Note: Translation of this regulation is provided by the Republic Electoral Commission, with the aim to facilitate to all interested parties the participation in elections of national councils of national minorities. This translation shall not be considered an official legal act and in case of any disagreements, the Serbian version of the document shall prevail.

L A W

ON NATIONAL COUNCILS OF NATIONAL MINORITIES*

I. GENERAL PROVISIONS

Article 1

This law governs the legal position and competences of the national councils of national minorities (hereinafter referred to as: national councils) n the areas of culture, education, information, official use of language and script, electoral procedures for national councils and their funding, as well as other issues of importance for national councils.

All terms used in this law in male gender shall cover the same terms in female gender, in line with the law.

Article 1a

National council is an organisation legally entrusted certain public competences to participate in decision making or to independently make decision about certain issues in the area of culture, education, information, and official use of languages and scripts in order to achieve the collective right of a national minority to self-government in those areas.

Members of a national minority may elect only one national council.

Article 1b

Member of a national council must participate in the work of the national council.

Statute of a national council closely regulates the rights and obligations of national council members, in line with the law.

Article 2

In order to accomplish their rights to self-government in culture, education, information and official use of language and script, the members of national minorities in the Republic of Serbia may elect their national councils.

A national minority shall be represented by its national council in the fields of education, culture, information in the language of a national minority, as well as in the official use of language and script, participate in the decision making process or decide on issues related to these fields.

A national council may establish institutions, undertakings, and other organisations in the fields referred to in paragraph 2 of this Article, in line with special laws.

---

* "Official Gazette of RS", no 72/09, 20/14 – CC decision, 55/14 and 47/18

Article 2a

Name of a national council shall be written in Serbian language and Cyrillic script.

Name of a national council, if defined by the statute, may be in a language and script of the national minority.

Name referred to in paragraph 2 of this Article shall be entered in the Register of National Councils in parallel with the name in Serbian language and Cyrillic script.

Article 3

A national council shall be entered in the Register of National Councils (hereinafter referred to as: Register) kept by the ministry in whose purview are affairs relating to human and minority rights (hereinafter referred to as: Ministry).

A national council shall be entered into the Register on the basis of a registry application submitted by the president of a national council to the Ministry within five days of the first session of the national council during which the president of the national council was elected.

The registry application shall be filed together with minutes from the meeting at which the first session of a national council had been constituted, as well as with two copies of the national council's statute and the decision on the election of the president of the national council.

By registering itself with the Register, a national council shall acquire the status of legal entity.

Information in the Register shall be public.

Procedures relating to entry in the Register, recording data changes in the Register, keeping the Register and maintaining the content and appearance of the registry application shall be prescribed by the Minister responsible for human and minority rights (hereinafter referred to as: Minister).

Article 4

A decision arbitrating on a registry application to the Register shall be made within 30 days upon receipt of the valid application.

A decision adjudicating on a registry application to the Register shall be final and administrative proceedings may be initiated against it.

A national council shall be entered into the Register on the same day when a decision on entry in the Register is adopted.

The following are entered into the Register: name and headquarters of the national council; name and surname, residence and personal identification number of the president of the national council; date of enactment of the statute and the date of amendment to the statute; number and date of decision on registration or removal, and number and date of decision on changes in information within the Register.

A decision on registration of a national council shall be submitted with a copy of a statute, which the Ministry authenticates with its seal and on the basis of an authorised state official's signature, thus confirming correspondence with the copy of the statute kept at the Ministry.

Article 4a

A national council is required to submit an application for registration of changes of data entered in the Register within ten days of the change.

Evidence of change shall be submitted together with an application for registration of change of data, whilst minutes of a meeting at which statute amendments were adopted and two copies of a decision amending a statute must be filed with the application for registration of statute amendments.

A decision adjudicating on an application for registration of date change shall be final and administrative proceedings may be initiated against it.

Article 4b

A national council shall be removed from the Register as follows:

1) If it is dissolved due to the suspension of an election procedure within the national council;

2) If it is dissolved because the number of its members has fallen below half, since on the electoral lists there are no candidates for whom the nominators of electoral lists did not get the mandate.

With a removal from the Register a national council shall lose the competences of a legal entity.

A national council shall be removed from the Register on the same day the Ministry issues a decision on removal from the Register.

A decision on removal from the Register is final and administrative proceedings may be initiated against it.

A national minority whose national council has been removed from the Register shall be entitled to elect a new national council on the election day for members of all national councils.

Article 4c

Ministry shall provide the provincial administration authority within which purview are the activities of minority rights with the decisions on registration in the Register, the decision deciding on the application on registration of amendments in the Register, and decision on removal from the Register, for national councils with registered headquarters on the territory of the Autonomous Province of Vojvodina.

Article 5

A national council may acquire and dispose of property, and based on a decision of a competent authority, it may also be a beneficiary of public property, in accordance with the law.

Property of a national council shall be used for the realisation of competences defined by the law.

Property of a national council may not be transferred to its members, members of national council bodies or persons related to them.

Persons related to them referred to in paragraph 3 of this Article shall be the persons who as such are defined by the law regulating companies.

In case of a removal a national council from the Register, the property of the national council acquired with the funds from public revenues shall become the property of the Republic of Serbia, and the property acquired through donations shall be allocated in line with the acts of the national council.

Article 6

A national council shall have a statute.

Other general acts of a national council must be aligned with the statute.

Provisions of other general acts of a national council contrary to the statute, shall be null and void.

A proceeding before the Administrative Court to determine the nullity of a general act of a national council which is not aligned with the statute may be initiated by the ministry, provincial administrative body in whose purview are activities relating to minority rights, institutions, companies, and other organisations founded by the national council and minimum one third of members of the national council.

The following issues shall be governed by a statute:

1) Activities of the national council;

2) Number of members of the national council in accordance with the law;

3) Headquarters of the national council;

4) Name, seal, and symbol of the national council, which may not be identical to the name, seal and symbol of other national councils registered or dully applied for the registration in the Register, nor cause a confusion regarding the national council, its objective and competences, or regarding the national minority represented by the national council;

5) Jurisdiction, appointment and dismissal procedure and term of office of the president of the national council;

5a) Authorities, election and dismissal procedure, number of members and mandate of executive board;

6) Powers, electoral and dismissal procedure, number of members and mandate of committees and other working bodies of the national council;

7) Recognitions and ways of awarding them, and

8) Other issues of importance for the activities of the national council.

A statute of a national council must be adopted at the first session of a national council within ten days of constitution.

II. ISSUES REGARDING THE STATUS OF NATIONAL COUNCILS

1. INTERNAL ORGANISATION OF NATIONAL COUNCILS

Article 7

A national council shall have a president, executive board, committees for education, culture, information and official use of language and script.

Previous paragraph 2 deleted (Article 5 of the Law - 55/14).

The president of a national council shall:

1) represent and act on behalf of the national council

2) ensure a legal use and disposal of financial funds and property of the council;

3) adopt individual acts for which it is authorised by the law, statute or general act of the council;

4) perform also other activities defined by the statute and other acts of the council.

The president of the national council shall be elected from among its members.

Former paragraph 5 deleted (Article 5 of the Law - 55/14).

A national council shall elect its president and members of its executive board from among its own ranks on the proposal of the president of the national council.

Executive board shall:

1) directly perform and ensure the execution of the decisions and other acts of the national council:

2) ensure the execution of public authorisations entrusted to the national council;

3) perform also other activities defined by the law, statute, and general acts of the national council.

A national council may delegate to an executive board decision-making on certain matters in relation to the performance of the authorisation of the national council defined by this law.

Decisions that are so issued by an executive board shall be subject to approval at the next meeting of the national council and are approved if more than half of the members of the national council voted in favour. If a national council does not approve a decision of an executive board, the executive board's mandate shall be terminated and the decision remains in force.

For the boards for education, culture, information and official use of languages and scripts, a national council may also elect experts with relevant knowledge and experience in the field for which the boards are established, with are not necessarily members of the national council. Boards shall give expert opinions, proposals, and make analyses for the needs of the national council.

Article 7a

President of the national council and a member of the executive board may not be a member of management authorities of a political party such as a president, presidency, executive board, etc.

President of a national council and a member of the executive board may not be elected or appointed person in a government body, provincial body, i.e. body of a local self-government unit which within its competences makes decisions on the issues related to the work of national councils.

Election, i.e. appointment referred to in paragraphs 1 and 2 of this Article, shall cease the term of office of the president of a national council, i.e. membership in the executive board.

End of the term of office of the president of a national council, i.e. membership in the executive board shall be stated by the national council in the first next session upon receiving the notification on the occurrence of the reasons referred to in paragraph 3 of this Article.

Article 7b

A member of a national council may enter a labour relation in a national council, in the course of duration his/her term of office.

Provisions of the law regulation labour shall apply to the labour relations in a national council.

Article 8

Former paragraph 1 deleted (Article 12 of the Law - 47/18).

A national council shall adopt binding decisions at sessions in which more than half of the members of the national council are present.

The statute, financial plan and final accounts of a national council shall be adopted if more than half of the members of the national council voted in favour.

The president of a national council and the president and members of an executive board shall be elected if more than half of the members of the national council voted for them.

The president of a national council and the president and members of an executive board shall be dismissed if more than half the members of the national council voted in favour of dismissal.

A national council adopts other decisions by a majority of votes of the members present.

Article 8a

The work of a national council shall be public.

All decisions and acts of a national council shall be published not later than ten days from the entry into force, i.e. their adoption, on the webpage of the national council, which is bilingual, in Serbian language and in the language of the national minority, or otherwise as defined by the statute (bulletin board, daily newspaper, or other adequate manner).

When publishing decisions and acts referred to in paragraph 2 of this Article it shall be ensured that the privacy rights and personal data protection are not violated, in accordance with the law.

2. Number of members of a national council

Article 9

A national council shall consist of at least 15 members but not of more than 35 members.

A national council shall have 15 members in case a national minority has less than 10,000 members according to the latest census.

In case a national minority has more than 10,000 members but less than 20,000 according to the latest census, the national council shall have 19 members.

In case a national minority has between 20,000 and 50,000 members according to the latest census, it shall have 23 members.

A national council shall have 29 members in case a national minority has between 50,000 and 100,000 members according to the latest census.

In case a national minority has more than 100,000 members according to the latest census, it shall have 35 members.

Previous paragraphs 7 and 8 deleted (Article 7 of the Law - 55/14).

Article 9a

The mandate of a national council commences from the establishment of the national council and lasts until the expiration of four years from its establishment.

Prior to expiration of the period for which a national council has been established, its mandate shall be terminated by dissolution.

The mandate of a national council established after the dissolution of a national council shall last for the remainder of the term of the disbanded national council.

A national council whose mandate has ended performs current and urgent tasks under the competences of the national council until the inauguration of a new national council.

III. COMPETENCES OF THE NATIONAL COUNCIL

1. General competences

Article 10

In compliance with law and its statute, and through its bodies, a national council shall independently:

1) Adopt and amend the statute of the national council;

2) Adopt a financial plan, financial report and annual financial statement;

3) Manage its property;

4) Decide about the name, symbols and seal of the national council;

5) Establish proposals of national symbols, emblems and holidays of a national minority;

6) Establish institutions, associations, foundations and undertakings in the fields of culture, education, information and official use of language and script;

7) Propose a representative of the national minority in the council for inter-ethnic relations within a local self-government unit;

7a) Propose to the Government, autonomous province, or local self-government unit, as a founder of an institution, the establishment of an institution of special importance referred to in Articles 11a and 17 of this law;

7b) Initiate i.e. proposes to the Government, autonomous province or a local self-government unit as a founder of an institution, which is, according to this law, established as an institution of special importance for the national minority, a transfer of the founding rights;

8) Determine and award recognitions;

9) Initiate the adoption of and monitor the implementation of laws and other regulations in the fields of culture, education, information and official use of language and script;

10) Participate in the preparation of laws and other regulations and initiates the adoption i.e. amendments to laws and other regulations prescribing national minority rights guaranteed by the Constitution in the fields of culture, education, information and official use of language and script;

11) Initiate the adoption i.e. amendments to special regulations and provisional measures in domains in which the right to self-government is accomplished in order to achieve full equality between members of a national minority and citizens belonging to the majority population;

12) Initiate complaints before the Protector of Citizens, the Provincial Ombudsman, local ombudsmen and other competent bodies if it assesses that there has been a violation of rights and freedoms of national minorities' members guaranteed by the Constitution and law;

13) Initiate the proceedings referred to in item 12) of this Article on behalf of members of a national minority;

14) Take positions, launch initiatives and undertake measures in respect of all issues directly related to the status, identity and rights of a national minority;

15) Decide on other issues entrusted to it pursuant to the law.

2. Competences in the field of education

Right to establishment

Article 11

A national council may, in accordance with the law, establish educational institutions standardised for pupils and students and exercise the rights and obligations of the founder.

The institutions referred to in paragraph 1 of this Article shall be established by the national council independently or in co-operation with the Government, an autonomous province, a local self-government unit or another legal entity in accordance with the law.

The Government, autonomous province and local self-government unit, acting as the founders of the institutions referred to in paragraph 1 of this Article, in line with this law, defined as institutions of special importance for the national minority, may delegate their rights to establishment to a national council, either entirely or partially.

Institutions of special importance for education of national minorities

Article 11a

Institution of special importance for education of a national minority is an institution of education founded by the Government, autonomous province, local self-government unit or a national council, in which traditionally or to a significant extent the rights of the members of national minorities to education in their own language, guaranteed by the Constitution, are realised.

In the institution referred to in paragraph 1 of this Article, a national council shall participate in the management, in line with the law.

Institution of special importance for education of a national minority may be proclaimed an educational institution in which teaching is carried out in the language of a national minority.

Institution referred to in paragraph 1 of this Article may be proclaimed:

1) one institution of primary and secondary education in which the teaching is carried out in the language of a national minority, if in the local self-government the number of the institutions in which the teaching is carried out also in the language of a national minority is under four;

2) maximum 1/4 of the total number of institutions of primary and secondary education in which the teaching is carried out in the language of a national minority, i.e. also in the language of a national minority, if in the local self-government the number of the institutions in which the teaching is carried out also in the language of a national minority is higher than four;

3) a primary school in which the teaching carried out in the language of a national minority is attended minimum 1/3 of pupils, and secondary school in which the teaching carried out in the language of a national minority is attended by minimum 90 pupils, if in the local self-government unit there is an institution of a certain level of education which has been proclaimed as an institution of special importance for education of the national minority;

4) a primary school in a local self-government unit in which, due to a reduction of the population because of a negative birth rate and emigration of the members of a national minority, a special care must be given to the protection of the members of the national minority by guaranteeing them additional rights.

Provisions of this Article shall apply accordingly to the institution in which a language or speech of a national minority with the elements of national culture is taught, in case of the national minority which language is not used for carrying out the teaching.

Participation in institutional management

Article 12

At pre-school educational institutions and primary and secondary educational institutions, which are founded by the Government, autonomous province or local self-government unit wherein the educational activities are also performed in the language of a nationality minority, or wherein the speech, language or culture of a national minority are studied as a special school subject, a national council shall:

1) Give opinion on proposed candidates for membership in the management board, i.e. the school board to representatives of the local self-government unit;

2) Propose members of the management i.e. school board – representatives of the local self-government unit in the institution wherein in the majority of classes the educational work is carried out in the language of a national minority, or for which, in line with Article 10, item 7a) and Article 11a of this law, it is determined that it is of special importance for education of the national minority;

3) Give opinion on the candidate running for the director of the institution referred to in paragraph 1 of this Article;

4) Deleted (Article 18 of the Law - 47/18)

5) No longer valid (Decision of the CC - 20/14)

In basic and higher educational institutions founded by the Government, autonomous province or local self-government unit, a national council shall:

1) Propose a member – a representative of the founder and give opinion on other candidates running for seats in the management board of a basic education institution with headquarters in the territory of a local self-government unit wherein the language of a national minority is in official use. If more than one national minority language is in official use in a local self-government unit, concerned national councils shall propose a joint candidate for membership in the management board;

2) Give an opinion on candidates running for the management boards of higher education institutions with headquarters in the territory of the local self-government unit wherein the language of a national minority is in official use;

3) Give an opinion on the electoral procedure for appointing directors of basic and higher education institutions with headquarters in the territory of the local self-government unit wherein the language of a national minority is in official use;

4) Give an opinion on the procedure for dismissing the director and members of the management board referred to in paragraph 2, items 1-3 of this Article.

Previous paragraph 3 (Decision of the CC - 20/14) is no longer valid

In higher education institutions founded by the Government, a national council shall:

1) appoint representatives who have the right to make decisions in the work of the National Council for Higher Education on the issues of importance for carrying out the teaching in the language of a national minority when within the higher education, either entirely or partially, the teaching is carried out in the language of a national minority;

2) give opinion on proposed candidate running for membership in the management bodies of a higher educational institution where teaching is performed in the language of a national minority, either entirely or partially.

Teaching syllabi

Article 13

A national council shall:

1) Propose to the minister in charge of education the general platforms of pre-school syllabi, primary and secondary school curricula, as well as basic programmes of instructions, for contents expressing specific features of a national minority, especially in the fields of history, music and art;

2) Propose to the minister in charge of education primary and secondary school syllabi for a national minority language, and language, or speech, of a national minority with elements of national culture;

3) Give an opinion to the minister in charge of education with regard to syllabi for Serbian as a non-mother tongue;

4) Recommend to the minister in charge of education the measures and an educational programme for basic education institutions, which refer to the affirmation of inter-ethnic tolerance and multiculturalism;

5) Give an opinion with regard to the school syllabi of the institutions, which have been defined as of special importance for a national minority.

Textbooks and teaching material

Article 14

The plan on textbooks in the language and script of a national minority and textbooks in subjects of interest for a national minority, as proposed by the Institute for the Improvement of Education and the National Councils, upon obtaining the opinion from the National Education Council, shall be approved by the minister in charge of education.

National Council shall provide a previous consent in the process of approval of textbook manuscripts, manuals, additional teaching material, teaching aids, didactic material and didactic game material in the language and script of a national minority, in line with the law. If the national council fails to provide the response to the publisher within 30 days from the day of application of the publisher for giving a previous consent, the approval shall be considered as given.

Other competences in the field of education

Article 15

In accordance with the law, a national council shall:

1) proclaim educational institutions of special importance for national minorities in line with Article 11a of this law, and propose to the founder to establish that status, in line with Article 10, item 7a) of this law;

2) propose:

– one joint candidate of national councils for a member of the National Education Council;

– to the ministry in charge of education to approve without a competition, the syllabus of permanent professional education of teachers, lecturers, and expert associates in the language of a certain national minority, abroad, for the recognition in the evaluation process of the work of teachers;

– to the ministry in charge of education a competition for primary and secondary school pupils abroad which will be scored in line with the regulations;

3) give an opinion:

– in the process of adoption of acts on the network of pre-school institutions and primary schools in a local self-government unit wherein the language of a national minority is in official use, or wherein educational work is carried out in the language of a national minority;

– to the minister in charge of education, i.e. provincial body in charge of education in the process of establishing the network of secondary schools and higher education institutions;

– to the minister in charge of education, i.e. provincial body in charge of education on the process of giving consent for the establishment of classes in the language of a national minority with the number of pupils below 15;

– in the process of establishing the number of pupils for the enrolment in secondary schools in the language of a national minority, as well as in the process of defining the number of pupils for the acquisition of processional skills of re-training, additional training and specialisation in the language of a national minority;

– in the process of allocation of enrolment quotas for higher education institutions;

– in the process of adoption of acts about the network of basic and higher education institutions founded by the Government, autonomous province, or local self-government unit;

– in the process of allocation of funds from the budget of the Government, autonomous province, and local self-government unit awarded through a public competition to the institutions and associations in the field of education;

4) nominate a representative attending the session of the National Education Council who shall participate in its operations with no power to vote, when the National Education Council considered issues of importance for education of a national minority;

5) establish scholarships out of its own resources and prescribes in its enactments the criteria and procedure related to their granting and implement the procedure of their granting;

6) participate in the monitoring and improving of the education quality for adults realised in the language of a national minority;

7) Perform other activities in this field envisaged by the law or other regulations.

3. Competences in the field of culture

Right to establishment

Article 16

The national council may, in accordance with the law, establish cultural institutions for the purpose of preserving, improving and developing cultural specific features and safeguarding the identity of a national minority and it may exercise the rights and obligations of the founder.

The institutions referred to in paragraph 1 of this Article shall be established by the national council independently or in co-operation with the Government, autonomous province, local self-government unit or another legal entity in accordance with the law.

The Government, autonomous province and local self-government unit, acting as the founders of the institutions referred to in paragraph 1 of this Article, which are, according to this law, proclaimed as institutions of special importance for a national minority, may delegate their right to establishment to a national council, either entirely or partially.

Participation in institutional management

Article 17

A cultural institution whose programme activities primarily refer to studying, preserving, and presenting the culture of national minorities in the Republic of Serbia, and in line with the number of members of the national minorities on the territory on which it performs its activates, and if those activities are of special importance for meeting the cultural specific needs of national minorities, shall be an institution of special importance for the national minority.

At the proposal of a national council, the founder, with the amendment to the statute, may define that a cultural institution is an institution of special importance for the national minority.

In the cultural institutions for which, with the amendments to the memorandum of association, it has been determined that they are of special importance for the national minority, the national council shall:

1) Appoint at least one member of the institution’s management board, in line with the law regulating the field of culture;

2) Give an opinion on the appointed members of the institution’s management board;

3) Give an opinion on the procedure for the election of the institution's director.

If several national councils establish that an institution in the field of culture has particular importance for the preservation, improvement and development of special features and the national identity of a national minority, the national councils in question shall each appoint their member in the management board referred to in paragraph 1, item 1 of this Article.

Other competences in the field of culture

Article 18

A national council shall:

1) Determine which institutions and events in the field of culture have special importance in the preservation, improvement and development of special features and the national identity of a national minority;

2) Establish the cultural development strategy of a national minority;

3) Determine which movable and immovable cultural goods are of particular importance for a national minority;

4) Initiate a procedure before a competent body or institution to establish the status of movable and immovable cultural goods protected by the law of particular importance for a national minority;

5) Propose taking measures for the protection, recovery and reconstruction of the cultural goods referred to in paragraph 1, item 4 of this Article;

6) Give opinions and proposals in the procedure of preparing spatial planning and urban development plans in a local self-government unit where cultural goods referred to in paragraph 1, item 3 of this Article are located;

7) Propose the suspension of spatial and urban development plans if these are considered detrimental to cultural goods referred to in paragraph 1, item 3 of this Article;

8) Give the previous opinion to the competent body in the process of issuing a licence for relocation of immovable cultural goods referred to in paragraph 1, item 3 of this Article to another site;

9) Give an opinion in the procedure of opening or closing libraries or their organisational units that collect books in the language of a national minority;

10) Give proposals how to distribute resources allocated through public tenders from the budget of the Government, autonomous province or local self-government unit to institutions, manifestations and associations of a national minority in the field of culture;

11) In coordination with other national councils propose two or up to double candidates for the election of two members of the National Council for Culture;

12) In coordination with other national councils organise the procedure of nomination of the candidates for membership in the National Council for Culture;

13) Decide on other issues related to the law.

4. Competences in the field of information

Right to establishment

Article 19

A national council may establish institutions and undertakings to realise the right to public information in the language of a national minority, or foundation for

realisation of the general objective of improving the public media in the language of a national minority, in line with the law.

Memorandums of associations of an institution, undertaking or a foundations, which is a media publisher/broadcaster, must be aligned with the laws regulating the field of public information and media.

Right to nominate a member in the Council of the Regulatory Body for Electronic Media

Article 20

National councils must provide the competent service of the National Assembly, an explained proposal for two candidates for membership in the Council of the Regulatory Body for Electronic Media, in line with the procedure defined by the law regulating the election of members of the Council of the Regulatory Body.

The proposal of two candidates of national councils is obtained by a joint agreements of the national councils.

National Assembly, in its plenary session, elects one candidate for a member in the Council of the Regulatory Body for Electronic Media, by voting.

Other Competencies in the Field of Information

Article 21

A national council shall:

1) Adopt a strategy for development of information in the language of a national minority, in line with the strategy in the field of public information of the Republic of Serbia;

2) Give proposal for allocation of funds for projects, applied for at a public tender launched by a public authority, for improving the quality of intimation of members of national minorities;

3) Give proposals and recommendations to administrative boards and programme councils in public media services in relation to the programmes in languages of national minorities;

4) Give opinions on candidates for the editor-in-chief programmes broadcast in languages of national minorities in public media services, if public media services have editors-in-chief appointed for languages of national minorities;

5) Give opinion on the report of the Programme Council of public services in relation to the programme contents in languages of national minorities.

5. Competences in the field of official use of language and script

Article 22

A national council shall:

1) Determine the traditional names of local self-government units, settlements and other geographical terms in the language of a national minority if this language is in official use in the territory of the local self-government unit or settlement; the names determined by a national council shall become officially used terms together with the Serbian names and shall be published in the "Official Gazette of the Republic of Serbia", and in case of national councils with the headquarter on the territory of the Autonomous Province of Vojvodina, in the “Official Gazette of the Autonomous Province of Vojvodina”. These names shall be published also in a local official gazette;

2) Propose to the competent body to display the names of local self-government units, settlements and other geographical terms in the language of a national minority;

3) Propose the establishment of the language and script of a national minority as an official language and script in a local self-government unit;

4) Propose the alteration of the names of streets, squares, city blocks, hamlets, other parts of settlements and institutions declared to be of particular importance for a national minority;

5) Give an opinion on the procedure for establishment of the names of streets, squares, city blocks, hamlets and other parts of settlements if the language of a national minority is officially used in the territory of a local self-government unit or a settlement;

6) Propose that the competent body supervises the official use of a national minority's language and script;

7) Initiate publications of the most important laws of the Republic of Serbia in the language of a national minority which is in official use, and provide professional and other assistance, in line with its resources, in the process of translation;

8) Take measures and activities to improve the official use of the language and script of a national minority;

9) Decide on other related issues in this field entrusted to it by the law.

6. Invalidity of enactments

Article 23

Has ceased to be valid (Decision of the CC- 20/14)

7. Transfer of rights to establishment

Article 24

Has ceased to be valid (Decision of the CC- 20/14)

IV. RELATIONS WITH GOVERNMENT, AUTONOMOUS PROVINCE AND LOCAL SELF-GOVERNMENT UNIT AUTHORITIES

Relation with the Government and Public Administration Bodies

Article 25

A national council may submit its proposals, initiatives and opinions regarding issues under its jurisdiction to ministries and special organisations.

An opinion shall be requested from a national council by authorities referred to in paragraph 1 of this Article before consideration and adoption of decisions on issues in the fields referred to in Article 2 of this law.

Previous paragraph 3 (Decision of the CC- 20/14) is no longer valid.

A national council may submit an initiative to the Government to repeal, i.e. to quash regulations of state authorities and special organisations, which are not in compliance with provisions of this law and other laws and regulations related to national minorities.

Relation with the Authorities of the Autonomous Province and the Local Self- Government Units

Article 26

National councils shall submit suggestions, initiatives and opinions to authorities of the autonomous province and local self-government units on issues relating to the status of national minorities and preservation of national minorities' specific features.

National council must provide the authorities of the autonomous province in which purview are the fields in which the competences defined by this law are realised, not later than ten days, with the requested data, documents, and files.

Previous paragraphs 2 to 4 (Decision of the CC- 20/14) are no longer valid.

V. INTERNATIONAL AND REGIONAL CO-OPERATION

Article 27

A national council shall, in accordance with the law, co-operate with international and regional organisations dealing with the issues of the rights of national minorities, with organisations and institutions in its native countries, as well as with national councils or similar bodies of national minorities in other countries.

Cooperation referred to in paragraph 1 of this Article must be carried out in line with the Constitution and the law of the Republic of Serbia and with the respect of the territorial unity and legal order of the Republic of Serbia.

The representatives of a national council shall participate in negotiations or be consulted in respect of negotiations on the conclusion of bilateral agreements with native countries in the part directly related to the rights of national minorities.

The representatives of a national council shall participate in the activities of mixed intergovernmental bodies that have the aim of supervising over the implementation of bilateral intergovernmental agreements on the protection of rights of a national minority concerned.

Article 28

The representatives of national minorities, through the Council of National Minorities of the Republic of Serbia, shall take part in the conclusion of international agreements, i.e. in the process of accession to international or regional agreements related to the status of national minorities and protection of their rights.

VI. ELECTION OF NATIONAL COUNCILS

1. Common Provisions

Article 29

Members of a national council are elected through direct elections or electoral assemblies.

Direct elections for members of a national council shall be held when 24 hours before announcing elections more than 40% of the members of a national

minority according to the last census have been registered in the special electoral roll of the national minority.

In order to determine whether the conditions for direct elections have been achieved, the Ministry temporarily concludes special electoral rolls of national minorities 24 hours before the announcement of elections.

Elections through electoral assembly shall be held if conditions have not been met for direct elections and if after the dissolution of a national council new elections are announced within 60 days of its dissolution.

Principles of Election of national councils

Article 30

Elections of national councils shall be based on the principles of freedom of choice, equality of voting rights, periodicity of elections and principle of secret ballot.

The elections shall be especially based on voluntariness, proportionality and democracy.

Right to vote

Article 31

The voting right of members of national minorities to elect national councils implies the right of a member of a national minority to: elect members of a national council, to be elected as a member of a national council, propose candidates for membership in a national council, be informed on elections of national councils, candidates for membership and their programmes, be registered in the special electoral roll of a national minority, vote at elections of a national council and have the right to protection of voting rights in relation to the election of a national council.

Active right to vote

Article 32

A national minority member shall acquire the right to elect the members of a national council once he/she has fulfilled the general conditions relating to the acquisition of active right to vote as prescribed by the Constitution and the law.

Registration in the special electoral roll of a national minority shall be a special condition to acquire the active right to vote in direct elections for members of a national council, in accordance with provisions of this law.

The status of the elector shall be a special condition to acquire the active right to vote in elections for a national council of a national minority through electoral assembly, in accordance with the provisions of this law.

Passive right to vote

Article 33

A member of a national minority who meets the requirements referred to in Article 32 of this law and does not hold the position of a judge, prosecutor or a judge of the Constitutional Court may be elected as a member of a national council.

Special voting provisions

Article 34

Voting for the election of members of a national council shall only be organised in the territory of the Republic of Serbia.

Calling election

Article 35

Elections for members of a national council shall be announced by a decision adopted by the Minister.

The decision to call elections for members of a national council shall be made no earlier than 120 and no later than 90 days before the expiry of the mandate of a national council that was established last.

When a national council is dissolved, new elections for its members shall be called within 60 days of the dissolution and be held in the next 45 days. Exceptionally, if less than a year is left between the dissolution of a national council the expiry of its mandate, the Minister announces new elections for members of the national council simultaneously when announcing the election of members of all national councils with the aim of holding them on the same day.

Elections shall not be announced if a national council is disbanded due to the cancellation of the election procedure of members of a national council or due to the number of its members falling below half, since in the electoral lists there are no candidates for whom the nominators of electoral lists did not get the mandate.

The decision to call elections includes: method of choice (direct elections or elections through electoral assembly), the number of members of a national council to be elected, provisions on commencement of deadlines for electoral activities and election day.

The decision to call elections shall be published in the "Official Gazette of the Republic of Serbia" and shall be submitted to the Republic Electoral Commission.

Time of elections

Article 36

Elections for members of all national councils and for the members of the first assembly of a national council shall be held on the same day, except after the dissolution of a national council when new elections are announced within 60 days of the dissolution.

Elections must be held no later than 15 days before the expiry of the mandate of the national council established last.

Election expenses

Article 37

Previous paragraph 1 deleted (Article 13 of the Law- 55/14).

Funding for elections of a national council shall be provided from the budget of the Republic of Serbia, according to the specification of the total projected cost jointly determined by the Ministry and the Republic Electoral Commission.

Suspension of a national council’s election procedure

Article 37a

The Ministry shall adopt a decision on suspension of the procedure for the election of a national council if the legally prescribed minimum number of electors is not confirmed. The decision shall be adopted 25 days before the electoral assembly and published in the "Official Gazette of the Republic of Serbia".

The decision of the Ministry shall be final and administrative proceedings may be initiated within 24 hours of the publication of the decision. The Administrative Court shall decide on the complaint within 48 hours of its receipt.

Authorities implementing the elections suspend the procedure for electing a national council through a decision if:

1) The legally prescribed minimum number of electors is not present at the electoral assembly;

2) A single electoral list does not apply for the election of members of a national council;

3) No reported electoral list is declared;

4) A collective electoral list is not established on the basis of statutory grounds of this law.

When a decision to suspend the procedure for the election of a national council adopted by an authority responsible for conducting elections becomes valid, the Ministry must be informed.

Organisation of elections

Article 38

All activities regarding the organisation and implementation of elections of national councils shall be carried out by the Ministry and authorities in charge of implementing elections, in accordance with this law.

Obligations of public information services regarding elections of national councils

Article 39

Media shall report on the elections of national councils in accordance with the law regulating the field of public information and law regulating electoral procedure.

Dissolution of a national council and provisional management body

Article 40

The Ministry shall dissolve a national council if:

1) The new convocation of a national council is not established within 30 days of the determination of the election's final results;

2) The procedure for the election of a national council has been suspended;

3) A national council is not in session for more than six months;

4) A national council does not elect the president of a national council within 30 days of its establishment or from the date of termination of its president's mandate;

5) The number of members of a national council falls below half, since on the electoral lists there are no candidates for whom the nominators of electoral lists did not get the mandate.

A national council shall be disbanded when the Ministry issues a decision on such a matter.

A decision to dissolve a national council is final and administrative proceedings may be initiated against it.

The Ministry shall adopt a decision establishing a provisional management body of a national council comprised of members of the national council, taking into account the representation of electoral lists from which members of the national council had been elected. The provisional management body of a national council consists of a president and four members.

Until the new convocation of a national council, current and urgent tasks under the authority of the national council shall be conducted by the provisional management body of a national council.

The decision to establish a provisional management body of a national council is final and administrative proceedings may be initiated against it.

A provisional management body of a national council shall not be formed when the national council is disbanded due to the suspension of the procedure of electing the national council or due to the number of its members falling below half.

The mandate of national council members and the termination of membership in a national council

Article 41

A national council member's mandate shall last as long as the mandate of the national council in which he/she has been elected.

The mandate of a national council's member shall be terminated prior to the expiration of a national council's mandate in which he/she has been elected due to:

1) Resignation;

2) Loss of one of the general conditions for obtaining active voting rights;

3) If he/she did not attend meetings of a national council more than a year;

4) If he/she ceases to reside in the territory of the Republic of Serbia;

5) If the final decision of the competent authority removes him/her from the special electoral roll of the national minority;

6) If a final judgement of conviction involving criminal offence imprisons him/her for a term exceeding six months;

7) In the event of death.

A member of a national council shall certify resignation before the authority responsible for the verification of signatures and submit it to his/her national council within three days of certification, either directly or by registered mail.

Termination of a national council member's mandate shall be noted by a national council at its next meeting after receipt of notice on the occurrence of reasons for termination.

The president of a national council shall inform the Republic Electoral Commission and the Ministry on the termination of a national council member's mandate before the expiry of a national council's mandate of which he/she is a member.

When the mandate of a national council's member is terminated before the expiry of the mandate of the national council of which he/she is a member, the mandate shall be awarded to the first next candidate from the electoral list of the member whose mandate has ended.

A member of a national council shall be elected for a term of four years and he/she may be re-elected to a national council.

A national council member's mandate ends with the establishment of a new convocation of the national council.

Title under Article 42 deleted (Article 17 of the Law - 55/14).

Article 42

Deleted (Article 17 of the Law - 55/14).

Application of other regulations

Article 43

The provisions of the law regulating the election of members of the Parliament, the law regulating administrative disputes shall be accordingly applied to elections of national councils and issues not covered by this law.

Provisions of the law regulating general administrative procedure shall apply to the issues of conduct in administrative matters that are not otherwise regulated by this law.

2. Direct elections of national councils' members

Electoral rolls

Article 44

A special electoral roll of a national minority (hereinafter referred to as: special electoral roll) shall be established by the Ministry, upon request for establishment of a special electoral roll, which must be supported by at least 5% of the adult members of a national minority according to the latest census, provided that their number may not be less than 300.

A statement supporting the demand for establishment of a special electoral roll shall be given in a prescribed form and certified by the competent authority for verification of signatures.

The form and content of the declarations form on support for establishing a special electoral roll shall be prescribed by the Minister.

The Ministry shall adopt a decision regarding the request for establishing a special electoral roll.

The Ministry shall reject a request for the establishment of a special electoral roll if the applicant is not considered a national minority in accordance with the law, or if the application is not supported by the required number of persons belonging to a national minority.

A decision issued by the Ministry concerning a request for the establishment of a special electoral roll is final and administrative proceedings may be initiated against it.

The request and authentication of signatures shall not be subject to payment of taxes.

Article 45

The Ministry shall through the media inform members belonging to national minorities referred to in Article 44 of this law that the establishment of a special electoral roll has begun.

Article 46

Deleted (Article 20 of the Law - 55/14)

General rules governing special electoral rolls

Article 47

A special electoral roll represents official records in which minority members who are entitled to vote may register.

A special electoral roll shall be ongoing and updated regularly.

A member of a national minority shall be registered in the special electoral roll solely on personal request.

Article 48

A special electoral roll shall be kept by the Ministry.

Keeping a special electoral roll includes: analysing data from a special electoral roll, taking measures to ensure mutual coherence and accuracy of data and entry of changes in the special electoral roll (deletions, modifications, amendments or corrections) until the conclusion of the special electoral roll, as well as performing other duties prescribed by this law.

In the part of the special electoral roll for an area under the jurisdiction of a local self-government, registration and changes in the special electoral roll (deletions, modifications, amendments or corrections) shall be performed by the municipal or city government entrusted with such work until the conclusion of a special electoral roll. In a local self-government unit in which the language and script of a national minority for which a special electoral roll has been established is in official use, registration and changes in the special electoral roll shall also be carried out in its own language and script, in accordance with the law.

Special electoral rolls shall be kept and updated as a single electronic database.

Changes in a special electoral roll shall be ex officio or upon request.

Ministry shall overtake the data from the singe electoral roll necessary to the update and corrections *ex officio* in a special electoral roll.

Particularly sensitive data shall be processed in line with the law.

Decision shall be made on each change performed based on the data referred to in paragraph 6 of this Article.

Article 49

Deleted (Article 23 of the Law - 55/14)

Article 50

A special electoral roll contains: a serial number, personal name and surname of the voter, name of a parent of the voter, national affiliation, personal identification number, date and place of birth, sex, place of residence and address, local self-government unit in which the voter resides, and place of residence for internally displaced persons.

Article 51

Data from a special electoral roll shall enjoy special protection.

Any use of data from the special electoral roll shall be prohibited and punishable, except for election purposes and for the purpose of exercising other rights of national minorities, if it is prescribed by law.

Article 52

The members of a national minority shall be entered in a special electoral roll upon the fulfilment of general conditions prescribed by the law.

A member of a national minority may be registered in only one special electoral roll.

Every citizen, member of a national minority, who has the right to vote, may submit a written request contained in a special form for registration into a special electoral roll.

. A member of a national minority shall submit to a local self-government unit a written request to be registered in a special electoral roll according to his/her place of residence, or current place of residence for internally displaced persons, in hard version and personally signed in a special form issued by the Minister.

Previous paragraphs 4 and 5 have been deleted (Article 25 of the Law - 55/14)

Article 53

Deletion from a special electoral roll shall be ex officio or upon request.

Removal from the special electoral roll ex officio shall be carried out in the event of death of a registered member of a national minority, or if a registered member of a national minority (hereinafter referred to as: voter) loses the right to vote because he ceased to fulfil one of the general conditions for the acquisition of voting rights under the law.

A voter shall submit a personally signed request for removal from a special electoral roll to the administration authority of a local self-government according to his/her place of residence, or current place of residence for internally displaced persons, on a separate form prescribed by the minister.

Article 54

Deleted (Article 27 of the Law - 55/14)

Article 55

The Minister shall prescribe the manner of keeping a special electoral roll and other issues of importance for complete, accurate and timely management of a special electoral roll.

Article 56

If in the process of registration in the electoral roll or removal from the electoral roll, the administrative body of a local self-government unit, which is in charge of keeping an electoral roll, refuses to enter a voter into a special electoral roll or delete his/her name from it, the voter shall have the right to file a complaint with the Ministry. The decision of the Ministry shall be final and administrative proceedings may be initiated against it.

The Ministry shall decide on the complaint within 15 days.

Article 57

Upon the completion of a special electoral roll, any entries, deletions, amendments, supplements and corrections in the electoral roll may be carried out by the Ministry, on the basis of a decision it has adopted not more than 72 hours before election day.

The decision of the Ministry shall be final and administrative proceedings may be initiated against it.

Article 58

Deleted (Article 30 of the Law - 55/14)

Article 59

Enforcement of regulations governing the conduct of special electoral rolls in local self-government units shall be supervised by the Ministry, through the administrative inspection service.

If the Ministry determines that the special electoral roll is not kept as provided by law and other regulations, it shall demand from the competent authority to correct the established irregularities.

Authorities responsible for conducting elections

Article 60

Direct elections for members of a national council shall be carried out by authorities that conduct elections for MPs.

The work of authorities tasked with the conduct of elections may be monitored by representatives of the announced electoral lists' proposers.

Title above Article 61 deleted (Article 33 of the Law - 55/14)

Article 61

Deleted (Article 33 of the Law - 55/14)

Competences of the Republic Electoral Commission

Article 62

Competences of the Republic Electoral Commission (hereinafter referred to as: Commission) shall be as follows:

1) To ensure that the elections are conducted according to the law;

2) To arrange technical preparations for the elections;

3) To monitor the application of this law and provide explanations regarding its application in relation to elections;

4) To prescribe forms and rules for implementation of electoral procedures foreseen by this law;

5) To determine polling stations and publish them in the "Official Gazette of the Republic of Serbia", no later than 20 days before the election;

6) To establish polling boards and appoint the chairmen and members of polling boards and their deputies;

7) To prepare and certify ballots;

8) To determine whether an electoral list has been compiled and submitted in accordance with the law and declare it;

9) To determine the collective electoral list;

10) To adopt a decision on the suspension of election of national council members if not a single electoral list has applied for the election of members of a national council, if no registered electoral lists are declared and if on the basis of present statutory grounds a collective electoral list is not established;

11) To determine the method of storing and handling of election materials;

12) To determine and announce the overall and final results of elections;

13) To determine the number of seats belonging to each electoral list;

14) To submit data to the authorities who are responsible for the collection and processing of statistical data;

15) To adopt guidelines for the conduct of elections and perform other duties stipulated by this law.

The Commission is obliged to publish the forms referred to in paragraph 1, item 4 of this Article within a period of five days from the decision to call elections.

For work on conducting the elections, members of the Commission are entitled to monthly compensation in the amount of two average net salaries without taxes and contributions paid in the Republic of Serbia during the month preceding the month in which the decision was made to call the elections.

Title above Article 63 deleted (Article 35 of the Law - 55/14).

Article 63

Deleted (Article 35 of the Law - 55/14)

Title above Article 64 deleted (Article 35 of the Law - 55/14).

Article 64

Deleted (Article 35 of the Law - 55/14)

Composition of poling boards

Article 65

A polling board shall consist of a president and not less than four members.

The president and members of a polling board shall have their deputies.

The Commission shall form a polling board and appoint the president, members and their deputies.

Members of a polling board, working bodies of the Commission and professional workers in the National Assembly's Service who participate in the work of the body that conducts elections shall have the right to remuneration determined by the Commission.

Competences of polling boards

Article 66

A polling board shall directly conduct voting at a polling station, ensure regularity and secret ballot, determine voting results at a polling station and perform other activities stipulated by this law.

A polling board shall ensure order at a polling station during voting.

The Commission shall prescribe detailed rules on the activities of a polling board.

Polling stations

Title above Article 67 deleted (Article 38 of the Law- 55/14)

Article 67

Voting at elections shall take place in polling stations to be established by the Commission.

Establishment of polling stations

Article 68

A polling station shall be established for voting of not less than 100 and not more than 2,500 voters registered in special registers of voters.

Exceptionally, a polling station may also be established for the voting of less than 100 voters if, due to distance or an unfavourable geographical position, voters would find it very difficult to vote at another polling station.

Polling stations shall, as a rule, be premises in public ownership, and only exceptionally premises in private ownership.

A polling station may not be in a facility owned by a political party or used by a political party, or in a facility owned by a candidate for the member of a national council, or by a member of candidate's family. A member of the candidate's family shall include his/her parents, children and his/her spouse.

When establishing a polling station, account shall be taken of the fact that a polling station is accessible to persons with disabilities.

Title above Article 69 deleted (Article 40 of the Law- 55/14)

Article 69

Deleted (Article 40 of the Law - 55/14)

Arrangement of polling stations

Article 70

Rules related to the arrangement of a polling station shall be prescribed by the Commission.

Nominations – Electoral lists

Title above Article 71 deleted (Article 41 of the Law - 55/14)

Article 71

Under conditions prescribed by this law, electoral lists may be proposed by a group of voters entered into the special electoral roll, associations whose objectives

are achieved in the field of protection of rights of a national minority and a registered political party of a national minority (hereinafter referred to as the nominator).

A group of voters shall consist of not less than three voters with a written agreement certified by a body competent for the certification of signatures. The agreement on establishment of a group of voters shall contain objectives of the established group of voters, data on persons who established the group (name and surname, personal identification number and place of residence, according to the data from the ID card). The agreement shall appoint a person who shall represent a group of citizens.

An electoral list must be supported by the signatures of at least 1% of voters and not less than 50 voters entered in the special register of voters.

With his/her signature, a voter may support an electoral list of only one nominator.

Supporting signatures shall have to be certified by a body competent for the certification of signatures. A certified signature shall not be subject to a fee.

An electoral list may be submitted by a representative of the electoral list's nominator or by a person authorised by the nominator.

A person authorised to submit an electoral list shall be authorised to conduct other activities in elections on behalf of the nominator of an electoral list, unless otherwise determined by the nominator of an electoral list.

Electoral list – structure

Article 72

An electoral list must contain at least one third of candidates from the number of members of a national council that are being elected, and the maximum number of candidates shall be equal to the number of members of a national council that are being elected.

A candidate may only be a person entered in the special electoral roll.

The name and surname of a candidate shall be stated in an electoral list in accordance with the Serbian orthography rules and Cyrillic script, and may also be stated in accordance with the orthography rules and script of a national minority, whilst the order shall be determined by the electoral list nominator.

The nominator shall appoint the holder of an electoral list and the order of candidates.

An electoral list must contain at least one candidate – a member of the less represented gender, after every third candidate in the order on the list (first three places, second three places and so on, until the end of the list).

Withdrawal of electoral list

Article 73

The nominator of an electoral list may withdraw the electoral list until the date of establishment of the collective electoral list.

Previous paragraph 2 deleted (Article 43 of the Law - 55/14)

Title of electoral list

Article 74

An electoral list shall bear a title to be determined by the electoral list nominator.

If an electoral list is proposed by a group of voters, the title of the electoral list shall contain the title prescribed by the agreement on the establishment of a group of voters. The title of an electoral list may contain the name and surname of a person appointed by a group of voters the electoral list nominator. The title of an electoral list of a group of voters may not contain word “association” and “party” in any case, or a name of a registered association or a registered political party.

If an electoral list is proposed by an association, the title of the electoral list may contain the name of the association, which shall be stated according to the name of the association from its registration act. The title of an electoral list may include the name and surname of a person appointed by the association for the electoral list holder.

If an electoral list is proposed by a political party of a national minority, the title of an electoral list must contain the name of the political party stated in its registration act. The title of an electoral list may include the name and surname of a person appointed by a political party of a national minority for the electoral list holder.

The title of an electoral list proposed by a group of voters or an association may not refer to the name of a church and religious community.

The title of an electoral list shall be stated in the Serbian language and Cyrillic script, and may also be stated in the language and script of a national minority.

Title above Article 75 deleted (Article 45 of the Law - 55/14)

Article 75

Deleted (Article 45 of the Law - 55/14)

Submission of electoral list

Article 76

An electoral list shall be submitted to the Commission 15 days prior to the election date at the latest.

In addition to an electoral list, the Commission shall also be provided with:

1) A certified statement of a candidate expressing his/her acceptance of candidacy for a member of a national council;

2) Consent of the electoral list holder (if appointed) to be the electoral list holder;

3) Authorisation of a person authorised by the nominator to deliver an electoral list;

4) Certified statements of voters supporting an electoral list;

5) A list of voters supporting an electoral list, created in writing and in an electronic form (CD or DVD), so that the list in both forms is identical and signed by a person submitting the electoral list;

6) A certified agreement on the establishment of a group of voters, if an electoral list is proposed by a group of voters;

7) A certified copy of the statute of an association, if an electoral list is proposed by an association.

Announcement of electoral list

Article 77

The Commission shall announce an electoral list of the nominator immediately upon receipt of the electoral list and related documents and not later than 24 hours from the receipt of the electoral list.

The Commission shall, without delay, deliver to the nominator a decision on the announcement of the electoral list referred to in paragraph 1 of this Article.

Deficiencies of electoral lists

Article 78

If the Commission establishes that an electoral list has not been delivered in time, the Commission shall adopt a decision rejecting the electoral list.

If the Commission establishes that an electoral list contains deficiencies hindering the announcement of an electoral list, the Commission shall, within 24 hours upon receipt of the electoral list, adopt a conclusion instructing the nominator of the electoral list to eliminate the deficiencies within 48 hours following the delivery of the conclusion. The conclusion delivered to the electoral list nominator shall prescribe the manner of elimination of such deficiencies.

If the Commission establishes that an electoral list contains deficiencies, namely, if it establishes that the deficiencies had not been eliminated, or that they had not been eliminated within a specified time limit, the Commission shall adopt a decision to dismiss the announcement of such an electoral list within the next 48 hours.

Collective electoral list

Article 79

The Commission shall establish the collective electoral list for each national minority separately, ten days prior to elections.

. The collective electoral list shall include all electoral lists for each national minority as well as personal names of all candidates, years of birth, occupation and residence.

The order of electoral lists in the collective electoral list shall be determined in accordance with the order of announcement of electoral lists.

The collective electoral list for each national minority shall be published by the Commission in the “Official Gazette of the Republic of Serbia”.

The electoral list nominator shall be entitled to review, within 48 hours from publication of the collective electoral list, related documents submitted with announced electoral lists through a person authorised by him/her.

The Commission shall not establish the collective electoral list if the number of candidates on announced electoral lists is smaller than the number of members of a national council that are being elected.

Article 80

The ministry shall conclude the special electoral roll with a decision 15 days prior to elections.

A decision on conclusion of the special electoral roll shall determine the total number of voters for each national minority, and the number of voters at polling stations, and the total number in every polling station, classified per national minorities.

The ministry shall publish a decision on conclusion of the special electoral roll in the “Official Gazette of the Republic of Serbia” within 24 hours from the adoption of the decision, and submit it to the Commission.

The decision of the ministry shall be final and administrative proceedings may be initiated against it within 24 hours from the publication of the decision.

The Administrative Court shall be obliged to decide on a complaint within 48 hours from the date of receipt of the complaint.

The ministry shall prepare certified excerpts from the special electoral roll for every polling station and deliver them to the Commission within 48 hours from the date of conclusion of the special electoral roll.

An excerpt from the special electoral roll shall, in addition to the data referred to in Article 50 of this law, also contain the name of the body that created it, date of creation and reference of the polling station for which the excerpt was created.

The ministry shall submit to the Commission all the decisions on registrations, deletions, modifications, amendments and corrections in the special electoral roll adopted since the date of conclusion of the electoral roll up to 72 hours before the election date.

The Commission shall take into consideration only those decisions of the ministry prepared at least 48 hours before the date of elections and use them as a basis for entering changes in excerpts from the special electoral roll and immediately determine and publish in the “Official Gazette of the Republic of Serbia” the final number of voters for each national minority, as well as the number of voters per polling stations, i.e. the total number for each polling station, classified per national minorities.

Article 81

State bodies, bodies of the autonomous province, bodies of local self-government units, public institutions and other bodies shall be obliged to issue, at a voter's request, identification papers relevant for exercising the right to vote, not later than a day after submission of a request.

Article 82

The Ministry and bodies of local self-government units shall be obliged to enable authorised representatives of applicants of approved electoral lists to review the special electoral roll, as well as to review official documents based on which the body in charge of keeping the special electoral roll shall make entries, deletions, changes, amendments or corrections in the register of voters.

The review of documents shall be carried out at the premises of bodies where official documents are stored.

Article 83

Deleted (Article 49 of the Law - 55/14)

Conducting elections

Voting

Article 84

A voter shall vote at the polling station where he/she had been registered in an excerpt of the special electoral roll.

Exceptionally, a voter may vote outside the polling station referred to in paragraph 1 of this Article in the manner provided by the Law on Election of MPs.

The method of voting outside a polling station as well as the number of voters to vote this way shall be recorded in the minutes of activities of a polling board.

Information of voters on voting

Article 85

Not later than five days before the election date, each voter shall receive a notification indicating the date and time of elections, the number and address of a polling station and the number of an excerpt from the special electoral roll he/she had been registered in.

The body in charge of keeping the electoral roll shall deliver the notification referred to in paragraph 1 of this Article to voters.

Method of voting

Article 86

A voter shall cast his/her ballot personally.

A voter shall vote only once during elections.

Voting is secret.

Voting is done on certified ballot papers.

Display of any election campaign documentation shall be prohibited at a polling station and 50 metres from a polling station.

If in the course of voting the rules referred to in paragraphs 1 to 4 of this Article are violated, a polling board shall be dismissed and voting at such a polling station shall be repeated.

The use of mobile phones and other communication devices shall be prohibited at a polling station.

The Commission shall prescribe detailed instructions on measures ensuring the secrecy of ballot.

Time of voting at polling stations

Article 87

Polling stations shall be opened at 7 a.m. and closed at 8 p.m. A polling station must be constantly opened during this period.

The voters present at a polling station at the moment of closing shall be allowed to vote.

The members of a polling board or their deputies must be present at a polling station in the course of voting.

Keeping order at polling stations

Article 88

If order is violated at a polling station, a polling board may interrupt voting until order is restored. The reasons for and duration of the interruption shall be entered into the minutes of activities of a polling board.

If voting is interrupted for more than one hour, it shall be prolonged for as much time as the interruption lasted.

The number of voters present in a room where elections take place shall correspond to the number of voting booths ensuring the secrecy of ballot.

Persons having no rights or obligations related to the conduct of elections stipulated by this law shall not be allowed to stay at a polling station.

The members of police forces on duty may only enter a polling station at the request of the polling board president if order and peace have been violated at a polling station.

If the provisions referred to in paragraphs 1 to 5 of this Article are violated, an objection may be filed with the Commission, which shall determine whether voting at such a polling station should be repeated.

Electoral material

Language and script of electoral material

Article 89

All electoral material and documents shall be printed in two languages, in the Serbian language and the Cyrillic script and in the language and script of a national minority whose national council is being elected, if its language and script are officially in use in at least one local self-government unit.

Ballot paper

Article 90

A ballot paper shall contain:

1) A serial number placed in front of the title of an electoral list;

2) Titles of electoral lists according to the order determined in the collective electoral list including the personal name of an electoral list holder;

3) A note that only one electoral list is voted for by encircling a serial number in front of the title of an electoral list.

The Commission shall prepare and certify ballot papers.

The Commission shall determine the number of ballot papers which must be equal to the number of voters registered in the special electoral roll.

Ballot papers shall be printed at one location on papers protected with watermark.

An electoral list nominator shall provide the Commission with the name of a person authorised to attend printing, counting and packing of ballot papers and their delivery to the bodies in charge of conducting elections.

The Commission shall specify the form and appearance of ballot papers, the manner and control of their printing as well as the delivery and handling of ballot papers.

Previous paragraph 7 deleted (Article 51 of the Law - 55/14)

The Commission shall be obliged to prepare voting documents in due time for each polling board, especially the required number of ballot papers, the collective electoral list, an excerpt from the special electoral roll and the form of minutes of activities of polling boards.

The acceptance of electoral documents shall be done within 48 hours before the election date at the latest.

The local self-government unit administration shall organise polling stations and prepare the required number of ballot boxes for each polling board including accessories for their sealing and writing implements.

On election day, before the commencement of voting, a polling board shall establish whether the electoral material prepared for the polling station concerned is complete and correct, whether the polling station is arranged so as to ensure secrecy of ballot and whether voting may commence. The mentioned data shall be specified in the minutes of activities.

The collective electoral list of each national minority must be visibly displayed at a polling station in the course of voting.

Previous paragraph 13 deleted (Article 51 of the Law - 55/14)

The representatives of the nominators of electoral lists shall have the right to review electoral material. The review shall be performed at the premises of the Commission. The review of electoral material may be performed within five days from the election date.

Keeping electoral material

Article 91

Electoral material shall be kept for at least four years.

The Commission shall prescribe the method of review and keeping of electoral material.

Voting

Article 92

A polling board shall check a ballot box in the presence of a voter who first comes to the polling station. It shall be checked whether the ballot box is proper, empty and adequate to ensure the safety and secrecy of the content of a ballot paper. The result of control shall be entered into a control ballot paper, which is to be signed by the members of a polling board and the voter who had first come to the polling station.

A control ballot paper shall be inserted into a ballot box, which is then sealed in the presence of the first voter and this shall also be entered into the minutes of activities of a polling board.

After opening a ballot box, it shall first be checked whether a control ballot paper is inside. If there is no control ballot paper in the ballot box, the polling board shall be dismissed and a new one appointed and the voting shall be repeated at that polling station.

The Commission shall prescribe the form of a control ballot paper and the manner of ballot box sealing.

Course of voting

Article 93

A voter shall state to the polling board his/her personal name and hand in a notification on voting and prove his/her identity with an identity card or some other document.

A voter may not vote without having submitted evidence on his/her identity. Having determined the identity of the voter, the president of the polling board or a member shall encircle the serial number under which the voter had been registered in an excerpt from the special electoral roll and explain to him/her the manner of voting.

A voter shall sign the electoral roll and take a ballot paper.

Each voter who had voted and received electoral material shall have his/her right hand index finger sprayed with a special liquid, as an indication that he/she had already voted. The liquid sprayed on the index finger shall last minimum 24 hours.

The members of a polling board may not influence the decision of any voter in any way.

The members of a polling board shall be obliged to explain the manner of voting to a voter if he/she so demands.

The members of a polling board shall be obliged to take care that no one disturbs a voter while he/she fills in a ballot paper and that the secrecy of a ballot is ensured.

On election day no modifications may be performed in excerpts from special electoral rolls.

If, in the course of voting, the provisions referred to in paragraph 5 to 8 of this Article are violated, the Commission shall dismiss the polling board, appoint a new one and arrange repeated elections at the polling station concerned.

Method of voting

Article 94

A voter may vote for one electoral list only. Voting is done by encircling a serial number in front of the title of an electoral list.

A voter shall personally fold his/her ballot paper so that it shall not be visible who he/she has voted for and put it into a ballot box and leave the polling station.

Rules on the election of MPs shall be applied to voting outside a polling station.

Establishment of election results

Establishment of election results at polling stations

Article 95

Upon completion of voting, a polling board shall commence determining voting results at a polling station.

A polling board shall determine the number of unused ballot papers and put them in a separate envelope which is then sealed and the number is entered into the minutes.

On the basis of an excerpt from the special electoral roll, a polling board shall determine the total number of voters who voted.

Once a ballot box is opened and the control ballot paper is checked, the valid ballot papers shall be separated from the invalid ones and the number of invalid ballot papers shall be entered into the minutes.

An invalid ballot paper is an empty ballot paper, a ballot paper filled in such way that it cannot be determined which electoral list received the vote, and a ballot paper on which more than one electoral list had been encircled.

If the name and surname of the first candidate in an electoral list is encircled, or the title of an electoral list, or part of its title is encircled, or, if both the serial number and the electoral list title and the full name and surname of the first candidate are encircled, such a ballot paper shall be deemed valid.

If it is determined that the number of ballot papers in a ballot box exceeds the number of voters who voted, the polling board shall be dismissed and a new one appointed and voting at such polling station shall be repeated.

Upon having determined election results, a polling board shall enter the following data into the minutes of its activities: the number of received ballot papers, the number of unused ballot papers, the number of invalid ballot papers, the number of valid ballot papers, the number of votes won by each of the electoral lists, the number of voters according to the excerpt from the special register of voters, and the number of voters who voted.

The minutes of activities of a polling board shall also contain remarks and opinions of the members of a polling board, of the nominators of an electoral list, as well as all other facts relevant for voting.

The minutes of activities of a polling board shall be signed by all the members of the polling board.

Minutes of activities of a polling board

Article 96

Minutes of activities of a polling board shall be made in a prescribed form and printed in six copies.

The first copy of the minutes and electoral documents shall be delivered to the Commission.

The second copy of the minutes shall be displayed at a polling station for public review.

The four remaining copies of the minutes shall be immediately delivered to the representatives of nominators of electoral lists which won the largest number of votes at such a polling station if the nominator of an electoral list has a representative in the polling board, and if there is no representative, the representative of the nominator of an electoral list may take over a copy of the minutes from the Commission within 12 hours upon completion of voting.

The remaining nominators shall be entitled, within 12 hours of delivery of the documents from the polling station to the Commission, to obtain a certified photocopy of the minutes from a polling station from the Commission.

Delivery of voting results from polling stations

Article 97

Once voting results have been established, a polling board shall, without any delay, and within 12 hours after the closing of polling stations at the latest, provide the Commission with: the minutes of activities; an excerpt from the special electoral roll; unused ballot papers, invalid ballot papers and valid ballot papers in separately sealed envelopes, as well as all remaining electoral material.

Determining and announcing election results

Article 97a

On the basis of minutes of activities of polling boards, the Commission shall determine overall election results for each national council such as:

1) Number of voters registered in the special electoral roll;

2) Number of polling stations in which voting was conducted;

3) Total number of voters who voted;

4) Number of received ballot papers;

5) Number of unused ballot papers;

6) Number of used ballot papers;

7) Number of invalid ballot papers;

8) Number of valid ballot papers;

9) Number of votes won by each of the electoral lists;

10) Number of seats in the national council won by each of the electoral lists.

39

The Commission shall publish a report with overall election results in the “Official Gazette of the Republic of Serbia” within 96 hours after the completion of voting.

During the period between the completion of voting and announcement of election results, the Commission shall announce temporary data on election results in the media.

Allocation of seats per electoral list

Article 98

Each electoral list shall have a number of seats proportional to the number of votes received.

The Commission shall allocate seats by applying the system of highest quotient.

Seats shall be allocated by dividing the total number of votes granted to each electoral list with numbers ranging from 1 up to the number of members of a national council that is being elected.

Obtained quotients shall be classified by size, and the number of the largest quotients to be taken in account shall depend on the number of members of a national council to be elected.

If two or more electoral lists obtain the same quotients which are used as a basis for allocating one seat, and there are no more seats that are not allocated, a seat will be allocated to an electoral list that obtained a larger number of votes.

When an electoral list obtains more seats than it has candidates for members of a national council, a seat shall be allocated to the electoral list with the next highest quotient.

Seats that belong to an electoral list shall be allocated to the candidates from the electoral list according to their order in the electoral list, starting from the first candidate.

Within three days from determining final results of an election, the Commission shall adopt a decision on the allocation of seats to members of a national council.

The decision shall be submitted to the ministry and published in the “Official Gazette of the Republic of Serbia”.

An administrative procedure may be initiated against the decision on the allocation of seats to members of a national council within 24 hours from the publication of the decision.

The Administrative Court shall be obliged to decide on the claim within 48 hours from the receipt of the claim.

The Commission shall issue a certificate on election for a member in a national council to the candidates who were awarded with a seat.

Title above Article 99 deleted (Article 55 of the Law - 55/14)

Article 99

Deleted (Article 55 of the Law - 55/14)

3. Election of members of national councils through electoral assembly

Title above Article 100 deleted (Article 56 of the Law - 55/14)

Article 100

An electoral assembly shall elect members of a national council if conditions for direct elections have not been fulfilled and if after the dissolution of the national council new elections are scheduled within 60 days after the dissolution.

The procedure for the election of members of national councils through the electoral assembly shall be initiated by a decision on calling elections.

Previous paragraph 3 deleted (Article 56 of the Law - 55/14)

The date and place of the electoral assembly shall be published in the media, including a public invitation to all electors to submit in due time their complete written applications for participation in the electoral assembly.

Article 101

A person belonging to a national minority has the right to be an elector, if such person is entered into the special electoral roll and if his/her candidacy is supported, in writing, by at least:

1) 20 persons belonging to a national minority entered into the special electoral roll, in case of a national minority whose size is below 10,000 persons according to the latest population census;

2) 30 persons belonging to a national minority entered into the special electoral roll, in case of a national minority whose size is over 10,000 persons but below 20,000 persons according to the latest population census;

3) 45 persons belonging to a national minority entered into the special electoral roll, in case of a national minority whose size is over 20,000 persons but below 50,000 persons according to the latest population census;

4) 60 persons belonging to a national minority entered into the special electoral roll, in case of a national minority whose size is over 50,000 persons but below 100,000 persons according to the latest population census;

5) 100 persons belonging to a national minority entered into the special electoral roll in case of a national minority whose size is over 100,000 persons according to the latest population census.

The signatures in support of electors must be certified by a competent authority for the verification of signatures. Verification of signatures shall not be subject to payment of fees.

Article 102

A candidate for an elector shall submit an electoral application to the Ministry for approval.

The electoral application shall include a statement that the candidate wishes to apply for the electoral assembly of a national minority, the candidate's personal data and verified statements of voters supporting the candidacy of the elector, in

written and electronic form (CD or DVD), so that the list in both forms is identical and signed by a person submitting the electoral application for approval.

A person belonging to a national minority may support only one elector.

The form and the content of the form for collection of voters' signatures in support of electors shall be prescribed by the Minister.

The electoral application shall be submitted to the Ministry not later than 30 days before the electoral assembly.

The Ministry shall decide on confirmation of electoral application within 48 hours after the receipt of the electoral application.

The decision of the Ministry shall be final and administrative proceedings may be initiated against the decision within 24 hours after the receipt of the decision, and the Administrative Court shall decide on the appeal within 48 hours.

The Ministry shall forward a written invitation to the electoral assembly to all electors whose electoral applications have been confirmed.

Article 103

Deleted (Article 59 of the Law - 55/14)

Article 104

Deleted (Article 59 of the Law - 55/14)

Article 105

An electoral assembly may be held if more than one-half of the number of electors whose electoral applications have been confirmed is present.

Notwithstanding the provision of paragraph 1 of this Article, the electoral assembly shall not be held if the electoral assembly is not confirmed or attended by:

1) At least 20 electors in case of national minorities whose size is below 10,000 persons according to the latest population census;

2) At least 30 electors in case of national minorities whose size is over 10,000 persons but less than 20,000 persons according to the latest population census;

3) At least 45 electors in case of national minorities whose size is over 20,000 persons but below 50,000 persons according to the latest population census;

4) At least 60 electors in case of national minorities whose size is over 50,000 persons but below 100,000 persons according to the latest population census;

5) At least 100 electors in case of national minorities whose size is over 100,000 persons according to the latest population census.

Article 106

Elections at the electoral assembly shall be conducted by a board of three members (hereinafter referred to as the: Board), appointed by the Commission among those familiar with electoral procedures.

The Committee shall appoint the Board within three days from the date of receipt of the notice from the Ministry that the sufficient number of electors, prescribed by the Law, was confirmed for the electoral assembly.

The Board shall also adopt a decision to suspend the election of a national council if the electoral assembly is not attended by a minimum number of electors prescribed by the Law, if no electoral list is registered for the election of members of a national council, if no registered electoral list is announced and if no collective electoral list is determined due to reasons prescribed by the Law.

An elector may file an appeal to the Commission against any decision of the Board within three hours after the adoption of the decision.

The Commission shall decide on the appeal within 12 hours after the receipt of the appeal.

The Commission may file an appeal against the decision to the Administrative Court within three hours after the receipt of the decision and the Administrative Court shall decide on the appeal within 12 hours.

Members of the Board shall be entitled to remuneration, as determined by the Commission.

Article 107

An electoral assembly shall begin its activities once the Board establishes the number of attending electors, with the help of the list of electors whose electoral application is confirmed and submitted by the Ministry.

Previous paragraph 2 deleted (Article 62 of the Law - *55/14)*

Article 108

An electoral assembly shall adopt its decisions by public majority of the present electors.

An electoral assembly shall elect the members of a national council by secret vote.

The electoral assembly may also adopt other decisions by secret vote if it so decides.

Organisation of elections

Article 109

An electoral assembly shall elect members of a national council among voters who are registered in a special electoral roll.

An electoral assembly shall elect members of a national system by applying the proportional system.

A list of candidates (hereinafter referred to as the: List) for membership in a national council may be proposed by one quarter of the number of present electors.

A list of candidates shall be accompanied by a certified statement from voters approving the candidacy.

Every three candidates on the list according to their order (the first three seats, the next three seats and so on until the end of the list) must be followed by at least one candidate – a person belonging to the less represented gender on the list.

An elector can support only one list.

The list shall include not less than one-third of candidates from the number of members of the national council to be elected, and not more than the aggregate number of candidates to be elected as members of the national council. The sequence of candidates shall be determined by the nominator.

The electors shall vote secretly on ballot papers prepared in advance on which they shall write the name of the list holder and the number of the list.

The Board shall allocate the seats by applying the system of the largest quotient.

The seats shall be distributed by dividing the total number of voters obtained by each list by numbers from 1 to the number corresponding to the total number of members of a national council to be elected.

The quotients obtained shall be sorted out by size, taking into account the number of largest quotients that correspond to the number of members of a national council to be elected.

If two or more electoral lists obtain the same quotients on the basis of which one seat is to be assigned and there are no more unassigned seats, the seat shall be assigned to the list that had won a larger number of votes.

If a list shall receive more seats than the number of nominated candidates for the members of a national council, the seat shall be assigned to the list having the next largest quotient.

The seat belonging to a particular list shall be assigned to the candidates from the list according to their order, starting with the first candidate.

Within three days, once the final election results are established, the Board shall render a decision on the assignment of sears for the members of a national council, submit it to the Ministry and publish it in the “Official Gazette of the Republic of Serbia”.

Candidates not being awarded with a seat shall be issued a certificate on election for a national council member by the Board.

VIa CONSTITUTIVE SESSION OF A NATIONAL COUNCIL

Article 109a

The constitutive session of a national council shall be convened by the Minister, and it shall be held within 20 days after the final election results have been established.

The term of office of members of a national council shall be confirmed at the constitutive session.

Confirmation of the term of office of members of a national council shall be made on the basis of certificates of election of a member of the national council and the decision on the assignment of the seats to members of the national council.

A national council shall be constituted by confirming the term of office of all members of the national council.

The activities of the first convocation of a national council at the constitutive session shall be governed by the Provisional Rules of Procedure, adopted by the Ministry. In the absence of their own rules, other national councils shall also apply the Provisional Rules of Procedure.

Title above Article 110 deleted (Article 65 of the Law - 55/14)

Article 110

Deleted (Article 65 of the Law - 55/14)

Article 111

Deleted (Article 66 of the Law - 55/14)

VII. FUNDING OF ACTIVITIES OF A NATIONAL COUNCIL

Article 112

A national council shall adopt its annual financial plan, and annual financial statement.

An integral part of the annual financial statement is the annual financial report on the realisation of the plan, containing the annual report on programme realisation, with an explanation.

A national council shall adopt the annual financial plan in line with the programme model containing the income and expenses aligned with the authorisations of the national council.

The annual financial plan shall be adopted according to the procedure and in the manned defined in the statute of a national council and shall be submitted to the beneficiary of the budget funds holding the allocated funds for funding the work of national councils within five days from the day of the adoption.

A national council shall adopt the annual financial report for statistical needs and financial reporting for the purpose of entry into the register of financial reports according the rules regulating the accounting.

A national council shall provide the beneficiary of the budget funds holding the allocated funds for funding the work of national councils, with a copy of the report or statement, within 15 days from the day of adoption of the financial report or final statement.

Utilisation of funds

Article 113

The funds acquired in accordance with this Law may be used for funding the regular activity and permanent expenditures of a national council.

The expenditures of regular activity of a national council shall be:

1) Financing or co-financing of programmes and projects in the field of education, culture, information and official use of the language and script of a national minority;

2) Financing of work of institutions, foundations, and undertakings founded or co-founded by a national council or whose founding rights are partially or entirely transferred to the national council.

The permanent expenditures of a national council shall be:

1) Costs associated with renting and occupation of premises by a national council;

2) Salaries, taxes and social security contributions for the employees of a national council;

3) Honorariums and reimbursements for activities performed on behalf of a national council;

4) Travelling costs and allowances for business trips;

5) Procurement of office stationery and equipment for the activities of a national council;

6) Accounting services;

7) Costs of annual audit;

8) Costs of maintenance of the national council web page.

Funds used for financing the permanent costs of national councils may not exceed 50% of the funds allocated from the budget of the Republic of Serbia, autonomous province, or a local self-government unit.

Types of funds

Article 114

Funds for the activities of national councils shall be provided from the budget of the Republic of Serbia, the budget of the autonomous province and the budget of local self-government units, donations and other sources.

Article 115

For financing the activities of national councils the funds shall be ensured by the law on the budget of the Republic of Serbia, i.e. by decision on the budget of the AP of Vojvodina and local self-government unit.

The funds referred to in paragraph 1 of this Article to be provided from the budget of the Republic of Serbia shall be allocated in the following manner: 30% of the funds shall be allocated among all registered national councils in the Republic of Serbia in equal shares and the remaining value (70%) shall be allocated proportionally to the number of members of a national minority represented by a national council according, to the last census and according to the total number of institutions, foundations and undertakings founded or co-founded by a national council or whose founding rights are in part or entirely transferred to the national council.

The decision on the allocation of funds from the budget of the Republic of Serbia shall be rendered by the budget beneficiary holding the funds allocated from the budget for financing the work of national councils, taking into account the proposals filed by national councils.

National council may not be allocated funds if according to the financial plan the expenditures are not in line with the purposes defined by Article 113 of this law, nor transferred funds if the national council have registered grounds and orders for enforced collection.

Criteria for allocation of funds for financing the activities of a national council shall be closely defined by the Government, AP of Vojvodina, and local self-government unit.

The funds referred to in paragraph 1 of this Article to be provided from the budget of local self-government unit shall be allocated pursuant to the decision rendered by a competent authority of local self-government unit to national councils:

1) having the headquarters in the territory on the local self-government unit;

2) representing national minorities whose members make up for at least 10% of the total population of the local self-government unit;

3) representing national minorities whose language is officially used in the territory of the local self-government unit.

Funding of activities of institutions which founders' rights are assigned to national councils

Article 116

The funding of institutions or other organisations whose founders' rights are fully or partially assigned to national councils shall be carried out from the same sources and on the basis of the same normative provisions on which the institutions and organisations had been funded from before the assignment of founder's rights to national councils.

The financial liabilities of the previous founder towards the institutions or other organisations whose founder shall thereafter become the national council shall be regulated by the agreement on assignment of founders' rights.

A national council may provide additional funds for the operations and activities of institutions and other organisations whose founders' rights had been assigned to a national council.

Account of a national council, mandatory accounting and financial control

Article 117

A national council shall have an account registered in a branch office of the Treasury Administration through which all transactions from received budget funds are performed.

The accounting records shall be kept according to the origin, amount and structure of income and expenses, in line with the regulations governing accounting and supporting records for the needs of reporting about the performance of programme activities.

The accounting records of income and expenses and supporting records of the programme activities of a national council are subject to an annual audit in accordance with the regulations governing the international accounting and auditing regulation.

A national council shall keep special records on its property.

A national council must quarterly report to the competent budget beneficiary about the use of the funds ensured by the law, i.e. by the decision on the budget for financing the operations of national councils. If in the process of audit, inspection control, or based on the quarterly reports it is identified that a national council did not use the funds from the budget for the purposes defined in the law, the budget beneficiary providing cash supply from the budget shall cancel the transfer of the funds from the budget until the irregularities are eliminated.

The budget beneficiary providing cash supply from the budget shall inform the national council about the cancellation and order the elimination of the irregularities stated in the opinion of the auditor.

The time period for the elimination of the irregularities stated in the opinion of the auditor shall be 60 days from the day of receiving the notification on the cancellation of the funds by the budget beneficiary providing s from the budget.

In case when a national council fails to eliminate the irregularities stated in the opinion of the auditor, the budget beneficiary providing the cash supply from the budget, shall reduce the funds allocated tor financing the operations of the national council for the next budget year compared to the year for which the audit was performed. The amount reduction shall be equal to the amount of the funds for which the national council failed to eliminate irregularities stated in the opinion of the auditor.

Responsible person

Article 118

The statute of a national council shall appoint a person responsible for financial operations, reporting and bookkeeping of a national council.

Should a national council fail to specify a person responsible in its statute, the president of a national council shall perform this function.

Budgetary fund for national minorities

Article 119

The budgetary fund of national minorities (hereinafter referred to as: Fund) shall be managed by the Ministry.

The funds from the Fund shall be allocated based on public competitions for funding the programmes and projects from the field of culture, education, information, and official use of the language and script of national minorities.

The procedure of granting funds from the Fund and the conduct of the public competition shall be closely defined by the Government.

VIII. MONITORING

Article 120

The legality of actions and acts of national councils, in accordance with the Constitution and the Law, shall be monitored by the ministries competent for the administration, culture, education, information, and official use of languages and scripts.

A national council shall be obliged to forward any requested information, files and documents to the Ministry in charge of monitoring the legality of actions and acts of national councils, within eight days upon the Ministry’s request.

The president of a national council shall be responsible for the submission of the requested information, files and documents.

Article 121

The competent ministry shall initiate the proceedings before the Constitutional Court for the assessment of the constitutionality and legality of a national council’s

statute, regulation and any other general act, if it considers that such an act is not in accordance with the Constitution and Law.

Article 122

If it identifies any act of act of a national council against which no court protection has been ensured, nor is compliant with the law or other regulations, i.e. statute, regulation of other general act of a national council, the competent ministry shall propose to the national council to cancel or abolish such an act.

If the national council fails to act in line with the proposal of the competent ministry referred to in paragraph 1 of this Article within 30 days, the competent ministry shall issue a decision on cancellation or abolishment of the act referred to in paragraph 1 of this Article.

IX. PENALTY PROVISIONS

Article 123

Fines from RSD 10,000 to RSD 100,000 shall be imposed on the responsible person in a competent body who:

1) Fails to ensure the provision of acts referred to in Article 4c of this law to the competent provincial administration body;

2) Fails to ensure accuracy and update of the electoral rolls in terms of Article 48 of this law;

3) Fails to perform or contrary to provisions of Article 48 of this law, performs the entry or deletion of voters from the special electoral roll;

4) Makes use of the data entered into the special electoral roll for the purposes not allowed by this law, contrary to Article 51 of this law.

Article 124

A person using bleeper, mobile phone or other telecommunication devices at a polling station, which is contrary to Article 86, paragraph 7 of this Law, shall be fined for this offence from RSD 10,000 to RSD 30,000.

Article 125

A person violating order at a polling station and causing the voting to be terminated in accordance with Article 88 of this Law shall be fined from RSD 10,000 to RSD 30,000.

Article 126

A legal entity or a natural person violating or abusing the right to use national symbols shall be fined for this offence from RSD 10,000 to RSD 30,000.

Article 127

A national council shall be fined from RSD 50.000 to RSD 200,000 for the following offences:

1) If it fails to act in accordance with Article 4a, paragraph 1 of this Law;

2) If it fails to act in accordance with Article 6, paragraph 6 of this Law;

3) If it fails to publish all the decisions and acts of a national council within ten days from the day of entry into force, i.t. their adoption, on the web page of the

national council or in any other way defined by the statute (bulletin board, daily newspaper, or other proper manner) – (Article 8, paragraph 2);

4) If it fails to submit the required information, files and documents, within ten days after the receipt of the request, to the bodies of the autonomous province within which purview are the fields in which the competences of national councils defined by this law are realised (Article 26, paragraph 2);

5) If it fails to submit the required information, files and documents, within eight days after the receipt of the request, to the Ministry in charge of monitoring the legality of activities and documents, which is contrary to Article 120, paragraph 2.

For the offenses referred to in paragraph 1 of this Article, a responsible person in a national council shall also be fined from RSD 5.000 to 50.000.

Article 128

Deleted (Article 48 of the Law - 47/18)

X. TRANSITIONAL AND FINAL PROVISIONS

Article 129

The Minister shall adopt a decision on the call of elections of national councils within 6 months after this Law enters into force.

From the day of issuance of the call of elections until the election date referred to in paragraph 1 of this Article, a period of time is required of not less than 60 days and not more than 90 days.

The electoral assembly shall be held within a period of time that cannot be shorter than 60 days or longer than 90 days from the date of the decision referred to in Article 100 paragraph 2.

The manner of conduct of the elections shall be determined in accordance with the provisions of this Law.

Article 130

National councils shall adopt new or harmonise their current statues and general acts with the provisions of this Law within three months from the date of their constitution.

Article 131

The provisions of this Law referring to the right to give proposals or opinions in the process of election, i.e. appointment of members of authorities established by the Republic of Serbia, autonomous province or local self-government unit shall apply as of the first subsequent process of election, i.e. appointment of members of these authorities.

Article 132

The Ministry shall appoint the permanent composition of the CEC within 30 days from the date of its entry into force.

Article 133

Regulations referred to in Article 4 paragraph 4, Article 52 paragraph 3, Article 55 and Article 102 paragraph 4 of this Law shall be adopted by the Ministry within 30 days after its entry into force.

Article 134

The Executive Board of the Union of Jewish Communities of Serbia shall function as a national council and the President of Jewish Communities of Serbia shall be a member of the Council of National Minorities of the Republic of Serbia.

Article 135

If a national council fails to determine traditional names referred to in Article 22 of this Law, within three months from its enactment, the traditional names shall be determined by the Government, i.e. the competent authority of the autonomous province, if a national council is located in the territory of the autonomous province, in cooperation with the local self-government units, organisations of national minorities and experts in the field of language, history and geography of a national minority concerned.

The provision referred to in paragraph 1 of this Article shall not refer to a national council that had determined and published traditional names referred to in Article 22 of this Law before the enactment of this Law.

Article 136

For the purpose of certain elections, the Ministry may allow permanent residence, which is the condition to exercise an active or passive right to vote, to be replaced with temporary residence in case of persons residing in the territory of Kosovo and Metohija.

Article 137

After the enactment of this Law all national councils shall be elected, i.e. re-elected.

If half of the term of office of a national council has not expired on the date of schedule of election, its term of office shall be renewed and shall last as long as the term of office of national councils to be elected.

National councils elected before the enactment of this Law and whose term of office has expired shall continue to perform their activities until the elections, i.e. the constitution of a national council according to the provisions of this Law.

Article 138

On the day this Law enters into force, the following shall cease to be valid:

1) Article 24 of the Law on Protection of Rights and Freedoms of National Minorities. (“Official Gazette of FRY”, No 11/02);

2) Rulebook on the Method of Activities of Assemblies of Electors for the Election of National Minority Councils (“Official Gazette of FRY”, No 41/02).

Article 139

This Law shall enter into force eight days after it publication in the “Official Gazette of the Republic of Serbia”.

*

* *

PROVISIONS NOT ENTERED INTO THE UNOFFICIALLY CONSOLIDATED TEXT OF THE LAW

Law on Amendments to the Law on National Councils of National Minorities

(“Official Gazette of RS”, number 55/14)

Article 67

Provisions of this law regarding the number of members of a national minority of a legal age who must support the request for establishing a special electoral list shall apply to national minorities for which, before the date of entry into force of this law, a special electoral list was not established.

Minister shall call elections for members of a national council in line with this law so that the elections are conducted in October 2014.

Upon the conducted elections in line with this law, national councils must align their statutes with this law within 20 days from the day of their constitution.

National councils must align the work of their bodies with this law within 40 days from the day of constitution of national councils in line with this law.

Minister shall adopt enactments defined by this law within 60 days from the entry into force of this law.

Article 68

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

Law on Amendments to the Law on National Councils of National Minorities

(“Official Gazette of RS”, number 47/18)

Article 49

From the day of entry into force of this law national councils shall continue with performing public authorisations entrusted to them in accordance with this law.

National councils which before entry into force of this law, use traditional names of national councils, respecting the years of work and recognition in the public, may continue using the name solely with a clear determinant in the name that it is a national council in the Republic of Serbia.

Provisions of Article 11 of this law, adding a new Article 7a, shall apply after the conduct of the first subsequent elections for national council members.

National councils shall, upon the conduct of the first subsequent elections for national council members, harmonise their statute with this law within 20 days from the day of their constitution.

National councils shall, upon the conduct of the first subsequent elections for national council members, harmonise the competences of the president and executive board of national councils with Article 10 of this law (amended Article 7 of the Law) and ensure transparent operations in line with Article 13 of this law (Article 8a of the Law), on the day of entry into force of the statute harmonised with this law.

Founder of the educational institution, i.e. institution of culture which a national council pronounced as an institution of special importance for the national minority before the entry into force of this law, shall harmonise the constituent instrument with the provision of this law within 90 days from the day of entry into force of this law.

Budgetary financing of the operations of the national councils shall be conducted in accordance with the rules from this law starting of the day of implementation of the Law on the Budget for 2019, i.e. regulations of the provincial and local government on budgets for 2019.

Minister shall adopt the acts defined by the Law within 60 days from the day of entry into force of this law.

In the content of the forms referred to in Article 3, paragraph 6, Article 44, paragraph 3, Article 52, paragraph 4, Article 53, paragraph 3, and Article 102, paragraph 4 of the Law, the Minister shall, within 60 days from the day of entry into force of this law also, stipulates that the person submitting an application, a request, or a statement, simultaneously with the signing, has been informed about the processing of personal data and that he/she agrees to the processing of such data, in accordance with the law.

Article 50

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