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LAW

on Public Procurement

Official Gazette of RS, no. 91 of 20 December 2019 and no. 27 of 1 October 2021

I. GENERAL PROVISIONS

Subject matter and scope of application

Article 1

This law regulates the rules of public procurement procedures conducted by contracting authorities (in other words: a case-by-case procedure of awarding a contract for the public procurement of goods, services or works, a framework agreement, as well as establishing a dynamic purchasing system).

This law also regulates the administrative part of the Public Procurement Office, organization, operation and other issues related to the issue of and the Republic Commission for the Protection of Rights in Public Procurement Procedures. Procedures for protection of rights in public procurement procedures are regulated by the Law on Protection of Rights in Public Procurement Procedures.

Provisions of this law do not apply to the procurement of military equipment, military equipment and services for military purposes, and to the procurement of military equipment and services related to the military equipment, unless the procurement of military equipment and services for military purposes is not regulated by a separate procurement procedure in accordance with the ratified international agreement.

Definitions

Article 2

Terms in this law have the following meaning:

1) contracting authority is a contract maker for a contracting authority and a contract contracting authority;

2) contract maker for a contracting authority is a contracting authority that concludes a public procurement contract on behalf of one or more contracting entities that can be a party to the procurement of goods, the procurement of services or the execution of works;

3) a public procurement contract is a contract concluded between one or more contracting authorities and one or more economic operators, the subject of which is the procurement of goods, the procurement of services, other than services, or the execution of works, other than works, in the cases stipulated by this law;

4) a framework agreement is a contract concluded between a procurement contract maker and one or more economic operators, the purpose of which is to determine the conditions for public procurement contracts, which may include, in particular, the prices and, where appropriate, the quantities to be procured, for a period of time, during which the conditions for the implementation of the contract are valid;

5) a dynamic purchasing system is a completely electronic procurement contract that has its subject

6) the execution of a contract is the legal and physical execution of a contract, in accordance with the contract, in order to create or change a public asset, or to provide certain services or the type or design of the construction of the facility;

7) the procurement of goods is the acquisition of goods, regardless of the legal nature of the transaction, which may be, in particular, purchase, lease, rental, lease or purchase on a loan, and may also include, in addition to the provision of goods, ancillary services, such as installation and assembly, provided that the value of services does not exceed the value of goods covered by the contract;

8) the procurement of services is the acquisition of services, other than those referred to in the procurement of goods and the execution of works, regardless of the legal nature of the transaction, which may be, in particular, purchase, lease, rental, lease or purchase on a loan;

9) "operator" means any person or group of persons who offer goods, services or works on the market;

10) "economic operator" means any operator, including a legal entity;

11) "public procurement" means the acquisition of goods, services or works by one or more contracting authorities from economic operators selected by those contracting authorities, regardless of whether the goods, services or works to be procured are intended for a public purpose;

12) "electronic means" means electronic equipment for the processing (including digital compression) and storage of data, which is transmitted, received or stored by means of wires, radio waves, optical or other electromagnetic means;

13) "electronic means of communication" means electronic means of communication, electronic equipment and electronic data, which are used in accordance with this law for the purpose of communication between contracting authorities and economic operators, between contracting authorities and other persons and between economic operators and other persons;

14) "equipment" means the equipment that, given its nature, is intended to be incorporated into a building or other construction, including equipment for the provision of services and all the same services connected with other existing installations, equipment and services, which are intended for use by contracting authorities for the purpose of awarding public procurement contracts, provided that the equipment in question does not constitute a public procurement contract;

15) "technical specifications" means a set of technical requirements, such as those contained in a public procurement contract, which define the characteristics of a product or service, such as quality, environmental and climate impact, design, conformity, use, safety or dimensions, including requirements applicable to the product or service in relation to the name under which the product is sold, terminology, symbols, testing and test methods, packaging, marking and labeling, instructions for use, production methods and processes at all stages of the life cycle of the product or service, and conformity assessment procedures;

16) "equivalent" means the requirements set out in technical specifications, such as those, in particular, which are intended to define the characteristics of goods or services that are considered to be equivalent in the contracting authority's opinion;

17) "standard" means a technical specification adopted by a recognized standardization body for repeated or continuous use, compliance with which is not mandatory, and which is a product rather than a process, which is not within the scope of this law;

18) "European standard" means a standard adopted by the European Committee for Standardization, the European Committee for Electrotechnical Standardization or the European Institute for Telecommunications Standards, which is made available to the public in the form of a publication in the Official Gazette of the Republic of Serbia;

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120) "electronic means of communication" means electronic means of communication, electronic equipment and electronic data, which are used in accordance with this law for the purpose of communication between contracting authorities and economic operators, between contracting authorities and other persons and between economic operators and other persons;

121) "equipment" means the equipment that, given its nature, is intended to be incorporated into a building or other construction, including equipment for the provision of services and all the same services connected with other existing installations, equipment and services, which are intended for use by contracting authorities for the purpose of awarding public procurement contracts, provided that the equipment in question does not constitute a public procurement contract;

122) "technical specifications" means a set of technical requirements, such as those contained in a public procurement contract, which define the characteristics of a product or service, such as quality, environmental and climate impact, design, conformity, use, safety or dimensions, including requirements applicable to the product or service in relation to the name under which the product is sold, terminology, symbols, testing and test methods, packaging, marking and labeling, instructions for use, production methods and processes at all stages of the life cycle of the product or service, and conformity assessment procedures;

123) "equivalent" means the requirements set out in technical specifications, such as those, in particular, which are intended to define the characteristics of goods or services that are considered to be equivalent in the contracting authority's opinion;

124) "standard" means a technical specification adopted by a recognized standardization body for repeated or continuous use, compliance with which is not mandatory, and which is a product rather than a process, which is not within the scope of this law;

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In the case of Chapter 16, Section 2, the time limit established by the competent authority of a country or of the Parties concerned, in accordance with Article 16.2.1(a) or (b), respectively, shall be deemed to be the time limit for the purposes of this Article.

In the case of Section 3 of Chapter 16, i.e., in the case of the dispute settlement procedures under Section 3 of Chapter 16, the time limit established by the competent authority of a country or of the Parties concerned, in accordance with Article 16.3.1(a) or (b), respectively, shall be deemed to be the time limit for the purposes of this Article.

Article 10

A national procedure is not illegal or unjust if one of alternative economic operators may submit an application to the first, and the other national qualification system has enough time to submit a tender in the second stage.

The contracting entities in Annex 1 shall ensure compliance with Section 4 of this Chapter of this exercise. The Parties agreed that the implementation of the provisions of this Section shall be carried out in accordance with the national working plans the parties notified before and by public tenders in accordance with Article 16 of this Act. In the case of the Parties

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Article 10

A national procedure is not illegal or unjust if one of alternative economic operators may submit an application to the first, and the other national qualification system has enough time to submit a tender in the second stage.

The contracting entities in Annex 1 shall ensure compliance with Section 4 of this Chapter of this exercise. The Parties agreed that the implementation of the provisions of this Section shall be carried out in accordance with the national working plans the parties notified before and by public tenders in accordance with Article 16 of this Act. In the case of the Parties

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If the contracting authority is a contract award entity within the meaning of the general law relating to the exercise of economic operators and the free governing competition insofar as the law has not been implemented in accordance with the provisions of the procurement procedures, the contracting authority shall take appropriate measures to ensure that economic operators are able to demonstrate that the rules and measures of its internal procedures are sufficient to exclude the possibility of distortions of competition to the detriment of economic operators which are members of the procurement procedures and the implementation of appropriate measures to ensure that economic operators are able to demonstrate that the rules and measures of internal procedures are sufficient to exclude the possibility of distortions of competition to the detriment of economic operators which are members of the procurement procedures and the implementation of appropriate measures to ensure that economic operators are able to demonstrate that the rules and measures of internal procedures are sufficient to exclude the possibility of distortions of competition to the detriment of economic operators which are members of the procurement procedures.

The contracting authority shall require economic operators to provide information on the relevant contracts concluded by other entities belonging to the same group of companies as the economic operator participating in the procurement procedures, the contracting authority shall take appropriate measures to ensure that economic operators are able to demonstrate that the rules and measures of internal procedures are sufficient to exclude the possibility of distortions of competition to the detriment of economic operators which are members of the procurement procedures and the implementation of appropriate measures to ensure that economic operators are able to demonstrate that the rules and measures of internal procedures are sufficient to exclude the possibility of distortions of competition to the detriment of economic operators which are members of the procurement procedures.

The measures taken under the first paragraph of this paragraph shall be communicated to the competent authority for the protection of competition in the relevant market, which, at the request of the competent authority, shall be provided with all relevant information and documents concerning the measures taken and the implementation of the measures taken.

Validation of the Public Procurement Procedure

Article 1

The contracting authority shall make a decision on the implementation of the public procurement procedure, which shall contain a precise information on the subject of the public procurement, the type of procurement and the estimated value of the public procurement in accordance with basic criteria and requirements for the public procurement procedure, the conditions for the implementation of the public procurement procedure, the conditions for the selection of economic operators, the conditions for the assessment of tenders

Article 5(4) The competent authority shall ensure that the information provided to the contracting entity is sufficient for the purpose of assessing the suitability of the economic operators in accordance with the requirements of the contracting entity pertinent to the qualification and selection criteria, and that it is proportionate to the subject-matter of the procurement. The information requested by the competent authority from the economic operators concerned shall be proportionate and shall not involve administrative preparatory work disproportionate to the subject-matter of the procurement. The information requested by the competent authority from the economic operators concerned shall be proportionate and shall not involve administrative preparatory work disproportionate to the subject-matter of the procurement.

1. Any economic of the procurement procedure, the contracting entity may, in accordance with the provisions of this Chapter, exclude or select economic operators to be invited to tender, bidding for the purpose of the conclusion of a framework agreement, or to be invited to negotiate, or to be invited to participate in a dynamic purchasing system, or to be invited to participate in a competitive dialogue or in a competitive procedure with negotiation, on the basis of the information provided by the economic operators in accordance with the requirements of the contracting entity pertinent to the qualification and selection criteria, and in accordance with the rules and criteria laid down in this Chapter. The information requested by the competent authority from the economic operators concerned shall be proportionate and shall not involve administrative preparatory work disproportionate to the subject-matter of the procurement.

2. Any economic operator that has submitted a request to participate or tender, bidding for the purpose of the conclusion of a framework agreement, or to be invited to negotiate, or to be invited to participate in a dynamic purchasing system, or to be invited to participate in a competitive dialogue or in a competitive procedure with negotiation, on the basis of the information provided by the economic operators in accordance with the requirements of the contracting entity pertinent to the qualification and selection criteria, and in accordance with the rules and criteria laid down in this Chapter, may, if necessary, rely on the capacities of other entities with regard to the criteria relating to economic standing and technical capacity. It must then prove to the contracting entity that it will have the resources necessary for the execution of the contract, for example by showing the commitment of these entities to make the resources available to the economic operator that is the subject of the procurement procedure.

Article 6(1) The contracting entity may exclude an economic operator or select the economic operators to be invited to tender, bidding for the purpose of the conclusion of a framework agreement, or to be invited to negotiate, or to be invited to participate in a dynamic purchasing system, or to be invited to participate in a competitive dialogue or in a competitive procedure with negotiation, on the basis of the information provided by the economic operators in accordance with the requirements of the contracting entity pertinent to the qualification and selection criteria, and in accordance with the rules and criteria laid down in this Chapter. The information requested by the competent authority from the economic operators concerned shall be proportionate and shall not involve administrative preparatory work disproportionate to the subject-matter of the procurement.

2. Any economic operator that has submitted a request to participate or tender, bidding for the purpose of the conclusion of a framework agreement, or to be invited to negotiate, or to be invited to participate in a dynamic purchasing system, or to be invited to participate in a competitive dialogue or in a competitive procedure with negotiation, on the basis of the information provided by the economic operators in accordance with the requirements of the contracting entity pertinent to the qualification and selection criteria, and in accordance with the rules and criteria laid down in this Chapter, may, if necessary, rely on the capacities of other entities with regard to the criteria relating to economic standing and technical capacity. It must then prove to the contracting entity that it will have the resources necessary for the execution of the contract, for example by showing the commitment of these entities to make the resources available to the economic operator that is the subject of the procurement procedure.

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52. Any economic operator that has submitted a request to participate or tender, bidding for the purpose of the conclusion of a framework agreement, or to be invited to negotiate, or to be invited to participate in a dynamic purchasing system, or to be invited to participate in a competitive dialogue or in a competitive procedure with negotiation, on the basis of the information provided by the economic operators in accordance with the requirements of the contracting entity pertinent to the qualification and selection criteria, and in accordance with the rules and criteria laid down in this Chapter, may, if necessary, rely on the capacities of other entities with regard to the criteria relating to economic standing and technical capacity. It must then prove to the contracting entity that it will have the resources necessary for the execution of the contract, for example by showing the commitment of these entities to make the resources available to the economic operator that is the subject of the procurement procedure.

53. Any economic operator that has submitted a request to participate or tender, bidding for the purpose of the conclusion of a framework agreement, or to be invited to negotiate, or to be invited to participate in a dynamic purchasing system, or to be invited to participate in a competitive dialogue or in a competitive procedure with negotiation, on the basis of the information provided by the economic operators in accordance with the requirements of the contracting entity pertinent to the qualification and selection criteria, and in accordance with the rules and criteria laid down in this Chapter, may, if necessary, rely on the capacities of other entities with regard to the criteria relating to economic standing and technical capacity. It must then prove to the contracting entity that it will have the

The Republic of Bosnia has ratified conventions for the heritage and other cities that have inscribed sites on the World Heritage List. Bosnia has also signed the Convention for the Safeguarding of the Intangible Cultural Heritage.

Protection for the protection of rights

Article 1

The provisions for the protection of rights shall be understood and in such a way that the detailed provisions in consideration within the meaning of the protection of rights shall be understood and in such a way that the provisions for the protection of rights shall be understood and in such a way that the provisions for the protection of rights shall be understood and in such a way that the provisions for

Section 1	Name, Title, address, phone, fax, and e-mail of the contracting officer
Section 2	Type of contracting authority and the law governing contracting
Section 3	Whether application, or whether the contracting authority is a centralized procurement body, or the specific form of procurement concerned
Section 4	Brief description of the procurement
Section 5	Place where the procurement will take place
Section 6	Date of deadline for the receipt of requests for participation or of tenders, as the case may be, with the address to which they must be sent
Section 7	Information on whether the procurement is covered by the Government Procurement Agreement

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Section 7	Information on whether the procurement is covered by the Government Procurement Agreement
Section 8	Estimated value of the procurement
Section 9	Language(s) in which tenders or applications to participate are to be drawn up
Section 10	Information on whether the contract is subject to a public procurement or a non-public procurement
Section 11	Information on whether the contract is subject to a public procurement or a non-public procurement
Section 12	Information on whether the contract is subject to a public procurement or a non-public procurement
Section

2) Type of client and its main activity.

3) Where applicable, an indication that the contracting authority is a centralised procurement body or that another form of joint procurement is used.

4) Type of contract, short description, including CPV codes; where the subject matter of the contract is divided into lots, this information shall be given for each lot.

5) Type of public procurement procedure.

6) The stage of the public procurement procedure in which the request for the protection of rights was submitted.

7) Information on whether the contracting authority stops further activities in the public procurement procedure.

8) Any other relevant data.

Annex 5

CONTENT OF PROCUREMENT DOCUMENTATION RELATED TO ELECTRONIC BIDDING

When contracting authorities decide to carry out an electronic tender, the procurement documents must contain at least the following information:

1) the elements the values of which are to be auctioned electronically, provided that such elements can be quantified and expressed in numerical values or percentages;

2) any restrictions on the values that may be offered arising from the specifications relating to the subject-matter of the contract;

3) the information to be made available to bidders in the course of the electronic auction and, where appropriate, when it will be made available to them;

4) relevant information on the electronic bidding process;

5) the conditions under which tenderers will be able to compete, and in particular the minimum differences to be required, where appropriate, when tendering;

6) relevant information on the electronic equipment used and the modalities and technical specifications for connection.

Annex 6

CONTENT OF THE CALL FOR SUBMISSION OF TENDERS, PARTICIPATION IN DIALOGUE, NEGOTIATION OR SUBMISSION OF APPLICATIONS (referred to in Art. 65 and 108. of this Act)

1) The invitation to submit a tender, to participate in a dialogue or to negotiate shall contain at least the following:

(1) a reference to the published public call;

(2) the time limit for the submission of tenders, the address to which tenders must be sent and the language or languages in which tenders must be drawn up;

(3) in the case of a competitive dialogue, the date and address for the start of the dialogue and the language or languages used;

(4) a reference to any additional documents to be provided;

(5) the criteria to be used for the award of the contract. Unless the most economically advantageous tender has been identified solely on the basis of price, the criteria constituting the most economically advantageous tender, as well as their weightings or, where appropriate, the order of importance of these criteria, shall be specified if they are not specified in the invitation to tender, the invitation to tender, the notice on the establishment of a qualification system to be used as a public invitation, technical specifications or descriptive documentation.

In the case of a competitive dialogue or innovation partnership, the information referred to in point (2) of this Annex shall not be included in the invitation to participate in the dialogue or for negotiation, but in the invitation to tender.

2) When the periodic indicative notice is used as a public invitation to tender, the sectoral contracting authority shall, before the start of the selection of the tenderer or participants in the negotiations, invite all economic operators who have expressed their interest to submit an application on the basis of detailed information on the contract in question.

The call for applications must contain at least the following information:

(1) the nature and quantity, including any options in respect of supplementary contracts and, where applicable, the estimated time available for the exercise of those options for recurring contracts, the nature and quantity and, where applicable, the estimated dates of publication of future invitations to tender for the public procurement of works, supplies or services;

(2) type of procedure: restrictive procedure or negotiated procedure with publication;

(3) where applicable, the date of commencement or completion of the supply of goods or the execution of works or the provision of services;

(4) where electronic access, the address and deadline for the submission of requests for procurement documents and the language or languages in which they are drawn up cannot be provided;

(5) the address of the contracting authority awarding the contract;

(6) the economic and technical conditions, financial guarantees and information to be provided by economic operators;

(7) the form of the contract which is the subject of the invitation to tender: purchase, lease, lease or hire purchase or any combination thereof;

(8) the award criteria and their weighting or, where appropriate, the order of importance of those criteria, where this information is not included in the periodic indicative notice or in the technical specifications or will not be included in the invitation to tender or the invitation to negotiate.

Annex 7

SOCIAL AND OTHER SPECIAL SERVICES

CPV code	Description
75200000-8; 75231200-6; 75231240-8; 79611000-0; 79622000-0 (Security services for domestic assistance staff); 79624000-4 (Security services for nursing staff) and 79625000-1 (Security services for medical personnel) from 85000000-9 to 85323000-9; 98133100-5, 98133000-4; 98200000-5; 98500000-8 (Private households with employed staff) and 98513000-2 to 98514000-9 (Domestic Workforce Mediation Services, Agency Domestic Staff Services, Domestic Office Staff Services, Temporary Domestic Work Staff, Home Assistance Services and Domestic Services)	Healthcare, social welfare services and related services
85321000-5 and 85322000-2, 75000000-6 (Administration, defence and social security services), 75121000-0, 75122000-7, 75124000-1; from 79995000-5 to 79995200-7; from 80000000-4 Education and vocational training services to 80660000-8; from 92000000-1 to 92700000-8 79950000-8 (Exhibition, fair and congress organizing services), 79951000-5 (Seminar organizing services), 79952000-2 (Organizing various events), 79952100-3 (Organizing cultural events), 79953000-9 (Organizing services for festivals), 79954000-6 (Organizing services), 79955000-3 (Organizing fashion show services), 79956000 -0 (Organization services for exhibitions and fairs)	Administrative services of social, educational, health and cultural services
75300000-9	Compulsory Social Security Services
75310000-2 , 75311000-9, 75312000-6, 75313000-3, 75313100-4, 75314000-0, 75320000-5, 75330000-8, 75340000-1	Wage Related Services
98000000-3 ; 98120000-0 ; 98132000-7 ; 98133110-8 and 98130000-3	Other public, social and personal services including services of trade unions, political organizations, youth associations and services of other membership organizations
98131000-0	Religious services
55100000-1 to 55410000-7; 55521000-8 to 55521200-0 (55521000-8 Meal delivery services to private households, 55521100-9 Regular meal delivery services, 55521200-0 Meal delivery services) 55520000-1 Delivery services for prepared meals, 55522000-5 Delivery services for prepared meals for transport undertakings, 55523000-2 Services for delivery of prepared meals to other enterprises or institutions, 55524000-9 Services for delivery of prepared meals to schools 55510000-8 Canteen services, 55511000-5 Canteen services and other closed self-service restaurant services, 55512000-2 Canteen management services, 55523100-3 School meal services	Hotel & Restaurant Services
79100000-5 to 79140000-7; 75231100-5	Legal services, if not exempted, in accordance with Article 12. (4) of this Act.
75100000-7 to 75120000-3; 75123000-4; 75125000-8 to 75131000-3	Other services of administration and public services
75200000-8 to 75231000-4	Providing services to the community
75231210-9 to 75231230-5; 75240000-0 to 75252000-7; 794300000-7; 98113100-9	Prison-related, public security and rescue services, if not exempted, in accordance with Article 12. (9) of this Act.
79700000-1 to 79721000-4 (Investigation and security services, security services, alarm surveillance services, guard services, surveillance services, search services, fugitive search services, patrol services, identification badge services, investigation services and detective agency services)	Investigation and Security Services
98900000-2 (Services provided by extraterritorial organisations and bodies) and 98910000-5 (Services specific to international organisations and bodies)	International Services
64000000-6 (Postal and telecommunications services), 64100000-7 (Postal and courier services), 64110000-0 (Postal services), 64111000-7 (Postal services related to daily newspapers and magazines), 64112000-4 (Postal services related to letters), 64113000-1 (Postal services related to packages), 64114000-8 (Postal counter services), 64115000-5 (Mailbox rental), 64116000-2 (Post restant services), 64122000-7 (Interior office postal and delivery services)	Postal services
50116510-9 (Tyre retreading services), 71550000-8 (Blacksmithing services)	Miscellaneous services

Annex 8

LIST OF INTERNATIONAL CONVENTIONS IN THE FIELD OF SOCIAL AND LABOUR LAW AND ENVIRONMENTAL CONVENTIONS

1) International Labour Organization (ILO) Convention, No. 87 on Freedom of Association and Protection of Association's Rights, with the Decree on the Ratification of the Convention ("Official Gazette of the Federal Republic of Yugoslavia– International Treaties", No. 8/58);

2) International Labour Organization (ILO) Convention, No. 98 on the Implementation of the Principles of the Right to Organise and Collective Bargaining ("Official Gazette of the Federal Republic of Yugoslavia– International Agreements", No. 11/58);

3) Labour Organization (ILO) Convention No. 29 on Forced or Compulsory Labour (Official Gazette No. 297-CXI 1932);

4) International Labour Organization (ILO) Convention, No. 105 relating to the Abolition of Forced Labour, with the Law on the Ratification of the Convention ("Official Gazette of the FRY– International Agreements", No. 13/02);

5) International Labour Organization (ILO) Convention No. 138 on the Minimum Age for Employment, with the Law on the Ratification of the Convention ("Official Gazette of the SFRY– International Agreements", No. 14/82);

6) International Labour Organisation (ILO) Convention, No. 111 relating to discrimination in respect of employment and occupation, with the Regulation ratifying the Convention ('Official Gazette of the Federal Republic of Yugoslavia– International Treaties', No 3/61);

7) International Labour Organization (ILO) Convention No. 100 on Equal Remuneration of Male and Female Workers for Work of Equal Value ("International Treaties of the Federal People's Republic of Yugoslavia", Volume No. 12/52);

8) International Labour Organization (ILO) Convention No. 182 on the Worst Forms of Child Labour and ILO Recommendation No. 190 on the Prohibition and Urgent Action for the Elimination of the Worst Forms of Child Labour ("Official Journal of the FRY– International Agreements", No. 2/03);

9) Vienna Convention for the Protection of the Ozone Layer, with Annexes I and II ("Official Gazette of the SFRY"– International Agreements, No. 1/90) and the Montreal Protocol on Substances that Deplete the Ozone Layer ("Official Gazette of the SFRY– International Agreements", No. 16/90 and "Official Gazette of Serbia and Montenegro– International Agreements", No. 24/04);

10) Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal (Basel Convention)– ("Official Journal of the FRY– International Agreements", No. 2/99);

11) Stockholm Convention on Persistent Organic Pollutants (Stockholm POP Convention)– ("Official Gazette of the Republic of Serbia– International Agreements", No. 42/09);

12) Rotterdam Convention on the Prior Notification Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade, as amended ("Official Gazette of the Republic of Serbia– International Agreements", No. 38/09).

Annex 9

LIST OF LEGAL ACTS OF THE EUROPEAN UNION

I . LIST OF LEGAL ACTS OF THE EUROPEAN UNION (Article 4). Status 5. (2) of this Act)

Rights conferred in a procedure for which an appropriate public is ensured and in which those rights are granted on the basis of objective criteria shall not constitute special or exclusive rights within the meaning of Article 4. Below are the procedures in which prior appropriate transparency is ensured, for the granting of permits on the basis of legal acts of the European Union which do not constitute special or exclusive rights within the meaning of Article 4. On the other hand, this law:

1) the issuance of permits for operation on natural gas installations, in accordance with the procedures laid down in Article 4. Directive 2009/73/EC;

2) the granting of permits or invitations to tender for the construction of new power-generating installations, in accordance with Directive 2009/72/EC;

3) the issuance of permits, in accordance with the procedures laid down in Article 9. Directive 97/67/EC for a postal service which is not or may not be reserved;

4) the procedure for granting a licence to pursue an activity relating to the exploitation of hydrocarbons, in accordance with Directive 94/22/EC;

5) public service contracts within the meaning of Regulation (EC) No 1370/2007 for the provision of public passenger transport services by bus, tram, rail or metro, awarded on the basis of a competitive tendering procedure, in accordance with Article 5 of Regulation (EC) No 1370/2007. Status 3. of this Regulation, provided that its duration is in accordance with Article 4 of the Convention. Status 3. or 4. of this Regulation.

II . LIST OF LEGAL ACTS OF THE EUROPEAN UNION (Article 134 of the Treaty on the Functioning of the European Union). Status 4. of this Act)

Directive 2009/33/EC of the European Parliament and of the Council of 23 December 2009. April 2009 Promoting clean and energy-efficient vehicles in road transport.

III . LIST OF LEGAL ACTS OF THE EUROPEAN UNION (Article 173 of the Treaty on the Functioning of the European Union). Status 9. of this Act)

Transport or distribution of gas or heat

Directive 2009/73/EC of the European Parliament and of the Council of 13 December 2009/EC. July 2009 on common rules for the internal market in natural gas and repealing Directive 2003/54/EC.

Generation, transmission or distribution of electricity

Directive 2009/72/EC of the European Parliament and of the Council of 13 December 2009. July 2009 on common rules for the internal market in electricity and repealing Directive 2003/54/EC.

Clients in the field of postal services

Directive 97/67/EC laying down general rules for the development of the postal services market and the improvement of the quality of services.

Extraction of oil or gas

Directive 94/22/EC of the European Parliament and of the Council of 30 December 2010. May 1994 Conditions for granting and using authorisations for the prospection, exploration and production of hydrocarbons.