

**UNOFFICIAL TRANSLATION**

**THE NATIONAL ASSEMBLY**

**4133**

Pursuant to Article 112, paragraph 1, item 2 of the Constitution of the Republic of Serbia, I hereby pass the following

**DECREE**

**on the promulgation of the Law on Amendments and Supplements to the Law on the Prevention of Corruption**

The Law on Amendments and Supplements to the Law on the Prevention of Corruption, adopted on 23 September 2021 by the National Assembly of the Republic of Serbia, in its 12<sup>th</sup> convocation, at the session of the 14<sup>th</sup> extraordinary sitting, is hereby promulgated.

Ref. no. 120

Belgrade, 27 September 2021

President of the Republic

**Aleksandar Vučić** (hand written signature)

**L A W**

**on Amendments and Supplements  
to the Law on the Prevention of Corruption**

Article 1

In the Law on the Prevention of Corruption (“Official Gazette of the Republic of Serbia” nos. 35/19, 88/19 and 11/21 - authentic interpretation), in Article 2, item 1), the word “unlawful” is added after the word “acquiring”.

Article 2

In Article 10, paragraph 1, a comma and words “has special knowledge and experience in the area of prevention of corruption” are added after the word “field”.

### Article 3

In Article 17, paragraph 4, words “[with the] termination of the public office” are replaced by the words “when a new Director assumes the public office”.

### Article 4

In Article 18, paragraph 1, after the words: “public function,” the words: “the Deputy Director of the Agency shall become the Acting Director of the Agency, and if the Agency does not have a Deputy Director” are added.

### Article 5

In Article 46, paragraph 1 is changed and now reads as follows:

“A public official whose public office requires full-time or permanent work may not perform other work or business activity.”

Paragraphs 3 and 4 are changed and now read as follows:

“Besides the work and/or business activities referred to in paragraph 2 of this Article, at the request of a public official the Agency may also provide consent regarding public officials’ engagement in other work and/or business activity. Along with the request, the public official shall submit a positive opinion of the authority that has elected, appointed or nominated him/her to public office. Along with the request, an appointed civil servant is obliged to submit the consent of his/her immediate superior. The Agency shall decide on any complete and proper request within 15 days of its receipt.

If the Agency establishes that the work, i.e. business activity referred to in paragraphs 2 and 3 of this Article endangers the impartial discharge of the public office or its reputation, i.e. that it represents a conflict of interest, it shall set a time limit within which the public official will be obliged to stop performing the work or business activity in question.”

In paragraph 5, number “4” is replaced by number “3”.

### Article 6

In Article 48, paragraph 1, a comma and words “full-time or permanent work” are added after the words “employment relationship”.

In paragraph 2, words “while discharging a public office” are added after the words “in a public authority”.

#### Article 7

In Article 53, paragraph 1, after the word “shares”, the words “more than 20%” are erased and the words “in which more than 20% of the capital is owned by the Republic of Serbia, the autonomous province, a local self-government unit or a city municipality” are replaced by the words “in which the Republic of Serbia, the autonomous province, a local self-government unit or a city municipality has a stake or shares”.

After paragraph 3, paragraphs 4 and 5 are added, reading:

“The Agency shall compile and maintain a record of legal persons referred to in paragraph 1 of this Article, in which a public official or his/her family member has a stake or shares.

The data from the Register of Legal Persons referred to in paragraph 4 of this Article that are publicly available are:

- 1) Name and surname of the public official and his/her family member;
- 2) The public office s/he is discharging;
- 3) The name of the legal person, registration number, registered office, name and surname of the responsible person, and information about the submitter of information;
- 4) Name of the public authority that contracted the work;
- 5) Type and subject of procedure;
- 6) Date of the beginning and conclusion of the procedure;
- 7) Number and value of the public procurement contract, privatisation or other procedure.”

#### Article 8

In Article 54, paragraph 2 is added after paragraph 1, reading:

“Unlawful influence referred to in paragraph 1 of this Article shall mean any influence that is not based on a law or other regulation, which affects the lawful and proper actions of a public official of the Agency while discharging a public office.”

#### Article 9

In Article 55, paragraph 1 is changed to read as follows:

“Without the obtained consent of the Agency, a person whose public office has ceased may not establish an employment relationship and/or business cooperation with a legal person, entrepreneur or international organisation that has a business relationship with the public

authority in which the public official has been discharging a public office, for two years after the termination of public office.”

After paragraph 3, a new paragraph 4 is added, reading:

“In the procedure of granting the consent referred to in paragraph 1 of this Article, the Agency shall particularly take into account the powers the applicant had at the time when s/he was discharging the public office.”

The current paragraph 4 becomes paragraph 5.

#### Article 10

In Article 71, paragraph 1 item 22) is changed to read as follows:

“22) Cash, digital property and valuables, as well as other movable property whose value exceeds EUR 5,000, in RSD equivalent based on the middle exchange rate of the National Bank of Serbia.”

#### Article 11

In Article 77, paragraph 3 is added after paragraph 2, reading:

“The procedure referred to in paragraph 2 of this Article may be initiated within two years from the day of learning of the violation of this Law, and may not be initiated or completed if five years have elapsed since the act or omission of the public official who had violated this Law.”

#### Article 12

In Article 82, paragraph 3, a comma and words “as well as whether the public official has acted upon the previously imposed measure of reprimand until the expiry of the time limit that was set in the decision” are added after the word “violation”.

#### Article 13

In Article 100, paragraph 1, item 3), after the word “shares”, the words “more than 20%” are deleted and the words “in which more than 20% of the capital is owned by the Republic of Serbia, the autonomous province, a local self-government unit and a city municipality” are replaced by the words “in which the Republic of Serbia, the autonomous province, a local self-government unit or a city municipality has a stake or shares.”

#### Article 14

Article 101 and its title are changed to read as follows:

**“Failure to Report Assets and Income  
or Submission of False Information on Assets and Income**

Article 101

A public official who, contrary to the provisions of this Law, fails to report assets and income to the Agency, or provides false information on assets and income in order to conceal information on assets and income, shall be punished by a prison term of six months to five years.”

Article 15

In Article 103, paragraph 1, the figure “50,000” is replaced by the figure “100,000”.

Item 17) is changed, and now reads as follows:

“17) Fails to report assets and income or submit a notification within the prescribed time limit, i.e. submits an incorrect or incomplete report on assets and income (Articles 68 and 69);

In paragraphs 3 to 5, the figure “50,000” is replaced by the figure “100,000”.

Article 16

In Article 104, the figure “50,000” is replaced by the figure “100,000”.

Article 17

In Article 105, paragraph 1, the figure “500,000” is replaced by the figure “1,000,000”.

In paragraph 2, the figure “50,000” is replaced by the figure “100,000”.

Article 18

In Article 106, the figure “50,000” is replaced by the figure “100,000”.

Article 19

This Law shall enter into force on the eighth day from the day of its publication in the “Official Gazette of the Republic of Serbia”.