

(RS Official Gazette No 56/12)

Pursuant to Article 5a, paras 3 and 4 of the Law on the Serbian Business Registers Agency (RS Official Gazette No 55/2004, 111/2009 and 99/2011),
the Management Board of the Serbian Business Registers Agency, at its session held on 24 April 2012, hereby adopts this

DECISION

on the type, volume and mode of delivery of data and documents made available free of charge to state agencies and organizations, the autonomous province agencies and local government units

Basic provisions

Article 1

This decision shall determine the type, volume and mode of delivery of data and documents registered, recorded and published in the Serbian Business Registers Agency (hereinafter: the SBRA) that are made available free of charge to state agencies and organizations, autonomous province agencies and local government units or to international organizations that the Republic of Serbia cooperates with based on membership, reciprocity or treaties (hereinafter: the users).

Definition of terms

Article 2

For the purposes of this Decision the following definitions shall apply:

1) a *register* is an integrated, central, electronic database containing data subject to statutory registration and documents on the basis of which these are registered;

2) a *database* is a set of data and documents systematized according to a special methodology and in a manner that ensures access to each single data item by electronic or other means, in respect of which the Republic of Serbia exercises copyrights through the Serbian Business Registers Agency, pursuant to domestic and international regulations and standards;

3) an *original data* is a fact subject to statutory registration or recording delivered to users individually from each of the SBRA's registers or records;

4) a *standardized report* means the grouping of original and aggregated data from the registers' and/or records' databases, according to a determined structure and criteria, provided in the List of Standardized Reports which is an integral part of this Decision;

5) a *document* is an act determined by substantive regulations, on the basis of which facts, i.e. data, are registered in the registers and records kept by the SBRA, and made available to users for their needs in performing the tasks that fall under their purview;

6) *publication* is the electronic display of data and documents that are the subject of individual registration, recording as well as the display of reports or statements from the SBRA's database;

7) an *authorized person* is the designated natural person in the user's request for data, or in the agreement or protocol stipulated between the user and the SBRA on the basis of this Decision, responsible for the use and protection of data pursuant to this Decision.

Publication of data and documents

Article 3

The SBRA shall publish the data and documents subject to individual registration and recording on its website in accordance with regulations.

On its website, the SBRA shall periodically publish reports, analyses, statements and other overviews drawn up in accordance with the SBRA's work programme.

The data, documents, reports and other overviews shall be deemed to have been delivered to all SBRA users on the date on which they are published on the website.

Type, volume and complexity of deliverable data

Article 4

The original and aggregated data delivered to the users in the form of standardized reports shall be categorized for each individual register or record of the SBRA, according to the parameters defined in Article 6, para. 2, item 2) of this Decision.

Documents as the subject of delivery

Article 5

Documents as formal acts, i.e. archive materials and registration materials of the SBRA shall be delivered to the users in print or electronic format for their needs in performing the tasks that fall under their purview.

Submission of requests for data

Article 6

The data shall be delivered on the basis of a request submitted by the user's authorized person on the prescribed request form which is part of this decision (Annex 1 - general and special part).

The request referred to in the previous paragraph shall contain the duly completed form:

1. a general part of the form specifying: user data; a statement evidencing that the requested data fall under the scope of work of the applicant, from its substantive or territorial jurisdiction; the selected reports from the list of standardized reports; the data delivery mode; the statement of the person placing the order for data that they have been informed of the terms and conditions of data use and protection, the user's stamp and the signature of the authorized person;

2. a special part of the form containing the selected report from the list of standardized reports with specified criteria for the selection of data.

Specific user requests

Article 7

Specific user requests for data and reports the structure, complexity and volume of which is not envisaged in this Decision and the manufacture of which requires additional processing of original and aggregated data, or a combination of data from various registers and records, as well as special deployment of human and material resources, shall be approved by the SBRA's director, based on the user's reasoned request, taking into account the SBRA's capacities.

Data and documents that may not be subject to delivery

Article 8

If the request concerns the processing and delivery of data and documents and it cannot be established on the basis of the reasoned request whether the requested data and documents are relevant for the performance of tasks under the purview of the user, such a request shall not be processed and the user shall be notified thereof within 5 days from the date of submission of the request.

Time limits for processing and delivering data and documents

Article 9

The SBRA shall be required to process requests and deliver data and documents within a time limit that may not exceed 30 days as of the date of receipt of the request or the date of publication of the data.

The time limits for the delivery of data according to specific requests referred to under Article 7 of this Decision shall be determined by the SBRA Director, who shall duly inform the applicant thereof.

Use of data and documents

Article 10

The user shall use the data and documents obtained in accordance with this Decision solely for the purposes stated in its request for data, and shall take every precaution to prevent the unauthorized use thereof.

The data and documents referred to in this Article shall not be reproduced and distributed for commercial purposes.

If the data and documents are used for compiling an own document or other product, the user shall be required to indicate the SBRA as the data source.

Relationship between the users and the SBRA

Article 11

The relationship between the users and the SBRA with respect to the delivery, use and protection of registered and recorded data and documents may be regulated by a special agreement or protocol.

The appointment of an authorized person of the user shall be part of the agreement or protocol referred to in the previous paragraph.

If a user requests the delivery of data and documents on the basis of an individual request, without stipulating a special agreement or protocol, the user shall be required to accompany the request with an individual act appointing a person authorized to submit the request.

In case the data user referred to herein appoints several authorized persons, the delivery shall be deemed duly observed upon delivery of the data and documents to one of the aforesaid persons.

Keeping records of the requests, delivered data and costs

Article 12

The SBRA shall be required to set up and keep appropriate records of the requests received, data and documents delivered, as well as of the real costs it incurred in processing each request, preparing and delivering data and documents.

The type, volume and content of the records, as well as the criteria for determining and monitoring the costs referred to in the previous paragraph of this Article, shall be regulated by a separate act, adopted by the SBRA's Management Board, at the proposal of the SBRA's Director.

On the basis of data and records referred to in this Article, the SBRA shall compile a separate report that shall be integrated in the SBRA's annual activity report and annual financial report.

Entry into force

Article 13

Upon approval by the Government, this Decision shall be published in the Official Gazette of the Republic of Serbia and shall enter into force on the eighth day from the date of publication.

Number 10-5-16/12

In Belgrade, on 24 April 2012

**Management Board
Serbian Business Registers Agency**

The Chairman,

Bojan Bajčeta, sgd.