: DD/MM/YYYY  Time (and time zone):  *Početni datum: DD/MM/YYYY Vreme(i vremenska zona):* | | End date: DD/MM/YYYY  Time (and time zone):  *Krajnji datum: DD/MM/YYY Vreme(i vremenska zona):* |
| ☐ **Content data / *Podaci o sadržaju*** | Please specify:  *Molimo navedite:* | | |
| Period of interest  *Period interesovanja* | Start date: DD/MM/YYYY  Time (and time zone):  *Početni datum: DD/MM/YYYY Vreme(i vremenska zona):* | | End date: DD/MM/YYYY  Time (and time zone):  *Krajnji datum: DD/MM/YYY Vreme(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 ZA IDENTIFIKACIJU OSOBE ILI ORGANIZACIJE (NPR. DOBAVLJAČ INTERNET USLUGA) KOJA POSEDUJE ILI KONTORLIŠE SAČUVANE KOMPJUTERSKE PODATKE I LOKACIJA KOMPJUTERSKOG SISTEMA UKOLIKO JE DOSTUPNA\** |
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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)  *UBRZANO OTKRIVANJE SAČUVANIH PODATAKA O PROMETU U SKLADU SA ČLANOM 30 KONVENCIJE O SUZBIJANJU KOMPJUTERSKOG KRIMINALA* *SERBIAN* |
| ☐ 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. *Ovaj zahtev nastoji da sačuva podatke o prometu u vezi određene komunikacije. Ako, u kontekstu ovog zahteva, server otkrije da je dobavljač internet usluga iz druge nadležnosti bio uključen u prenos ove komunikacije, molimo Vas da nam odmah otkrijete identitet tog dobavljača internet usluga i put komunikacije u skladu s članom 30 Konvencije o kompjuterskom kriminalu.* |

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| 1. CASE STATUS   *STATUS PREDMETA* |
| ☐ Pre-trial phase / *Predistražna faza*  ☐ On trial / *Suđenje*  ☐ Crime in progress / *Krivično delo u toku*  Other details if necessary:  *Drugi detalji ukoliko je potrebno:* |

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| 1. Urgency   *URGENTNOST* |
| ☐ **URGENT / *URGENTNO***  Response expected by: DD/MM/YYYY  *Odgovor očekivan do: DD/MM/YYYY* |
| **REASONS FOR URGENCY**  ***RAZLOZI URGENTNOSTI***  ☐ Threat to life and limb / *Opasnost po život*  ☐ Imminent threat of a serious nature to public security / *Neposredna ozbiljna pretnja javnoj sigurnosti*  ☐ Crime in progress / *Krivično delo u toku*  ☐ Suspect/offender in custody / *Osumnjičeni / počinilac u pritvoru*  ☐ Suspect/offender about to be released from custody / *Osumnjičeni / počinilac treba da bude pušten iz pritvora*  ☐ Volatility of data / *Volatilnost podataka*  ☐ Statute of limitation due to expire / *Približavanje zastarevanja*  ☐ Trial is imminent or in progress / *Suđenje je neizbežno ili je u toku*  ☐ Other: / *Drugo:* |
| Brief details for urgency, if any ***KRATKI DETALJI O URGENTNOSTI, UKOLIKO IH IMA*** |
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| 1. CONFIDENTALITY   POVERLJIVOST |
| ☐ 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.  *Tražimo da ovaj zahtev za skladištenje ostane poverljiv i da korisnici ne budu obavešteni.*  *Molimo vas da nas obavestite ukoliko vaš zakon zahteva da objasnimo razloge poverljivosti; ili – pre preduzimanja aktivnosti – da li vas zakon obavezuje na obaveštavanje korisnika ili da li sumnjate da dobavljač usluga možda neće sarađivati sa zahtevom o poverljivosti.* |

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| 1. Confirmation/notification requested, if available   *POTREBNA POTVRDA / OBAVEŠTENJE, UKOLIKO JE MOGUĆE:* |
| ☐ Confirmation of receiving the request / *Potvrda o prijemu zahteva*  ☐ Confirmation of preservation of the data / *Potvrda o čuvanju podataka*  ☐ Information on the preservation period / *Obaveštenje o periodu čuvanja*  ☐ Information on whether data is beyond the jurisdiction of the requested country / *Obaveštenje da li su podaci izvan nadležnosti zamoljene članice*  ☐ Information on whether the data preserved will be destroyed after the preservation period / *Obaveštenje da li će sačuvani podaci biti uništeni nakon isteka perioda čuvanja*  ☐ Other: / *Ostalo:* |

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| 1. Additional NOTES, IF ANY   *DODATNE NAPOMENE, UKOLIKO IH IMA* |
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| 1. Signature and / or stamp of REQUESTING Authority if applicable   *POTPIS I / ILI PEČAT ORGANA KOJI ZAHTEVA UKOLIKO JE MOGUĆE* | |
| Name  *Ime* |  |
| Position  *Radno mesto* |  |
| Date / place  *Datum / mesto* |  |
| Signature and/or stamp  *Potpis i / ili pečat* |  |

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| 1. Annex: Data specification form   *ANEKS: FORMULAR O SPECIFIKACIJI 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 vas da popunite poseban formular za svaku osobu ili organizaciju za koju smatrate da poseduje ili ima kontrolu nad podacima. Molimo popunite što je više moguće ili primenjivo.* | | |
| **Details of person or organisation believed to be in possession or control of data**  ***Detalji o osobi ili organizaciji za koju smatrate da poseduje ili ima kontrolu nad podacima*** | | |
| Business Name  *Poslovno ime* |  |  |
| Legal Name  *Pravno ime* |  |  |
| Contact name  *Ime za kontakt* |  |  |
| Address  *Adresa* |  |  |
| Country  *Država* |  |  |
| Phone  *Telefon* |  |  |
| Email Address  *Email* |  |  |
| **IPv4** | **1-255** | **1-255** |
|  |  |  |
| URL |  | |
| Date / *Datum* |  | |
| Time  *Vreme* |  | |
| Time Zone  *Vremenska zona* |  | |
| Proxy / *Proksi* |  | |
| Anonymization  *Anonimizacija* |  | |
| Port number  *Broj porta* |  | |
| **IPv6** | **Subnet – 64 bit** | **Host – 64 bit** |
|  |  |  |
| URL: |  | |
| Date / *Datum* |  | |
| Time  *Vreme* |  | |
| Time Zone  *Vremenska zona* |  | |
| Proxy / *Proksi* |  | |
| Anonymization  *Anonimizacija* |  | |
| **Other data**  ***Ostali podaci*** | | |
| E-mail address  *E-mail adresa* |  | |
| Social Networking ID  *ID na društvenim mrežama* |  | |
| Date / *Datum* |  | |
| Time  *Vreme* |  | |
| Time Zone  *Vremenska zona* |  | |
| Proxy / *Proksi* |  | |
| 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)