(RS Official Gazette No 44/2015 of 20 May 2015)

Pursuant to Art. 11, para. 2 and 3 of the Law on Financing and Securing Financing of Agricultural Production (RS Official Gazette No 128/14), the Minister of Agriculture and Environmental Protection hereby issues this

**RULEBOOK**

**on the Register of agreements on financing agricultural production and documents required for registration of data**

**Scope of the Rulebook**

Art. 1

This Rulebook shall stipulate the documents that shall be submitted to the Register of Agreements on Financing Agricultural Production (hereinafter: the Register) in support of an application for registration of data, and other data and documents that shall be kept in the Register.

For the purposes of this Rulebook, the application for registration of data with the Register (hereinafter: the Application), is an application that starts the procedure of registration of data on an agreement on financing agricultural production (hereinafter: the Agreement), of changes in registered data, of entry and of strike-off of annotations, of termination of the agreement and strike-off of registered data, pursuant to regulations governing the position and authorities of the Serbian Business Registers Agency.

**Register data**

Art. 2

The following data shall be kept in the Register:

1) date of stipulation of an agreement;

2) data on the creditor and debtor, specifically:

(1) for a legal entity – name, seat (street, number, town or city and postal code), registration number (RN), tax-identification number (TIN) and unique personal identification number (UPIN) of the authorized representative,

(2) for an entrepreneur – name, seat (street, number, town or city and postal code), registration number (RN), tax-identification number (TIN); name and surname, unique personal identification number (UPIN) and address of temporary or permanent residence (street, number, town or city grad and postal code),

(3) for a natural entity – name and surname, unique personal identification number (UPIN) and address of temporary or permanent residence (street, number, town or city and postal code),

(4) for a foreign legal entity – company name, registration code in the foreign register, name of that register and registered address of the entity,

(5) for a foreign natural entity – name and surname, passport number and country of issue, address of temporary or permanent residence;

3) data on the primary obligation undertaken by the creditor – the amount in cash, or other resources that can be expressed in financial terms, granted by the creditor to the debtor;

4) data on the primary obligation undertaken by the debtor:

(1) for a commodity obligation – name of crop, variety and quantity of agricultural products that the debtor is required to deliver to the creditor,

(2) for a cash obligation – the principal amount;

5) data on the secondary commitment undertaken by the debtor replacing the primary commitment of the debtor referred to in para. 1, item 4) herein, and the method for the calculation of the secondary commitment, pursuant to the law regulating the financing and securing financing of agricultural production;

6) date of maturity, place and terms of delivery and/or payment;

7) data on the method of securing a creditor's claim, i.e. the repayment of a debt, if stipulated;

8) data on the production venue, i.e. the land or building which has been mortgaged (cadastral municipality, lot number, description of land or building and, if needed, other data from the real estate register), if the creditor's claim is secured by a pledge on future agricultural products or by a mortgage on the agricultural land or building;

9) registration number of the agricultural holding, if the debtor is an agricultural holding;

10) data on any existing disputes in connection with the contract subject to registration;

11) data on facts and documents of relevance for business transactions in connection with the registered contract;

12) data on the establishment and termination of a statutory pledge;

13) data on the termination of a contract;

14) data on the strike-off of the contract from the Register.

The Register shall also keep data on any changes of the data listed in para. 1 herein.

The entry and/or strike-off of the data referred to in para. 1, items 10)–12) herein shall be effected by means of an annotation.

**Documents required for registration of data from the agreement**

Art. 3

The following documents shall be submitted in support of the application for the registration of data from the agreement:

1) the agreement;

2) other appropriate document that can corroborate the data stipulated in Art. 2 of this Rulebook.

**Documents required for registration of changes in registered data**

Art. 4

The following documents shall be submitted for the registration of changes in registered data, (registration of new data, change of registered data, and strike-off of registered data), along with the application form:

1) annex to the agreement;

2) court decision, act issued by a state authority and other public documents;

3) any other appropriate document corroborating beyond any doubt that a change in registered data occurred.

In addition to the documents listed in para. 1, item 1) and 3) herein, the creditor’s written consent for changing the registered data shall also be required if the changes are made by the debtor, and this consent shall be notarized by the authority competent for signature notarization if the creditor is a natural entity.

**Documents required for registration of an annotation**

Art. 5

For the entry of an annotation into the Register, the application shall be supported by a claim stamped by the court registry, or other appropriate document corroborating beyond any doubt that a claim has been filed with the court in connection with the registered agreement.

For the entry of an annotation of data concerning facts and documents relevant for business transactions in connection with the registered contract, the application shall be supported by documents that can corroborate beyond any doubt the fact or document whose registration is applied for.

For the entry of an annotation of data concerning facts and documents relevant for business transactions in connection with the creation of a statutory lien, the application shall be supported by a written statement by the creditor to the effect that there are no future agricultural products on the production venue that were subject to pledge, and if the creditor is a natural person, then the written statement and proof of a claim arising from the agreement shall be notarized by a competent notarization authority.

**Documents required for the strike-off of a registered annotation**

Art. 6

For the strike-off of a registered annotation of a dispute, the application shall be supported by a final and enforceable court verdict, or a copy of the minutes, notarized by the court, of the court settlement that ended the dispute.

For the strike-off of a registered annotation of data on facts and documents relevant for business transactions, the application shall be supported by an appropriate act of the state authority or other document ascertaining that a change in circumstances or documents has occurred, which resulted in the registration of that annotation.

For the strike-off of a registered annotation, the application shall be supported by:

1) a written statement by the creditor on the expiry of the statutory pledge right, notarized by the competent signature notarization authority if the creditor is a natural entity;

2) a written consent of the creditor, if the application is submitted by the pledger, notarized by the competent signature notarization authority if the creditor is a natural entity;

3) a document that can prove beyond any doubt that the contract on lease of the production venue was terminated or that the procedure for the settlement of the creditor’s mortgage claim was initiated, if the registration is submitted by the owner of the production venue.

**Documents required for registration of termination of an agreement**

 Art. 7

For registration of the termination of an agreement, depending on the way in which the agreement was terminated, the application shall be supported by the following documents:

1) statement of the creditor that the debtor has settled all of its obligations under the contract, notarized by the authority competent for notarization of signatures if the creditor is a natural person;

2) an agreement on the termination of the agreement, a final and enforceable decision of the court on the termination of the agreement or other appropriate document that proves beyond any doubt that the contract was terminated;

3) decision of the court or other appropriate evidence that proves beyond any doubt that the contract expired.

**Documents required for strike-off of data on a registered contract**

Art. 8

For the strike-off of data on a registered contract, the application shall be supported by a final decision of the court proclaiming the agreement null and void, i.e. invalid.

**Confirmation of payment submitted with the application for registration**

Art. 9

The application for registration shall be accompanied by a confirmation of payment of the required fee for the processing of the application, pursuant to the regulations governing the position and authorities of the Serbian Business Registers Agency.

**Form of registration supporting documents**

Art. 10

Documents submitted in support of an application for registration shall either be original documents, or certified excerpts or copies certified by the competent authority.

Any foreign language documents submitted in support of an application shall be legalized in accordance with the law governing the legalization of international documents and attached to a translation into the Serbian language certified by a certified court interpreter.

**Entry into force and application**

 Art. 11

This Rulebook shall enter into force on the eighth day following its publication in the Official Gazette of the Republic of Serbia, and shall be applicable as of 1 June 2015.

No 110-00-00082/2015-09

Belgrade, 13 May 2015

The Minister,

Prof.Dr **Snežana Bogosavljević Bošković,** sgd.