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In focus: Law on the Central Register of Temporary Limitation of Rights of Subjects Registered in the Business Registers Agency

On December 30th 2015, the National Assembly of the Republic of Serbia adopted the Law on the Central Register of Temporary Limitation of Rights of Subjects Registered in the Business Registers Agency (hereinafter "the Law"), which came into force on January 1st 2016 and will become applicable as of June 1st 2016.

The subject Law predicts the establishment of a unique central register, i.e. electronic database that will contain information on business subjects, their owners, directors, representatives and members of their bodies, whose business is sanctioned by criminal, delict or administrative sanctions.

The method of running the Central Register will be in electronic form, through the JPI - application software solution (system) for recording data and its exchange with taxpayers, users, status registers and registers managed by the Agency. Registration of data in the Central Register shall be done *ex officio* by a recorder or person authorized to enter data.

Establishing the Central Register should bring about the promotion of business transparency for every business entity in the Republic of Serbia which shall, on one hand, increase the level of security of legal transactions of all the participants, and on the other, have a preventive effect on

business entities to operate in accordance with regulations.

Registered data shall give a complete picture of the business reliability of any specific business entity, since it will contain details of all limitations imposed on the business entity, or persons performing in the function of its bodies or representatives, which should thereby remove the possibility of any business entity acting contrary to it, despite of imposed prohibitions.

The Law clearly defines the content of the Central Register, as well as the manner of using and accessing data of the Central Register.

It is prescribed that public authorities and other bodies as holders of public powers have the right to access and use data of the Central Register through the JPI, while only the person registered in the Central Register on any grounds may request the issuance of an excerpt or certificate.

The person authorized to enter data is obliged to enter data in the Central Register within 3 days from the day of occurrence of grounds for temporary limitations, exceptionally, within 5 days.

The Law establishes that the person, who considers an entry is made contrary to the law, is entitled to appeal to the competent authority which determined the grounds for temporary limitation of rights.