INTERNATIONAL BALKAN UNIVERSITY
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INTERNATIONAL BALKAN UNIVERSITY
No. 200.22/2024
26.06.2024, Skopje

Based on Article 94, paragraph 1 Item 43 of The Law on Higher Education ("Official Gazette of Republic of North Macedonia" number 82/2018, 154/2019, 178/2021, and 58/24) and Article 32 of the University Statute, the Senat of the International Balkan University, on 26.06.2024, adopted the following

RULEBOOK ON THE PROTECTION OF BUSINESS SECRETS

General Provisions

Article 1

With this Rulebook on the protection of business secrets (hereinafter: Rulebook) of the International Balkan University Skopje (hereinafter: University), the following categories are determined:

- What constitutes a business secret of the University;
- Protection of the business secret of the University;
- Protection, reception, protection, and handling of documents, data, and information in written and electronic form that represent a business secret of the University; and
- The termination of the provisions for the protection of documents, data, and information that constitute a business secret of the University.

Business secrets

Article 2

Business secrets encompass all documents, data, and information, as well as any other forms of communication, transmission, or disclosure that could damage the reputation, honor, and economic interests of the University if shared with third parties.

Article 3

Business secrets of the University include documents, data, and information marked as such encompassing information regarding:

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- The technical-technological solutions;
- Patents and licenses;
- The production process;
- The offers or public tenders until their publication;
- negotiations with domestic and foreign natural and legal persons;
- communicated to the University by another natural or legal person as a business secret;
- the plan for physical and technical security;
- the work plans and programs, the contents resulting from the planning activities that have not been published publicly;
- All internal acts and procedures that are not publicly available and can damage the University as a whole or a member of or an employee of the University.

Article 4

Documents, data, and information constituting a business secret, regardless of their form (hardcopy or softcopy) or characteristics, may be written or printed text, maps, diagrams, photographs, pictures, drawings, engravings, sketches, working materials, indigo or tape or reproductions made by any means or by any process.

Documents marked as "business secret" may also be sound, voice, magnetic or electronic, optical or video recordings in any form, as well as portable automatic data processing equipment with built-in or removable data storage memories in digital form.

Protection of business secrets

Article 5

The business secret is maintained confidential to protect the interests of the University.

Article 6

Documents, data, and information classified as business secrets are reviewed privately, without public presence, during meetings of the University's governing bodies, commissions, and other ad-hoc working groups.

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Article 7

All members, employees, and volunteers of the University, as well as the following individuals, are required to maintain the confidentiality of business secrets:

- Members of the Founding Council of the University;

- Persons who are not employed by the University, but are hired by the University on any basis;

- volunteers within the University.

The duty to maintain the business secrets continues even after the termination of the employment relationship of the employees, after the termination of the volunteering, after the termination of the mandate of the members of the Founding Council of the University, as well as after the termination of the work to the commissions and other working groups of the University in which persons were engaged on any basis, and who are not employed by the University, in accordance with the positive Laws, bylaws and internal acts of the University.

Article 8

University employees and volunteers who have access to documents, data, and information that are considered business secrets are obliged to take all measures to protect business secrets in accordance with the Law and this Rulebook.

Article 9

Employees of the University and all other persons, referred to in Article 7 of this Regulation, shall not use for their personal reasons or hand over to a third party the documents, data, or information that are considered business secrets of the University, which as such, they are defined by this Rulebook, and were entrusted to them or with whom they were introduced in any other way.

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Article 10

Employees of the University and all other persons, listed in Article 7 of this Rulebook, are responsible for compensating the damage that occurred due to the disclosure of data determined by this Rulebook, in accordance with the Law and bylaw and internal acts.

Article 11

In order a document, data, and information to be treated as a business secret must be marked with a level of confidentiality.

Marking is performed by the creator of the information, that is, the supervisor/head of the organizational unit from which the document, data, or information, which needs to be classified, originates, at the suggestion of the responsible person who works with the information.

The classification can be determined and/or modified by the Rector's Office, i.e. the Rector of the University.

The degree of confidentiality is indicated in a prominent place, i.e. in the upper right corner of the front page. A certain document, document, data or information may be marked with one of the following types of confidentiality levels:

- "strictly confidential";

- "confidential"; and

- "internal".

Article 12

If a document, data, or information contains multiple levels of classification, the creator is obliged to designate the degree of classification of each of them separately.

The entirety of the document or information is classified according to the highest level of classification.

Article 13

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The indication, i.e. the level of "strictly confidential" refers to documents, data, or information prepared by the University or for the needs of the University, the unauthorized disclosure of which would cause extremely serious damage to the vital interests of the University, including:

- Technical documentation from computer and telecommunication infrastructure (username and password) of the University; and

- Technical documentation (pre-feasibility studies, feasibility studies, projects, revision of projects, reports, review of reports, tender documentation, grant application and budget, etc.).

The indication, i.e. the level "confidential", refers to documents, documents, data, or information prepared by the University, the unauthorized disclosure of which would cause serious damage to the important interests of the University, among which are the following:

- Detailed daily, weekly, monthly, or annual reports;

- Total costs and total revenues;

- Financial plans;

- Managerial contracts; and

- Files and personal data of employees.

The indication, i.e. the level "internal" refers to all documents, data, or information produced by the University, the unauthorized disclosure of which would cause damage to the University's operations, including the following:

- Reports on work performed by each employee;

- List of information on clients and suppliers;

- Minutes of meetings of the Senate, Rectors' Board, Faculty Council, Dean, and the Founding Council of the University.

Article 14

Documents, data, and information marked with the level of "strictly confidential" can only be used by the persons to whom such documents, data, or information are available to or with

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which they are acquainted by an authorized person or authority that determines the degree of confidentiality. Access to "strictly confidential" has:

- Rector of the University;
- Secretary General of the University;
- Members of the Rectors' board;
- Members of the Senate;
- Members of the Founding Council;
- employee upon authorization of the Rector or Secretary General.

Documents, documents, data, or information marked with the "confidential" level can only be used by persons who regularly work with such a level of confidentiality of documents, data, or information. Access to "confidential" has:

- Rector of the University;
- Secretary General of the University;
- Members of the Rectors' board;
- Members of the Senate;
- Members of the Founding Council;
- Head of the units;
- employee upon authorization of the Rector or Secretary General.- Volunteers with authorization granted by the program coordinator or the President.

Documents, data, or information marked with "internal" level can only be used in the University's internal operations, and all employees or externally hired for the University's needs have access to them.

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Article 15

The releasement or communication of documents, data, or information that are considered a business secret is done by the Rector of the University, the President of the Founding council, or a person authorized in writing by them.

Reception, storage, and handling of documents, data, and information representing a business secret

Article 16

The persons who handle the documents, data, and information that represent a business secret are obliged to handle them in the manner provided by the Law and this Rulebook.

The persons who are in charge of taking care of the security of the premises and property of the University are obliged to apply the necessary organizational and technical measures, as well as the measures for the physical security of the working premises where documents, data, and information that represent a business secret are kept.

Article 17

Strictly confidential documents, data, and information that have a physical form (printed material) are kept in a special locker/safe.

Confidential documents, data, and information that have a physical form (printed material) are kept in a closed space with a lock with a code or a cylinder.

Internal documents, data, and information and data for limited use that have a physical form (printed material) are kept in work cabinets and on work tables.

Article 18

The employees who handle the documents that represent a business secret shall not give them for inspection or use to other subjects without authorization.

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The employees who handle documents representing a business secret are determined by a decision of the Rector and/or Secretary General.

Article 19

The persons in charge of conceptualizing, writing, and duplicating the documents, data, and information that are strictly confidential and of a confidential nature, are obliged to destroy the traces of the concepts, the sample of the unsuccessful duplicating of the material, and everything else that could reveal the content of the material.

Persons who receive or possess documents, data, and information that are business secrets are obliged to personally take care of their consistent storage and disposal.

Article 20

The receipt of the documents, data, and information that have a physical form (printed material) with the degree of "strictly confidential" and "confidential" is registered in a special ledger that is kept in the archive of the University.

All documents, data, documents, and information that have a certain degree of confidentiality and that are sent outside the University must be marked with one of the marks provided for in Article 11 of this Regulation.

Article 21

Documents, data, and information that contain business secrets may not be taken outside the premises of the University, except for official purposes.

Approval for the presentation of documents, data, and information that represent a business secret is given by the Rectorats' board or Secretary General of the University, that is, an authorized person.

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Article 22

The delivery of confidential documents, data, and information outside the University is carried out in a closed and sealed envelope, with a mark of confidentiality, and through a delivery book.

Article 23

When a document or data, which constitutes a business secret in accordance with this Rulebook, is discovered or lost, the person who learned about such an event should immediately notify the responsible person in order to take the necessary measures to eliminate the consequences that could arise and to determine the circumstances under which the documents, data or information were discovered or lost.

Article 24

A business secret is not considered to be disclosed if the documents, documents, data, and information that are considered a business secret are communicated to authorities, organizations, or persons to whom such documents, documents, data, and information must be communicated based on a legal obligation or certain powers arising from the function they exercise.

An information that is deemed to be public information and for which there is an obligation to be published cannot be declared as a business secret.

Protection, reception, storage, and handling of documents, documents, data and information in electronic form that represent a business secret

Article 25

Every document that is marked as a business secret and is kept in electronic form should be protected with a password, that is, with a technique for cryptography of an electronic record, in accordance with the technical capabilities of the University.

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All documents, data, and information that are of a certain degree of confidentiality are submitted electronically with a special indication that the material is of a certain degree of confidentiality, which states

"NOTE: The information contained in this electronic message may be CONFIDENTIAL and constitute a BUSINESS SECRET.

They are intended for use only by the recipient(s) named above.

We inform you that if this message is read by the person for whom it is intended, dissemination, distribution, or reproduction of this communication or any part of its contents is strictly prohibited.

If you have received this message in error, please notify the sender of the message and delete the original message and all copies of it (both in physical form and from your computer system)."

Termination of protection of documents, documents, data, and information that constitute a business secret

Article 26

The protection of documents, data, and information that constitute a business secret of the University ceases to be valid with the following provisions:

- Determination of the date of termination of the protection of the document itself;

- Occurrence of a certain event specified in the document itself;

- Expiration of the time - period marked on the document;

- Declassification by decision of the competent subject (termination of the protection of documents, documents, data, and information representing a business secret).

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Transitional and Final Provisions

Article 27

Violation of the provisions of this Rulebook, which resulted in harmful consequences for the University, is a violation of the work order and discipline of the University.

Article 28

The procedures following the violation of the work schedule and discipline will be carried out by the Commission for Disciplinary Liability.

Article 29

This Rulebook enters into force on the day of its adoption.

Article 30

With the entry into force of this Rulebook, the Rector within 10 working days to shall classify all documents, data, and information, and notify all members of the University i.e employees, volunteers, and part-time employers about the level of confidentiality of the documents, data, and information.

Prepared by: Betim Ameti LL.M

President of the University Senate

Prof. Dr. Kire Sharlamanov