

Republic of Serbia
Law on Weapons and Ammunition

Law on Weapons and Ammunition

1. Basic Provisions

Article 1

This law shall define acquisition, possession, carrying, trade, transportation, repairing and alternation of the weapons, weapon components and ammunition.

The provisions of this Law shall also apply to the foreigners who have approved permanent residence or temporary residence longer than one year if not otherwise defined by the international agreement.

Article 2

For the purpose of this Law any device manufactured, adapted or used for throwing projectiles, gas, liquid or other substance by produced by the gunpowder gases, air pressure, gas under pressure or otherwise as well as other items whose main purpose is to launch an attack shall be considered as weapons.

The weapons may be classified as:

- 1) firearms throwing projectile by means of thrust produced by gun powder or other gases resulting from combustion of the propellant material;
- 2) air guns, throwing projectile (round or air cartridge) by means of air thrust or pressed gas;
- 3) gas weapons, ejecting or letting out gas or other health damaging substances;
- 4) fragmentation weapons, fragmenting due to explosive or incendiary materials;
- 5) special weapons which, by means of explosive or gas material throw anesthetic material or mean producing sound or light signal;
- 6) weapons with string which throw an arrow or other projectile by means or string thrust;
- 7) cold steel, brass knuckles, dagger, knife, saber, bayonet or other items whose main purpose is attack.

Article 3

For the purpose of this Law and as to their use and particular types the weapons are classified as follows:

- 1) arms for personal safety, i.e. pistols and revolvers from the Article 2, paragraph 2, point 1) of this Law, caliber 5.6 mm and larger;
- 2) hunting weapons, i.e. hunting guns of diverse caliber, rifled arms or smooth bored arms;
- 3) sporting weapons, i.e. rifles, pistols and revolvers of large caliber, accommodated for sporting purposes, small caliber rifles and revolvers and small caliber pistols 5.6 mm with rim ignition, rifled or smooth bored, air rifles and air pistols and revolvers and string weapons;
- 4) trophy arms, fire and cold steel, preserved from the times of uprisings and liberation wars or which represents holder's personal or family trophy;
- 5) ancient weapons such as rifles, revolvers, sabers, swords and other weapons not in use but of historical or artistic value;
- 6) combined arms, i.e. arms with two or more rifled or smooth barrels of different caliber.

Article 4

For the purpose of this Law the following items shall be considered as weapon components:

- 1) barrels for rifles, pistols and revolvers;
- 2) adapters for fire arms;
- 3) rifle and pistols locks, revolver cylinders, pistol casing, rifle casing or head:
- 4) ERASED – with 44/98

For the purpose of this Law bullets, cartridges, cartridges with caps, caps, air cartridges, rounds, pellets, gunpowder, signal anesthetic and gas charges shall be considered as ammunition.

Article 5

Trade, acquisition, possession, carrying, repairing and alternating of firearms with the devices for silencing the sound, silencers, telescope sights with light rays or with electronic light intensifier or infra red device, fragmentation and gas weapons, cold steel and items not made and

adapted as firearms are banned.

It is also prohibited to the physical persons, apart from the weapons from the paragraph 1 of this Article, to acquire, possess and carry semi automatic and combined firearms save for the hunting ones, as well as to acquire and carry long automatic firearms, short automatic and combined firearms and special weapons if not otherwise stipulated by this Law.

It is prohibited to carry weapons for personal safety without having permit to carry it

It is forbidden to carry hunting, sporting and special weapons outside hunting grounds, shooting ranges belonging to shooters' organizations and other such objects.

Article 6

Ministry of Interior shall supervise implementation of this Law.

II Acquisition, Possessing and Carrying of the Weapons and Ammunition

Article 7

Firearms shall be acquired only pursuant of the approval issued by the Ministry of Interior – organizational unit in the municipality in which the applicant resides or has his seat (hereinafter referred to as relevant authorities).

Weapon components for the weapons from the paragraph 1 of this Article and ammunition for the rifled arms shall be acquired only on the grounds of approval issued by the relevant authorities and for the type of weapons for which the permit has been issued.

Permit to acquire weapons and weapon component from the paragraph 1 and 2 of this Article shall be valid six months from the issuance date.

Permit to acquire ammunition the paragraph 2 of this Article shall be valid for the period of six months from the issuance date, and shall be issued once in the course of calendar year for the quantity contained in the original packages, and 60 pieces at the most.

Ammunition for the smooth bored arms shall be acquired based on the weapon permit issued for that piece of arms.

Article 8

Permit to acquire firearms shall not be issued in the following cases:

- 1) to underage person or individual lacking working capability;
- 2) To a person sentenced for criminal offences against constitutional order, endangering territorial integrity, undermining military or defense strength, violence against representative of the highest state authorities, armed rebellion, terrorism, diversion, violation of territorial sovereignty, hijacking, threatening flight safety, murder, grave body injury, light body injury, for taking part in fights, endangering safety, endangering one with dangerous weapons in fight or roe, kidnapping, raping, unnatural lechery, grave theft, robbery, grave robbery, extortion, provoking general danger, illegal hunt, preventing official person in performing his/her duty, obstructing authorized person in performing security duties or maintaining public peace and order, preventing official person in conducting security duties or maintaining public peace and order, harassment, manufacturing and acquisition of arms and means aimed at committing criminal offence, for being part of a group acting violently and for the criminal offence defined by this Law;
- 3) to a person against whom criminal procedure is instituted in accordance with the service requirements for committing criminal offence while the procedure is conducted.
- 4) to a person who has been sentenced to imprisonment for violating public peace and order or who has committed offence defined by this Law in the period of three years prior to the day of submitting application for weapons acquisition;
- 5) to a person against whom a proceeding is instituted for violating public peace and order for which imprisonment is proscribed or for the offence defined by this Law while the proceeding is conducted;
- 6) to a person not trained for handling firearms.

Permit to acquire weapons shall not be issued in case it is necessary to safeguard personal and property safety of other individuals, public peace and order or for the security and defense of the Republic.

When in the process of issuing the permit there is a justified suspicion that the applicant is not

medically capable of handling firearms, the relevant authorities shall send him/her to undergo medical check up.

An applicant shall also provide certificate that no investigation is conducted against him/her or that no charge is raised against him/her as well as certificate issued by the authorized organization that he/she has been trained in handling firearms.

Organization authorized for training in handling firearms may be shooters' or other organization and institution possessing necessary premises, shooting range, professional personnel and which meets other proscribed prerequisites for conducting training and having license for that purpose issued by the relevant authorities.

The training consists of theory, practice and knowledge testing and includes the following topics: legal aspect of possessing, carrying and use of weapons; safe handling of the weapons; basic of ballistic and shooting techniques as well as practical shooting with firearms.

Authorized personnel of the Ministry of Interior, personnel retired in this capacity, active and retired military personnel and reserve officers shall not be obliged to attend training for handling firearms.

Decision by means of which an application for acquisition of the weapons from the paragraphs 1 and 2 of this Article or ammunition from the Article 7, paragraph 4 of this Law has been rejected contains reasons for refusal.

An appeal against the decision from the paragraphs 5 and 8 of this Article may be forwarded to the Minister of Interior within 15 days from the day of decision delivery.

An administrative proceeding cannot be instituted against the decision made upon the appeal.

Article 9

An individual issued a permit to acquire firearms, submits an application to the relevant authorities to be issued weapon permit within eight days from the day of weapon acquisition.

Weapon permit shall not be issued only in cases from the Article 8, paragraphs 1 and 2 of this Law.

Exception to the paragraph 1 of this Article shall be the same hunting, smooth bored weapon

for which up to three weapon permits may be issued for three different persons with previously submitted and certified written consent of the weapon holder.

Article 10

A person meeting prerequisites from the Article 8, paragraph 1, points 1) to 5) and paragraph 2 of this Law may keep trophy and non usable, worn out weapons pursuant to the permit issued by the relevant authorities.

Air guns and string arms may be acquired, possessed and carried pursuant to the conditions from the paragraph 1 of this Article.

Ancient weapons may be acquired and possessed with previous notification submitted to the relevant authorities.

Article 11

It is prohibited to carry trophy, worn out and ancient weapons as well as to manufacture or possess ammunition for those weapons.

Article 11a.

A person possessing weapon permit and permit to carry such weapon may carry weapon for personal safety.

A person wishing to carry weapon for the purpose of personal safety shall submit to the relevant authorities written application, containing proper explanation.

Based on the application from the paragraph 2 of this Article, official of the organizational unit authorized by the Minister of Interior (hereinafter referred to as authorized official) shall bring decision approving carrying of the weapons for the purpose of personal safety if convinced that there are exceptional and justified reasons for safety protection of the applicant.

In case application for obtaining permit to carry weapons for personal safety has been rejected, applicant may submit an appeal with the Minister of Interior within 15 days from the day of decision reception.

No administrative procedure may be instituted against the decision made upon the appeal.

Article 11b

Relevant authorities shall issue permit to carry weapon for personal safety based on the decision approving carrying of such weapons.

Permit to carry weapons shall be valid for the period of five years from the day of its issuance and may be extended, if a holder submits an application 30 days at the latest prior to its expiration, for the same period of time if the relevant authorities conclude that the reasons due to which the initial permit has been issued continue to exist.

If the relevant authorities find out, in the course of the procedure from the paragraph 2 of this Article, that the reasons because of which carrying of weapon has been approved, ceased to exist, he shall suggest the authorized official to bring a decision by means of which carrying of weapon shall be banned. In case authorized official finds out that the reasons on the ground of which carrying of the weapons has been approved, ceased to exist, he shall make decision by means of which carrying of weapons shall be banned.

The authorized official shall make decision to ban weapon carrying and to take away permit to carry weapons in case the relevant authorities find out even before permit expiration that the reasons because of which carrying of the weapons has been approved ceased to exist.

An appeal against the decision from the paragraph 3 and 4 of this Article may be submitted to the Minister of Interior within 15 days from the day of decision reception.

No administrative proceeding may be instituted against the decision made upon the appeal.

Article 12

Weapons and ammunition possessed and carried pursuant to this Law shall be kept locked and safeguarded otherwise to avoid unauthorized individuals get them and they shall be carried in a safe and customary manner and handled carefully.

Article 12a

Weapons possessed on the grounds of weapon permit or approval or with prior notification of the relevant authorities may be transported in case a holder changes place of residence or address, for being repaired and alternated, holder's death, going to hunt, competition, shooting range or in other justified cases.

During transport from the paragraph 1 of this Article, it shall be unloaded and disassembled so that one or more components from the Article 4 of this Law are separated from it and hunting weapons or arms whose disassembling is not possible shall be disabled for use in other way (carried in its casing, locked, etc).

Article 13

It is prohibited to use weapons in public places or places where safety of other people or objects may be endangered.

Article 14

It is prohibited to lend weapons save for the hunting arms to the individual who possesses permit for such type of weapons.

Article 15

In case of selling weapon, permit i.e. permit to possess weapon together with permit to acquire it shall be handed over to the relevant authorities within eight days from the day of its sale.

In case of exchange of weapon of the same type for which the permit has been a person exchanging it shall hand over permit to the relevant authorities to be issued new one eight days from the day of performed exchange.

An individual possessing weapon, if changing the place of residence, shall inform relevant authorities in the new place of residence on this change eight days from the day of residence change.

Members of the family of the deceased weapon holder shall inform relevant authorities on that fact 30 days from the day of death.

An individual in possession of deceased person's weapon shall hand it over to the relevant authorities to be stored until a decision is made in accordance with this Law.

Article 16

Document certifying right to possess, i.e. right to carry weapons shall be carried with the weapons that are transported or carried pursuant to the provisions of this Law.

Article 17

State and other elements, companies, institutions and other legal persons may acquire and possess weapons and ammunition for conducting their work or activities based on the approval of the relevant element.

Permit to acquire and possess weapons may be issued as follows:

- 1) automatic and semi automatic weapons, save for the automatic pistols – to the organs, companies, institutions and other legal persons directly performing physical protection and objects' protection, to carry out their work;
- 2) hunting weapons – to the companies and other organizations in charge of hunting grounds;
- 3) sporting weapons – to shooters' organizations;
- 4) special weapons – to the organs, companies, institutions and other legal persons for performing their operations, and signal guns and devices also to the members of sporting and other organizations in case they represent part of their equipment for the sporting or professional activity.

Organs, companies, institutions and other legal persons from the paragraphs 1 and 2 of this Article shall be issued permit to acquire firearms ammunition in quantities necessary for their work or activity.

Article 18

Organs, companies, institutions and other legal persons from the Article 17 of this Law whose need for further possession of the weapons and ammunition ceases to exist shall inform on that the relevant authorities and shall, within 15 days, hand over weapon and ammunition to be stored.

In case the legal person from the paragraph 1 of this Article does not sell the weapons and ammunition within one year from the delivery date i.e. if it itself does not find buyer or does not sell it by mediation of company authorized for trade with weapons and ammunition, both weapons and ammunition shall become property of the Republic of Serbia.

Article 19

Organs, companies, institutions and other legal persons carrying out physical protection and objects' protection shall entrust weapons and ammunition only to the individuals who are, pursuant to their regulations, selected for conducting such duties and who are medically fit and trained for arms handling.

Organs, companies, institutions and other legal persons from the paragraph 1 of this Article shall issue proscribed permit to carry weapons to the individuals directly conducting physical protection and objects' protection with the consent of the relevant authorities.

Individuals from the paragraph 2 of this Article shall carry weapons and ammunition only while performing their duty and in the object, area or along the route of protected transport movement.

Article 20

Companies and other organizations in charge of hunting ground who lend the hunting weapons to the persons who enjoy right to hunt pursuant to the regulations, shall also issue them proscribed permit on the hunting ground and on the period of time for which the permit is valid.

Article 21

Shooters' organizations shall give weapons and ammunition only to their members and while they practice shooting at the range. Individual transporting weapons and ammunition to the shooting range shall be issued prescribed document.

Article 22

Organs, companies, institutions and other legal persons who, in performing their duties use special weapons, shall issue prescribed document to the individual transporting the weapons.

Article 23

Organs, companies, institutions and other legal persons from the Articles 17 to 22 of this Law shall entrust the weapons and ammunition only to the individuals meeting the prerequisites from the Article 8, paragraphs 1 and 2 of this Law who shall store them at safe place so that unauthorized persons cannot get them in time when weapons and ammunition are not used.

Article 24

Weapon permit i.e. permit to possess weapons, weapons and ammunition shall be dispossessed by the relevant authorities in case any of the reasons from the Article 8, paragraphs 1 and 2 of this Law occur.

Decision by means of which weapon permit, i.e. permit to possess weapons, weapons and ammunition are dispossessed shall contain the reasons from the paragraph 1 of this Article.

An appeal may be submitted to the Ministry of Interior against the decision from the paragraph 2 of this Article within 15 days from the day of receiving it.

No administrative proceeding may be instituted against the decision made upon appeal.

Article 25

Relevant authorities shall issue certificate for dispossessed weapon permit, i.e. permit to possess weapons as well as for taken weapons and ammunition.

Upon enforcement of the decision on dispossession, the relevant authorities shall invite the holder to sell dispossessed weapons and ammunition within one year, i.e. to he himself find a buyer or to sell it via company authorized for trade with weapons and ammunition.

Upon expiration of the time limit from the paragraph 2 of this Article dispossessed weapons and ammunition which have not been sold or given away shall become the property of the Republic of Serbia.

Article 26

Disappearance of weapons or found weapons shall be reported to the relevant authorities within 48 hours.

In case the owner of the found weapon is not tracked within one year, the relevant authorities shall act in a manner pursuant to the Article 25, paragraph 3 of this Law.

III Trade and Transport of the Weapons and Ammunition

Article 27

Trade with weapons, weapon components and ammunition shall be carried out by the companies and shops which, prior to being registered in the court or shops' register respectively, are issued an authorization by the relevant authority.

The authorization from the paragraph 1 of this Article shall be issued by the relevant element in the following cases:

- 1) if space and technical prerequisites are met for storing and safeguarding weapons, weapon components and ammunition so that unauthorized persons cannot reach them and so that safety of the persons and objects cannot be jeopardized;
- 2) if responsible person in the company or the company or shop owner and the person handling the weapons, weapon components and ammunition meet the prerequisites from the Article 8 paragraph 1 and 2 of this Law.

Companies and shops from the paragraphs 1 and 2 of this Article shall sell weapons, weapon components and ammunition only to the citizens, organs, companies, institutions and other legal persons who posses approval or weapon permit.

Article 28

For trade with weapons, weapon components and ammunition between the companies or shops from the Article 27 of this Law relevant authorities shall issue special permit.

Permit shall be issued pursuant to the buyer's application for each contracted quantity save for the case from the Article 27, paragraph 3 of this Law.

Application for permit from the paragraph 2 of this Article shall contain the following: name and address of both seller and buyer; type and quantity of weapons, weapon components and ammunition; name and address of the producer.

Permit from the paragraph 1 of this Article shall not be issued in case security and defense of the Republic require that.

Article 29

Transport of the weapons, weapon components and ammunition containing explosive or incendiary material shall require permit issued by the relevant authorities.

Application for permit issuance transport agent shall submit 24 hours at the latest before transport starts. An application shall contain: name and address of the sender, type, quantity and way of packing of the weapons, weapon components and ammunition; name and address of the producer; name and address of the transport agent; date and time of starting the transport; route and final destination; type and mark of the transportation mean; name and address of the receiver.

If necessary the relevant authority shall order the transport agent to undertake special precaution measures while transporting weapons, weapon components and ammunition. Cost of special precaution measures shall be born by transport agent.

The permit from paragraph 1 of this Article shall not be issued if so required by the security and defense of the Republic.

The permit shall not be necessary if transport of weapons, weapon components and ammunition is done for the needs of the Yugoslav Army.

IV Weapons Repairing and Alternations

Article 30

Repair and alternation of the weapons shall be performed by the companies and shops which, prior to being registered in court or shops register, shall obtain permit from the relevant authorities.

The relevant authorities shall issue permit from paragraph 1 of this Article to the company or shop meeting the conditions from the Article 27 paragraph 2 of this Law.

Companies and shops for repair and alternation of weapons shall take only those weapons for which the relevant authority issue approval or weapon permit.

Company or shop shall, within 48 hours, inform in written form the relevant authority on any alternation.

V. Records and Authorizations for Making Regulations for Law Implementation

Article 31

State and other authorities, companies, institutions, other legal persons and shops shall keep the records as follows:

- 1) organs, companies, institutions and other legal persons directly performing physical protection or objects' protection – records on weapons and ammunition for physical protection;
- 2) companies and other organizations in charge of hunting grounds – records on hunting weapons and ammunition;
- 3) shooters' organizations – records on sporting weapons and ammunition;
- 4) organs, companies, institutions and other legal persons who in performing their operations use special weapons – records on special weapons;
- 5) companies and shops for trade with weapons – records on weapons and ammunition trade;
- 6) companies and shops for repair and alternation of the weapons – records on repaired and alternated weapons;
- 7) authorized organizations – records on persons trained for handling firearms and issued certificates.

Records on submitted applications and issued permits to acquire weapons and ammunition, issued weapon permits, permits to possess weapons, dispossessed, found and delivered weapons, weapon components and ammunition, notified ancient weapons and string weapons shall be maintained by relevant authorities.

Article 32

Minister of Interior shall proscribe:

- detailed prerequisites for carrying out training in handling firearms;
- detailed prerequisites and way of conducting training and training schedule in handling firearms;
- detailed conditions and way of storing and safeguarding weapons and ammunition;
- formats of applications, approvals, weapon permit and other documents proscribed by this Law;
- formats of records as proscribed by this Law.

VI Penalties

1. Criminal offence

Unauthorized acquisition, possession, carrying, manufacturing, exchange or trade of the firearms, ammunition or explosive materials

Article 33

Any person who acquires, possesses, carries, manufactures, exchanges or sells firearms, ammunition or explosive materials without having authorization for that shall be sentenced from one to five years of imprisonment.

In case the offense from the paragraph 1 of this Article involves weapons 12,6 mm of caliber, gas weapons, ammunition, explosive materials, devices based on that material whose acquisition, possession, carrying, manufacturing, exchange or selling to the citizens are not allowed under any circumstances or if it is ammunition with gun powder charge in quantities larger than 60 pieces, the perpetrator shall be sentenced to at least three years of imprisonment.

In case the offense from the paragraphs 1 and 2 of this Article involves firearms 12,6 mm of

caliber or larger, firearms or gas weapons in quantities larger than three pieces, hand grenades, shells, projectiles, mines or other explosive devices of fragmentation or blast action, explosive material or device based on that material in quantities of more than 1 kilogram, the perpetrator shall be sentenced to at least five years of imprisonment.

2. Business Felony

Article 34

Any company or other legal person acting contrary to the provisions of the Article 27, paragraphs 1 and 3 and Article 30, paragraphs 1 and 3 of this Law shall be punished by a fine in the amount from 30.000 to 150.000 dinars.

Besides, any responsible person from the legal entity shall be punished by a fine in the amount from 3000 to 10.000 dinars for actions from the paragraph 1 of this Article.

3. Offences

Article 35

Any person committing any of the following offences shall be punished by a fine in the amount up to 10.000 dinars or shall be sentenced to 60 days of imprisonment:

- 1) if acquires, possesses or carries cold steel, special weapons, or device contrary to Article 5, paragraphs 1 and 2 of this Law, or carries hunting, sporting or special weapons contrary to Article 5 paragraph 4 of this Law;
- 2) if acquires firearms components and ammunition for rifled weapons without prior approval of the relevant authority (Article 7, paragraph 2);
- 3) if possesses trophy or worn out weapons without permit of the relevant authority (Article 10, paragraph 1);
- 4) if acquires, possesses or carries air or string weapons without permit from the relevant authority (Article 10, paragraph 2);
- 5) if carries trophy, worn out or ancient weapons or manufactures or possesses ammunition for such weapons (Article 11);

- 6) if acts contrary to the provisions from the Article 12 of this Law;
- 6a) if transports weapons contrary to the Article 12a, paragraph 2 of this Law;
- 7) if uses weapons in public place or in place where weapons' use may endanger people or objects' safety (Article 13);
- 8) if acts contrary to the stipulations from the Article 14 of this Law;
- 9) if transports weapons, weapon components and ammunition without permit of the relevant authority (Article 29, paragraph 1).

A precaution measure of dispossession of weapons and ammunition, mean or device may shall be instituted for offence from paragraph 1 of this Article.

Article 36

Any person who commits the following offences shall be punished by a fine in the amount of up to 5000 dinars or sentenced to 30 days of imprisonment:

- 1) acquires ammunition for the weapons with smooth bored weapons without having weapon permit issued for that weapon (Article 7, paragraph 5);
- 2) does not submit application to the relevant authority for obtaining weapon permit within eight days from the day of the weapon acquisition (Article 9, paragraph 1);
- 3) does not report on the acquisition and possession of ancient weapons (Article 10, paragraph 3);
- 3a) acts against stipulations from the Article 12a paragraph 1 of this Law;
- 4) acts against stipulations from the Article 15 of this Law;
- 5) acts against stipulations from the Article 16 of this Law;
- 6) as the member of sporting or other organization acts contrary to the provisions from the Article 17, paragraphs 1 and 2, point 4 of this Law;
- 7) carries weapons and ammunition outside object, area or route of transport he protects (Article 19, paragraph 3);
- 8) does not report to the relevant authority, within 48 hours, on disappearance of the weapons or found weapons (Article 26, paragraph 1).

Precaution measure of disposition of weapons and ammunition shall be sentenced for the offence from paragraph 1 of this Article.

Article 37

Any company, institution and other legal person shall be punished by a fine in the amount up to 100.000 dinars for the following offences:

- 1) trade with, acquiring, possessing, repair or alternating weapons, devices or means from the Article 5, paragraph 1 of this Law;
- 2) acting contrary to provisions from Article 17, paragraph 1 of this Law;
- 3) acting contrary to provisions from Article 18 of this Law;
- 4) acting contrary to provisions from Article 19, paragraphs 1 and 2 of this Law;
- 5) entrusting weapons and ammunition to the person not meeting prerequisites from the Article 8, paragraph 1 and 2 of this Law or who does not store the weapon and ammunition at safe place (Article 23);
- 6) acting contrary to the provisions from Article 28, paragraph 1 and Article 29, paragraph 1 of this Law;

Any entrepreneur shall be punished by a fine in the amount of up to 50.000 dinars for the offence from paragraph 1, points 1 and 6 of this Article.

Any responsible person shall be punished by a fine in the amount of up to 10.000 dinars for the offence from paragraph 1 of this Article.

A precaution measure of dispossessing weapons and ammunition shall be instituted for the offence from paragraph 1 of this Article.

Article 38

Any entrepreneur acting contrary to the provisions from Article 27, paragraphs 1 and 3 and Article 30, paragraphs 1 and 3 of this Law shall be punished by a fine in the amount from 10.000 to 50.000 dinners.

Besides, precaution measure of banning him/her to carry out his/her work shall be instituted against any entrepreneur committing offence from paragraph 1 of this Article.

Article 39

Any company, institution or other legal person shall be punished by a fine to up to 60.000 dinars if:

- 1) does not issue proscribed document from Articles 20, 21 and 22.
- 2) does not report to the relevant authority on disappearance or found weapons within 48 hours (Article 26, paragraph 1);
- 2a) does not inform in a written form relevant authority on performed alternation of weapons (article 30, paragraph 4);
- 3) does not keep proscribed records (Article 31, paragraph 1).

Any entrepreneur shall be punished by a fine up to 30.000 dinars for the offence from paragraph 1, point 3 of this Article.

VII Transitional and Final Provisions

Article 40

Holders, who on the day of this Law enactment do not have weapon permit or permit to possess trophy weapons shall, within 30 days from the day this Law becomes effective, submit an application to be issued weapon permit or approval.

On submitting the application the weapon holders shall not be obliged to prove the origin of the weapon.

Article 41

Holders who on the day of this Law enactment possess or carry weapons whose acquisition, possession and carrying is banned by this Law shall deliver it to the relevant authority within 10 days from the day of this Law enactment.

Holders who deliver the weapons to the relevant authority within time limit defined in paragraph 1 of this Article shall not be taken accountable for unauthorized possession or carrying of weapons.

Article 42

Physical or legal persons who possess and carry or trade with, repair and alternate weapons and weapon components and ammunition for which until this Law becomes effective was not necessary to have permit, shall submit the application for permit prescribed by this Law within 30 days from the day of this Law enactment.

Article 43

Until the regulations from Article 32 of this Law are adopted the Regulation on Storing and Safeguarding Weapons and Ammunition, forms and way of keeping registers shall prevail (Official Gazette Republic of Serbia, No. 21/84).

Article 44

With the day of this Law enactment the Law on Acquisition, Possessing and Carrying Weapons and Ammunition (Official Gazette of SR Serbia, No. 43/77 and Official Gazette of the Republic of Serbia, No. 28/91), Law on Acquisition, Possessing and Carrying Weapons (Official Gazette, SAP Vojvodina, No. 2/76, 6/76/ 8/82, 22/84, 27/89 and 32/89), Law on Acquisition, Possessing and Carrying Weapons and Ammunition (Official Gazette, SAP Kosovo, No. 40/80, 10/84 and 9/87) and Article 229 of the Penal Law of SR Serbia (Official Gazette, SR Serbia, No. 26/77, 28/77, 43/77, 20/79, 24/84, 39/86, 51/87, 6/89, 42/89 and 21/90 and Official Gazette Republic of Serbia, No. 16/90) shall expire.

Article 45

This Law becomes effective a day after being published in the Official Gazette of the Republic of Serbia.

Republic of Serbia

**Regulations on the Formats for Requests, Clearances,
Weapon Permits and other Documents and Records
Specified by the Law on Weapons and Ammunition**

The Official Gazette of the Republic of Serbia”, no.1/99, Based on article 32, paragraph 1, items 4) and 5) of the Law on Weapons and Ammunition (“The Official Gazette of the Republic of Serbia”, no. 9/92, 53/93, 67/93, 48/94 and 44/98), The Minister of Internal Affairs hereby passes the

Regulations on the Formats for Requests, Clearances, Weapon Permits and other Documents and Records Specified by the Law on Weapons and Ammunition

Article 1

These Regulations prescribe the following: the formats for requests, clearances and certificates for procurement, possession, carrying and transport of weapons, parts for weapons and ammunition; the formats for the weapon permit issued for the purposes of possession and carrying a weapon or possession of a weapon for personal safety respectively, and the format for the clearance for carrying a weapon for personal safety; records on trade of weapons, parts for weapons and ammunition, on repaired and modified weapons, on weapons of state and other authorities, companies, organizations and institutions and other legal entities that possess weapons and ammunition for the purposes of discharging their duties and activities respectively; records kept by the responsible authority on submitted requests and issued clearances for the procurement of weapons and ammunition, issued weapon permits and clearances for possession of weapons, on dispossessed, found and handed in weapons, parts for weapons and ammunition.

Article 2

In the process of realizing the rights and discharging duties set forth in the Law on Weapons and Ammunition, the following formats for requests, clearances, weapon permits, licenses, certificates and reports shall be used:

- 1) The request for procurement, possession and carrying of weapons shall be submitted on the “Form. No. 1” format, size 297x210 mm;
- 2) The request for the issuance of a license for carrying a weapon for personal safety shall be submitted on the “Form. No. 2” format, size 297x210 mm;
- 3) The request for the issuance of a clearance for procurement of ammunition shall be

- submitted on the "Form. No. 3" format, size 297x210 mm;
- 4) The request for the replacement of a weapon permit shall be submitted on the "Form. No. 4" format, size 297x210 mm;
 - 5) The clearance for procurement of weapons shall be issued on the "Form. No. 5" format, size 297x210 mm;
 - 6) The clearance for procurement of ammunition shall be issued on the "Form. No. 6" format, size 297x210 mm;
 - 7) The clearance for trophy weapons shall be issued on the "Form. No. 7" format, size 297x210 mm;
 - 8) The weapon permit issued for the possession of a weapon for personal safety shall be issued on the "Form. No. 8" format, size 105x148 mm, on a blue-colored paper and protected with a transparent jacket;
 - 9) The weapon permit issued for the possession and carrying of weapons shall be issued on the "Form. No. 9" format, size 105x148 mm, on a green-colored paper and protected with a transparent jacket;
 - 10) A license for carrying a weapon for personal safety shall be issued on the "Form. No. 10" format, size 105x148 mm, on a red-colored paper and protected with a transparent jacket;
 - 11) The certificate on handed in weapons, parts for weapons, ammunition and handed in weapon permit shall be issued on the "Form. No. 11" format, size 297x210 mm;
 - 12) The clearance for possession of weapons for the purposes of discharging one's duty or activity respectively shall be issued on the "Form. No. 12" format, size 297x210 mm;
 - 13) The certificate on carrying weapons and ammunition for physical security and protection of facilities shall be issued on the "Form. No. 13" format, size 297x210 mm;
 - 14) The certificate on the transport of weapons for the purposes of a firing training- exercise shall be issued on the "Form. No. 14" format, size 297x210 mm;
 - 15) The certificate issued to a person trained to use firearms shall be issued on the "Form. No. 15" format, size 297x210 mm;
 - 16) The certificate on the hunting weapons provided to a person that, according to the regulations on hunting, is entitled to conduct hunting activities shall be issued on the "Form. No. 16" format, size 297x210 mm;
 - 17) The certificate on transport of special weapons shall be issued on the "Form. No. 17" format, size 297x210 mm;

18) The report on the executed modification of weapons shall be issued on the "Form. No. 18" format, size 297x210 mm;

Article 3

State and other authorities, companies, organizations, institutions, other legal entities and firms, shall keep the prescribed records in the registers created on the following formats:

- 1) The register of acquired weapons and parts for weapons shall be kept on the "Form. No. 19" format, size 297x420 mm;
- 2) The register of acquired ammunition shall be kept on the "Form. No. 20" format, size 210x297 mm;
- 3) The register of sold weapons and parts for weapons shall be kept on the "Form. No. 21" format, size 297x420 mm;
- 4) The register of sold ammunition shall be kept on the "Form. No. 22" format, size 297x420 mm;
- 5) The register of repaired and modified weapons and ammunition consumed in order to test the safety and accuracy of the weapons shall be kept on the "Form. No. 23" format, size 297x420 mm;
- 6) The register of weapons and ammunition of state and other authorities, companies, organizations, institutions and other legal entities shall be kept on the "Form. No. 24" format, size 297x420 mm;
- 7) The register of persons trained for the use of firearms and certificates issued shall be kept on the "Form. No. 25" format, size 297x420 mm.

Article 4

The responsible authority shall keep the prescribed records in the registers created on the following formats:

- 1) The register of submitted requests and issued clearances for the procurement of weapons and parts for weapons shall be kept on the "Form. No. 26" format, size 297x420 mm;
- 2) The register of submitted requests and issued clearances for the procurement of ammunition shall be kept on the "Form. No. 27" format, size 420x594 mm;
- 3) The register of issued weapon permits, clearances for trophy weapons and clearances for

the possession of weapons by legal entities shall be kept on the "Form. No. 28" format, size 297x420 mm;

4) The register of issued licenses for carrying a weapon for personal safety shall be kept on the "Form. No. 29" format, size 297x420 mm;

5) The register of dispossessed, found and handed in weapons, parts for weapons and ammunition shall be kept on the "Form. No. 30" format, size 297x840 mm;

6) The register of reported traditional weapons shall be kept on the "Form. No. 31" format, size 420x594 mm;

Article 5

The registers that keep records referred to in articles 3 and 4 hereof, shall be made out in a hard binding with inserted page numbers and stitched through with a binding band whose ends are on the last non-numbered page fastened with sealing-wax and with an embossed stamp of the responsible authority, and certified by the responsible authority prior to the entry of data.

All registers shall be permanently preserved.

Article 6

The records referred to in article 4 hereof shall also be kept by the responsible authority in the automatic data processing means, pursuant to a unique methodology.

Article 7

The formats "Form. No. 1" through "Form. No. 31" have been printed along with this Book of Regulations and are a composite part hereof.

Article 8

On the day this Book of Regulations becomes effective, the Book of Regulations on storing and holding weapons and ammunition, formats and the manner of keeping records ("The Official Gazette of the Republic of Serbia", no. 21/84) shall cease to be valid.

Article 9

This Book of Regulations shall become effective on the eighth day following its publication in "The Official Gazette of the Republic of Serbia".

09 number 011-13/98

In Belgrade, 24 December 1998

Minister,

Vlajko Stojiljkovic, signed

Republic of Serbia

Regulations for the Terms and Conditions for Doing and Methods of Conducting the Training for Handling the Firearms and its Syllabus

The Official Gazette of the Republic of Serbia, no. 1/99, 30/2000, In accordance with Article 32, Paragraphs 1 and 2 of the Law on arms and ammunition (The Official Gazette of the RS, nos. 9/92, 53/93, 67/93, 48/94 and 44/98), The Minister of interior affairs renders the following

Regulations for the Terms and Conditions for Doing and Methods of Conducting the Training for Handling the Firearms and its Syllabus

Article 1

This Set of Rules shall prescribe the terms and conditions for doing the training for handling firearms (henceforward: training), the methods of conducting the training and its Syllabus (henceforward: Syllabus), which is printed together with this Set of Rules and forms its integral part.

Article 2

The training may, in accordance with the law, be done by an authorized marksmen i.e. other organization and institution (henceforward: authorized organization), which:

- 1) shall provide the appropriate shooting gallery, a room for keeping the firearms and ammunition and a room for theoretical part of the training;
- 2) shall provide firearms for the training;
- 3) shall provide teaching aids for the training;
- 4) shall have the professional training staff available;
- 5) shall fulfill other terms and conditions prescribed by this Set of Rules.

Article 3

A shooting gallery, by this Set of Rules, shall be a place for firearms shooting (henceforward: shooting gallery).

Shooting galleries may be outdoors and indoors.

Training arms, by this Set of Rules, shall be firearms of that kind which is the subject of the training with the appropriate ammunition.

Teaching aids, by this Set of Rules, shall be the equipment necessary for the training according to the Syllabus (targets, school ammunition, antiphons, cleaning devices, etc.).

Article 4

A shooting gallery shall be constructed so as to provide protection measures which shall prevent the projectiles from flying out of the zone or place of shooting and the fired projectiles from bouncing i.e. which shall guarantee the safety of the persons inside and outside the shooting gallery as well as the application of the prescribed measures for fire and environment protection.

Indoor shooting galleries shall be constructed to provide, along with the conditions stated in Paragraph 1 of this Article, the following:

- 1) the minimum width of the evacuation passage and exit shall be 0.90 m;
- 2) the evacuation way shall be made of 90 minutes fire-resistant materials;
- 3) an electric lamp made of incombustible material with an independent power source shall be built in above the evacuation exit;
- 4) construction and interior elements shall be made of incombustible material;
- 5) interior elements used for ballistic practice shall be protected with paint coats providing the minimum degree of 30 minutes fire-resistance;
- 6) ventilation system in the rooms used for firearms shooting shall be independent, with at least five cycles of air in an hour, with electrical blockades of lighting installations and target starters functioning as ventilation and with a ventilator in anti-explosive protection;
- 7) a rubber band – curtain shall be built in before the bullet grab so as to prevent bullets from bouncing;
- 8) all protrusions, pillars, openings, ventilation pipes and electrical installations shall be protected with aperture stops;
- 9) bullet-proof partitions preventing the laterally fired bullet from breakthrough, the cartridge cases from uncontrolled movement and injuring and disturbing of other shooter shall be installed between firing positions on the fire line;
- 10) the inner walls and floor shall be flat and smooth.

Outdoor shooting galleries shall be constructed to provide, along with the conditions stated in Paragraph 1 of this Article, also the conditions stated in Paragraph 1, points 7-9 of this Article.

Article 5

The theoretical and practical parts of the training may be done by the lecturers and instructors having the appropriate level of education and experience, as follows:

- 1) the lecturer for the field of Legal aspects of keeping, carrying and usage of firearms - law school degree or interior affairs college and at least three years of work experience in the field of legal matters;
- 2) the lecturer for the field of Basics of ballistics and shooting techniques – at least a four –year high school diploma and at least three years of work experience in appropriate jobs;
- 3) the instructor for the field of Safe firearms handling and Firearms shooting in practice:
 - (1) at least a four-year high school diploma and at least three years of work experience as an authorized officer in the competent body, a member of the military forces, a ranked marksman or a reserve military senior officer;
 - (2) fire prevention evaluation exam passed.

Knowledge testing may be done by the persons who shall, along with the corresponding conditions stated in Paragraph 1 of this Article, have at least a college degree.

Article 6

The authorized organization shall provide that the layers of unburned powder particles on the shooting gallery walls and floor be removed every day after the shooting practice, whereas the cleaning of the shooting gallery ventilation pipes and ceiling as well as the replacement of ventilation filters be done after every 20, 000 fired bullets.

Article 7

An application for issuing a permission for conducting the training shall be filed to the authorized body and should comprise the following:

- 1) name, address and professional activities of the organization i.e. institution which wants to conduct the training;
- 2) name, personal identification number, address and signature of the authorized person in the

organization i.e. institution stated in point 1 of this Paragraph;
3) notes on the kinds of firearms to be used for training.

Along with the application stated in Paragraph 1 of this Article, the organization i.e. institution which wants to conduct the training shall enclose the following:

- 1) proof that a shooting gallery, rooms, training arms and teaching aids according to this Set of Rules have been provided;
 - 2) a list of lecturers, instructors and persons in charge of testing as well as the proof of their professional education and experience prescribed for conducting the training.
- Having established that the prescribed conditions have been fulfilled, the competent body shall render a decision on permitting the conducting of the training.

If an authorized organization stops fulfilling any of the conditions prescribed for doing the training, the competent body shall render a decision on failing to fulfill the conditions for the training by that organization.

Article 8

The training shall comprise:

- 1) theoretical part for the following fields:
 - (1) Legal aspects of keeping, carrying and usage of firearms,
 - (2) Safe firearms handling
 - (3) Basics of ballistics and shooting techniques
- 2) practical part for the following fields:
 - (1) Safe firearms handling;
 - (2) Firearms shooting in practice;
- 3) theoretical and practical part testing.

The training shall be done in accordance with the Syllabus.

Article 9

After the theoretical and practical training has completed, the authorized organization shall issue a certificate of regular attendance to the person who attended the training.

Article 10

The person possessing the certificate of training for one kind of firearms, when training to handle other kind of firearms, shall attend only practical lessons and shall be tested only for that kind of firearms.

Article 11

Persons who regularly attended the training shall be tested before a commission consisting of the president and two members (henceforward: commission members).

Commission members shall be appointed by the authorized organization and one member shall be the representative of the competent body.

Article 12

The authorized organization shall set the date and time of the testing and shall inform the persons who regularly attended the training classes and applied for the testing (henceforward: candidates).

Along with an application for testing, a copy of the certificate of regular attendance shall be enclosed.

A candidate who attended the training in other authorized organization may also apply to the authorized organization conducting the testing.

Article 13

The testing shall comprise theoretical and practical part.

During the theoretical part of the testing the candidate shall be questioned about the topics

from theoretical field, whereas the practical testing – topics from practical training. The candidate shall be asked three questions from each field that are the topics from particular fields.

Article 14

The grades for each particular field as well as the total grade shall be the following: satisfactory and unsatisfactory.

The total satisfactory grade shall be given to the candidate who got such grade in all fields.

Article 15

A record shall be kept on each candidate's examination comprising the following: candidate's personal name, the number of certificate of regular attendance, the name of the authorized organization where the candidate attended the training, place and time of testing, the questions candidate was asked, grade for each field, the total grade, names and signatures of the commission members, name and stamp of the authorized organization where the testing was held.

The testing documentation with the records on candidates' examination shall be kept for two years in an authorized organization that conducted the testing.

Article 16

The authorized organization shall issue a certificate of the completed firearms handling training to the candidate who passed with the total satisfactory grade.

Article 17

The candidate who received an unsatisfactory grade in one field may, within three months, apply again for testing the knowledge from that field without the repeated attendance.

The candidate outlined in Paragraph 1 of this Article, after the three-month deadline, as well as the candidate who receives an unsatisfactory grade in more fields as well as the candidate who receives an unsatisfactory grade in the repeated testing shall attend the complete training again and shall take the test in all fields.

Article 18

The candidate who ceases to attend the training for a justifiable reason or who fails to take the test may, within three months, continue their training i.e. take the test.

It shall be considered that the candidate who ceased to attend the training or fails to take the test did not attend the training.

Article 19

This Set of Rules shall come into effect within eight days of its publishing in The Official Gazette of the RS. The provisions stated in Article 4, Paragraph 2, points 1-6 and Article 5, point 3, sub-point (2) shall be applied from 1 July 1999.

09 no. 011-13/98

Belgrade, 24 December 1998

Minister,

Vlajko Stojiljkovic, personally signed

Syllabus for the Firearms Handling Training

I Topics and Questions for the Theoretical Part

Legal aspects of keeping, carrying and usage of firearms

The concept of arms; different kinds of arms; differentiation of arms according to its purpose and special kinds; the concept of firearms; arms for personal safety; the concept of hunting weapons; 'prohibited' weapons and devices; obtaining firearms, weapons parts and ammunition; persons who are not issued the licence for obtaining firearms; weapons licence; transport of weapons; the licence for carrying the arms for personal safety; keeping weapons and ammunition; carrying weapons and ammunition; prohibition of using and lending the weapons; transfer of property and replacement of weapons; change of the place of residence of the owner of the weapons; procedure for the weapons of a deceased person; seizing the weap-

ons licence, weapons and ammunition; disappearance i.e. finding the weapons; unauthorized obtaining, keeping, carrying, manufacturing, exchange or sale of firearms, ammunition or explosive materials; different offences related to weapons; the concept and elements of self-defence; exceeding the self-defence; the concept and elements of extreme necessity.

Safe firearms handling

Safety conditions for storing the weapons; the influence of heat on initiating ammunition; pyrotechnic devices and ammunition; initial explosives and powder dangers; explosion, detonation and deflagration; ammunition – different kinds, calibers, features and the maintenance; the description of a particular kind of weapons and their parts (the weapon the candidate wants to possess shall be described); technical features of a specific weapon, similarities and differences with other weapons of the same kind; unloading and loading the weapons; dismantling and assembling the weapons; shooting (rectification); maintenance (inspection, cleaning, lubricating, conservation); cleaning and lubricating devices; the most frequent malfunctions and repairing.

Basics of ballistics and shooting techniques

The process of firing the bullet; the form and elements of projectile trajectory in the air; the factors influencing the projectile trajectory in the air; the energy and penetrating power of the projectiles on the target; maximum projectile range; the ricochet; shooting positions; the kinds and descriptions of different positions; the most convenient positions for particular kinds of shooting; the proper arms carrying; the method for aiming the particular kinds of weapons and sights and the choice of aiming point; breathing, breathing pause and triggering; the most frequent mistakes in shooting.

II Topics And Tasks For The Practical Part

Safe firearms handling

Unloading and loading the weapons; dismantling and assembling the weapons; cleaning and lubricating the weapons; repairing the most frequent weapons malfunctions.

Practical shooting

1) the gun and revolver - circular target 50X50 cm from 15 m, with 5 test bullets and 10 bullets for a grade, and a silhouette target from 10 m with 10 bullets, to be graded;

2) the small caliber gun – circular target for a serial SC gun from 50 m, prone position, with 5 test bullets and 10 bullets to be graded and from 25 m, standing position, with 10 bullets to be graded;

3) the hunting carbine – circular target 50X50 cm from 100 m, prone position, with 5 test bullets and 10 bullets to be graded, and from 50 m, standing position with 10 bullets to be graded;

4) the smoothbore rifle – circular target 50X50 cm from 35 m, with 5 shots cartridges.

NOTE: The future owners of the short weapons with rifle ammunition shall take the test by the criteria for the hunting carbines.

The owners of the combined weapons shall take the test by the criteria for the hunting carbines and smoothbore rifles.

III The Number of Lessons

The number of lessons for the different fields shall be as follows:

1) Legal aspects of keeping, carrying and usage of firearms – 2 lessons;

2) Safe firearms handling (theoretical part) – 1 lesson;

3) Basics of ballistics and shooting techniques – 1 lesson;

4) Safe firearms handling (practical part) – 1 lesson;

5) Shooting in practice – 2 lessons.

One lesson shall last 45 minutes.

Republic of Serbia

Law on Testing, Marking and Labeling Firearms and Ammunition

Law on Testing, Marking and Labeling Firearms and Ammunition

I Basic Provisions

Article 1

Firearms, ammunition, ammunition components, devices as well as alternated firearms and device are subject, before traded, to testing, marking and labeling pursuant to this Law.

Article 2

For the purpose of this Law firearms are: rifle, pistol, revolver – all types – as well as all types of devices which, under the pressure of gun powder gases, throw through the barrel bullet, round, pellet or signal charge.

For the purpose of this Law ammunition is: fully labored ammunition for all types of firearms and devices, as well as ammunition components (cartridges, caps, gun powder, stoppers, pellets and rounds of all types and shape, etc).

For the purpose of this Law devices are: any type of device which use gun powder gases' energy as propellant, such as: devices for connecting hard materials, pistols for cattle stunning, devices for treating metal by deformation, signal pistols and similar (hereinafter referred to as devices).

For the purpose of this Law alternated firearms and devices are: firearms and devices with which key construction components have been replaced or alternated.

Article 3

The following firearms, ammunition, ammunition components and devices shall not be subject to testing, marking and labeling:

1) those imported from abroad which are known to be tested, stamped and labeled in a manner

and procedure defined by the international agreement on establishing unified procedures for mutual recognition of the official labels of tested firearms;

2) those imported from abroad for research and court purposes exclusively;

3) aimed at exclusive use by the Army of Yugoslavia and Ministry of Interior;

4) in transition over Republic of Serbia territory;

5) for which obligation on issuing attestation has been proscribed by regulations on protection at work.

Article 4

Trade of firearms, ammunition, ammunition components, devices, alternated firearms and devices which have not been tested, stamped and labeled shall be banned.

Article 5

Testing, marking and labeling of the firearms, ammunition, ammunition components and devices shall be done for the purpose of checking i.e. confirming their functionality and quality according to standards, technical regulations and quality standards.

II Testing of Firearms, Ammunition and Devices

Article 6

Testing firearms, ammunition, ammunition components and devices means to test their safety and proper functioning, working order of particular components and longevity of barrel and other components under defined pressure.

Article 7

Firearms testing includes control of weapons before and after tormentation

Tormentation of weapons, for the purpose of this Law means testing resistance of weapons under pressure at least 30% higher than the pressure achieved by use of standard ammunition

with strongest charge by firing specially charged tormentation ammunition.

In the procedure of control of firearms, from paragraph 1 of this Article, their visual, dimensional and functional aspects are checked.

Article 8

Testing of ammunition and ammunition components shall be done by checking samples from each produced series in order to prove their working order and quality, pursuant to the proscribed standards.

Ammunition and ammunition components tested pursuant to the paragraph 1 of this Article shall be subject to control in the process of their packing, for the safe trade or use.

Article 9

Testing of devices includes their control before and after tormentations save for some particular types of the devices for which it is proscribed they are subject to one tormentation only.

Article 10

Firearms and devices at which their key construction components have been replaced or alternated shall be subject to testing as follows:

- 1) with weapons: barrel, casing (head or frame) barrel casing, drum and safety catch components;
- 2) with devices: barrel and safety catch components.

Article 11

Testing of alternated firearms and devices shall be done in a manner and in accordance with the procedure proscribed for testing firearms and devices.

III Marking and Labeling of Firearms, Ammunition and Devices

Article 12

Firearms, ammunition, alternated firearms and devices which in the course of testing meet the proscribed requirements, shall be stamped.

Marking of the firearms and devices as well as alternated firearms and devices shall be done by imprinting proscribed stamp on specified parts of those firearms or devices (barrel, breech, etc).

Article 13

For firearms, devices, alternated firearms and devices being tested and stamped, written certificate on test results shall be issued.

The certificate shall include: type of tested and stamped weapons or device, imprint of the stamp and other proscribed marks for firearms or device, and for smooth bore firearms data on pressure under which barrel longevity has been tested shall be entered as well.

Article 14

Ammunition and ammunition components, which in the course of testing are proved to meet the proscribed prerequisites, shall be labeled.

Labeling of ammunition and ammunition components shall be done by putting written certificate on performed test in each basic package and by labeling each package of same series meeting the proscribed prerequisites in the course of testing. Certificate on performed test contains also specified mark for tested type of ammunition and ammunition components.

Article 15

Testing, marking and labeling of firearms, ammunition, ammunition components and devices shall be entrusted to the Institute for Testing, Marking of Hand Firearms and Ammunition from Kragujevac (hereinafter referred to as Institute).

Testing, marking and labeling of firearms, ammunition, ammunition components and devices as well as alternated firearms and devices shall be done in a manner, under the conditions and pursuant to the procedure defined by this Law and regulations made pursuant to it.

The Institute shall not entrust testing, marking and labeling to other company or other legal person.

Article 16

Testing of firearms, ammunition, ammunition components and devices as well as alternated firearms and devices, their marking and labeling, when found out they meet proscribed prerequisites, shall be done by the Institute within 30 days from the day of their delivery.

Article 17

The Institute shall charge a defined reimbursement for testing, marking and labeling of firearms, ammunition, ammunition components and devices.

Government of the Republic of Serbia shall give its consent to the amount of reimbursement from the paragraph 1 of this Article.

Article 18

Company or shop registered for repair and alternating of firearms shall deliver such firearms and devices to the Institute to be tested, stamped and labeled within 15 days from the day of accomplished repair.

Article 19

Minister in charge of industry and minister in charge of internal affairs shall make regulations, in mutual agreement, which shall define:

- 1) Way, conditions, procedures and types of tests i.e. control of fire arms, ammunition, ammunition components and devices, way of marking, labeling and control of packing;
- 2) Designations for marking and labeling i.e. stamp, form and contents of the certificate and label.

IV Supervision and Administrative Measures

Article 20

Ministry in charge of trade shall supervise implementation of this Law provisions regarding trade of firearms, ammunition, ammunition components and devices as well as alternated firearms and devices via market inspector.

Article 21

Market inspector shall ban trade with firearms, ammunition, ammunition components and devices as well as alternated firearms and devices if in the course of supervision it finds out they do not meet prerequisites proscribed by this Law and special regulations concerning testing, marking and labeling till they meet the conditions for being traded.

Article 22

Ministry in charge of industry and ministry in charge of internal affairs shall supervise implementation of this Law provisions regarding conditions and way of testing, marking and labeling of firearms, ammunition, devices or alternated firearms and devices.

V Penalties

Article 23

Any company or other legal person shall be punished by a fine in the amount from 10.000 to 100.000 dinars if committing an offence of trading with firearms, ammunition and ammunition components or devices or alternated firearms and devices which have not been tested, stamped and labeled in a proscribed manner (Article 4).

Responsible individual from the company or other legal person shall be punished for the offence from paragraph 1 of this Article by a fine in the amount from 1500 to 10.000 dinars.

Apart from the punishment instituted for the offence from the paragraph 1 of this Article, protective measure of banning trade with firearms, ammunition and devices or alternated firearms and devices shall be instituted for the period of six months to three years and protective measure of dispossession of firearms, ammunition and devices or alternated firearms and devices which have been subject of the offence.

Article 24

The Institute from Article 15 of this Law shall be punished by a fine in the amount from 5000 to 50.000 dinars for the following offences:

- 1) If testing, marking and labeling of firearms, ammunition, ammunition components and devices have not been done pursuant to the law and regulations made in accordance with this Law (Article 15, paragraph 2);
- 2) If specified works of obligatory testing marking and labeling of firearms, ammunition, ammunition components and devices are entrusted to other legal person (Article 15, paragraph 3);
- 3) If testing, of firearms, ammunition, ammunition components and devices or alternated firearms and devices and their marking and labeling, when found out they meet proscribed prerequisites, are not carried out within 30 days from the day of their delivery (Article 16);
- 4) if it does not keep to defined reimbursement (Article 17);

Responsible individual from the Institute shall be also punished by a fine in the amount from 1000 to 3000 dinars for an offence from paragraph 1, points 1), 2) and 4).

Article 25

Company or other legal person shall be punished by a fine in the amount from 10.000 to 100.000 dinars for the committed offence of not delivering alternated firearms and devices to the Institute to be tested and stamped or not delivering them in proscribed time limit (Article 18).

For the offence from paragraph 1 of this Article a responsible individual in the company or other legal person shall be punished by a fine in the amount from 1500 to 10.000 dinars.

Apart from the fine instituted for the offence from paragraph 1 of this Article, the protective

measure of banning trade with firearms, ammunition and devices or alternated firearms and devices shall be implemented for the period of six months to three years.

Article 26

An entrepreneur shall be punished by a fine in the amount from 500 to 5000 dinars for the following offences:

- 1) if trading with firearms, ammunition, ammunition components or devices or alternated firearms and devices which have not been tested, stamped and labeled in a proscribed manner (Article 4);
- 2) if alternated firearms and devices are not delivered to the Institute to be tested and stamped i.e. if they are not delivered in proscribed time limit (Article 18).

Apart from the punishment instituted for the offence from the paragraph 1 of this Article, protective measure of banning trade with firearms, ammunition and devices or alternated firearms and devices shall be instituted for the period of six months to three years and protective measure of dispossession of firearms, ammunition and devices or alternated firearms and devices which have been subject of offense.

Article 27

A fine in the amount from 500 to 1000 dinars shall be instituted against any citizen who acts contrary to the provisions from Article 4 of this Law.

Apart from the fine instituted for the offence from paragraph 1 of this Article, the protective measure of dispossession of firearms, ammunition, ammunition components and devices or alternated firearms and devices, which have been subject of the offence, shall be implemented.

VI Transitional and Final Provisions

Article 28

Until regulations from Article 19 of this Law are adopted, the provisions, not contrary to this Law,

from the Regulation on Procedure for Testing and Marking and Labeling Hand Firearms, Ammunition and Hand Devices (Official Gazette of the SRS, No. 15/73), shall be implemented.

Article 29

With the date of this Law enactment the Law on Testing, Marking and Labeling of Hand Firearms and Ammunition shall expire (Official Gazette of the SRS, No. 22/73).

Article 30

This Law shall enter in force on the eighth day from the day of its announcement in the Official Gazette of the Republic of Serbia.

Republic of Serbia

Regulation to Stipulate Closer Conditions on the Manner and Procedures of Testing, Stamping and Labeling Fire Arms and Ammunition

In line with art. 19 of the Law on testing, stamping and labeling fire arms and ammunition (Official Gazette of the Republic of Serbia, No. 46/95), The Minister in charge of this industry, in cooperation with the Minister in charge of Interior Affairs, have adopted the following

Regulation to Stipulate Closer Conditions on the Manner and Procedures of Testing, Stamping and Labeling Fire Arms and Ammunition

Article 1

This regulation shall define conditions, manners, procedures and types of testing, or control procedures for the fire arms, ammunition, ammunition components and devices, the methods of stamping, labeling and control procedures for the packing of ammunition and shall prescribe the marks to be used in the process of stamping and marking, that is, it shall describe the stamp, form and content of the certificate and the label to be used for marking of ammunition.

Article 2

Testing, stamping and marking of fire arms, ammunition, ammunition components and devices shall be performed to verify their correct functioning and quality in line with prescribed standards, technical norms and quality standards.

Article 3

Fire arms and devices shall be subject to the testing in cases

- 1) When any essential structural part has been replaced and adjusted to fit a fire arm;
- 2) When any dimension has been changed;
- 3) Of affected resistance of any essential structural part as a result of a mechanical or any other treatment (forging, milling, turning, drilling, welding, grinding, eroding, engraving, etc.).

Article 4

Testing of firearms shall comprise the arms control prior to the testing, the testing itself and post-testing controls.

Article 5

Firearms control prior to any testing shall comprise:

- 1) control of the marks placed on fire arms;
- 2) visual control;
- 3) control of dimensions;
- 4) control of safe functioning of fire arms.

Article 6

Control of the marks placed on fire arms is done with the purpose to verify whether an essential construction parts bears any of the following marks:

- 1) description, company name or company code typical of the producer;
- 2) serial number used for recording fire arms;
- 3) model/type denominations – used to identify fire arms;
- 4) type of a bullet that can be fired from the barrel.

Article 7

Visual controls may serve the purposes of checking the quality of a surface treatment and detecting surface defects, if any, impurities, corrosion, workmanship defects of essential structural parts, barrel and bearing deformations.

Article 8

Dimension controls may serve the purposes of checking the barrel caliber, size of the bullet bearing, size of clearing between the head and bascule of the barrel, barrel length and safety catch.

Article 9

Safety controls may serve the purpose of checking the mechanisms for: charging semi-automatic arms (barrel charge, extraction and ejection), closing, triggering, firing, catching, stopping and other mechanisms of special importance for proper and safe functioning and carrying the arms.

Article 10

Testing is done on finished arms or essential structural parts of the arms by firing two testing bullets.

Finished arms, for the purpose of this regulation, shall be the arms to be subject to subsequent blackening (burnishing) and engraving, and the arms made of tested essential structural parts.

In cases of multi-barrel arms, firing two testing bullets shall test each barrel. In case of a revolver, each drum shall be tested separately, by firing one testing bullet each.

Article 11

After-testing control shall include the controls to be performed to prove safety of the arms' functions, visual and dimension controls.

Article 12

Testing of ammunition and ammunition components shall be done by testing the samples of each series of the produced ammunition.

Article 13

The ammunition shall be packed in a way to enable easy handling. The ammunition package shall be closed in a prescribed way and marked as follows:

- 1) name or marks of the producer or prospective ammunition user;
- 2) denomination of bullets, using applicable standards;
- 3) serial number and number of bullets in each package.

High performance and testing ammunition is to be additionally marked to indicate clearly that the ammunition must neither be used under exploitation conditions applicable to the arms nor be fired from the arms that have not been exposed to special testing procedures.

Article 14

Stamping of fire arms and devices shall be done in cases when the testing proves that the fire arms and devices do meet the conditions prescribed by specific standards, technical norms and quality standards.

Article 15

Stamping of fire arms and devices shall be done as soon as the testing procedures are completed for the purpose of having the essential structural parts visibly marked (by imprinting) with the tormenting stamps, as indicated in the Enclosure 1 attached hereto and making its integral part.

Essential structural elements from paragraph 1 here-above shall comprise:

- 1) any barrel and head, palm rest, barrel casing, lock (head and body), case, for all types of arms save for revolvers;
- 2) barrel, drum, palm rest, revolver code;
- 3) barrel, any bearing and barrel casing (head and body), for the arms without a bearing in the barrel.

A written certificate is to be issued for all fire arms and devices found, during the testing procedures, to meet all prescribed conditions. The certificate will be issued using the Form 1, which makes integral part of this Regulation and is attached thereto.

The certificate shall indicate: type of the arms/device tested, imprinted stamp and other marks, as prescribed for specific fire arms/devices, type of test performed, place and date of the test performed.

Article 16

Ammunition and ammunition components shall be marked as soon as it is verified that they meet all conditions prescribed by respective standards, technical norms and quality standards.

All packages of ammunition, and packages with ammunition components, which are found to satisfy prescribed conditions and standards shall be supplied with a verification notice,

confirming the completion of respective tests. In addition, each package will bear a prescribed label.

Article 17

Verification notice evidencing completed tests with regard to the ammunition and ammunition components shall be issued using the Form 2, which makes integral part of this Regulation and is attached thereto.

The label to be put on each package of ammunition and ammunition components will be of paper or any other adequate material, and shall have the form of a band. Its dimensions will depend on the size of each specific package to be labeled with it.

The label shall contain the data about the organization which has completed the testing and the usual marks of the ammunition and ammunition components, together with the stamp of final acceptance, marked under the number 11 of the Enclosure 1.

Article 18

With the day of enactment of this Regulation, the Regulation on procedures for testing and stamping, that is, marking of manual fire arms, ammunition and devices (Official Gazette of the Republic of Serbia, No. 15/73) shall expire.

Article 19

This Regulation shall become effective within eight days after being published in the Official Gazette of the Republic of Serbia.

No. 110-00-3/96-01
Belgrade, 29 May 1996

Minister of Industry
Oskar Fodor, M.Sc, signed

Interior Affairs Minister
Zoran Sokolovic, signed

Form 1

Certificate On Completed Tests Of Fire Arms And Devices

This is to confirm:

1) that the testing and stamping of fire arms and devices have been completed, as follows

2) that the tested and stamped fire arms and devices bear the stamps and the following marks,
as follows _____

3) that the pressure to which the barrels of the arms have been exposed to amounted

The Certificate is issued at the request _____, as the owner of the tested and stamped fire arms and devices.

Date _____

Place _____

(seal) Signature of authorized person of the
organization in charge of completing tests
and stamping fire arms and ammunition)

Form 2

Verification Notice (Certificate) on Testing of Ammunition and Ammunition Components

This is to confirm that the testing of _____(specify the ammunition and ammunition components) has been completed

The said ammunition and ammunition components was packed in _____ and has been found to meet all prescribed conditions.

Date _____

Place _____

(seal) Signature of authorized person of the organization in charge of completing tests and stamping fire arms and ammunition)

Republic of Serbia

Rules on Closer Conditions Governing the Method of Storing and Safeguarding the Arms and Ammunition

Acting in line with art. 32, paragraph 1, point 3 of the Law on Arms and Ammunition (Official Gazette of the Republic of Serbia, Nos. 9/92, 53/93, 67/93, 48/94 and 44/98), The Minister of Interior Affairs hereby adopts the following

Rules on Closer Conditions Governing the Method of Storing and Safeguarding the Arms and Ammunition

Article 1

The objective of the Rules is to specify closer conditions and methods of storing and safeguarding the arms, parts of arms and ammunition.

Article 2

The state and other bodies, companies, institutions, organizations and other legal entities which may be indirectly in charge of physical protection and protection of facilities, or may be engaged in conducting activities involving the usage of fire arms, or special arms, the companies and retail stores dealing in the selling of arms, parts of arms and ammunition and companies and retail stores engaged in the repair and reconstruction of arms, shall keep the fire arms and special arms, parts of arms and ammunition, in premises which will be built to observe the following preconditions:

1) any opening in the building shall be covered by a latticed structure, with maximum eye opening of 150x150 mm. The grid has to be welded, made of steel sections of the following dimensions:

- 1) equal angle iron, 20x20x3 mm
- 2) unequal angle iron, 20x20x3 mm
- 3) U-beam, 65 mm
- 4) I-beam, 80 mm
- 5) Square steel sections with one side not less than 20 mm

2) the connection between the grid from the point 1) hereof and its respective support shall provide the same extent of breaking strength as that of the lattice girder;

3) the premises shall be isolated to represent a separate group in terms of fire protection;

- 4) central heating, if there is any, has to be of the standard type (hot water or steam);
- 5) electric installations have to be designed and installed in line with rules defining technical conditions for the installing of low voltage electric installations (Official Gazette of the SFRY, No. 53/88 and 54/88 and Official Gazette of the FRY No. 28/95);
- 6) installations for the escape ventilation holes, if there are any, with ventilation channels at the entrance of the premises, have to be equipped with fire-prevention lid.

In the premises from paragraph 1 hereof, the arms, parts of arms and ammunition shall be safeguarded in the safes, steel cabinets or in boxes made of reinforced concrete and provided with doors made of steel.

Ammunition and arms shall be safeguarded in different places, separate one from another.

Article 3

The companies and retail stores engaged in trading of arms, parts of arms and ammunition shall put in place all necessary preventive, technical and protective measures for safeguarding and handling of the arms and ammunition; the operators directly in charge of trading with the arms, parts of arms and ammunition shall be trained to use the fire arms and to apply protective measures and techniques, in line with regulations.

During working hours, the companies and retail stores from paragraph 1 hereof, may put the arms and ammunition on display in closed cabinets and windows; whenever they are to leave the premises, after the working hours or for some other purpose, the arms shall have to be locked in their respective safes, cabinets or boxes from Art. 2 paragraph 2 of these Rules.

Window glass in the stores dealing in arms, parts of arms and ammunition, need not be furnished with steel lattice from Art. 2 paragraph 1, point 1 hereabove; instead, the glass may be secured by a special foil to improve its breaking strength. The foil shall be minimum 0.1 mm thick.

The premises in which the arms, parts of arms and ammunition are sold can also store the ammunition, but the maximum quantity of gun powder must not exceed the quantity of 20 kilograms.

Article 4

Arms and ammunition of the shooting teams and other organizations with certification to

provide training for the usage of fire arms may be transferred, when required, from the safeguarding premises to the shooting site, that is, to the training site, only on such days as specified for conducting the shooting or the training.

The arms to be moved to such locations must not be loaded. The ammunition shall be carried separately, in a closed case or may be packed in some other way, and shall be provided with a device to prevent any accidental activating of the ammunition. Furthermore, it shall be under the supervision of a professional instructor, at all times. Persons in charge of such transfer of the ammunition shall be only the licensed persons. The licenses shall be issued, in line with the law, by the organization from paragraph 1 of this article.

The organization from paragraph 1 of this article shall nominate the person responsible for the safekeeping, storing, recording, issuing, taking over and using the arms, parts of arms and ammunition, which may be used in conducting the person's duty or business activity.

Article 5

The arms which need to be repaired or reconstructed shall be taken out of safeguarding premises where any such repair or reconstruction are to be completed may be handed over to the owners only in such cases when the arms may leave the premises in order to undergo the testing in terms of their safety and precision.

In cases from paragraph 1 of this Article, the persons to take the arms from the company, or a retail store, shall be supplied with a document evidencing that, in line with the law, any such persons have been authorized to do the repair or reconstruction of the arms. The same document will also indicate the evidence that the arms have been taken for repair or reconstruction.

Article 6

These Rules shall become effective within eight days from the day of their announcement in the Official Gazette of the Republic of Serbia.

09 No. 011-13/98

Done in Belgrade, 24 December 1998

Minister,

Vlajko Stojiljkovic, signed

Republic of Serbia

Customs Law

The Official Gazette of the Republic of Serbia”, No. 73/2003, Based on Article 83, paragraph 3 of the Constitution of the Republic of Serbia, I hereby pass the

Decree on Enactment of the Customs Law

The Customs Law, passed by the National Assembly of the Republic of Serbia, at the July 18, 2003 sitting of the 12th extraordinary session of the National Assembly of the Republic of Serbia in 2003, is hereby enacted.

PR No. 54

Belgrade, July 18, 2003

Acting President of Serbia,
Natasa Micic, signed

Customs Law

Part One - General Provisions

Chapter I

Application and Definition of Terms

Article 1

(1) This law shall regulate the customs zone, customs border belt, customs crossing, customs goods, supervision and customs control, tariff concessions, customs value, customs procedure applicable to imports of goods into the Republic of Serbia (hereinafter referred to as: Serbia), exports from Serbia and transit of goods over its territory, rights and duties of entities participating in the customs procedure, and also rights and duties of the customs authority in the customs procedure.

(2) This law shall establish the jurisdiction of the Customs Administration and other authorities in the implementation of the provisions hereof, and other laws whose implementation is entrusted to the Customs Administration or other authorities.

(3) This law shall regulate the organization, work and management of the Customs Administra-

tion, authorizations of persons employed in the Customs Administration, authorizations and responsibilities in gathering, filing, processing, and protection of data pertaining to the Customs Administration's operations, and also procedure of hiring staff, their assignment, advancement in service, rights, and obligations in the Customs Administration.

(4) This law shall apply to the entire customs zone of Serbia.

Article 2

The customs procedures regulated hereby shall be implemented in keeping with the principles of free trade, while efficient customs control shall be ensured and the principles of risk assessment and risk management shall be respected.

Article 3

(1) Customs authorities shall use information technologies when their use is profitable and efficient for the Customs Administration and economy in general. The Customs Administration director (hereinafter referred to as: the director) shall establish conditions under which economic subjects may contact the Customs Administration in electronic form.

(2) On introducing information technologies, customs authorities shall implement internationally accepted standards.

(3) Information technologies shall also imply:

- 1) e-trade methods as an alternative to documentation-based methods;
- 2) electronic methods for establishing regularity, and also documentation-based methods;
- 3) the right of customs authorities to keep the information for their own use and to exchange the information obtained in this way with other customs offices and all other legally interested parties, using e-trade methods.

Article 4

Laws, other regulations, decisions, and legal measures referring to the customs may be published not only in the Official Gazette, but also in other information outlets, including electronic outlets.

1. Definitions

Article 5

(1) Certain terms used in the text hereof shall have the following meanings:

1) Entity is a private, legal or other entity envisaged by the current regulations, resident or with domicile in Serbia;

2) Entity resident or with domicile in Serbia is:

- A private entity resident on the territory of Serbia

- Legal entity with domicile, registered representative office, or permanent business unit on the territory of Serbia;

3) Customs authority is an authorized organizational unit or authorized Customs Administration employee;

4) Customs house is an organizational or territorial organ in the structure of the Customs Administration, where all or certain customs operations established by customs regulations may be performed in full or partially;

5) Customs status is the status of goods in customs procedure, i.e. domestic or foreign;

6) Domestic goods are:

- Goods fully obtained or produced in the customs zone in keeping with Article 37 hereof;

- Goods imported from other countries and subject to free trade;

- Goods obtained or produced in the customs zone, if they are obtained or produced out of goods imported from other countries and subject to free trade, or if they are entirely obtained or produced in the customs zone, but containing goods imported from other countries and subject to free trade;

7) Foreign goods are goods that are not defined as domestic goods, and domestic goods taken out of the customs zone, except when the provisions of Articles 124 and 125 hereof apply.

8) Measures of commercial policy are measures stipulated by state organs, and which are not established by the Customs Tariff and which influence exports and imports of goods, including protective measures, quantity restrictions and prohibitions;

9) Customs debt is an entity's obligation to pay the customs clearance and other import duties on specific goods in keeping with the regulations;

10) Import duties are customs clearance and other fees paid on the imports of goods;

11) Supervision is a set of the Customs Administration's general measures and actions aimed

at implementing customs and other regulations in relation to the goods subject to supervision, including the measures ensuring the sameness of the goods between the time of entering the customs clearance zone and customs clearance (monitoring and guarding of customs goods, taking samples, prospectuses, photographs, or other data), and also tagging customs marks and verification of stipulated documents;

12) Customs control implies certain actions taken by the Customs Administration, such as: inspection of goods, taking samples, control of existence and authenticity of documentation, inspection of book keeping and other documents, inspection of transport vehicles, inspection of luggage and other goods carried or worn by a person, and running official checks and taking other actions aimed at regular implementation of customs and other regulations;

13) Customs clearance of goods is the application of customs procedure to the goods, entering of goods into the free zone, re-exporting goods from the customs zone, destruction and ceding of goods to the state;

14) Release of goods is the decision of a customs authority approving the use of goods for the purposes stated in the customs procedure applied to the goods;

15) Customs procedure is the procedure of subjecting the goods to free trade, transit procedure, procedure of bonded warehousing, procedure of active finishing, procedure of processing under customs control, procedure of temporary imports, procedure of passive finishing operations, and exports procedure, wherein participants in the procedure gain rights and obligations in relation to the goods;

16) Customs agent is a private person hired by a legal entity registered for international forwarding operations and authorized by the Customs Administration to perform actions in the customs procedure or actions related to the same procedure;

17) Declaration is an entity's action demanding from the customs organ, in the stipulated form and stipulated manner, to conduct the appropriate customs procedure over goods;

18) The person submitting the declaration – declarer – is a person submitting the declaration on his or her own behalf or the entity on whose behalf the declaration is submitted;

19) License holder is the entity that has received a certain approval in the customs procedure;

20) Smuggling is the transfer of goods over the customs line in a furtive way and avoiding the measures of supervision, while avoiding partially or in full the payment of import duties, application of prohibitions or barriers, or otherwise obtaining advantages clashing with the provisions of this law or other laws applied by customs authorities;

21) Hidden goods are goods that have not been reported to the customs authority, transported

in a way that prevents or makes it hard to recognize or discover on regular checks by the customs authority;

22) Transport vehicle is a means of transport or transfer of people or goods by land, water, or air;

23) Line manager is the manager in direct line of supervision and management over an individual in the organ's structural hierarchy;

24) Authorized customs official is a person hired by the Customs Administration, who does his or her job in keeping with the provisions of this and other laws, and in keeping with the authorizations delegated by the director.

(2) Certain terms used in Articles 139 to 152 hereof shall have the following meanings:

1) Obtained products are all products obtained as a result of finishing operations;

2) Equivalent goods are domestic goods used instead of imported goods in the finishing process;

3) Normative is the quantity or percentage of products obtained through finishing works on a certain amount of imported goods.

(3) Certain terms used in Articles 167 to 181 hereof shall have the following meanings:

1) Temporary exports of goods means subjecting the goods to the process of passive finishing;

2) Finishing process is the process defined in Article 139, paragraph 2 hereof;

3) Obtained products are products obtained as a result of the finishing process;

4) Normative is the quantity or percentage of obtained products resulting from the finishing of a certain amount of temporarily exported goods.

2. Customs Zone

Article 6

(1) Serbia's customs zone (hereinafter referred to as: the customs zone) shall comprise Serbia's territory, waterways, and airspace.

(2) The customs zone shall be limited by the customs line identical to Serbia's borders.

3. Customs Border Belt

Article 7

- (1) The customs border belt on land shall comprise 15 kilometers wide part of the customs zone within Serbia's customs line.
- (2) The provision of paragraph 1 hereof shall also apply when the customs line runs the course of a bordering river.
- (3) The customs border belt on a bordering lake shall comprise part of Serbia's customs zone from the customs line on the lake to 5 kilometers within land from the lake's coast.
- (4) When the customs border belt comprises part of a settlement, the whole settlement shall be considered part of the belt.
- (5) The Government of the Republic of Serbia (hereinafter referred to as: the Government) shall establish the line of the customs border belt, and special rights and obligations of people living in the customs border belt.
- (6) The authorized customs official may check the identity of a person moving in the customs border belt and demand from such a person to prove that the goods he or she carries or transports have been obtained in the customs zone, that they have been imported, or that they are handled in keeping with the regulations.
- (7) If evidence stipulated by paragraph 6 hereof is not provided, the goods shall enter the procedure as stipulated by this law.

4. Customs Crossing

Article 8

- (1) The customs crossing shall be the place allocated for imports, exports, and transit of goods, and the crossing of people and means of transportation over the customs line on the border crossing.
- (2) The customs crossing can be international and bordering.
- (3) The government shall establish the customs crossings and their classification.
- (4) The design, construction, or reconstruction of the part of a border crossing allotted for the implementation of supervision and customs procedure shall be performed with the director's consent.

Article 9

(1) The right to cross a bordering customs crossing or transport customs goods over it shall be based on law or an international treaty.

(2) Dual owners may transport goods necessary for the cultivation of their land across bordering customs crossings, and other goods transportable according to an international treaty.

(3) Medical doctors, veterinarians, and other medical staff resident in the customs border belt may in case of emergency transport over a bordering customs crossings instruments and medicines necessary for their work.

(4) Firemen or other persons involved in saving people's lives and property may transport over all customs crossings the necessary equipment and other technical devices.

Article 10

The director shall establish the time when goods can enter or leave the customs zone.

Article 11

Goods subject to border inspection checks (sanitary, phytosanitary, veterinary, etc.) shall be transported or carried over the customs crossings established by the regulations stipulating such checks.

5. Customs Goods

Article 12

(1) Customs goods are goods imported or entering or admitted into the customs zone, exported from the zone, exported or sent or in transit over the area, or carried through the zone.

(2) Customs goods, as defined by paragraph 1 hereof shall also imply:

1) Live animals imported, exported or in transit;

2) Electricity, gas or liquid imported, exported or in transit by way of electrical ducts, pipes, or in another way;

3) Means of transportation carrying passengers over the customs line, or intended for transfer of goods and passengers over the customs line;

- 4) Ships and airplanes acquired abroad, if their economic usage starts before they cross the customs line;
- 5) Things that have entered the customs zone in another way;
- 6) Domestic goods in transit from one place to another within the customs zone across the foreign customs zone.

(3) Customs goods, as defined by paragraph 1 hereof shall not be deemed:

- 1) Identification papers;
- 2) Mail that does not contain customs goods;
- 3) Trade correspondence, business books and merchandise, legal, and financial documentation;
- 4) Cheques, bills, bonds, shares, and cash.

6. Reporting Of Customs Goods

Article 13

(1) State organs (courts, inspection organs, internal affairs organs, and others) are obliged to report to the nearest customs organs all goods and means of transportation in their keeping, temporarily remanded or permanently confiscated by these organs, and if there is a reasonable doubt that these are customs goods which have not undergone customs procedure in keeping with the provisions of this law.

(2) Goods and means of transportation as defined in paragraph 1 hereof may not be handed to another entity until import duties are paid. The state organs as defined in paragraph 1 hereof shall be obliged to pay import duties before handing the customs goods to a buyer or another entity to which the goods are ceded.

(3) Import duties shall be paid after expenses related to the goods as defined by paragraph 2 hereof have been charged (keeping, sales expenses, etc).

7. Supervision and Customs Control

Article 14

Customs authorities may, in keeping with the regulations, take and implement the measures of supervision and customs control deemed necessary for the implementation of customs and other regulations.

Article 15

(1) Supervision and customs control shall comprise measures for prevention of unauthorized handling of customs goods.

(2) It shall be prohibited to hide or falsely report the customs goods in order to avoid supervision and customs control.

Article 16

(1) Goods loaded or unloaded, and passengers and members of the crew boarding or disembarking ships and aircrafts referred to in paragraph 2, items 1, 3 and 4 hereof, and traffic between ships and coasts shall be subject to supervision or customs control.

(2) Not subject to supervision and customs control shall be:

- 1) Domestic and foreign military ships;
- 2) Ships sailing on parts of bordering rivers not subject to supervision according to international treaties;
- 3) Ships and aircrafts of internal affairs' organs;
- 4) Domestic and foreign aircraft.

(3) Persons referred to in paragraph 1 hereof shall be obliged to declare customs goods to the customs authority so that the customs procedure may be implemented.

Article 17

(1) Apart from the measures provided by this law, the Government may also prescribe special measures of supervision and customs control.

(2) The regulation referred to in paragraph 1 hereof may define special conditions for the transit of a certain amount of excise goods, including:

- 1) Border crossings at which transit may take place;
- 2) The time of the transit;
- 3) The direction of transit;
- 4) The obligation of equipping the vehicle with electronic and other devices that ensures the monitoring of vehicles while in transit;
- 5) The obligation of special registration for the transit of such goods.

(3) The director shall prescribe the kind and type of customs marks and the way in which they are used.

(4) Customs marks referred to in paragraph 3 hereof must be the same as at the moment they were placed, until removed by a customs authority, unless this law prescribes otherwise.

8. Obligation of Payment of Import Duties

Article 18

(1) Imported goods shall be subject to the payment of import duties, unless this law prescribes it otherwise.

(2) Not subject to payment of import duties shall be:

- 1) Goods in transit over the customs zone;
- 2) Exported domestic goods returning to the country unsold or failing to comply with the contracted obligations or the business ties based on which they have been exported;
- 3) Goods declared by domestic citizens on leaving the country, but which are returning from abroad;
- 4) Documentation sent in relation to international auctions and bids;
- 5) Print or recorded material from the field of culture, education, and science, and documentation received by entities based on international treaties;
- 6) Television, film, or other recorded news or pictures and program sections for a direct show to public information outlets;
- 7) Operating supplies received free of charge from abroad, intended for participants of international symposiums, conferences, and similar meetings held in Serbia;
- 8) Agricultural products remaining in Serbia as a result of multiplication in the process of seed goods production out of temporarily imported seed material.

Article 19

(1) The amount of import duties for goods subject to payment of these duties shall be established according to the state of the goods and in keeping with the current regulations:

- 1) For imported goods – on the day of accepting the bill of entry;
- 2) For goods carried by passengers – on the day of customs clearance;
- 3) For airplanes and ships purchased abroad if they are economically used before crossing the customs line – on the day of obtaining a temporary sailing note;
- 4) For goods stored in the consignment warehouse – on the day of the buyer's takeover from

the consignment warehouse;

5) For goods temporarily imported in the customs zone – on the day of accepting the bill of entry for final customs clearance or on the day of reaching the decision on settlement and payment;

6) For goods and means of transportation referred to in Article 13 hereof – on the day of execution of an authority's decision confiscating the goods or means of transportation or on the day of reaching the decision permitting the execution;

7) For goods transported from a consignment warehouse to the bonded warehouse on the day of accepting the bill of entry;

8) For transit goods remanded in the customs zone for the purpose of imports – on the day of accepting the bill of entry for the clearance of goods, and if the declaration is not submitted – on the day of reaching the decision on charging the import duties;

9) For goods cleared ex officio – on the day of reaching the decision on charging the import duties.

(2) The amount of import duties on goods produced or finished in the free zone, subject to trade on the local market, shall be established according to the current regulations on the day of accepting the bill of entry.

(3) If the basis for import duties payment obligation is different from the bases referred to in paragraphs 1 and 2 hereof, the amount of import duties shall be established according to the state of goods and in keeping with the current regulations at the time of the earliest possible establishment of import duties payment obligation.

Article 20

If imported goods are destroyed while in supervision, import duties payment obligation shall cease to exist.

Chapter II

Implementation Of International Treaties And Conduct Of Administrative Procedure

1. Implementation Of International Treaties

Article 21

The provisions of this law shall not apply to the payment of import duties on imported goods or on implementation of the customs procedure if an international treaty regulates it otherwise.

2. Conduct of Administrative Procedure

Article 22

The provisions of the law regulating general administrative procedure shall be applied to the procedure before customs authorities, unless this law stipulates it otherwise.

Article 23

(1) A person demanding from the customs authority to reach a certain decision must put forward all the facts and circumstances and submit documentation and other evidence relevant to reaching the decision.

(2) The decision shall be reached without delay, within the time stipulated by the provisions of the law regulating general administrative procedure at latest.

(3) If the customs authority in the customs procedure accepts the request in full, it may issue the requested decision in the form of a note on the request itself. At the request of the applicant, the customs organ shall issue the decision in written form.

Article 24

(1) A complaint can be lodged to the Customs Administration's Appeal Commission on the original decision passed by the customs authority in the administrative procedure. The com-

plaint shall not delay the enforcement of the decision.

(2) The Commission referred to in paragraph 1 hereof shall have five members from the ranks of the Customs Administration's officers, appointed upon the proposal of the director, by the official who is running the organ of the state administration with jurisdiction over finance and economic operations (hereinafter referred to as: the minister). The Commission shall adopt its own rules of procedure.

Article 25

In keeping with the Law on Administrative Disputes, administrative dispute may be started before the court of jurisdiction over the secondary decision passed in the administrative procedure.

3. Right to Representation

Article 26

(1) The entity whose rights and obligations are subject to decision can appoint a representative who shall take all or only certain actions in the procedure conducted by the customs authority. The representative must be resident or with domicile in Serbia.

(2) Representation may be:

- 1) Direct, if the representative acts on behalf and for account of another party or
- 2) Indirect, if the representative acts on his or her own behalf and for account of another party.

(3) The indirect representative shall be a legal entity registered for international forwarding operations and entered into a special register of representatives with the Customs Administration. The indirect representative shall be obliged to keep records of all the actions he or she undertakes as an indirect representative before the customs organs, in the way established by the Customs Administration.

(4) The person employed by the indirect representative shall be issued the working permit as the customs agent by the Customs Administration if:

- 1) He or she passes the exam after the training organized and whose program is established by the Customs Administration;
- 2) He or she is not employed in the Customs Administration and is not closely related to anyone employed in the Customs Administration; and

3) Has not been effectively sentenced or punished for felonies or breaches of foreign trade, foreign exchange, customs, or tax regulations, or other felonies or offences incompatible with the office of the customs agent.

(5) The customs agent may entrust another person hired by the indirect representative with conducting certain actions in the customs procedure. The customs agent shall be responsible for this person's actions.

(6) The Customs Administration shall keep a record of customs agents. Customs agents entered into the register shall be allotted special identification numbers, identification cards, and personal stamps. The Customs Administration director shall prescribe the form and contents of the identification number, identification card and personal stamp.

(7) The expenses pertaining to taking the exam and issuing of the identification number, identification card and personal stamp shall be charged from the customs agent.

(8) The Customs Administration may temporarily, and for a period of six months at most, take away the license from the customs agent if he or she does not pay the customs debt or does not act in keeping with the obligations established by the provisions of this law.

(9) The Customs Administration may permanently take away the license from the customs agent if following the issuing of license circumstances should arise as described in paragraph 4, items 2 and 3 hereof. A new request for the license may not be submitted three years after the decision on confiscation of the license has passed into effect.

(10) The representative must state whom he or she is representing, whether the representation is indirect or direct, and, if requested by the customs authority, the representative must submit a credible identification with the legal authorization.

(11) A person which does not state that he or she is acting on behalf and account of another person, or cannot submit a credible identification, shall be deemed as acting on his or her own behalf and account.

4. General Notifications of Implementation of Customs Regulations

Article 27

An entity importing or exporting goods or an interested party may, free of charge, demand from the customs authority the notification of change of the customs regulations.

A fee may be charged only if the customs authority should have expenses pertaining to the

analysis or assessment of goods subject to the notification request, and expenses pertaining to making a report or returning the goods to the person submitting the request.

The customs authority is obliged to answer all the questions 15 days within receiving the request, provided that he/she deems secret information and information referring to third parties as confidential.

5. Obligatory Notifications

Article 28

(1) On the basis of the applicant's written request, the Customs Administration shall issue:

- 1) The obligatory notification of the classification of goods according to the Customs Tariff;
- 2) The obligatory notification of the origin of goods.

(2) The obligatory notification referred to in paragraph 1 hereof shall have the effect of a decision reached in the administrative procedure.

(3) The obligatory notification on the classification of goods according to the Customs Tariff and the obligatory notification of the origin of goods referred to in paragraph 1 hereof shall put the customs authority under obligation toward the person receiving the said notification on the classification of goods in line with the Customs Tariff for the goods for which the customs procedure is to be conducted after the date the said compulsory notification has been issued. The obligatory notification on the origin of goods shall put the customs authority under obligation toward the person receiving the said notification for the goods for which the procedure of establishing the origin of goods, in line with this law, is to be completed after the date the said compulsory notification has been issued.

(4) The person referring to the notification defined in paragraph 1 hereof must show:

- 1) In case of obligatory notification of the classification of goods according to the Customs Tariff – that the declared goods are in all elements correspondent to the goods described in the notification;
- 2) In case of obligatory notification of the origin of goods – that the goods and circumstances under which the origin of goods is established are in all elements correspondent to the goods and circumstances described in the notification.

(5) The Customs Administration shall annul the obligatory notification referred to in paragraph 1 hereof if it is based on untrue or incomplete data submitted by the applicant.

(6) The obligatory notification of the classification of goods according to the Customs Tariff shall cease to be valid:

- 1) If due to a change of regulations the obligatory notification does not correspond with current regulations;
- 2) If the obligatory notification is not in keeping with the decision of a court of jurisdiction or obligatory decisions of international organizations;
- 3) When the obligatory notification has been annulled or cancelled, of which the receiver of the notification must be informed.

(7) In cases referred to in paragraph 6, items 1 and 2 hereof, the given notification shall cease to be valid on the day when the reached regulation or decision pass into effect.

(8) The obligatory notification of the origin of goods shall cease to be valid:

- 1) If due to a change in regulations or signing of an international treaty the obligatory notification should not conform to regulations or the international treaty;
- 2) If the obligatory notification should not conform to international organizations' obligatory rules of the origin of goods;
- 3) If the obligatory notification has been cancelled, annulled, or changed in keeping with this law, of which the receiver of the notification must be informed.

(9) In case referred to in paragraph 8, items 1 and 2 hereof, the obligatory notification shall cease to be valid on the day when the passed regulation, international treaty or decision passes into effect or starts being implemented.

(10) The receiver of the obligatory notification referred to in paragraph 1 hereof, which has ceased to be valid, may refer to the notification three months at most after it has ceased to be valid, if the entity has concluded the purchasing contract for certain goods based on the obligatory notification before it has ceased to be valid.

(11) In exception to the provisions of paragraph 10 hereof, in cases referred to in paragraph 6, items 1 and 2 and paragraph 8, items 1 and 2 hereof, the notification's validity period may be prolonged by a regulation, international treaty or decision.

(12) The obligatory notification referred to in paragraph 1 hereof may be used to establish import duties or export fees and return duties.

Article 29

(1) The Government may prescribe the payment of a special fee for the notification referred to

in Article 28 hereof, and also the amount and mode of payment of the fee.

(2) The payment of fee referred to in paragraph 1 hereof shall not exclude the obligation of administrative tax payment.

6. Other Provisions in Conduct of Administrative Procedure

Article 30

Entities participating in or connected to foreign trade shall be obliged to put forward all the necessary documents and data at the request of the customs authority, regardless of the medium in use, and provide other assistance necessary for the implementation of regulations.

Article 31

(1) Confidential data or data obtained in a way referred to in Article 30 hereof shall be deemed official secret and must not be revealed by the customs authorities without written consent of the said entity or authorized organ.

(2) Confidential data may be revealed in cases when the customs authority, in keeping with regulations, is be obliged or authorized to do so.

Article 32

(1) For the purpose of implementation of supervision or customs control, participants in foreign trade disposing with data referred to in Article 30 hereof shall be obliged to keep them for five calendar years.

(2) The time span referred to in paragraph 1 hereof shall start on the last day of the calendar year when:

- 1) the declaration of subjecting the goods to free trade was accepted or when exports declaration was accepted;
- 2) The supervision ended for goods which were on the basis of their use (for special purposes) subjected to free trade with preferential export duties.
- 3) Another customs procedure ended to which the goods were subjected;
- 4) The free zone user ceased to avail of the status for the goods stored in the free zone.

Article 33

The Customs Administration shall keep records of the volume, value and structure of exports and imports of goods, customs debtors, origin, amount and payment of customs debt, and also other records under its jurisdiction.

Part Two - Import Duties

Chapter I

Elements Of Determining Import Duties

1. Customs Tariff

Article 34

(1) Goods imported into the customs zone shall be subject to payment of customs duties according to the rates established by the Customs Tariff.

(2) The Customs Tariff is prescribed by the Law on Customs Tariff.

(3) In exception to provisions of paragraph 1 hereof, goods intended for use in the household, which private persons brought in passenger transit or received from abroad by mail, with the exception of goods which are duty free in keeping with the provisions of this law, shall be subject to customs clearing under a 10% flat tariff rate.

(4) The Government shall establish the value of goods subject to the flat tariff rate referred to in paragraph 3 hereof.

2. Other Import Duties

Article 35

The customs authorities shall charge other import duties on imported goods, and also taxes and excise duties in keeping with the laws regulating these issues or regulations passed in keeping with these laws.

3. Origin Of Goods

1) Non-preferential origin of goods

Article 36

(1) Non-preferential origin of goods shall be prescribed by this law due to:

- 1) The implementation of the Customs Tariff, except in cases referred to in Article 21 hereof;
- 2) Implementation of commercial policy measures;
- 3) Issuing certificate of the origin of goods.

(2) Goods originating from a certain country or state union (hereinafter referred to as: the country), shall be deemed, in keeping with this law:

- 1) Goods fully produced in the said country;
- 2) Goods sufficiently processed in the said country.

(3) The Government shall prescribe conditions and modes of proving the origin of goods referred to in paragraphs 1 and 2 hereof in keeping with the World Trade Organization's rules and recommendations of the World Customs Organization.

Article 37

Goods referred to in Article 36, paragraph 2 hereof shall be deemed:

- 1) Mineral products extracted from the said country's grounds;
- 2) Herbal products grown or picked in the said country;
- 3) Offspring of animals born and bred in the said country;
- 4) Products obtained from live animals bred in the said country;
- 5) Products obtained from hunting and fishing in the said country;
- 6) Products obtained from fish bred in the said country;
- 7) Products of sea fishing and other products extracted from seas outside the said country's territorial waters, by vessels registered in the said country, sailing under the said country's flag;
- 8) Goods obtained or produced on ships-factories exclusively from products extracted from seas outside territorial waters, on condition that these ships-factories have been registered in the said country and sailing under its flag;
- 9) Products extracted from the bottom of the seas outside the said country's territorial waters, on condition that it has the exclusive right to exploit the sea bottom and the ground underneath;

- 10) Remnants and refuse of products obtained from production activities or used objects, if they have been collected in the said country and are fit only for re-obtaining the raw material;
- 11) Other goods produced in the said country exclusively out of goods referred to in items 1 to 10, paragraph 1 hereof or its derivatives, regardless of the degree of processing.

Article 38

(1) Goods produced by more than one country shall be considered as originating from the country in which it has undergone the last important economically justified processing or treatment, on condition that the processing has been performed in a plant equipped for that purpose and that it induced significant changes to the product or created a whole new product.

(2) On establishing the origin of goods as provisioned by paragraph 1 hereof, the following criteria shall also be used:

- 1) The change of tariff mark in the Customs Tariff;
- 2) The criterion of value (ad valorem);
- 3) The criterion of processing or treatment.

(3) The Government shall prescribe the conditions for implementation of criteria referred to in paragraph 2 hereof in keeping with the rules of the World Trade Organization and recommendations of the World Customs Organization, in keeping with the provisions of Article 40 hereof.

Article 39

The processing or treatment based on which the obtained product is categorized into a tariff mark different from the mark used for used materials shall be deemed the complete process referred to in Article 38, paragraph 1 hereof.

Article 40

On establishing the origin of goods, regardless of whether the tariff mark for those goods has been changed, the following actions shall not be considered:

- 1) The handling necessary for preservation of the product's characteristics during transport or storage;
- 2) Actions serving easier dispatch or transport of goods;
- 3) Actions related to packaging and preparation of goods for sale;

- 4) Simple handling of goods, especially: ventilation, distribution, drying, cooling, removal of damaged parts, removal of grease and rust, painting for protection of natural occurrences, removal of rust, washing, cleaning, sifting and covering, sorting, separation or classification, weighing, testing or gauging, packing or unpacking of packages packed together or re-packing, splitting of cargo, marking, labeling and other marking, dissolution in water or another substance, ionization, salting, peeling, crumbling, removal of pits from fruit, slaughtering of animals;
- 5) Simple assembly of product parts into a whole product;
- 6) Any combination of actions or handling referred to in items 1 to 5, paragraph 1 hereof.

Article 41

Processing or treatment of goods established to have the sole goal of avoiding the implementation of provisions applied in Serbia on goods from certain countries shall not be deemed sufficient to ensure such goods the status of goods produced in the country where the action was taken.

Article 42

- (1) Customs or other regulations may prescribe the submitting of documentation verifying the origin of goods.
- (2) Apart from the documentation referred to in paragraph 1 hereof, the customs authority may, in case of reasonable doubt, demand an additional proof of the origin of goods.

2) Preferential origin of goods

Article 43

The rules of preferential origin which ensure the goods in the customs procedure a more favorable treatment referred to in Article 21 hereof shall be determined by international treaties or in keeping with autonomous preferences or customs measures with deterrent, which decrease import duties or exemption from payment of import duties on certain goods.

3) Common provisions for preferential and non-preferential origin of goods

Article 44

(1) The Customs Administration shall be obliged to issue the obligatory notification referred to in Article 28 hereof in the least possible time, 150 days after the request was submitted at latest.

(2) The obligatory notification referred to in paragraph 1 hereof shall be valid for three years following the day of issue, on condition that the facts it was based on, including the rules of origin of goods valid at the time when the decision was made, remain comparable.

(3) If during the process of assessment of the obligatory notification referred to in paragraph 1 hereof, the Customs Administration should reach another decision, it shall annul the obligatory notification referred to in paragraph 1 hereof, on condition that the interested party is informed beforehand.

Chapter II

Dutiable Value

Article 45

The provisions of Articles 46 to 62 hereof shall establish dutiable value of goods for the purpose of implementing the Customs Tariff rates and settlement of other import duties, and also the implementation of non-tariff measures in keeping with the provisions of foreign trade regulations.

Article 46

(1) Dutiable value of imported goods shall be their transaction value, consisting of the amount paid or due to be paid for the goods sold for the purpose of exports to Serbia, increased, if necessary, in keeping with the provision of Article 54 hereof, on condition that:

1) The buyer has no restrictions as to the disposal or use of goods, except in case of restrictions:

- stipulated by regulations or individual acts passed in keeping with the regulations,
- limiting the geographic area where goods may be re-sold, or
- which do not influence significantly the value of goods;

2) The sale or price of goods shall not be subject to a condition or fee whose value cannot be

established on the basis of the value of valued goods;

3) No part of income realized from the resale, disposal of goods, or use of goods directly or indirectly shall belong to the seller, unless the appropriate harmonization can be rendered in keeping with the provisions of Article 54 hereof;

4) The buyer and seller are not connected, or, if they are, that transaction value is acceptable for customs purposes, in keeping with the provision of paragraph 3 hereof.

(2) Two entities shall be deemed connected, if:

1) One entity belongs to a group of authorized entities or is director of the other and vice versa;

2) They are legally recognized as business partners;

3) They are in the employer-employee relation;

4) One of them is the owner of or controls or owns 5% or more voting shares, or controlling rights in both entities;

5) One controls the other;

6) They are directly or indirectly controlled by a third party;

7) They together control a third party ;

8) They are:

- related in straight line to the second degree;

- related laterally to the second degree;

- In in-law relations to the second degree.

(3) Entities with business ties wherein one of them is the exclusive representative, exclusive distributor or exclusive concessionaire of the other, shall be deemed related should one of the criteria referred to in paragraph 2 hereof be met.

(4) In the procedure of assessing the acceptability of transaction value in keeping with the provisions of paragraph 1 hereof, the circumstance of the buyer and seller being related parties shall not be the sufficient reason not to accept a certain transaction value.

(5) If necessary, the customs authority shall establish the purchasing circumstances and accept transaction value, on condition that the existing ties have not influenced the price of goods.

(6) If the customs authority has reasons to doubt, on the basis of information obtained from the importer or in another way, that the existing ties have influenced the price of goods, it shall be obliged to inform the importer about it and enable the importer to respond. On the importer's request, the customs authority shall inform the importer of the reasons for doubt in written form.

(7) In case of purchase between the entities with ties, transaction value shall always be accepted and goods valued in keeping with the provision of paragraph 1 hereof, when the im-

porter proves that such value, established at the same or approximately the same time, is approximately equal to:

- 1) Transaction value on sale between unrelated entities for identical or similar goods intended for exports to Serbia;
- 2) Dutiable value of identical or similar goods established in keeping with the provisions of Article 51 hereof;
- 3) Dutiable value of identical or similar goods established in keeping with the provisions of Article 52 hereof.

(8) While comparing, obvious differences in commercial levels and quantities, elements referred to in Article 54 hereof, and expenses of the seller during sale in which the seller and buyer had no ties, which are not to be established in the sale wherein the buyer and seller are related, should be taken into account.

(9) The comparison referred to in paragraph 7 hereof shall be performed at the importer's request and shall serve only for the purpose of comparison.

(10) In keeping with the provisions of paragraph 1, item 2 hereof, the sale or price of goods shall be deemed subject to condition or fee whose value cannot be established if:

- 1) The seller establishes the price of imported goods on condition that the buyer shall buy certain amounts of other goods as well;
- 2) The price of imported goods depends on the price or prices at which the buyer of imported goods sells other goods to the seller of imported goods;
- 3) The price is established based on the mode of payment unrelated to the imported goods (when the imported goods is a semi-product provided by the seller, on condition that he shall accept a certain amount of finished goods).

Article 47

(1) The actual amount paid or due to be paid is the total payment effected or to be effected by the buyer to seller or for account of the seller, for sold imported goods, or payment by the buyer to a third party in order to settle the seller's liability.

(2) The payment referred to in paragraph 1 hereof may be effected by cash, letter of credit or other agreed modality of payment.

(3) The actions taken by the buyer at his own expense, with the exception of actions referred to in Article 54 hereof, for which it is necessary to harmonize values, shall not be considered

indirect payment to the seller, which shall also apply to the case when the actions have been taken on behalf of the seller, and the action's costs shall not be added to the actual amount paid or due to be paid on establishing dutiable value of imported goods.

Article 48

(1) Dutiable value of imported goods which cannot be established in keeping with the provisions of Article 46 hereof shall be established as transaction value of identical goods sold for the purpose of exports to Serbia and exported at the same or approximately the same time of the valued goods' exports.

(2) For the establishment of dutiable value referred to in paragraph 1 hereof, transaction value of identical goods sold at the same commercial level and in the approximately same amount as the valued goods shall be applied. When there is no such sale, transaction value may be used, applied to identical goods sold on a different commercial basis or in different amounts, with necessary harmonization of differences issuing from commercial bases or amounts, on condition that such harmonization may be effected on the basis of submitted evidence clearly showing the appropriateness and accurateness of the harmonization, regardless of whether the harmonization shall induce increase or decrease in value.

(3) When payment costs referred to in Article 54, paragraph 1, item 1, lines 4, 5 and 6 hereof are included in transaction value, the harmonization shall be effected based on the differences between these costs and prices of imported goods and identical goods which may arise due to the differences in distance and means of transport.

(4) If in cases referred to in paragraphs 1 to 3 hereof it should be established that there are more than one transaction values for identical goods, the lowest of the existing values shall be applied on establishing dutiable value.

Article 49

(1) Dutiable value of imported goods which cannot be established in keeping with the provisions of Articles 46 and 48 hereof shall be established as transaction value of similar goods sold for the purpose of exports to Serbia or exported at the same or approximately the same time of valued goods' exports.

(2) For the establishment of dutiable value referred to in paragraph 1 hereof, transaction value of similar goods sold at the same commercial level and in the approximately same amount as

valued goods shall be applied. When there is no such sale, transaction value may be used, applied to similar goods sold on a different commercial basis or in different amounts, with necessary harmonization of differences issuing from commercial bases or amounts, on condition that such harmonization may be effected on the basis of submitted evidence clearly showing the appropriateness and accurateness of the harmonization, regardless of whether the harmonization shall induce an increase or decrease in value.

(3) When payment costs referred to in Article 54, paragraph 1, item 1, lines 4, 5 and 6 hereof are included in transaction value, the harmonization shall be effected based on the differences between these costs and prices of imported goods and identical goods which may arise due to the differences in distance and means of transport.

(4) If in cases referred to in paragraphs 1 to 3 hereof it should be established that there are more than one transaction values for similar goods, the lowest of the existing values shall be applied on establishing dutiable value.

Article 50

(1) When dutiable value of imported goods cannot be established in keeping with the provisions of Articles 46, 48 and 49 hereof, dutiable value shall be established in keeping with the provisions of Article 51 hereof.

(2) If dutiable value cannot be established in keeping with the provisions of Article 51 hereof, the provisions of Article 52 hereof shall be applied, and the sequence of application of the provisions of Articles 51 and 52 hereof may be reversed at the importer's request.

Article 51

(1) If identical or similar imported goods are sold in Serbia in the same state in which they were imported, dutiable value of the valued goods shall be established on the basis of unit price at which the largest number of units of identical or similar imported goods is sold at the same or approximately the same time when the assessed goods are sold, and to the entities unrelated to the entities from which the goods are purchased, on condition that the price is decreased by the amount of:

1) The usual provision paid or to be paid or the usual increase for the purpose of making profit and covering of general sale expenses in Serbia, created for the imported goods of the same kind or group of products;

2) The usual transport and goods insurance expenses and other accompanying expenses created in Serbia;

3) Import and other duties charged in Serbia on imports or sale of goods.

(2) If at the time or approximate time of valued goods' imports, neither identical nor similar imported goods are sold, dutiable value shall be established according to the unit price at which identical or similar goods are sold in Serbia, in the same state in which they were imported, in the shortest possible time following valued goods' imports, while the time span may not be longer than 90 days following the day of imports.

(3) If identical or similar imported goods are not sold in Serbia in the same state in which they were imported, dutiable value shall be established at the importer's request according to the unit price at which the imported goods are sold after further processing, in largest total amount, to entities unrelated to entities buying the goods, while the value added with processing and deductions referred to in paragraph 1 hereof shall be taken into account.

Article 52

(1) Dutiable value of imported goods, in keeping with the provisions of this article, shall be established on the basis of imputed value, representing the sum of the following elements:

1) The value of material used in production or other kind of processing, and also production or expenses of another kind of imported goods processing;

2) The amount of profit and general expenses correspondent to the usual amount made in the sale of the same kind or same group of goods as the valued goods, and produced by the producer in the exporting country for the purpose of exports to Serbia;

3) Expenses and payments referred to in Article 54, paragraph 1, item 1, lines 4, 5 and 6 hereof.

(2) The entity which is not domicile or resident on Serbia's territory shall not be obliged to enable inspection or allow access to any bill or other records for the purpose of establishing the imputed value.

(3) The customs authority may, for the purpose of establishing dutiable value in another country, check notifications obtained from the producer of goods, with the producer's consent, on condition that the government of that country has been duly notified and does not prevent the check.

Article 53

(1) Dutiable value of imported goods, which cannot be established in keeping with the provi-

sions of Articles 46 to 52 hereof, shall be established on the basis of available data in Serbia, with the use of methods harmonized with principles and provisions of:

- 1) The 1994 Accord on Application of Article 7 of General Agreement on Customs and Trade;
- 2) Article 7 of the 1994 General Agreement on Customs and Trade;
- 3) This law.

(2) In keeping with the provisions of this article, dutiable value shall not be established according to:

- 1) The selling price of goods produced in Serbia;
- 2) A system allowing acceptance of the higher of two possible values in customs purposes;
- 3) The price of goods on the domestic market and the exporting country's market;
- 4) Production costs, except for the imputed value established for identical or similar goods in keeping with the provisions of Article 52 hereof;
- 5) The price of goods intended for exports to another country, and not for the Serbian market;
- 6) Minimum values;
- 7) Arbitrary or non-existing values.

Article 54

(1) In the process of establishing dutiable value, in keeping with the provisions of Article 46 hereof, the actual amount paid or due to be paid for imported goods (transaction value) shall be increased by:

1) Costs in the amount borne by the buyer, and which are not included in the actual amount paid or due to be paid for the imported goods, more precisely:

- mediation provisions and fees, except for the purchasing provision;
- packaging, which, for the purpose of customs clearing, shall be considered part of the goods in question;
- packaging (labor and material);
- transport of imported goods to the port or point of entry into Serbia's customs zone
- loading, unloading and handling expenses related to the transport of imported goods to the port or point of entry into the customs zone;
- insurance costs;

2) The corresponding value of goods and services delivered by the buyer, free of charge or at a lower price, for the purpose of use in production and sale of goods, for the purpose of exports levels at which the value has not been included in the actual amount paid or due to be paid:

- materials, parts, components and other things contained by imported goods;
- tools, matrices, molds, and other things used in imported goods production'
- other materials consumed in imported goods production;
- design, development, artistic work, shaping, planning and drawings done outside Serbia, necessary for production of imported goods;

3) Fees for use of copyright, including the license fees for valued goods paid by the buyer as the stipulated condition for the sale of assessed goods, if such fees are not included in the actual amount paid or due to be paid, with the exception of payments for rights to imported goods reproduction;

4) Part of the amount reached by further sale, concession or use of imported goods, paid to the seller, with the exception of payment to the buyer for obtaining distribution and re-selling rights for imported goods, if these payments are not a condition of sale for exports to Serbia.

(2) The actual amount paid or due to be paid shall be increased in keeping with the provisions of this article according to the measurable data.

(3) In the process of establishing dutiable value, other increases in the actual amount paid or due to be paid shall not be allowed, except for the increases stipulated by this article.

Article 55

Dutiable value of goods shall not include payments and expenses which have not been included in the actual amount paid or due to be paid, on condition that they are specified and refer to:

1) Construction, assembly, erecting, maintenance or technical assistance performed or to be performed after the imports of industrial plants, machinery or equipment;

2) Transport of goods after they have entered Serbia's customs zone;

3) Interest rates arising from the financial agreement concluded by the buyer, referring to the purchase of imported goods, regardless of whether the finances were secured by the seller, bank or another entity, on condition that the financial agreement has been made in written form and that the buyer can, when requested, prove:

- that the declared price of goods corresponds to the actual amount paid or due to be paid;
- that the interest rate does not exceed the usual height for such transactions at the time and in the country, when and where the financing has been secured.

Article 56

In the process of establishing dutiable value, all kinds of price and cash discounts customary for identical or similar imported goods shall be accepted, if they have been contracted before the imports and affected in the contracted time.

Article 57

(1) Dutiable value of goods which has not been sold for exports to Serbia and dutiable value of goods imported temporarily shall be established in keeping with the provisions of Articles 48 to 53 hereof.

(2) If dutiable value of goods imported on the basis of lease or leasing cannot be established in keeping with the provision of paragraph 1 hereof and which cannot be purchased, according to the contract, dutiable value shall equal the value of lease for the contracted period of lease or leasing, and increased, if necessary, in keeping with the provision of Article 54 hereof.

(3) Dutiable value of goods damaged before they are ceded to the declaration applicant shall be established on the basis of the contracted price, decreased by the percentage of damage.

(4) The percentage of damage shall be established by the customs authority.

(5) If during the customs procedure a new price is established, in keeping with the stipulations of Article 46 hereof, the said price shall represent new dutiable value.

(6) If the goods declared for free trade are part of a larger amount of the same goods purchased within a transaction, the actual amount paid or due to be paid, in keeping with the provision of Article 46, paragraph 1 hereof, shall be part of the total price correspondent to the declared amount. The actual amount paid or due to be paid shall also be established in the same way in case of ruin or damage of part of delivered goods before they have been subjected to free trade.

(7) If the seller should lower the actual amount paid or due to be paid after the goods have been subjected to free trade, the price decreased in this manner shall be taken into account on establishing dutiable value in keeping with the provision of Article 46 hereof, should the customs authority establish that:

- 1) The goods were deficient at the time of accepting the declaration of subjecting it to free trade;
- 2) The seller depreciated the price in relation to fulfilling the guarantee obligation stipulated by the purchasing contract for the goods, concluded before the goods were subjected to free trade;

3) Deficiency of goods was not taken into account on concluding the purchasing contract for the goods.

(8) The actual amount paid or due to be paid, depreciated in keeping with the provisions of paragraph 1 hereof, may be taken into account on establishing dutiable value, if the change occurred 12 months at latest following the day of accepting the declaration of subjecting the goods to free trade.

Article 58

If it is necessary, during the process of establishing dutiable value of imported goods, to postpone the final establishment of dutiable value, the goods may be ceded to the declarer on condition that he makes a deposit in the amount of the possible customs debt.

Article 59

(1) On establishing dutiable value of data carrier containing data or program instructions for the use of data processing equipment (hereinafter referred to as: program support), the price or value of program support shall not be calculated, on condition that the value or price is separately specified from the value of data carrier.

(2) Included assemblies, integrated circuits, semi-conductors or similar devices or products containing such included assemblies or devices shall not be considered data carriers referred to in paragraph 1 hereof.

(3) Audio, cinematographic or video recordings or instructions shall not be considered data and program instructions referred to in paragraph 1 hereof.

Article 60

(1) The customs authority may demand from the declarer to submit all the documentation and data necessary for establishing dutiable value in keeping with the provisions of Articles 46 to 53 hereof.

(2) The provisions of Articles 54 to 62 hereof shall not restrict the right of the customs authority to establish the veracity and validity of a statement, identification papers or declaration submitted for the purpose of establishing dutiable value.

Article 61

At the importer's request, the customs authority shall be obliged to notify the importer in written form of dutiable value established in keeping with the provisions of this law, and also of method applied on establishing the value.

Article 62

If elements for establishing dutiable value are expressed in a foreign currency, the foreign currency shall be calculated in dinars according to the official exchange rate on the day of establishing the amount of import duties.

Part Three - Status of Goods Between the Time of Entering the Customs Zone and Customs Clearance

Chapter I

Entering of Goods Into the Customs Zone

Article 63

(1) Goods entering the customs zone shall be subject to the measures of supervision from the time of entering the customs zone, and if need be, to the customs control measures, in keeping with the provisions of this law and regulations passed on the basis of this law.

(2) Goods shall remain in supervision until the customs status of goods is established, until the customs status has changed, or until the goods are stored in the free zone, re-exported or destroyed in keeping with the provisions of Article 188 hereof.

Article 64

(1) The person entering the goods into the customs zone shall be obliged to declare the goods, and transport them without delay by roads, in the way, and during the time determined by the customs authority to the customs house or another place instructed or approved by the customs authority, or to the free zone.

(2) The person taking on the responsibility for transport of goods after they entered the customs zone shall be responsible for fulfilling obligations referred to in paragraph 1 hereof.

(3) The captain of the ship entering the customs zone or another responsible person, and the captain of an aircraft arriving to the customs zone or a person authorized by the said captain, shall submit the manifest of all goods transported as cargo by the said ship or aircraft to the customs authority, immediately following the arrival, and before the goods are unloaded.

(4) The ship or aircraft may not leave the customs zone, port or airport, without the customs authority's approval. The captain of the ship leaving the customs zone, or another responsible person, and the captain of the aircraft leaving the customs zone, or the person authorized by the captain, shall submit before departure the manifest of all goods transported as cargo by the said ship or aircraft to the customs house.

(5) The form and contents of aircraft manifests shall be in keeping with the standards of the International Air Transport Association (IATA).

(6) The ship or aircraft captain or the authorized person in Serbia shall confirm that the manifest contains complete, true, and accurate data of the goods transported by the said ship or aircraft.

(7) The provisions of paragraph 1 hereof shall not exclude the implementation of regulations in the field of passenger, border, or mail traffic, on condition that the implementation of the said regulations do not obstruct supervision and customs control.

(8) The Government may prescribe special conditions for imports or transit by way of ducts and pipes.

Article 65

(1) When due to unexpected circumstances or force majeure it is not possible to fulfill the obligations stipulated by Article 64, paragraph 1 hereof, the person obliged to fulfill the said obligations or another person who has pledged to fulfill the obligations, shall immediately notify the customs authority of jurisdiction of the said circumstances.

(2) When under unexpected circumstances or force majeure not a complete loss of goods has been suffered, the person obliged to fulfill the said obligations or another person who has pledged to fulfill the obligations, shall immediately notify the customs authority of jurisdiction of the goods' whereabouts.

(3) The customs authority shall establish measures to be taken in order to enable the supervision of goods referred to in paragraph 2 hereof.

Article 66

(1) When due to unexpected circumstances or force majeure the ship or aircraft referred to in Article 64 hereof is forced to halt or stay temporarily in the customs zone, while it is impossible to fulfill the duties referred to in Article 65, paragraph 2 hereof, the ship or aircraft commander or person acting on their behalf shall be obliged to immediately notify the customs authority of the said circumstances.

(2) The customs authority shall establish measures to be taken in order to enable the supervision of goods referred to in paragraph 1 hereof.

Article 67

The Government shall prescribe special measures of supervision and customs procedure applied in passenger transit, and also in different kinds of traffic (road, railway, air, river and mail).

Chapter II

Declaration of Goods

Article 68

Goods transported to the customs authority or another place instructed or approved by the customs authority, in keeping with the provisions of Article 64 hereof, shall be declared by the person who entered the goods into the customs zone or the person who has taken on the responsibility for the goods after they have entered the customs zone or a person authorized by the aforementioned persons.

Article 69

The provision of Article 68 hereof shall also apply to:

- 1) goods carried in by passengers;
- 2) goods subjected to the customs procedure without being submitted to the customs authority.

Article 70

(1) Following the delivering and before the declaration of goods, the goods may be inspected, with the approval of the customs house, and samples may be taken in order to issue the customs clearance.

(2) The customs clearance is issued at the request of the person authorized to conduct further treatment or use of the cleared goods.

Chapter III

Summarized Declaration and Delivery of Declared Goods to Customs Authority

Article 71

(1) Goods delivered to the customs authority in keeping with the provision of Article 64 hereof must be included in the summarized declaration.

(2) The summarized declaration shall be submitted immediately following the delivery of goods to the customs authority.

(3) The customs authority may prolong the deadline for submitting the summarized declaration by the end of the first working day following the delivery of goods at latest.

(4) The summarized declaration shall be submitted on the form prescribed by the minister.

(5) The customs authority may approve the use of commercial and transport papers (invoice, packing list, specification, waybill, manifest, bill of landing, and the like) as the summarized declaration, on condition that they contain the data necessary for identification of goods.

Article 72

The summarized declaration shall be submitted by:

- 1) The person who entered the goods into the customs zone or the person who took on the responsibility for the goods after they have been entered, or
- 2) The person acting on behalf of the person referred to in paragraph 1 hereof.

Article 73

(1) In case of regular transit of the same goods by the same means of transport and the same person, the customs authority may allow that one declaration (periodical declaration) be submitted for the said goods and means of transport crossing the customs line during a certain period of time.

(2) At the declarer's request, the customs authority may allow the previous declaration of goods, if such a request has been submitted three days following the delivery of goods at latest.

(3) The minister shall prescribe the conditions for periodical and previous declaration of goods.

Article 74

The summarized declaration shall not be submitted in written form for goods imported by passengers, for letter and mail parcels, if this does not obstruct the implementation of supervision measures and conduct of requested and allowed customs procedure.

Article 75

(1) Goods may be unloaded or re-loaded from vehicles based on the customs authority's approval, at the place and time instructed or approved by the said authority.

(2) The approval referred to in paragraph 1 hereof shall not be necessary in case of immediate danger demanding that the goods or part of goods be unloaded immediately, of which the customs authority must be notified without delay.

(3) For the purpose of inspecting goods and vehicles transporting the goods, the customs authority may at any time demand that the goods be unloaded or unpacked.

Article 76

The goods must not be moved from the place where they were initially stored without the customs authority's clearance.

Chapter IV

Obligation of Issuing the Customs Clearance for Treatment or Use of Goods

Article 77

The customs authority shall issue the customs clearance for the treatment or use of delivered goods.

Article 78

(1) Actions necessary for clearing the treatment or use of goods included in the summarized declaration must be performed within:

- 1) 45 days following the day of submitting the summarized declaration of goods delivered by waterways, or
- 2) 20 days following the day of submitting the summarized declaration of goods delivered in another way.

(2) In exception to the provision of paragraph 1 hereof, depending on circumstances, the customs authority may establish shorter deadlines or allow the protraction of deadlines referred to in the said paragraph.

Chapter V

Temporary Bond of Goods

Article 79

Goods delivered to the customs authority shall have the status of temporarily bonded goods until they are issued the customs clearance for further treatment and use.

Article 80

(1) Temporarily bonded goods may be stored at the place and in conditions approved by the customs authority.

(2) The customs authority may demand of the goods keeper to deposit insurance for the payment of the customs debt that may arise in keeping with the provisions of this law.

Article 81

The goods in temporary bond may be subject to actions necessary for the preservation of the original state of the said goods, or actions that do not affect the appearance or important features of the said goods.

Article 82

(1) If actions necessary for the customs clearance of treatment or use of goods are not conducted within the time limits stipulated by Article 78 hereof, the customs authority shall without delay take necessary measures for establishing the status of the said goods, including their sale.

(2) Until the status of goods is established, the customs authority may, at the goods keeper's risk and expense, move the goods to another place under the supervision of the said authority.

Chapter VI

Provisions Applied To Goods In Transit Procedure

Article 83

(1) Provisions of Article 64, except for paragraphs 1 and 2, and provisions of Articles 65 to 82 hereof, shall not apply to the goods in transit procedure on entering the customs zone.

(2) When the goods in transit procedure arrive to the destination within the customs zone and are delivered to the customs authority, the provisions of Articles 70 to 82 hereof shall apply.

Chapter VII

Other Provisions

Article 84

(1) In case of life and health danger for people, or pollution hazard, the customs authority may take measures to remove the said hazards, including the destruction of delivered goods, of

which the said authority must inform the goods keeper.

(2) The costs of the taken measures, including the costs of goods destruction, shall be borne by the goods keeper.

Article 85

If the customs authority establishes that the goods have been entered into the customs zone without authorization or that the goods have not been placed in bond, the necessary measures shall be taken for the purpose of establishing the status of goods, including the sale of goods.

Part Four - Customs Clearing For Treatment Or Use Of Goods

Chapter I

General Provisions

Article 86

(1) The customs clearing may be issued for treatment or use of goods, in keeping with the provisions of this law, regardless of the goods' kind or quantity, origin, destination or way of shipping, unless this law shall stipulate it otherwise.

(2) In exception to the provision of paragraph 1 hereof, the customs clearing for treatment or use of goods may not be issued if it contradicts the measures protecting public moral, people's, animals', or plants' health and lives, national heritages of historic, art, or archaeological value, or copyrights and the like, established by the regulations in the mentioned fields.

Chapter II

Customs Procedures

1. Placing Goods In The Customs Procedure

Article 87

(1) Goods subject to the customs procedure must be included in the declaration for the said customs procedure.

(2) Domestic goods declared for exports, finishing works, transit procedure, or bonded warehousing shall be in supervision from the time of accepting the declaration to the time of leaving the customs zone, destruction or clearing.

(3) The director may assign certain customs houses or their organizational units for payment of customs duties for certain goods or implementation of certain procedures, or determine which customs houses or their organizational units may not charge customs duties for certain goods or conduct certain procedures.

Article 88

(1) The declaration shall be submitted:

- 1) in written form;
- 2) via electronic data exchange, if technical capacities allow it and if the use of electronic devices is approved by the director;
- 3) by way of other actions of the goods keeper demanding that the goods be subjected to the customs procedure, when the said possibility is envisaged by current regulations.

(2) The minister shall prescribe the form, contents, and modality of submitting and filling the declaration form and other forms used in the customs procedure.

1) Declaration in written form

Regular declaration

Article 89

(1) The declaration in written form shall be submitted on the prescribed form, signed by the declarer, containing all the data necessary for the implementation of regulations related to the customs procedure for which the goods are being declared.

(2) Together with declaration, the documents necessary for implementing the customs procedure for which the goods are being declared shall also be submitted.

Article 90

The customs authority shall immediately accept the declaration submitted in keeping with the provision of Article 89 hereof, on condition that the goods included in the declaration have been delivered to the customs house.

Article 91

The declaration and documentation necessary for implementing the regulations related to the procedure for which the goods are being declared may be submitted by the importer, exporter, or the authorized person in keeping with the provision of Article 26 hereof.

Article 92

(1) After the declaration has been accepted, the declarer may on his or her own request, with the customs authority's approval, change or amend one or more data in the declaration, while the said changes and amendments may refer only to the goods originally encompassed by the said declaration.

(2) The customs authority shall not approve changes and amendments referred to in paragraph 1 hereof if the request for change or amendment has been submitted after:

- 1) the customs authority has notified the declarer of the intention to inspect the goods,
- 2) the customs authority has established the falseness of data, or
- 3) the customs authority has cleared the goods.

Article 93

(1) At the declarer's request, the customs authority shall annul the accepted declaration if the declarer submits evidence that the goods were by mistake declared for customs procedure envisaged by the declaration or that, due to extraordinary circumstances, the implementation of the customs procedure for which the goods were declared is no longer justified.

(2) If the customs authority has notified the declarer of the forthcoming inspection of goods, the request for annulment of the declaration shall not be accepted until the inspection has been conducted.

(3) The declaration may not be annulled after the goods have been subjected to free trade, unless regulations envisage otherwise.

(4) The annulment of declaration shall not prevent the implementation of this law's fining provisions.

Article 94

In the customs procedure for which the goods have been declared, the regulations valid on the day of accepting the declaration shall apply, unless it is prescribed otherwise.

Article 95

The customs organ may, for the purpose of the accepted declaration's control:

- 1) conduct the inspection of documentation submitted with the declaration;
- 2) demand that the declarer submit other documentation as well in order to establish the veracity of data stated in the declaration;
- 3) conduct the inspection of goods or take samples for the purpose of analysis and inspection of goods.

Article 96

(1) The transport of goods to the place where their inspection is to be conducted or samples to be taken, and also the handling of goods necessary for inspection or sampling, shall be conducted by the declarer or shall be his or her responsibility. The costs thereof shall be charged by the declarer.

(2) The declarer has the right to be present during the inspection or sampling of goods.

(3) The customs authority may demand that the declarer or the declarer's representative be present during the inspection or sampling of goods, at the place and time determined by the customs authority, so as to provide the necessary assistance in simplifying the inspection or sampling.

(4) The customs authority shall not be obliged to remunerate the samples taken in keeping with current regulations. The expenses arising from analysis and inspection shall be borne by the customs authority.

Article 97

(1) In case when part of goods included in the declaration has been inspected, the result of the partial inspection shall apply on entire goods included in the said declaration.

(2) The declarer may demand a repeat examination of goods if he or she deems the result of the partial inspection inappropriate for the remaining part of the declared goods.

(3) When a declaration comprises two or more specifications, the data referring to each of the specifications shall be considered a separate declaration.

Article 98

(1) If the declaration has been controlled, the results of the control, and other established facts, shall be the basis for the implementation of regulations referring to the customs procedure to which the goods have been subjected.

(2) If the declaration has not been controlled, the data stated in the declaration, by the declarer, shall be the basis for the implementation of regulations referring to the customs procedure to which the goods have been subjected.

Article 99

(1) The customs authority shall be obliged to take the measures necessary for identification of goods if the identification is necessary for the implementation of the customs procedure for which the goods have been declared.

(2) The customs marks applied to goods or transport vehicles may be removed or destroyed only by the customs authority, while the actions may also be taken with the customs authority's approval, except in cases when, due to unexpected circumstances or force majeure, their removal or destruction is necessary for protection of goods or vehicles.

Article 100

(1) The customs authority shall clear the goods for the declarer if the conditions of subjecting the goods to a certain customs procedure have been fulfilled, and if the goods are not subject to the restrictive measures or bans when the declaration data have been checked and verified, or accepted without control.

(2) In case referred to in paragraph 1 hereof, the provision of Article 101 hereof shall apply.

(3) The customs authority shall clear the goods for the declarer when the control of declaration cannot be conducted within the stipulated time and when it is not necessary for the declaration control to keep the goods at the place where the declaration control is being conducted.

(4) The goods comprised by a single declaration shall be cleared at the same time.

(5) In case referred to in paragraph 3 hereof, if the declaration comprises more than one kind

of goods, it shall be considered that a separate declaration has been submitted for each kind of goods.

Article 101

(1) If the customs debt arises from accepting the declaration, the goods shall be cleared for the declarer after the customs debt has been paid or the same amount has been deposited as a guarantee.

(2) The provision of paragraph 1 hereof shall not be applied to the procedure of temporary imports with partial exemption from payment of import duties.

(3) When the customs authority, in keeping with this law's provisions regulating the procedure for which the goods have been declared, demands depositing of guarantee, the said goods shall be cleared after the guarantee has been deposited.

Article 102

The customs authority may take necessary measures, including the return of goods abroad, confiscation of goods, and sale of goods, if:

1) The goods cannot be cleared because:

- it has not been possible to start or continue the inspection of goods within the time determined by the customs authority due to the circumstances caused by the declarer, or
- the documentation necessary for subjecting the goods to a certain customs procedure has not been submitted, or
- the customs debt has not been collected, or the debt payment guarantee has not been deposited within the stipulated time, or
- the goods are subject to bans and restrictions.

2) The goods have not been taken over in the prescribed time after they have been cleared.

Simplified declaration

Article 103

(1) In cases and in the way prescribed by the Government, the customs authority shall allow, for the purpose of simplifying the procedure:

1) Absence of certain data from the declaration or absence of certain documents submitted

with the declaration as stipulated by Article 89 hereof;

2) Replacement of declaration by certain commercial or official documents submitted with the request of subjecting the goods to the customs procedure;

3) That the goods be subjected to a certain procedure based on the book keeping document, in which case the customs authority may free the declarer from the duty of delivering goods;

4) A special procedure for declaring express shipments.

(2) The simplified declaration, commercial, official, or bookkeeping document must contain the data necessary for the identification of goods. The bookkeeping document must contain the date of entry.

(3) The declarer shall be obliged to submit additional declaration, which may be general, periodical or collective, within the time limit stipulated by the customs authority.

(4) The Government may prescribe the cases in which additional declaration shall not be submitted.

(5) Additional declaration and simplified declaration shall make a whole, to which the regulations valid on the day of accepting the simplified declaration shall apply.

(6) Acceptance of the bookkeeping document referred to in paragraph 1, item 3 hereof shall have the same legal effect as the acceptance of the declaration referred to in Article 89 hereof.

(7) The Government may prescribe the simplified procedure referred to in paragraphs 1 to 6 hereof for the transit of goods.

Other declarations

Article 104

(1) When a declaration is being submitted via electronic data-exchange, orally or in another way, the provisions stipulated by Articles 89 to 103 hereof shall be applied.

(2) When a declaration is being submitted via electronic data-exchange, the customs authority may allow the exclusion of the documents referred to in Article 89, paragraph 2 hereof, given that the documents are available to the customs authority.

2) Additional declaration control

Article 105

(1) The customs authority shall be, ex officio or upon a declarer's request, entitled to check the

validity of a declaration after the goods have been approved.

(2) After the goods have been approved, to check the accuracy of the information stated in declaration, the customs authority may conduct a control of the commercial papers connected with imports and exports of the goods or connected to additional commercial operations related to the goods.

(3) The control may be conducted in the declarer's premises, in the premises of another connected entity involved with the business, or in the premises of the entity that holds the documents and data referred to in paragraph 2 hereof.

(4) In addition to the actions referred to in paragraphs 1 to 3 hereof, the customs authority may conduct the inspection of goods if the goods are still available for inspection.

(5) If the additional declaration control finds that customs procedure regulations were applied based on false or incomplete data, the customs authority shall, in keeping with the regulations, take necessary measures for regular procedure, in keeping with the new circumstances.

(6) Controls referred to in paragraph 1 hereof, including the measures mentioned in paragraph 5 hereof, may be conducted five years following the day of accepting the declaration.

(7) The minister shall prescribe the mode of conducting actions and measures referred to in Article 95 hereof and paragraph 5 hereof.

2. Subjecting the Goods to Free Trade

Article 106

By subjecting the goods to free trade (which means termination of regulated procedures in connection with imports of goods, and also payment of all regulated import duties, taxes, excise duties and other charges), foreign goods shall receive the status of domestic goods.

Article 107

If the delivery includes goods classified in several tariff marks, and classification of goods and treatment of declaration would cause the work and expenses disproportionate to calculated customs duties, the customs authority may, at the request of the declarer, allow that the customs duty for the whole delivery be calculated on the basis of classification to the tariff mark of those goods whose customs duties are highest.

Article 108

(1) The goods subjected to free trade with a more favorable duty rate or free of customs duties, on condition they are used for certain purposes, shall remain in supervision.

(2) Supervision shall terminate upon the termination of conditions due to which a more favorable customs duty is approved or because of which the customs duty is uncharged, when the goods are exported or destroyed, or when the use of goods for other purposes than those regulated for the application of the more favorable customs rate is allowed, on condition that import duties have been paid.

(3) The provisions of Articles 114 and 116 hereof shall accordingly be applied on the goods referred to in paragraph 1 hereof.

Article 109

(1) The goods subjected to free trade shall lose the status of domestic goods if:

1) the declaration for subjecting the goods to free trade is annulled after subjecting the goods to free trade, or

2) the amount of import duties paid on the goods has been returned:

- through the procedure of active finishing, with the application of repayment system, or -

- if the goods have defects or fail to meet terms set in the agreement according to which they have been imported, or

- in cases when the repayment of import duties is conditioned with exports, i.e., re-importing the goods or subjecting the goods to some other appropriate and allowed customs procedure or use.

3. Special Procedures

1) Common Provisions

Article 110

(1) Special procedures in terms of provisions of Articles 111 to 115 hereof are:

1) Transit procedure;

2) Procedure of bonded warehousing;

3) Procedure of active finishing with the application of delay system;

- 4) Procedure of passive finishing operations;
- 5) Procedure of processing under customs control;
- 6) Procedure of temporary imports.

(2) Imported goods, as defined by provisions of Articles 110 to 117 hereof, are goods placed in the procedure with delay and goods subjected to free trade on the basis of the procedure of active finishing with the application of repayment system and fulfillment of conditions set in Article 149 hereof.

(3) The goods in unchanged condition are the imported goods that have not been subject of processing or treatment in the procedure of finishing, or the procedure of processing under customs control.

Article 111

(1) The procedures referred to in Article 110, paragraph 1 hereof may be applied on the basis of the customs authority's license.

(2) The Government may regulate the conditions for implementation of the procedure referred to in Article 110, paragraph 1 hereof.

Article 112

The license referred to in Article 111 and Article 128, paragraph 1 hereof may be issued after fulfilling special conditions referring to a certain procedure:

- 1) To the person that offers the needed guarantees for regular application of licensed procedure (hereinafter referred to as: the license holder);
- 2) In cases when the customs authority has the possibility of supervision and control over the licensed procedure.

Article 113

(1) Licenses referred to in Articles 111 and 112 hereof must contain conditions regulated for application of certain procedure.

(2) The license holder must inform the customs authority of all facts arising after the issuance of license and affecting its further application or contents.

Article 114

(1) The license holder is obliged to deposit the appropriate guarantee for payment of customs debt that could arise in connection with the goods placed in the procedure referred to in Article 110, paragraph 1 hereof.

(2) With the exemption of the provision of paragraph 1 hereof, the Government may regulate conditions under which the guarantee referred to in paragraph 1 hereof shall not be deposited.

Article 115

(1) The procedure stipulated by the provision of Article 110, paragraph 1 hereof is considered terminated when new customs procedure or use for the goods placed in the procedure is set, or for obtained or processed products after the finishing operations.

(2) The customs authority shall be obliged to undertake necessary measures in relation to goods for which the procedure has not been completed in line with regulated conditions.

Article 116

Rights and obligations of license holder for some of the customs procedures referred to in Article 110 hereof may be transferred, with the fulfillment of conditions set by the customs authority, to other entity that fulfills conditions for the appropriate procedure.

Article 117

Conditions in terms of securing the workspace for customs workers and equipment necessary for implementation of supervision and appropriate procedures shall be specified in an agreement concluded between the customs authority and license holder.

2) Transit Procedure

General Provisions

Article 118

(1) The transit procedure shall be transfer of goods in supervision between two places within

the customs zone, that is:

- 1) Foreign goods not subjected to payment of import and other duties or measures of commercial policy;
- 2) Domestic goods intended for exports for which the export customs clearance procedure has not been carried out in the customs office within the country.

(2) Transfer of goods referred to in paragraph 1 hereof may be:

- 1) Within the transit procedure;
- 2) On the basis of TIR carnets, on condition that:
 - the transfer starts or completes outside the customs zone;
 - the transfer refers to the delivery of goods that must be unloaded in the customs zone and is transported with the goods that should be unloaded in another country;
- 3) The transfer shall be based on ATA carnets used as transit documents;
- 4) The transfer from one place to another within the customs zone;
- 5) By mail, including postal parcels.

(3) The transit procedure begins with declaring the goods in entrance customs house or office where the goods have been declared previously, and it shall terminate when the goods, with appropriate documents, are delivered to destination customs house.

(4) The transit procedure may be approved for goods whose import is not prohibited.

Article 119

The transit procedure shall be carried out regardless of special provisions applied on transport of goods placed in some of the customs procedures from Article 110, paragraph 1, items 2 to 6 hereof.

Article 120

(1) The transit procedure shall terminate upon the delivery of goods and appropriate transit documents to destination customs house and in line with provisions of this law.

(2) The customs authority shall terminate the procedure upon comparing the data from entrance and destination customs houses and establishing that the procedure is terminated according to regulated procedure.

Article 121

(1) The entity in charge of the goods in the transit procedure is responsible for:

- 1) The delivery of goods to destination customs office in an unchanged condition, within the time limit and observing the measures undertaken in order to secure the sameness of the goods;
- 2) Observing the provisions of the transit procedure.

(2) Apart from obligations referred to in paragraph 1 hereof, the transporter or recipient of goods who shall receive the goods, and who is aware that the goods are in the transit procedure, shall be responsible for the delivery of goods to destination customs house in the unchanged condition and within the time limit set by the customs authority, observing the measures undertaken in order to establish the sameness of the goods.

Special Provisions for Transit Procedure

Article 122

(1) The entity referred to in Article 121, paragraph 1 hereof is obliged to deposit security for payment of customs debt or other charges that could appear in relation to the goods.

(2) The security may be:

- 1) Individual security – for one transit procedure, or
- 2) General security – for several transit procedures, following the director's license.

(3) The license referred to in paragraph 2, item 2 hereof, shall be given to the entity:

- 1) Whose domicile or residence is within the customs zone;
- 2) That regularly uses the transit procedure and that is, according to the knowledge of the customs authority, able to fulfill liabilities in connection to the transit procedure;
- 3) That has not committed any gross violation of customs regulations.

Article 123

The security from Article 122 hereof shall not be deposited in case of:

- 1) Transport by mail or air traffic;
- 2) Rail transport;
- 3) Transport by pipeline or long-distance pipeline.

Article 124

(1) The domestic goods in the transit procedure may, in line with terms regulated by paragraph 2 hereof, move from one place to another within the customs zone, crossing the territory of another country, without changing its customs status.

(2) Transfer of goods referred to in paragraph 1 hereof may be executed:

- 1) On condition such possibility is stipulated by an international treaty;
- 2) On the basis of TIR carnet;
- 3) On the basis of ATA carnet that is used as transit document;
- 4) By mail, including postal parcel deliveries.

(3) The provisions of Articles 121 to 123 hereof shall be applied accordingly in cases from paragraph 2, item 1 hereof.

Article 125

The Government shall regulate the terms for transit of goods without carrying out the customs procedure from one place to another in the customs zone and crossing the territory of another country.

3) Bonded Warehousing Procedure

Article 126

(1) Bonded warehousing procedure may be approved for the bonded warehousing of:

Foreign goods, which in that case shall not be subject to import taxes and commercial policy measures;

Domestic goods intended for exports, which shall, upon storage in the bonded warehouse, be subject to the application of measures that, in keeping with regulations, apply to the export of these goods. .

(2) The bonded warehouse shall be the place where goods can be stored in keeping with the prescribed conditions approved by the customs authority and which is under customs supervision.

(3) The Government shall prescribe cases in which the goods referred to in paragraph 1 hereof, which are not stored in the bonded warehouse, may be subjected to the bonded warehousing procedure.

Article 127

- (1) The bonded warehouse may be a public or a private warehouse.
- (2) The public warehouse is a bonded warehouse in which a person can store goods.
- (3) The private warehouse is a bonded warehouse intended for the storage of goods belonging to the warehouse holder.
- (4) The warehouse holder is a person appointed by the customs authority to manage a bonded warehouse.
- (5) The user of the warehouse is a person obligated by the declaration to subject the goods to the bonded warehousing procedure or a person to whom the rights and obligations of that person have been conveyed.

Article 128

- (1) Managing a warehouse necessitates the customs authority' permission, except when the customs authority manages the warehouse.
- (2) A person wishing to manage a bonded warehouse must submit a written request to the customs authority containing the data necessary for granting the permission, with an explanation of the economic need for goods storage. The permission referred to in paragraph 1 hereof shall contain the conditions for bonded warehouse management.
- (3) The permission for bonded warehouse management can be issued to persons domicile or resident in Serbia.
- (4) The permission referred to in paragraph 1 hereof shall define the kind of warehouse and the conditions under which the holder manages the warehouse, the kind of goods that can be stored in the warehouse and other obligations of the warehouse holder to the customs authority.
- (5) The applicant shall enclose evidence that he or she fulfils the conditions stipulated for storing goods of a certain kind, performing certain activities or handling the goods placed into such a warehouse.

Article 129

The bonded warehouse holder is responsible for:

- 1) Preventing the taking or movement of goods placed in customs storage without the supervision measures;

- 2) Fulfilling obligations stemming from bonded warehousing procedure ;
- 3) Fulfilling special conditions contained in the permission for bonded warehouse management.

Article 130

The rights and obligations of a warehouse holder may be, with the consent of the customs authority, transferred onto another person.

Article 131

Apart from the guarantee referred to in article 114 hereof, the customs authority may demand from the warehouse holder to deposit a security that he will fulfill the obligations stipulated in article 129 hereof.

Article 132

(1) The warehouse holder shall be obliged to keep records of the goods in bonded warehousing procedure in a manner approved by the customs authority.

(2) The goods subjected to customs storage procedure must be noted down as soon as they are brought into the customs warehouse.

Article 133

(1) In the case of justified economic reasons that do not complicate supervision, the customs authority may permit:

- 1) Storage of domestic goods in the bonded warehouse, except for goods listed in article 126, paragraph 1, item 2, hereof;
- 2) Processing of foreign goods in the bonded warehouse, within the procedure of active finishing, in keeping with the conditions for the implementation of that procedure;
- 3) Processing of foreign goods in the bonded warehouse, within the procedure of processing under customs control, in keeping with the conditions for the implementation of that procedure.

(2) In cases referred to in paragraph 1 hereof, it shall not be considered that the goods have gone through the bonded warehousing procedure.

(3) The cases referred to in paragraph 1 hereof records shall be kept in keeping with the stipulation of Article 132 hereof.

Article 134

The keeping of goods in the bonded warehousing procedure shall have no time limit.

Article 135

(1) Imported goods may be subject to the usual treatment conducted for safeguarding the goods, improving their appearance or quality, or preparation for the market.

(2) Operations referred to in paragraph 1 hereof shall be are conducted under customs supervision, with the previous notification of the customs authority.

Article 136

(1) The goods may be temporarily removed from the bonded warehouse if special circumstances call for it.

(2) The customs authority shall permit the removal of goods and determine the conditions for the removal of goods referred to in paragraph 1 hereof.

(3) While out of the bonded warehouse, the goods may be subject to the usual procedures referred to in Article 135 hereof.

Article 137

The customs authority may permit the movement of goods in bonded warehousing procedure from one bonded warehouse to another.

Article 138

(1) If a customs debt has been run up for imported goods in bonded warehousing procedure, the cost of goods storage and maintenance during storage shall not be included in dutiable value of the goods, if those costs are presented separately from the actual amount paid or due to be paid for the goods

(2) If the goods have been subjected to the usual procedures referred to in Article 135 hereof, when establishing the amount of customs debt, the kind of goods, dutiable value and quantity

at the time when the customs debt was established may be accepted at the declarer's request, as if the goods have not been subjected to the usual procedures.

(3) If imported goods are subjected to free trade based on bookkeeping documents, the kind, dutiable value and quantity of goods at the moment of placing the goods in bonded warehousing procedure shall be accepted, unless the declarer demands that dutiable value established at the moment of establishing the customs debt be accepted.

(4) Subsequent inspections referred to in Article 105 hereof may also be conducted in the case referred to in paragraph 3 hereof.

4) Active finishing procedure

General provisions

Article 139

(1) Active finishing procedure in the customs zone shall include the application of one or more finishing processes, for:

1) Customs goods exempt from payment of customs duties and that are not subject to commercial policy measures, and are intended for re-export in the shape of obtained products (postponement system);

2) Customs goods subject to free trade with payment of customs duties, for which reimbursement of customs debt may be permitted if the goods are exported from the customs zone in the shape of obtained products (reimbursement system).

(2) The finishing process, in the sense of this law, shall be processing of goods, including their construction, assembly and installation into other goods, repair of goods, including their restoration and rendering into functioning order, and also the use of certain goods not contained in obtained products, but that enable or facilitate the production of obtained products, even if they are completely or partially used up during production.

Republic of Serbia

Regulations for Conditions and Methods of Carrying Weapons and Ammunition by Authorized Customs Officers

The Official Gazette of the Republic of Serbia, no. 117/2003, In accordance with Article 276, Paragraph 6 of the Customs Act (The Official Gazette of the RS, no. 73/2003), the Minister of finances and economy renders the following

Regulations for Conditions and Methods of Carrying Weapons and Ammunition by Authorized Customs Officers

Article 1

The conditions and methods of carrying weapons and ammunition by authorized customs officers shall be prescribed by this Set of rules.

Article 2

The weapons of the authorized customs officers shall be caliber 9 PARA guns, caliber 7,62 mm guns i.e. 7,65 mm and caliber 7,62 mm automatic rifles.

Automatic rifles stated in Paragraph 1 of this Article shall be carried by the authorized customs officers only in case of special security reasons when carrying out their duty.

An authorized customs officer, authorized to carry weapons, shall be personally liable for the weapons stated in Paragraph 1 of this Article and an ammunition set comprising 50 gun bullets i.e. 100 automatic rifle bullets.

Article 3

Weapons and ammunition stated in Article 2 of this Set of Rules may be carried by authorized customs officers especially carrying out the following activities: smuggling prevention, customs investigations, intelligence activities, activities at the customs control points, passenger and vehicle control at the crossing points, revisions and facilities and goods protection.

The Customs Director shall appoint authorized customs officers outlined in Paragraph 1 of this Article who will carry weapons and ammunition defined by this Set of Rules.

The Customs Director may, prior to the appointment of an authorized customs officer to

become liable for weapons and ammunition, obtain a Ministry of interior affair's opinion on that.

The right to carry weapons and ammunition shall be registered in the official identification document of a particular authorized customs officer issued in accordance with the regulation adopted on the basis of Article 276, Paragraph 3 of the Customs Act.

Article 4

Weapons outlined in Article 2, Paragraph 1 of this Set of Rules may be carried only by the authorized customs officers who, prior to becoming liable for the weapons, obtain a certificate of training and handling the weapons issued by an organization authorized to train persons for handling the weapons.

The Customs Director shall send the authorized customs officers stated in Paragraph 1 of this Article to the training.

Article 5

The authorized customs officers may carry weapons and ammunition stated in Article 2 of this Set of Rules only when carrying out their duty.

Authorized customs officers wearing a uniform when on duty shall wear guns stated in Article 2, Paragraph 1 of this Set of Rules in an appropriate holster attached to a belt.

Article 6

Weapons and ammunition outlined in this Set of Rules must be carefully kept and serviced so as to be always safely and effectively used.

Article 7

In case of the use of weapons by the authorized customs officers, the legitimacy and regularity of using the weapons shall be assessed by the Customs Director in accordance with the regulations defining the conditions and methods of using weapons by authorized officers of the Ministry of interior affairs.

Article 8

The methods and procedures for allotting, keeping, servicing, storing, keeping records, technical inspection, repairing, dismantling and defining damage to weapons and ammunition shall be conducted in accordance with the regulations referring to the arming of the authorized officers of the Ministry of interior affairs.

Article 9

This set of rules shall come into effect within eight days from the day of its announcement in The Official Gazette of the Republic of Serbia.

Number: 110-00-284/2003-17

Belgrade, 20 November 2003

Minister,

Bozidar Delic, personally signed

Republic of Serbia

Decree on the Legalization and Hand-in of Weapons

“The Official Gazette of the Republic of Serbia”, no. 31/2003 and 37/2003, Based on article 83, item 8 of the Constitution of the Republic of Serbia, articles 1 and 5 of the Law on the Measures in Case of State of Emergency (“The Official Gazette of the Republic of Serbia”, no. 19/91) and the Decision on the Declaration of the State of Emergency (“The Official Gazette of the Republic of Serbia”, no. 21/03), upon the proposal of the Government of Serbia, I hereby pass a

Decree on the Legalization and Hand-in of Weapons

1. Weapon holders whom are not in possession of a weapon permit or clearance for possession of trophy weapons respectively, may, during the state of emergency and no later than 30 days following the day this Decree becomes effective, submit a request for the issuance of a weapon permit or clearance for the possession of trophy weapons, respectively. The request shall be submitted to a responsible authority.
2. During the submission of the request referred to in item 1 hereof, the weapon holders shall not be obliged to provide evidence of origin for the respective weapon.
3. The holders that possess or carry weapons whose procurement, possession and carrying is prohibited, may, within the time limits set out in item 1 hereof, hand in the weapon to a responsible authority, a police station or, respectively, a garrison of the Serbian and Montenegrin Armed Forces in accordance with their respective document, in the place of residence of the weapon holder.
4. The holders that hand in the weapons referred to in item 3 hereof within the prescribed time limit shall not be held responsible for unauthorized possession and carrying of a weapon.
5. For the purposes of implementing this Decree, the Law on Weapons and Ammunition shall be applied, unless hereby stipulated otherwise.
6. This Decree shall become effective on the day of its publication in the “The Official Gazette of the Republic of Serbia”.

PR number 11

In Belgrade, 24 March 2003

Acting President of the Republic,
Natasa Micic, signed

Republic of Serbia

Law on Hunting

“Official Gazette of the Republic of Serbia,” No. 39/93, 44/93, 60/93

Law on Hunting

I Basic Provisions

Article 1

This law shall govern the protection, husbandry, hunting and use of game animals as a natural resource.

Article 2

Game animals hereof shall mean to be wild mammals and fowl that are protected and used in the manner prescribed by this law, as commodities of general interest.

Protected game shall hereof mean game whose hunting is permanently prohibited or prohibited during a certain period (closed season).

Game protection shall hereof mean measures that provide conditions for the survival and development of the population of a certain game species as well as its protection from illegal exploitation

Game animal husbandry shall hereof mean the application of measures aimed at maintaining, replenishing and achieving the number and quality of game animals according to natural and other capabilities of the hunting ground.

Hunting ground shall hereof mean an area of land, water or forest that represents a hunting and natural body and provides ecological conditions for the successful husbandry of a certain species of game or several species of game.

Reservation shall hereof mean part of the hunting ground where special husbandry and protection measures are applied aimed at replenishing (reproduction) of game animals.

Article 3

Persecution, abuse or intentional harassment of game animals is prohibited.

Destruction or endangerment of the survival of any type of game animal in nature through hunting or any other manner is prohibited.

II Game Protection

Article 4

The following species shall be permanently protected from hunting:

1) Mammals: lynx (*Lynx lynx*), ermine (*Mustela erminea*), with the exception of within 500m of pheasantries), steppe polecat (*Mustela eversmanni*), marbled polecat (*Vormela peregusna*) and otter (*Lutra lutra*),

2) Fowl: loons (*Gaviidae*), pelicans (*Pelecanidae*), herons (*Ardeidae*) (with the exception of the gray heron), spoonbills and ibises (*Threskornithidae*), storks (*Ciconiidae*), swans (s.f. *Cygninae*), shelldrake (*Tadorna ferruginea*), ruddy shelduck (*Tadorna ferruginea*), common shelduck (*Tadorna tadorna*), white-headed duck (*Oxyura leucocephala*), white-fronted goose (*Anser erythropus*), all birds of prey (eagles, vultures, hawks (except the chicken hawk), buzzards, kites, harriers and falcons), western capercaillie (*Tetrao urogallus*), cranes (*Gruidae*), bustards (*Otididae*), stilts and avocets (s.f. *Recurvirostrinae*), phalarope (s.f. *Palaropodinae*), lapwing (*Vanellus vanellus*), pratincoles (*Glaveolidae*), gulls and terns (*Coraciidae*), cuckoos (*Cuculidae*), owls (*Strigidae*), nightjars (*Caprimulgidae*), swifts (*Apodidae*), rollers (*Coraciidae*), kingfishers (*Alcedinidae*), bee-eaters (*Meropidae*), hoopoe (*Upipide*), woodpeckers (*Picidae*), all species of songbirds, except the gray crow, magpie, jay and rook.

The following species shall be protected from hunting during certain periods (hereinafter closed season):

1) Mammals: elk (*Cervus elaphus*), fallow deer (*Cervus dama*), white-tailed deer (*Odocoileus virginianus*), roe deer (*Capreolus capreolus*), chamois (*Rupicapra rupicapra*), moufflon (*Ovis musimon*), wild boar (*Sus scrofa*), brown bear (*Ursus arctos*), pine marten (*Martes martes*), beech marten (*Martes foina*), badger (*Meles meles*), muskrat (*Ondatra zibethica*), red squirrel (*Sciurus vulgaris*), dormouse (*Glis glis*) and hare (*Lepus europeus*),

2) Fowl: grebes (*Podicipedidae*), cormorants (*Phalacrocoracidae*), gray heron (*Ardea cinerea*), graylag goose (*Anser anser*), greater white-fronted goose (*A. Albifrons*), bean goose (*A. fabalis*), wild ducks (*Anas spp.*, *Aythya spp.*, *Netta rufina*, *Clangula hyemalis*, *Bucephala clangula*), (with the exception of ducks whose hunting is permanently prohibited), mergansers (*Mergus spp.*), goshawk (*Accipiter gentilis*), hazel grouse (*Tetrastes bonasia*), rock partridge

(*Alectoris graeca*), gray partridge (*Perdix perdix*), common quail (*Coturnix coturnix*), pheasant (*Phasianus* spp.), coots and rails (Rallidae), snipe (s.f. Chradriinae) (except the lapwing and sandpiper (s.f. Scolopacinae)), stone curlew (*Burhinus oedicephalus*), pigeons (*Columba* spp.), doves (*Streptopelia* spp.), jay (*Garrulus glandarius*), and rook (*Corvus frugilegus*).

Closed season may be established for other game if its survival is endangered in a certain area (game that is not protected), for the following:

- 1) mammals: wolf (*Canis lupus*), jackal (*Canis aureus*), fox (*Vulpes vulpes*), raccoon dog (*Nyctereutes procyonoides*), wildcat (*Felis silvestris*) and European polecat (*Mustela putorius*),
- 2) fowl: gray crow (*Corvus corone cornix*) and magpie (*Pica pica*).

The closed season order from shall be passed by the minister in charge of hunting affairs (hereinafter Minister).

Article 5

Closed season shall not apply to game that is husbanded in enclosed hunting grounds, or enclosed part of the hunting grounds whose area is less than 1,000 hectares.

An enclosed hunting ground, or enclosed part of the hunting ground, shall hereof mean an area enclosed and intended for the intensive husbandry of game animals, or husbandry, protection and hunting of game animals, breeding game animals for populating hunting grounds or other intentions based on hunting basis.

If the enclosing of an area intended for intensive husbandry and hunting of game is not provided in the hunting basis, the enclosing may be performed based on the authorization of the ministry in charge of hunting affairs (hereinafter Ministry).

Cattle grazing is prohibited in hunting grounds referred to in paragraph 1 of this Article.

Article 6

The capturing of protected game or holding in captivity or an enclosed area, destruction of litters, nests and eggs, and collecting eggs of protected species is prohibited.

The prohibition in paragraph 1 of this article does not apply to organized capture of injured game animals or game animals threatened by natural disasters and the implementation of certain game husbandry or populating measures.

Game shall not be held in closed areas for more than a month after the end of the natural disaster, injury treatment, or implementation of certain husbandry measures.

Article 7

In the case of open hunting grounds, Hunting Alliance of Serbia (Lova_ki Savez Srbije) corporation, or hunting association in charge of the hunting ground (hereinafter hunting ground trustee) shall establish a reservation with an area of at least one-fifth of the entire total area of the hunting ground.

Game hunting shall be prohibited in the reservation in the first three years of its existence.

Article 8

Game animals must pass veterinary examinations in accordance with the law before being released into the hunting ground.

Game animals may be released into the hunting ground if the release does not endanger the biological balance in the hunting ground.

The introduction of a new foreign game species may be performed only with the approval of the Ministry.

Article 9

If there is a significant drop in the population of a species protected in closed season, the hunting ground trustee shall suspend hunting of this game and carry out measures aimed at establishing the game population determined by the hunting basis (capacity of the hunting ground).

Article 10

If a protected species constitutes a direct threat to the health and lives of people or property of commercial enterprises, other legal persons and citizens, or in cases of significant changes in the balance of numbers of game species in the hunting ground, certain game species may be hunted with the approval of the Ministry.

The killing of protected game may be performed without approval in cases when human lives and property are directly at stake, provided that proper measures for preventing damages from game animals have been implemented.

Article 11

The protection of game animals outside the hunting ground shall be the responsibility of the property owner, or user of the land, water or forest that the game animal is on.

The protection referred to in paragraph 1 of this Article means the undertaking of protection and husbandry measures for protected game laid down by this law.

Article 12

The Ministry may offer a reward for reducing the number of game that is causing damage to corporate and private property.

The act of issuing a reward, referred to in paragraph 1 of this Article shall particularly determine: the type of game for whose killing the reward is being issued, the offered reward, conditions and method of payment.

Article 13

Harvesting and mowing using agricultural machinery without installed device for driving out or scaring away game animals is prohibited.

Burning weeds, stubbles, reeds, grass or other vegetation in the hunting ground is prohibited.

Coating open canals, accumulations, lakes and riverbanks with plastic or other materials that might pose a threat to game animals is prohibited.

Article 14

Poisoning of game animals is prohibited.

Article 15

Dogs and cats wandering without control in the hunting ground more than 200 meters from residential or other buildings may be killed without license.

The Minister shall pass regulations regarding the conditions and manner in which dogs may be released, led or used in the hunting ground.

Article 16

No person may move through hunting grounds armed or equipped with other hunting means without permission of the hunting ground trustee, with the exception of members of the armed forces and Ministry of Interior employees, and persons entrusted with guarding the hunting ground and facilities located within the hunting ground.

Article 17

Protection measures referred to in Articles 5, 6, 7 and 11 of this Law do not apply to game animals used in scientific research, education, zoological gardens, museums and in events of prevention and suppression of infectious diseases, population of hunting ground, as well as game used for testing the innate character of hunting dogs, with the approval of the Ministry.

In cases referred to in paragraph 1 of this Article, the game animal trustee shall act in a humane manner.

III Hunting Ground and Hunting Area

Article 18

The hunting grounds shall be established by the Minister.

The decree on establishing hunting ground shall particularly determine: the name of the hunting ground, boundaries and area of the hunting ground, type of game in the hunting ground and types of protected game, and other necessary elements.

Hunting grounds may be open and enclosed.

Article 19

Settlements, cemeteries, public roads, urban parks, facilities for rehabilitation, rest and recreation, airports, yards of standalone residential buildings, or at least 200 meters from stables, residential buildings and farmyards, as well as industrial and other facilities, shall not herein be considered hunting ground.

Article 20

Hunting grounds shall be entrusted to a hunting ground trustee that meets conditions laid down in Articles 24 and 57 of this Law.

Hunting grounds may be entrusted to a corporation or the Hunting Alliance of Serbia.

The Hunting Alliance of Serbia shall manage hunting grounds through a hunting association established in the area where the hunting grounds is founded, and which is its member.

In the case referred to in paragraph 3 of this Article, the hunting association must meet the conditions laid down in Articles 24 and 57 of this Law.

Hunting grounds established within national parks shall be managed by the corporation managing the national park.

Hunting grounds shall be entrusted for a set period of time not shorter than 10 years.

The hunting grounds trustee may not consign the hunting grounds or its part to another user or lease it, unless stipulated otherwise by this Law.

The Hunting Alliance of Serbia and the hunting association shall sign a contract stipulating rights and obligations regarding the management of the hunting ground, and which shall be approved by the Minister.

Article 21

The hunting ground shall be consigned through public announcement, unless stipulated otherwise by this Law.

Hunting grounds that included in a state-owned forest complex and land, forests and waters

in this complex, as well as hunting grounds that include artificial fisheries which have special importance in breeding certain types of game, may be consigned without public notice to the public corporation entrusted with these forests, or corporation managing the fishery, as an exception from paragraph 1 of this Article.

Detailed conditions, procedure and manner of consigning hunting grounds shall be set by the Minister.

Article 22

In consigning use of a hunting ground the Ministry shall sign a contract with the hunting ground trustee, containing particularly: the period of time for which the hunting ground is to be entrusted, the game stock, rights and obligation of the trustee regarding the game protection and husbandry, measures for improving management of the hunting ground, as well as stipulations on responsibility for upkeep of the hunting ground and responsibility for implementation of protection measures, termination provisions and trustee rights in the event that the hunting ground is commandeered in accordance with this law.

Article 23

The hunting ground trustee shall visibly mark the boundaries of the hunting ground and boundaries of the hunting grounds reservation, within three months of conclusion of the contract referred to in Article 22 of this Law.

Article 24

The trustee may manage the hunting ground if professional tasks concerning the husbandry protection and organization of game hunting are carried out by persons with at least have four-year secondary vocational education in forestry, veterinary, biology or agricultural engineering, and a service for guarding the hunting ground.

Article 25

The right to manage the hunting ground may be revoked if the hunting ground trustee does not manage it in line with this law and contract referred to in Article 22 of this Law.

The right to manage the hunting ground or part of the hunting ground may also be revoked if:

- 1) the hunting ground or part of the hunting ground is intended for intensive husbandry in closed grounds, and the trustee cannot provide the necessary conditions;
- 2) if conditions because of which the hunting ground was established is terminated/

The Minister shall decide on revoking the right to manage the hunting ground part of the hunting ground.

Article 26

Hunting areas may be established with the intention of providing identical conditions and taking identical measures at hunting grounds where there are ecological and economic conditions for breeding and developing management with large game (elk, deer, wild boar, bear, chamois, etc.).

A hunting area includes the areas of several hunting grounds or parts of hunting grounds, and represents a complete natural entirety, where ecological and economic conditions exist for breeding large game and for which identical management measures may be established in the hunting basis.

The hunting areas shall be established by the Minister.

IV Managing Hunting Grounds

Article 27

The game protection and husbandry, organizing and maintaining hunting grounds, hunting and using the killed animal and its parts in the hunting grounds, or hunting area (hereinafter hunting grounds management) is carried out based on hunting basis.

The hunting basis for managing the hunting ground is adopted by the hunting ground trustee.

The hunting basis for managing the hunting area is adopted by the trustees of the hunting grounds in the area.

Funds for creating the hunting basis of the hunting area are provided by the hunting grounds trustees, proportionally to the respective areas included in the hunting area.

In the event that the trustees do not adopt the hunting basis for the hunting area within the period

stipulated by this law, the Ministry shall mandate one of the trustees to adopt a hunting basis.

Article 28

The hunting basis for managing the hunting ground, or hunting basis for managing the hunting area is adopted for a period of 10 years.

The hunting basis for hunting grounds shall particularly contain: a report of the status; natural and other conditions for life and development of the game population; a game animal fund report; the number and type of hunting and technical facilities in the hunting ground; the management aims and measures for their achievement; the plan for replenishing and increasing the game; the plan for organizing and maintaining the hunting ground; measures for feeding the game; measures for protecting the game; game hunting and measures for preventing damages by game.

The hunting basis for hunting areas shall particularly contain: a report of the status; natural and other conditions for husbandry of large game; a game animal fund report; aims of management in a hunting area and measures for achieving aims; measures for protecting large game; measures for preventing damages by game and game hunting.

The hunting basis for the hunting ground, or hunting area shall be adopted four months before the end of the period for which the previous hunting basis was adopted.

The minister shall issue a decree detailing the contents and manner of adoption of the hunting basis referred to in paragraphs 2 and 3 of this Article.

Article 29

The Minister shall give his approval of the hunting basis of the hunting ground or hunting area.

Article 30

Hunting basis of the hunting grounds included in a hunting area, must be in line with the hunting basis of the hunting area.

The hunting ground trustees shall record in the hunting basis of the hunting ground, or hunting area, all work done at the hunting ground by April 30 for the previous year.

Article 31

Trustees of neighboring hunting grounds and users of land outside the hunting grounds shall coordinate measures of game protection and husbandry laid down in the hunting basis, especially as regards to: the number of game, hunting season, number of game animals to be hunted and other issues of common interest.

Article 32

The hunting ground trustee shall adopt an annual management plan (hereinafter annual plan), which is in line with the hunting basis of the hunting ground.

The annual plan shall particularly contain: the area of the hunting ground, natural and other conditions, game population status, game husbandry and protection measures; hunting extent and measures for preventing damages by game.

The annual plan is adopted for the period from 1 April of the current year until March 31 of the following year (hunting year), by 30 April of the current year.

Game hunting is prohibited prior to the adoption of the annual plan.

The hunting ground trustee shall determine the number and condition of the game animals prior to drafting the annual plan.

The minister shall issue a decree detailing the contents and manner of drafting of the annual plan.

Article 33

The trustee, or owner of the land, water or forest which the hunting ground is on, shall allow the execution of tasks provided in the hunting basis and annual plan, and other plans and programs adopted in line with this law.

In the case referred to in paragraph 1 of this Article, the trustee, or owner of the land, water or forest is entitled to compensation for incurred damages or limitation of right of use in line with special regulations.

V Means for Improving Game Husbandry and Protection

Article 34

Means for improving game husbandry and protection shall be provided from:

- 1) funds allocated from the total revenue achieved through management of the hunting ground, amounting to at least 30%;
- 2) other sources.

The amount stipulated in paragraph 1 of this Article shall be determined by the hunting ground trustee.

Means for improving game husbandry and protection stipulated in paragraph 1 of this Article shall be applied for: acquisition and release of game animals into the hunting ground, fencing the hunting ground and part of the hunting ground for intensive husbandry, artificial game breeding, increasing breeding, protection and technical facilities at the hunting ground, acquisition of equipment for works at the hunting ground, drafting of hunting basis and other purposes important for the improvement of the hunting ground.

The value of the invested labor and other investments in the hunting ground by hunters from the hunters association are assessed separately and registered as the value of works carried out at the hunting ground and this amount is deducted from the total revenue from which the funds referred to in paragraph 1, item 1 of this Article are allocated.

The hunting ground trustee shall particularly register funds for improving game husbandry and protection, and their application. Remaining funds from paragraph 1 of this Article shall be passed on to the following year for the same purposes.

Article 35

Simulative funds shall be allocated from the budget of the Republic for the more rapid improvement of game husbandry and protection.

Funds referred to in paragraph 1 of this Article shall be used in line with the Program for Improvement of Game Husbandry and Protection, which is adopted by the Ministry (hereinafter Program).

The Government of the Republic of Serbia shall approve the Program.

Funds for the realization of the Program are used without the obligation to return.

Remaining funds from the current years may be applied for the same purposes the following year.

Article 36

Allocation of the funds for the realization of the Program is performed by the Ministry based on the realized public announcement.

Article 37

Hunting ground trustees and other companies involved in hunting improvement (hereinafter beneficiaries) are entitled to funds referred to in Article 35 paragraph 1 of this Law, provided they commit at least a 50% share of the estimated costs.

The beneficiary shall attach the project, or plan for realization of measures determined in the Program to the application for the contribution.

The Ministry shall enter a contract with the beneficiary on the application of the stimulation funds.

Article 38

The beneficiary shall file a report for the current year with the Ministry, by 31 December, on the fulfillment of obligations derived from the contract concluded in line with Article 37 of this Law.

VI Hunting and Use of Game

Article 39

Game hunting includes the killing, capture, collection of killed game and its parts, as well as collection of fowl eggs.

Game protected by closed season may be hunted in hunting grounds.

The Ministry may allow closed season hunting outside hunting grounds under conditions stipulated by this Law.

Game hunting in orchards and vineyards, nurseries and other forest and agricultural lands that are protected by fences impassable for furred game; land used for military and communal use, as well as other land and facilities in cases determined by special regulations, is prohibited.

Large game hunting is performed with a permit issued by the hunting ground trustee, and small game with the hunting card issued by the Hunting Alliance of Serbia.

Game protected in closed season that is causing damages may be hunted in certain areas established by the Minister, as an exception to stipulations laid down in paragraph 2 of this Article.

The form of the permit referred to in paragraph 5 of this Article shall be established by the Minister, and the hunting card form shall be established by the Hunting Alliance of Serbia.

The Ministry shall supervise the execution of the delegated tasks, referred to in paragraph 7 of this Article.

Article 40

Game hunting, husbandry and protection in national parks and other lands is carried out in line with this law, the law governing environmental protection and national park management.

Article 41

Game animals may be hunted by persons that have passed the hunting test.

Persons that have completed studies of forestry, biology or agriculture, and have studies hunting are not required to pass the hunting test.

The hunting ground trustee may allow hunting for tourism purposes to persons that have not passed the hunting test, under conditions laid down in an act.

A person that has not passed the hunting test may hunt game that is out of the protection system, when it is causing damages, under conditions laid down in this law.

The Hunting Alliance of Serbia shall adopt a program and determine conditions for passing the hunting test and issue a document exempting from passing the test referred to in paragraph 2 of this Article.

The Ministry shall supervise the execution of the delegated tasks, referred to in paragraph 5 of this Article.

Article 42

Hunting bird and burrow dogs may be trained at hunting grounds whose area exceeds 5,000 hectares, provided that 50 hectares have been set aside for training bird and burrow dogs in the hunting basis, and driving dogs at hunting grounds whose area exceeds 10,000 hectares, provided that 500 hectares have been set aside for training driving dogs.

Hunting dog training is authorized by the hunting ground trustee.

The hunting ground trustee may allow hunting and training of hunting dogs in the hunting ground for foreign citizens with the mediation of companies or agencies that are authorized and registered for performing tourism services.

The Minister shall adopt regulations according to which foreign citizens may hunt and train hunting dogs.

Article 43

Hunting ground trustees registered for export business may export game or game parts directly or through companies registered for such operations.

The company or tourist organization that is engaged in hunting tourism must have employees of forestry, biological or agricultural (animal husbandry) professions for organizing and qualified game hunting tasks.

Article 44

The hunting grounds trustee shall particularly adopt rules regarding: the manner in which hunting is organized, hunting period, control of over-hunting, compensation for damages caused by hunters in the hunting ground, hunting security measures and how facilities are used in hunting.

Article 45

Killed or died animals and their parts (trophies, etc) belong to the hunting ground trustee.

Tourist hunters shall pay market price for use of killed game animals and parts of game animals. Hunters who are members of the hunting association that manages the hunting ground shall pay the price according to the pricelist passed by the hunting ground trustee, for use of game animals and their parts.

The pricelist referred to in paragraph 2 of this Article may not be lower than 20% of the market price for small game, or 30% of the market price for large game and its parts.

The trade price is hereof considered the price determined by the Hunting Alliance of Serbia, or company, depending on supply and demand on the local and international market.

Article 46

Hunting of game animals protected by closed season is prohibited:

- 1) If it is threatened by fire, flooding, snowfall, ice or other natural disasters;
- 2) Using floodlights (headlights), torches and other artificial lighting (with the exception of the wild boar), aeronautical machines, mirrors, record and tape players and live bait, as well as food with intoxicating substances;
- 3) Using dogs that are not purebred hunting dogs, with pedigrees and tested inbred qualities (test in action);
- 4) Using long-legged driving dogs when hunting in low-level hunting grounds (up to 500 meters) and in hunting grounds where roe deer, chamois and elk are bred;
- 5) Using falcons, and other birds of prey, except in specially designated hunting grounds;
- 6) Using bow and arrow, except when hunting large game in enclosed hunting grounds larger than 1,000 hectares;
- 7) Using traps and snares, and birds using glue, nets or boxes with nets, or other means for capturing or destroying large numbers;
- 8) By shooting from motor vehicles or running over by motor vehicles;
- 9) Using military weapons or military ammunition.

Article 47

Hunting using hunting ammunition for rifled barrels is prohibited in the following cases:

- 1) Bear using ammunition smaller than 7x64 mm and lighter than 11.0 grams;
- 2) Elk and wild boar using ammunition smaller than 5x57 mm and lighter than 11.0 grams, or 9.0 grams;

3) Fallow deer, white-tailed deer and chamois using ammunition smaller than 6.2x51 mm and lighter than 6.0 grams;

4) Roe deer using ammunition smaller than 5.6x41 mm and lighter than 3.5 grams.

Hunting of game animals referred to in paragraph 1 of this Article using unrifled guns is prohibited, with the exception of wild boar.

Hunting fowl and rabbit using guns that have a magazine with more than two bullets or semi-automatic weapons that have not been reduced to two bullets is prohibited.

Article 48

Wounded and sick game animals may be killed during period when hunting is prohibited.

The hunting ground trustee shall obtain an official document on the health condition of the killed animal from the competent veterinary service, in cases referred to paragraph 1 of this Article.

Article 49

Killed game animals and trophies may be removed from the hunting ground and sold if a declaration, or trophy certificate, has been issued.

Game trophies are hereof considered to be: antlers of all elk and deer; and chamois horns; wild boar teeth (fangs); elk eyeteeth; bear, wolf, lynx and wildcat skull and skin; fox and badger skull; stuffed game and stuffed parts of game animals.

The declaration, or trophy certificate is issued by the hunting ground trustee, using a prescribed form.

The hunting ground trustee shall record all trophies referred to in paragraph 2 of this Article, and issued trophy certificates.

The Minister shall issue regulations as to the form, contents and manner in which the declarations, or trophy certificates is issued and how records on trophies and issued trophy certificates.

Article 50

The trophy certificate shall be issued based on the finding of the committee founded by the hunting ground trustee.

The committee referred to in paragraph 1 of this Article shall evaluate the trophy based on the standards laid down by the International Council for Game and Wildlife Conservation (hereinafter CIC).

Members of the committee referred to in paragraph 1 of this Article shall have passed the test for trophy evaluation.

The program and manner of taking the test referred to in paragraph 3 of this Article shall be adopted by the Hunting Alliance of Serbia.

The Ministry shall supervise the execution of the delegated tasks, referred to in paragraph 4 of this Article.

Article 51

Exporting game trophies that exceed the following values expressed in CIC points is prohibited:

1) elk	248 points
2) fallow deer	209 points
3) white-tailed deer	419 points
4) roe deer	185 points
5) chamois	120 points
6) mouffon	242 points
7) bear	582 points
8) wild boar	142 points
9) wolf	160 points
10) wildcat	65 points

Article 52

Stuffed animals and stuffed animal parts may be shipped abroad only with the permission of the Ministry.

Stuffed parts of animals (head with horns, antlers or wild boar teeth) in Article 51 of this Law may not be shipped abroad.

A record shall be kept of all permits referred to in paragraph 1 of this Article.

The Minister shall adopt regulations that shall detail conditions under which game animals may be stuffed.

VII Damage Prevention and Compensation

Article 53

Hunting ground trustees, or owners and users of land, water and forests that the hunting grounds are located on and areas outside of hunting grounds where game animals are located shall undertake measures for prevention of damages that game animals may cause to property and people.

Trustees of hunting ground that are located in the state-owned forest, water and land complex, shall lay down security measures that individuals shall respect in the hunting ground.

The Minister shall pass regulations detailing measures referred to in paragraph 1 of this Article.

Article 54

Damage caused by animals protected by closed season shall be compensated by the hunting ground trustee, provided that the injured party had undertaken proscribed measures for preventing damages by game animals.

Damage caused by animals whose hunting is banned, shall be compensated by the Republic, provided that the injured party had undertaken proscribed measures for preventing damages by game animals.

The owner or users of land, water and forests that has suffer damage by game animals shall file a compensation claim with the hunting ground trustee, or Ministry, within three days of detecting the damage, and no later than a month from the day that the damage was caused.

The hunting ground trustee, and owners or users of land, water and forests where the hunting ground is located shall determined the damage by mutual agreement.

Article 55

The hunting ground trustee is liable for damages cause to wonders, or users of land, water and forests, by hunters and their assistants during hunting.

The hunting ground trustee has the right of compensation for paid damages referred to in paragraph 1 of this Article.

Article 56

The individual or legal entity that hunts game in violation of this Law or in any other way destroys game animals, hunting or technical facilities, boundary markings or in any other way causes damages is obligated to compensate the hunting ground trustee.

The individual or legal entity that organizes illegal hunting shall be penalized in accordance with this Law.

The regulation on the extent of the damage for killed game or game destroyed in any other manner, referred to in paragraph 1 of this article shall be adopted by the Minister.

VIII Guarding Hunting Grounds

Article 57

The hunting ground trustee shall provide and organize security measures for the hunting ground.

Security measures shall be performed by game wardens.

A game warden is a person employee that has completed at least a three year secondary vocational education in forestry, forest management, or hunting grounds management, and who met prescribed conditions for bearing arms and other conditions laid down by law, as well as those set by the hunting ground trustee.

The hunters association that manages the hunting ground may also authorize certain members who met prescribed conditions for bearing arms and have passed the hunting test, to protect the hunting ground, in addition to the game warden referred to in paragraph 1 of this Article, in situations where there is a increase threat against the game animals from illegal hunting.

Article 58

The game warden is authorized and required to:

- 1) require persons found with hunting means and hunting or other dogs in the hunting ground to show documents providing their identity, hunting card and hunting permit;
- 2) inspect vehicles and other means of transportation and moving game, persons suspected of transporting or moving killed game animals, trophies or other parts of game animals;
- 3) temporarily confiscate illegally hunted or caught game, trophies and other game animal parts, as well as items, dogs and other instruments used for illegal hunting or causing damage to the hunting ground and immediately hand them over to the proper authorities.

The game warden shall issue a receipt to the person whose catch, dogs, instruments and other items have been confiscated.

The person referred to in paragraph 1, items 1 and 2 of this Article, shall show documents, and allow inspection of the catch and hunting instruments, vehicle and other instruments for transportation and moving of killed game and its parts, at the request of the game warden.

Article 59

The game warden shall perform his duties armed with a weapon determined by the hunting ground trustee.

The game warden and authorized member of the hunting association that is guarding the hunting ground shall have identification papers issued by the hunting ground trustee in a set form.

The game warden shall wear an official uniform with the insignia "Lovo_uvar" (game warden), unless stipulated otherwise by law.

The Minister shall adopt regulations on the form of the game warden's identification papers and official uniform.

IX Supervision

Article 60

The Ministry shall supervise the implementation of this Law and regulations and other acts passed based on it.

The Ministry may demand that the hunting ground trustee file reports, inform on performance of certain delegated tasks, give mandatory instructions and warn of non-execution of entrusted tasks.

The hunting inspection shall perform inspective supervision.

Article 61

In carrying out inspective duties the hunting inspector is authorized and shall examine:

- 1) prescribed conditions that the hunting ground trustee shall meet in managing the hunting ground;
- 2) implementation of hunting basis, annual management plan and temporary annual plan for managing the hunting ground;
- 3) business records and other documents as necessary, aimed at reviewing the application of means, implementation of regulations and measures that are related to game animals and hunting grounds;
- 4) game hunting, permits for game animal hunting, declarations and certificates for killed game;
- 5) facilities at the hunting ground and works carried out at the hunting ground;
- 6) allocation, accounting, recording and use of funds referred to in Article 34 and Article 35 of this Law;
- 7) restrictive measures referred to in Articles 13 and 14 of this Law.

In carrying out duties laid down in paragraph 1 of this Article, the hunting inspector shall:

- 1) temporarily suspend hunting and other activities that are in violation of the stipulations of this Law and regulations passed based on it;
- 2) temporarily confiscate illegally killed game animals and parts of game animals, illegally traded or illegally appropriated dead animals and its parts, as well as means and items used in carrying out these acts pending the final decision of the competent authorities;
- 3) order measures for preventing damages where damages could occur to general interests in emergency situations;
- 4) inform the proper authorities of the noted irregularities for whose eradication lies within the competency of another body.

In cases referred to in paragraph 2 items 1, 2 and 3 filing an appeal shall not defer implementation.

X Penal Provisos

Article 62

A fine of no less than 200,000,000 dinars and no more than the amount stipulated by the Law on Commercial Offences shall be passed against the company, the Hunting Alliance of Serbia, or hunting association or other legal entity for commercial offences in the event that it:

- 1) organizes hunting, destroys or endangers the survival of any type of game animal in the wild, or hunts protected game for which there is a hunting ban (Art. 3, par. 2 and Article 4, par. 1);
- 2) catches and keeps game animals in violation of Article 6 of this Law;
- 3) does not suspend hunting of endangered species protected by closed season (Art. 9);
- 4) poisons game animals (Art. 14);
- 5) cedes the hunting ground or part of the hunting ground that has been entrusted to it to other to manage or leases (Art. 20, par. 7);
- 6) being the user of the land, water or forest which the hunting ground is located on, does not permit implementation of measures stipulated in the hunting basis (Art. 33);
- 7) allows hunting or training of hunting dogs in violation of stipulations of Article 42 or exports game animals or parts of game animals in violation of the stipulations of Article 43 paragraph 1 of this Law, or organizes and professionally carries out hunts in violation of Article 43 paragraph 2 of this Law;
- 8) does not establish the rights, conditions and other hunting issues in its regulations (Art. 44), does not determined the price or charge for use of game animals or determines or charges in violation of Article 45 paragraphs 3 and 4 of this Law;
- 9) hunts or organizes hunts of game animals protected by closed season in violation of Article 46 of this Law;
- 10) allows game animal trophies whose point value exceeds values stipulated in Article 51 of this Law to be shipped aboard.

The responsible person in the company or other legal entity shall be punished with fines no less than 10,000,000 dinars and no more than the amount stipulated by the Law on Commercial Offences, for commercial offences referred to in paragraph 1 of this Article.

Commercial offences referred to in paragraph 1 items 5, 7, 8, 9 and 10 shall also carry measures of confiscation of property gains made in committing the offence, in addition to specified fine.

Article 63

A fine of no less than 150,000,000 dinars and no more than the amount stipulated by the Law on Commercial Offences shall be passed against the company, the Hunting Alliance of Serbia, or hunting association for commercial offences in the event that it:

- 1) At least one fifth of the are of the total hunting ground that it manages is not allocated for a reservation (Art. 7, para. 1) or hunts in the reservation in violation of Article 7 paragraph 2 of this Law;
- 2) Prior to releasing game animals to the hunting ground veterinary examinations are not carried out (Art. 8 para. 1), or if new species are introduced to the hunting ground in violation of Article 8 paragraph 3 of this Law;
- 3) Acts in violation of Article 13 of this Law;
- 4) Manages hunting grounds without fulfilling conditions stipulated in Article 24 of this Law;
- 5) The hunting basis of the hunting ground, or hunting area is not adopted, or it does not provide means for drafting the hunting basis, as one of the hunting grounds trustees in the hunting area (Art. 27 para. 2, 3 and 4);
- 6) Does not adopt an annual plan by the specified deadline (Art. 32, para. 3) or hunts game without having adopted the annual plan (Art. 32 para. 4) or the plan for managing the hunting ground is not in accordance with the hunting basis (Art. 32, para 1);
- 7) Acts in violation of Article 34 of this Law;
- 8) Acts in violation of Article 49 of this Law;
- 9) Does not adopt the hunting basis for the hunting ground, or hunting area by the deadline stipulated in Article 70 paragraphs 1 and 2 of this Law;
- 10) Does not adopt an temporary annual plan for managing the hunting ground or adopts is in violation of Article 70 paragraph 4 of this Law.

The responsible person in the company or other legal entity shall be punished with fines no less than 8,000,000 dinars and no higher than the amount stipulated by the Law on Commercial Offences, for commercial offences referred to in paragraph 1 of this Article.

Article 64

A fine of no less than 12,000,000 dinars and no more than the amount stipulated by the Law on Commercial Offences shall be passed against the company, the Hunting Alliance of Serbia,

or hunting association for commercial offences in the event that it:

- 1) Fences off areas in the hunting ground without permission of the Ministry (Art. 5 para. 3)
- 2) Hunts protected game in violation of Article 10 paragraph 1 of this Law;
- 3) Does not care for protected game in the terms of Article 11 of this Law;
- 4) Does not visibly mark the boundaries of the hunting ground and reservation within the hunting ground (Art. 23);
- 5) Does not abide by stipulations of Article 31 of this Law;
- 6) Does not determine the number of game animals prior to drafting the annual plan (Art. 32, para. 5) or does not count the game animals in the manner determined in Article 32 para. 6 of this Law;
- 7) Allows persons that have not passed the hunting test to hunt (Art. 41 para. 1);
- 8) Determines market prices in violation of Article 45 paragraph 5 of this Law;
- 9) Hunts game in violation of Article 47 of this Law;
- 10) Does not keep record of game trophies and issued trophy certificates (Art. 49 para. 3);
- 11) Does not undertake measures for preventing damages that may be cause by game animals (Art. 53);
- 12) Does not provide and organize hunting ground protection (Art. 35 para. 1 and 2) or provides hunting ground protection in violation of Article 57 paragraph 3 of this Law;
- 13) Game wardens are not issued identification or are issued documents using unregulated forms (Art. 59 para. 2);
- 14) Does not abide by orders issued by the hunting inspector (Art. 61, para. 3);
- 15) Does not harmonize its operation with this Law within the stipulated time period (Art. 69 para. 1) or acts in violation of stipulations of Article 69 paragraphs 2 and 3 of this Law;
- 16) Acts in violation of Article 70 paragraphs 4 and 5 of this Law.

Offences referred to in paragraph 1 items 2, 7 and 8 of this Article shall be punished with confiscation of property gained in committing the offence.

The responsible person in the company or other legal entity shall be punished with fines no less than 3,500,000 dinars and no higher than the amount stipulated by the Law on Commercial Offences, for commercial offences referred to in paragraph 1 of this Article.

Article 65

A fine of no less than 9,500,000 dinars and no more than the amount stipulated by the Law on Commercial Offences shall be passed against the individual that:

- 1) Destroys or endangers the survival of any game in the wild (Art. 3 para. 2);
- 2) Hunts protected species (Art. 4 para. 1) or hunts game during closed season (Art. 4 para. 2) or acts in violation of Article 6 paragraph 1 of this Law;
- 3) Hunts with the reservation in violation of Article 7 paragraph 2 of this Law;
- 4) Harvests or cuts grass using agricultural machinery in violation of Article 13 paragraph 1, or acts in violation of Article 13 paragraphs 2 and 3 of this Law;
- 5) Poisons game animals (Art. 14);
- 6) Acts in violation of Article 16 of this Law;
- 7) Hunts protected game outside of the hunting ground (Art. 39 para. 2) or hunts without a permit, or hunting card (Art. 39 para. 5) or hunts in violation of Article 39 paragraph 4 of this Law;
- 8) Hunts or organizes hunting, or appropriates game animals or parts of game animals in violation of Article 45, or hunts game animals in violation of Articles 46 and 47 of this Law;
- 9) Markets or removes from the hunting ground killed game or its parts in violation of Article 49 paragraph 1 of this Law;
- 10) Acts in violation of Article 52 of this Law;
- 11) Acts in violation of Article 56 paragraph 2 of this Law;
- 12) Acts in violation of Article 58 paragraph 3 of this Law.

Offences referred to in paragraph 1 items 1, 2, 3, 6, 7, 8, 9, 10, 11 and 12 of this Article shall be punished with confiscation of property gained in committing the offence, in addition to the specified fine.

Article 66

A fine of no less than 9,500,000 dinars and no more than the amount stipulated by the Law on Commercial Offences shall be passed against the individual that:

- 1) Acts in violation of Article 5 paragraph 4 of this Law;
- 2) Does not permit the implementation of efforts and measures laid down in the hunting basis, or that are carried out prior to entrusting the hunting ground (Art. 33);
- 3) Hunts game without having passed the hunting test (Art. 41 para. 1), or hunts in violation of Article 41 paragraph 4 of this Law;
- 4) Does not obtain the certificate of an authorized veterinary service for the culling of wounded or sick game animals during closed season (Art. 48, para. 2);
- 5) Acts in violation of Article 51 of this Law;
- 6) Does not implement measures for preventing damages that may be caused by game animals (Art. 53).

Offences referred to in paragraph 1 items 3 and 5 of this Article shall be punished with confiscation of property gained in committing the offence, in addition to the specified fine.

XI Transitional and Concluding Provisions

Article 67

The Minister shall establish hunting grounds within two year of the day that this Law comes into effect.

Hunting grounds that are established by this Law within the boundaries of the hunting grounds that have been established in accordance with previous regulations may be entrusted to the hunting ground trustee without public announcement.

Article 68

The hunting ground trustee that managed the hunting ground before this law came into effect shall manage the hunting ground pending the establishment and transfer of the hunting ground in accordance with this Law.

The present hunting ground trustee that has not been assigned a hunting ground or part of a hunting ground to manage following the adoption of this Law has the right to receive compensation for unredeemed constructed technical and hunting facilities and compensation for expenses for the hunting basis if investments in these facilities and the hunting basis exceed hunting ground management revenues, including membership fees invested in the hunting ground.

The extent of the funds referred to in paragraph 2 of this Article shall be determined by mutual agreement by the new and old hunting ground trustee, while the Ministry will determine the compensation due in the event that there is no agreement.

Compensation referred to in paragraph 2 of this Article shall be paid by the new trustee of the hunting ground, or part of the hunting ground.

Article 69

Hunting ground trustees that look after game animals outside hunting grounds shall bring into

line their operations with the stipulations of this Law within six months of the day that this Law comes into effect.

Game wardens that do not meet conditions laid down in Article 57 of this Law on the day that this Law comes into effect may meet these conditions by 31 December 1997 at the latest.

The hunting ground trustee that does not have a game warden on the day that the contract referred to in Article 22 of this Law, shall to employ a person for performing game warden duties within six months of the day that the contract is signed, and to provide and organize hunting ground protection services until that time as stipulated by this Law.

Article 70

The hunting ground trustee shall to adopt a hunting basis within a year of the day that the contract on entrusting the hunting ground is signed.

Trustees managing hunting grounds included in hunting areas are required to adopt new hunting basis within a year of the day that the hunting areas is established.

Hunting bases for hunting grounds whose borders have not been changed shall remain in effect pending their conclusion.

During the period referred to in paragraph 1 of this Article the hunting ground shall be managed based on a temporary annual plan adopted by the hunting ground trustee, and which particularly includes: a report on the status (areas, natural and other conditions, type and number of game animals, population dynamics, objectives and goals), husbandry plan, protection plan, culling plan and measures for preventing damages by game animals and against game animals and record of completed works.

Pending the adoption of a new hunting basis, the hunting ground trustee may allow the training of bird, burrow and driving hunting dogs, based on the consent of the Ministry.

Article 71

The Law on Hunting (RS Official Gazette, no. 23/86, revised text and 45/90) shall become void on the day that this Law comes into effect.

Article 72

Regulations adopted based on the Law referred to in Article 71 of this Law shall be executed, pending the adoption of regulations based on competencies stemming from this Law.

Article 73

This Law shall come into effect on the eight day of the day that it is published in the Official Gazette of the Republic of Serbia.