

LAW ON POSTAL SERVICES

I. BASIC PROVISIONS

Article 1

This Law shall govern the conditions for and the manner of postal service provision, the competences in the field of postal services, rights, obligations and responsibilities of postal service providers and users, supervision of compliance with this Law and other issues relevant for the functioning and development of postal services in the Republic of Serbia.

Article 2

The provision of postal services shall be based on the following principles:

- 1) Facilitating balanced development of postal services in the territory of the Republic of Serbia;
- 2) Ensuring availability of the universal postal service, with the requisite quality and at affordable cost, to all citizens in the Republic of Serbia, while also meeting the needs of specific social groups, including persons with disabilities;
- 3) Ensuring equality, non-discrimination and a high level of protection of interests of postal service users;
- 4) Ensuring conditions for equal business and predictability of business of postal operators;
- 5) Promoting competition, economy and efficiency in the performance of postal activities;
- 6) Ensuring the development of postal activities;
- 7) Bringing activities in the field of postal services in compliance with Serbian and international standards;
- 8) Inviolability of secrecy of letters and other means of correspondence;
- 9) Providing equal access to the postal network and postal services;
- 10) Ensuring sustainability of the universal postal service;
- 11) Sustainable development.

Article 3

As used herein, the following terms shall have the meanings set forth below:

- 1) *address* means set of information on the postal item identifying the place of delivery of that postal item;
- 2) *Acts of the Universal Postal Union* means regulations adopted by the Universal Postal Union and international treaties applicable to postal services in international postal traffic, ratified by the competent authorities of the Republic of Serbia;
- 3) *automation device* means a postal network resource used for automated clearance and delivery of postal items;

- 4) *universal postal service provider* means a postal operator providing universal postal service or parts of that service, other than reserved postal services,;
- 5) *direct mail in domestic and international postal transport* means a postal item consisting solely of advertising, marketing or publicity material and comprising an identical message, except for the addressee's name and address, which is sent to a significant number of addresses and which may not include bills, invoices, financial statements and other non-identical messages; a communication combining direct mail with other items within the same wrapping should not be regarded as direct mail within the meaning of this Law;
- 6) *complementary postal services* means services carried out pursuant to specific requirements regarding the handling of postal items, provision of additional information on items etc.;
- 7) *postcard* means an open postal item, without wrapping (envelope), with a maximum mass of up to 20 grams. It is made of solid cardboard or rectangular piece of paper and must not have protruding parts;
- 8) *collection box* means a postal network resource used for the clearance and delivery of postal items of users in remote areas outside of settlements, users at shopping centres etc.;
- 9) *identification sign* means a graphic symbol or logo that uniquely identifies a particular postal operator;
- 10) *public postal operator* means a legal entity with an obligation to provide universal postal service and the entitlement to receive cost compensation for any unfair financial burden;
- 11) *consolidator* means an entity which is not a postal service provider and which, pursuant to an agreement for the collection of postal items, collects postal items from the sender and hands them over to the postal operator for further shipment and delivery to the addressee;
- 12) *correspondence* means a communication in written form on any kind of physical medium to be conveyed and delivered at the address indicated by the sender on the item itself or on its wrapping;
- 13) *postal service user* (hereinafter referred to as the “*user*”) means a natural or legal person who uses postal services as a sender or recipient of a postal item;
- 14) *home mailbox* means a mailbox used for the delivery of postal items, unless provided otherwise by a separate law;
- 15) *international postal item* means a postal item sent to or received from another country;
- 16) *nomenclature* means a list of postal services provided as part of the universal postal service;
- 17) *general terms and conditions of postal services* means an act of the postal operator adopted on the basis of the law and by-laws under which the postal operator is obliged to provide postal services;
- 18) *parcel* means a registered postal item weighing up to 31.5 kilograms, with or without specified value, packed in the prescribed manner, containing merchandise and other items with a description of the contents and weight on the wrapping or the accompanying document;
- 19) *personalized postage stamp* means a stamp printed by a public postal operator at the request of legal and natural persons on a special paper, with a nominal value for a letter weighing up to 20 grams, with a motif at the personal choice of the user/subscriber of the stamp, which states the name of the country and is used in domestic postal transport;
- 20) *letter-post item* means a postal item that includes correspondence, printed matter, merchandise and other items;
- 21) *subcontractor* means a legal entity which a postal operator may hire under contract to carry out specific stages of the postal service on its behalf and for its account;
- 22) *confirmation of clearance of a postal item* means a document issued by the postal operator to the sender upon clearance of registered postal items, containing details of the- postal item

and serving as proof that the postal item has been given to the postal operator for further delivery;

23) *sender* means a natural or legal person responsible for sending a postal item;

24) *fastest delivery item* means a postal item of first rate of mass, that is sent by the universal postal service provider via the fastest route to the destination and takes precedence over other postal items. In case the universal postal service provider has only one way of handling all postal items, it is considered the fastest;

25) *postal network* means a system of access points and all types of means interconnected into a single technical and technological unit, which is used by the universal postal service provider to provide this service in the entire territory of the Republic of Serbia;

26) *postal item* means an item addressed by the sender in such a way that the addressee can be indisputably identified, and the accuracy of the address information is the responsibility of the sender, and such postal item may contain: correspondence, documents, books, catalogues, newspapers, periodicals and/or merchandise;

27) *postal money order* means a registered postal item which is transmitted by postal network or electronically, and serves as a basis for payment of a monetary amount to the recipient;

28) *postal service* means a service that, as a rule, includes phases of clearance, sorting, transport and delivery of postal items in domestic and international postal transport;

29) *postage stamps* are small pieces of paper of specified value used for the prepayment of postal services;

30) *postal code* means a string of characters that uniquely identifies the part of the street to which the sender's or the recipient's address belongs and is unique in the territory of the Republic of Serbia;

31) *postal operator* means an economic entity providing one or more postal services pursuant to a licence;

32) *post office box* means a postal network resource used for the clearance of unregistered letter-post items;

33) *postage* means the price paid by the user for the provision of postal service;

34) *transport of postal items* includes physical or electronic transfer of postal items from the place of clearance to the place of delivery;

35) *a business entity* is a person that performs the activity of postal services;

36) *clearance of postal items* means the procedure of receiving postal items for delivery to the addressee. Items may be received at the access points of the operator or at the sender's address through employees of the postal operator, as provided for by this Law and the general terms and conditions of postal operators;

37) *postal network access points* are points of clearance (facilities of the postal operator, post office boxes, collection boxes, automation devices etc..) where senders may deposit postal items for subsequent sending;

38) *secogramme* means an open letter-post item containing printed matter and correspondence adapted for blind and partially sighted persons;

39) *terminal dues* are the remuneration of universal service providers for the distribution of incoming cross-border mail;

40) *delivery of postal items* includes delivery of postal items to the addressee, via home mailboxes, collection boxes or other automation devices or delivery at the premises of the postal service provider or to another secure point of the user's choice;

41) *sorting of postal items* means a technologically harmonised and optimised procedure for the separation of postal items according to the destinations points of their delivery in the clearance and shipment phase according to the delivery destinations;

42) *hybrid mail* means a postal item created and distributed by the postal operator based on information provided electronically by the sender;

43) *price list of postal services* means a list of prices charged for postal services;

44) *printed matter* means postal items containing books, publications, newspapers, periodicals, catalogues, brochures etc., printed on paper, cardboard or other similar material.

All terms, which in this law, are expressed in the grammatical masculine gender, imply the natural, masculine and feminine gender of the person they refer to.

II. JURISDICTIONS

Article 4

The Government, acting on proposal from the ministry responsible for postal services (hereinafter referred to as the “Ministry”), shall:

1) Determine the main directions and principles of postal service provision, guided by the general interest in this field, professional principles of the postal profession, the principles of the Universal Postal Union and other international organisations, as well as assumed international commitments;

2) Adopt programs and action plans for their implementation, which determine the principles, goals and priorities of the development of postal services in the Republic of Serbia;

3) Determine the conditions for and the manner of using postal network of the public postal operator in emergency situations;

4) Decide on other issues where provided by the law.

Article 5

The Ministry shall, in accordance with this Law:

1) Adopt regulations pursuant to the powers conferred on it by the law;

2) Supervise compliance with this Law and other regulations governing the provision of postal services;

3) Decides on appeals against the decisions of the inspector of postal services;

4) Represent the Republic of Serbia in international organisations and institutions in the field of postal services, ensure compliance with treaties in the field of postal services and notify the Universal Postal Union on the public postal operator and the entities responsible for complying with the obligations under the Universal Postal Convention;

5) Perform other tasks where provided by the law.

Article 6

The Regulatory Body for Electronic Communications and Postal Services (hereinafter: the Regulator) is an independent regulatory organization that, among other things, exercises public authority in order to regulate the market of postal services in the Republic of Serbia.

The legal status and operations of the Regulatory Authority are laid down by the law governing electronic communications.

The Regulatory Authority shall, in accordance with this Law:

- 1) Adopt secondary legislation;
- 2) Issue and revoke licenses for the provision of postal services;
- 3) Participate in the work of international organisations and institutions as the national regulatory authority in the field of postal services;
- 4) Perform expert supervision of the operations of postal operators;
- 5) Maintain a register of issued and revoked postal operator licences and provide public access to such register;
- 6) Conduct out-of-court settlement of disputes between of postal operators and users;
- 7) Resolves disputes between the public postal operator and access users regarding access to the postal network;
- 8) Compile a comparative overview of postal service prices charged by postal operators and publish data from the postal service price list on its website;
- 9) Compile a geographic overview of postal network coverage and territorial accessibility of services provided by postal operators and publish data from such overview on its website;
- 10) Promote competition and innovation in the postal services market;
- 11) Collect, process and publish data on the postal services market, with basic data on the operations of postal operators in terms of volume of and revenue from the postal services per postal operator;
- 12) Collect and process data of postal operators required to improve cross-border parcel delivery;
- 13) Collect and publish data concerning the activities of postal operators aimed at sustainable development and promote cooperation between postal operators and interested institutions in this regard;
- 14) Perform other tasks in accordance with this Law.

The Regulatory Authority shall perform the tasks referred to in paragraph 3 items 1), 2), 4) and 5) of this Article as entrusted tasks.

The Ministry shall supervise the performance of entrusted tasks.

The Regulatory Authority shall publish the acts referred to in paragraph 3 item 1) of this Article, the Regulatory Authority in the *Official Gazette of the Republic of Serbia*.

III. POSTAL SERVICES

Article 7

Postal services shall be provided under an access agreement or under an agreement entered into in accordance with the law, regulations passed pursuant to a law, general terms and conditions

of postal services and other acts of postal operators based on the law, as well as pursuant to international conventions, treaties and other international acts ratified by the Republic of Serbia.

Article 8

The Regulatory Authority shall lay down in more detail the conditions for and manner of providing postal services, handling of postal items from clearance to delivery, as well as other issues of importance for the provision of postal services.

Article 9

Postal operators shall adopt general terms and conditions of postal services in accordance with this Law and the secondary legislation adopted pursuant to this Law.

The general terms and conditions of postal services (hereinafter referred to as the “the general terms and conditions”) must specify:

- 1) The name and registered office of the postal operator, its website, its contact telephone number and its e-mail address;
- 2) The types of postal services which will be provided;
- 3) The territory in which the postal services will be provided;
- 4) The manner of and the conditions for the provision of postal services;
- 5) Time limits for the delivery of postal items;
- 6) Any complementary services;
- 7) The handling of undeliverable postal items and opening of such postal items;
- 8) The manner of payment for postal services;
- 9) The time limits for the keeping of records of postal items, the complaint and claim procedures and the user compensation procedure pursuant to complaints, and
- 10) the conditions for and the manner of packing of postal items.

The general terms and conditions of postal operators must be compliant with the law.

The general terms and conditions of postal operators and the manipulative documents that are on a postal item or accompany the item in domestic postal transport must be written in accordance with the law governing the official use of language and script in the Republic of Serbia.

The Regulatory Authority shall approve the general terms and conditions of postal operators.

The Regulatory Authority may demand modification of the general terms and conditions of postal operators, if necessary to protect users or to ensure competition protection.

Upon receiving approval from the Regulatory Authority, the public postal operator shall publish its general terms and conditions in the *Official Gazette of the Republic of Serbia*, as well as on its website.

Postal operators shall prominently display their general terms and conditions in their offices, on their website and otherwise make them publicly accessible to users at least eight days before they take effect.

The general terms and conditions of all postal operators shall be published on the website of the Regulatory Authority.

Postal operators shall provide postal services in accordance with their the general terms and conditions.

Article 10

When providing postal services, a postal operator use the postal network, the technical and technological solutions or databases of other postal operators under an agreement.

The public postal operator shall form and maintain the postal code database and grant public access to such database.

Article 11

A postal operator may contract a subcontractor to perform specific phases of postal services on its behalf and for its account.

Responsibility for the performance of entrusted tasks referred to in paragraph 1 of this Article is on the postal operator.

Article 12

A postal operator shall prominently display its working hours for users at the entrance to its offices where postal services are provided.

Article 13

Users shall have the right and obligation to choose the type of service that is best suited to the nature, content, importance and actual value of their postal item.

Article 14

Users may access postal services through an attorney in accordance with the law and the operator's general terms and conditions.

A power of attorney may be issued for the clearance and delivery of all postal items or for a specific postal item.

A power of attorney issued by the competent authorities shall be valid for the period stated in the power of attorney, while a power of attorney issued by a postal operator shall be valid only in respect of the services of that operator, for the period stated in the power of attorney.

A power of attorney issued for a fixed period of time shall cease to be valid upon the expiration of the time for which it was issued or for other reasons for the termination of the power of attorney in accordance with the general provisions on the power of attorney.

Article 15

Postal operators and the Regulatory Authority shall, when requested by the Ministry and/or the Regulatory Authority, undertake activities and provide or update data concerning the provision of postal services which are necessary for the performance of actions and measures in accordance with this Law, as well as data for clearly specified statistical purposes.

Postal operators shall provide the Regulatory Authority with data necessary for the improvement of cross-border parcel delivery, as specified in the act referred to in Article 8 of this Law.

All types of data collection by the Regulator and postal operators, the type and scope of data, the purpose of data processing, data content, data availability, measures for their protection and other matters of importance for the protection of personal data must be in accordance with this law and the law governs the protection of personal data.

Article 16

Postal operators shall ensure inviolability of secrecy of letters and other means of correspondence when providing postal services.

Inviolability of secrecy of letters and other means of correspondence shall be violated if a postal operator:

- 1) Delivers a postal item to an unauthorised person, learns of the content of a postal item by unauthorised means or keeps or conceals it;
- 2) Provides an unauthorised person with information on the content, the recipient or other information concerning a postal item.

The principle of inviolability of secrecy of postal items, letters and other means of correspondence may be violated only pursuant to a court decision, where necessary for the conduct of a criminal proceeding or to protect the security of the Republic of Serbia, by opening or temporarily seizing of letters.

Article 17

Postal services shall include:

- 1) The universal postal service, and
- 2) Postal services outside the scope of the universal postal service.

Article 18

The universal postal service shall be a service of general economic interest provided continually in the entire territory of the Republic of Serbia, with the requisite quality, at affordable cost and under equal terms to all users, without discrimination.

Public Enterprise “Post of Serbia”, as the public postal operator, shall be authorised to perform the services referred to in paragraph 1 of this Article.

The universal postal service shall include:

- 1) Clearance, sorting, transport and delivery of letter-post items weighing up to two kilograms;
- 2) Clearance, sorting, transport and delivery of written communication in court, administrative and misdemeanor proceedings, regardless of the limits;
- 3) Clearance, sorting, transport and delivery of parcels weighing up to ten kilograms;
- 4) Sorting, transport and delivery of parcels weighing up to 20 kilograms in international incoming postal transport;
- 5) Clearance, sorting, transport and delivery of secogrammes weighing up to seven kilograms without postage in domestic postal transport;
- 6) Clearance, transport and payment of postal money orders.

The minimum and maximum dimensions of postal items in international postal transport must be in accordance with the Acts of the Universal Postal Union.

Article 19

The public postal operator shall provide the requisite density of access points to facilitate the improvement and sustainability of provision of the universal postal service, in accordance with the users' needs.

The public postal operator shall make postal services accessible to persons with disabilities by adapting access and entrances to postal network offices and shall make postal terminals accessible to persons with disabilities.

Detailed requirements for the provision of the universal postal service with regard to technical and technological resources of the public postal operator/universal postal service provider, the minimum working hours, the necessary requirements for the provision of the universal postal service to persons with disabilities, as well as the nomenclature, shall be laid down by the minister in charge of postal traffic (hereinafter referred to as the "Minister"), acting on proposal by the Regulatory Authority.

The requirements and criteria which the postal network of the public postal operator/universal postal service provider must meet, considering population density, territorial coverage and the actual needs of users, as well as detailed quality-related parameters for the provision of the universal postal service, shall be laid down by the Regulatory Authority.

The provider of the universal postal service should fulfill the conditions and criteria from para. 3. and 4. of this article, with its own postal network, or with its own postal network and on the basis of an agreement on access to the network of a public postal operator.

When providing the universal postal service, the public postal operator/universal postal service provider shall ensure the minimum required level of operation in the event of a strike, in order to safeguard citizens' general interest in using of the universal postal service, and its employees may go on a strike if the minimum required level of operation is ensured, in accordance with the law governing the conditions for and the manner of organising strikes.

Organising a strike or participating in a strike or other work stoppage that is not organized in accordance with the law referred to in paragraph 6 of this Article, shall constitute a disciplinary infraction and in such cases the strike organisers and participants shall not enjoy the protection afforded in accordance with that law.

The public postal operator/universal postal service provider shall specify how the universal postal service is to be provided in the event of an emergency situation or a state of war, subject to approval by the ministry in charge of postal traffic.

Article 20

Only the public postal operator shall have the exclusive right to use the title or word “post” in any language or script in its business name or in its operations.

A legal entity in which the public postal operator holds shares or interest shall also have the right to use the title or word “post” in any language or script.

Article 21

The clearance and delivery of postal items as part of the universal postal service shall as a rule take place five days a week, except on public and religious holidays, in the event of *force majeure* or if a competent authority has passed a decision regarding any threat to the health and safety of employees of the postal operator.

In case of other specific circumstances, including geographic conditions, the public postal operator/universal postal service provider shall ensure accessibility of the universal postal service by performing clearance of postal items and delivery of postal items to the recipient's address on at least one predetermined day of the week.

The Regulatory Authority shall lay down detailed conditions for and the manner of clearance and delivery of postal items as part of the universal postal service in the other circumstances referred to in paragraph 2 of this Article in the act referred to in Article 19 paragraph 4 of this Law.

The provision of specific services which are part of the universal postal service may be suspended or terminated by a legal instrument passed by the competent government authority in order to protect general interest, public morality, public safety, criminal investigation or public policy and in other cases provided for by the law.

Article 22

The public postal operator and the universal postal service provider shall submit reports on their operations to the Regulatory Authority at least once a year, for the purposes of analysis and improvement of the universal postal service.

The public postal operator shall conduct annual surveys of the achieved level of universal postal service, by measuring the quality of the universal postal service based on predetermined criteria.

If the Regulatory Authority indisputably determines that the postal operators referred to in paragraph 1 of this Article fail to provide the universal postal service in accordance with the parameters set out in the act referred to in Article 19 paragraph 4 of this Law, it shall notify the Ministry thereof without delay.

Article 23

The Regulatory Authority shall publish information on its website concerning the provision of postal services, the types of the services, their features, the postage charged and the requisite quality parameters.

Article 24

Reserved postal services shall be part of the universal postal service entrusted to the public postal operator, i.e. Public Enterprise "Post of Serbia", Belgrade, and shall include:

- 1) Clearance, sorting, transport and delivery letter-post items weighing up to 20 grams;
- 2) Clearance, sorting, transport and delivery of written communication in court, administrative and misdemeanor proceedings, as registered postal items, regardless of limits;
- 3) Receipt and transfer of electronic messages to the Unique electronic inbox on the eAdministration Portal.

Postal services are not considered reserved postal services, if their postage without additional services is higher than the amount that is two and a half times higher than the postage for the transfer of letter mail of the fastest category according to the valid price list of the public postal operator.

The public postal operator is authorized to provide reserved postal services from paragraph 1 of this article both in domestic and international postal traffic.

Article 25

The public postal operator, i.e. Public Enterprise "Post of Serbia", Belgrade, may perform other activities in addition to postal services, including:

- 1) Insurance brokerage;
- 2) Exchange operations;
- 3) Payment and other services it is authorised to provide under the law governing payment services;
- 4) Operations concerning international money orders in Serbian dinars, effective foreign currency and foreign exchange;
- 5) Other activities in accordance with the founding act and the statute.

The public postal operator shall perform the operations referred to in paragraph 1 items 2) - 4) of this Article in accordance with the provisions of separate laws which govern the performance of such operations.

Article 26

Postal services outside the scope of the universal postal service shall include:

- 1) Clearance, sorting, transport and delivery of parcels weighing more than ten kilograms in domestic postal transport;

- 2) Clearance, sorting and transport of parcels weighing more than ten kilograms in international postal transport, outgoing;
- 3) Sorting, transport and delivery of parcels weighing more than 20 kilograms in international postal transport, incoming;
- 4) Courier services which include clearance of registered postal items at the sender's address and direct transport and delivery on the same day at the recipient's address;
- 5) Express services which comprise clearance, sorting, transport and delivery of registered postal items within the shortest periods, where the periods guaranteed in domestic postal transport must not be later than the next business day following the day of clearance of the postal item; by way of exception, if requested by the sender, the postal item may be delivered on a specific day.

Postal services outside the scope of the universal postal service may be performed by all postal operators in accordance with this Law and the secondary legislation adopted pursuant to this Law.

Article 27

Complementary postal services shall be services provided pursuant to specific requests by the sender or the recipient regarding the manner of handling postal items and the provision of additional information concerning the postal service.

A request for any complementary postal service may be made at any phase in the provision of postal services, within the available means, until the delivery.

Article 28

Postage for the provision of postal services shall be paid according to the price list of postal services, as a rule in advance, unless provided otherwise by an agreement between the postal operator and the user.

The postal operator shall prominently display at its offices where postal services are provided and in its website the price list of postal services referred to in paragraph 1 of this Article and any conditions under which a discount may be available.

The postal operator shall make the valid price list of postal services available to the user on request.

The postal operator is obliged to apply postage in accordance with the price list of postal services.

Article 29

The amount of postage charged for postal services shall be determined so that it does not constitute an unfair price within the meaning of the law governing the protection of competition.

In cases where the Regulatory Authority becomes aware that the postage has not been determined in accordance with paragraph 1 of this Article, it shall immediately notify:

- 1) The competition authority and seek its opinion or propose to initiate proceedings in the event of possible prevention or distortion of competition, in the case of a postal operator with a dominant market position;
- 2) The competent consumer protection authorities, in accordance with the law governing consumer protection, except in the cases referred to in item 1) of this paragraph.

In the cases referred to in paragraph 2 of this Article, the Regulatory Authority shall provide the competent authorities with all necessary expert and technical assistance.

Article 30

Postage for the universal postal service must be:

- 1) The same for all users in the entire territory of the Republic of Serbia where the universal postal service is provided;
- 2) Affordable, based on actual cost and conducive to effective provision of the universal postal service;
- 3) Free of charge for secogrammes used by blind and partially sighted persons;
- 4) Transparent;
- 5) Determined in such a way that it does not give certain users an advantage over other users under identical or similar conditions.

The postage referred to in paragraph 1 of this Article, other than reserved postal services, shall be approved by the Regulatory Authority.

The price list for the universal postal service, other than reserved postal services, and the conditions under which discounts may be available shall be submitted to the Regulatory Authority for approval, which has a duty to make a decision within 30 days of the date of application.

The instrument passed by the public postal operator which sets the amount of postage for reserved postal services shall be approved by the Government.

Article 31

The public postal operator and the universal postal service provider may grant discounts to users that send large volumes of postal items, provided however that such discount is determined on the basis of actual costs, stated in the price list of postal services and applicable to all users that send postal items under equal or similar conditions, respecting the principles of transparency and non-discrimination.

The discounts referred to in paragraph 1 of this Article shall not be included in the net cost of the public postal operator.

Article 32

Postage for postal services outside the scope of the universal postal service shall be determined by the postal operator.

The postal operator shall submit to the Regulatory Authority for approval the price list of postal services outside the scope of the universal postal service and the conditions under which discounts may be available, not later than 30 days before the start of its planned application.

The postal operator shall charge postage in accordance with the price list of postal services.

Article 33

The public postal operator providing the universal postal service shall ensure viability of the universal postal service by using funds allocated from the revenue generated through the provision of the universal postal service.

The expenses incurred by the public postal operator in the provision of the universal postal service shall be covered primarily from the revenue generated through the provision of reserved and non-reserved postal services in the sphere of the universal postal service.

Article 34

A postal operator that carries out one or more other economic activities in addition to postal services shall keep separate accounting for its postal services.

The public postal operator and the universal postal service provider shall account for their revenue and expenses arising from the universal postal service separately from the revenue and expenses arising from the postal services outside the scope of the universal postal service, categorised by types of services.

The public postal operator shall allocate the revenue and expenses of all services in its internal calculation, to provide a breakdown of revenue and expenses by types of postal services per each phase of such postal services and per unit of measure of such postal services. Separate accounting shall serve as the source of data for the granting of approval of the postage charged for the universal postal service, as well as for the calculation of the net expense of the universal postal service.

The public postal operator shall account for its revenue generated from reserved postal services separately from the revenue generated from non-reserved postal services in the sphere the universal postal service.

Expenses that are directly attributable to a specific service shall be attributed to that service.

Common expenses, i.e. expenses that are not directly attributable to specific services, shall be attributed on the basis of a direct analysis of incurrence of such expenses where possible.

Where such direct analysis is not possible, the categories of common expenses shall be allocated on the basis of their indirect association with other expense categories that may be determined, in which case the indirect association shall be based on similar expense structures.

Where it is not possible to apply either direct or indirect cost determination measures, a specific expense category shall be determined on the basis of a general indicator determined and calculated separately for each service.

Common expenses necessary for the provision of the universal postal service and of postal services outside the scope of the universal postal service shall be allocated as appropriate where the universal postal service and postal services outside the scope of the universal postal service use the same sources of expenses.

The public postal operator shall not use revenue from reserved postal services towards subsidising postal services outside the scope of the universal postal service or other commercial activities, other than expenses incurred in the provision of the universal postal service.

The Regulatory Authority shall lay down in detail the method of separate accounting, expense allocation and verification of authenticity of internal calculation by the public postal operator.

The public postal operator shall compile annual reports on the method of separate accounting in accordance with this Law and the instrument referred to in paragraph 11 of this Article and shall submit them to the Regulatory Authority for approval by the 31st of July of the current year in respect of the preceding year.

The Regulatory Authority shall verify *ex officio* the reports referred to in paragraph 12 of this Article, either on its own or by hiring an independent auditing entity.

The Regulatory Authority shall once a year, by the 31st of December of the current year, publish reports on compliance of separate accounting of the public postal operator in respect of the preceding year, in accordance with this Law and the ~~instrument~~ act referred to in paragraph 11 of this Article.

Article 35

Net cost shall be any expense necessary for the provision of the universal postal service and associated with such service and shall be calculated as the difference between the net expense for the public postal operator required by law to provide the universal postal service and of the net expense it would have if it were not required to provide of the universal postal service.

Accounting for the net cost shall be done in accordance with the law governing accounting operations, in such a way as to avoid multiple accounting for all direct and indirect costs and benefits in the provision of the universal postal service.

If the service referred to in Article 25 paragraph 3 of this Law includes the provision of the universal postal service, any expense necessary for the provision of the universal postal service and associated with such service shall be included in the net cost.

Accounting for the net cost of the public postal operator shall include any expenses of the universal postal service that can only incur losses, as well as any direct and indirect benefits the public postal operator may have from providing of the universal postal service.

Direct and indirect benefits of the public postal operator from providing the services shall include:

- 1) Revenue from the universal postal service;
- 2) Revenue from services not included in the universal postal service which the public postal operator would not have generated if it were not providing the universal postal service.

Article 36

The public postal operator shall be entitled to reimbursement of the net cost incurred in the provision of the universal postal service if it can demonstrate its expenses exceeded its revenue generated in the preceding year and constituted unfair financial burden on the operations of the postal operator.

The public postal operator shall produce a calculation of the net cost incurred in the provision of the universal postal service and shall submit it to the Regulatory Authority for approval by the 31st of July of the current year in respect of the preceding year.

The public postal operator may hire an independent auditing entity in the process of producing the net cost calculation.

Based on the calculation referred to in paragraph 2 of this Article, the Regulatory Authority shall verify the authenticity and validity of the data used in the calculations and shall determine the amount constituting unfair burden on the public postal operator.

The Regulatory Authority may demand of the public postal operator in the verification process to produce other data concerning the provision of the universal postal service.

The Regulatory Authority may hire an independent auditing entity in the verification process.

The Regulatory Authority shall pass a decision on the amount of the net cost which constitutes an unfair burden within 90 days of submission of the calculation by the public postal operator.

The expenses referred to in paragraph 1 of this Article shall be reimbursed on request from the public postal operator in accordance with the decision the Regulatory Authority referred to in paragraph 4 of this Article, from the Budget of the Republic of Serbia, with the approval of the ministry in charge of finance affairs and in accordance with the rules of state aid control.

The Regulatory Authority shall lay down in detail the method of calculating the net cost of the public postal operator referred to in Article 35 of this Law and the manner of exercising the entitlement to cost reimbursement for unfair financial burden.

IV. POSTAL ITEMS

Article 37

Postal items must be packed so that it ensures inviolability of the content and secrecy of information, as provided for by the law.

The sender's address shall be a mandatory piece of information on all postal items, other than unregistered postal items or those labelled "application for competition", "application for auction" etc. on the wrapping.

In cases where an employee of the postal operator tasked with clearance reasonably believes that the packaging of a postal item is not suitable for the nature and content of the postal item and/or that the inviolability of content and secrecy of information cannot be ensured as provided for by the law, he/she shall refuse to accept such postal item.

Article 38

A postal item shall be the property of the sender until it is delivered to the recipient, or its attorney or authorised person.

The sender shall have the right to dispose of the postal item until its delivery.

The recipient may refuse to accept a postal item delivered to his/her address.

In respect of specific postal items, the conditions set forth in other laws must also be met, including in particular:

- 1) For a postal item in domestic postal transport the content of which includes items which require the approval of competent authorities to be sent, the sender shall enclose such approval;
- 2) A postal item in international postal transport the content of which is subject to customs inspection or foreign exchange controls shall be handled in accordance with the regulations governing the specific area.

Article 39

Postal item, within the meaning of this law shall include unregistered and registered postal items.

Unregistered postal items shall be postal items in respect of which the postal operator does not issue a confirmation of receipt at the time of clearance and in respect of which it does not keep records at any phase of the postal services.

Registered mail items are mail items for which the postal operator issues a confirmation of receipt of the item to the sender, about which he keeps special records and which is delivered to the recipient with a signature or another appropriate method, which is prescribed by the operator's general terms and conditions.

With the recipient's consent, a registered postal item in domestic postal transport may be delivered without a signature.

Registered postal items may be:

- 1) A registered letter-post item, in respect of which the user may, on request, receive delivery confirmation;
- 2) An insured item, which is insured against loss, damage or shortage in the content of the postal item, up to the value specified by the sender;
- 3) A redemption item, which is an insured item upon delivery of which the recipient receives the amount of money stated on the item by the sender and which the postal operator pays to the sender's current account forwards as a postal money order or remittance;
- 4) A parcel, with or without specified value;
- 5) A postal money order, which is insured against loss up to the value specified by the sender.

Article 40

Clearance of postal items shall be carried out at premises of the postal operator using post office boxes, collection boxes, automation devices, or through an authorised person of the postal operator at the user's address or by electronic means.

The postal operator may inspect the contents of the postal item at the time of clearance, before it is sealed, and the sender shall be required to provide access, except for postal items the content of which is written communication.

The postal operator shall affix the clearance date and its identification mark on each received postal item and all documents pertaining to such postal item.

The clearance date referred to in paragraph 3 of this Article need not be stated on postal items received under an agreement which provides *inter alia* that none of the postal items delivered to the operator are to be labelled with the clearance date and will instead use the date stamped on the document which serves as proof of delivery of the postal item for further shipment.

When receiving a registered postal shipment, the sender must be issued with a confirmation of receipt of the shipment, which must contain all the elements on the basis of which the shipment can be identified: first and last name or name and address of the recipient, shipment number, date of receipt, weight, indication and amount of value (if it is a valuable shipment), the indication "fragile" (if it is a shipment with fragile contents) and postage.

A confirmation of receipt of a postal item may also be issued electronically.

Senders depositing postal items under an agreement shall deposit postal items through a person holding a power of attorney for depositing all types of postal items. The postal operator, specifically an employee of the postal operator, shall inspect the attorney's identification document with a photograph and record the registration number of such identification document for the purposes of identifying the attorney.

Documents affixed to or accompanying a postal item must contain all data and the confirmation of receipt of the postal item referred to in paragraph 5 of this Article.

Article 41

The public postal operator shall install and maintain mailboxes in public areas pursuant to an authorisation granted to it by the competent authority.

Article 42

It is prohibited to send postal items which contain:

- 1) Dangerous and harmful substances, as well as any items that may be harmful to human life and health or damage other postal items, except substances the handling of which is governed by a separate law, an international convention or other international acts;
- 2) Narcotics and psychotropic substances, except when the sender and the recipient are authorised to transport and use them;

- 3) Materials of a pornographic or erotic nature that depict the sexual exploitation of children (child pornography), or sexual acts of humans related to animals and necrophilia;
- 4) Products or substances which may damage other postal items or postal equipment due to their nature or packaging;
- 5) money, coins, banknotes, other securities, precious metals and valuable pieces of jewelry, except in insured items;
- 6) live animals, except animals the receipt and sending of which are governed by the general terms and conditions of the operator for the provision of postal services;
- 7) Items the imports of which are prohibited in the country of destination;
- 8) Other substances or items the sending of which is prohibited by other regulations.

In case of reasonable suspicion that a postal item contains any of the prohibited items referred to in paragraph 1 of this Article, postal operator shall notify the competent authority without delay and shall open and inspect by committee the content of such postal item pursuant to its decision.

Article 43

The postal operator shall, as a rule, deliver unregistered postal items to home mailboxes, collection boxes or automation devices.

The postal operator shall, as a rule, deliver registered postal items personally to the recipient, attorney or authorised person.

If it is not possible to deliver a registered postal item to the persons referred to in paragraph 2 of this Article, the postal operator may deliver such registered postal item to an adult household member, a person employed at the household or an employee found on the business premises of the recipient.

Pursuant to a request from or consent by the user, a registered postal item may also be delivered to the recipient's home mailbox, a collection box, a parcel dispensing box, other automation devices or safe places in accordance with the operator's general terms and conditions.

Written communication in judicial, administrative and misdemeanour proceedings shall be delivered in accordance with separate laws.

Article 44

When clearing insured items and postal money order, the postal operator, specifically an employee of the postal operator, shall inspect the sender's identification document with a photograph and record the registration number of such identification document for the purposes of identifying the sender and for the purposes of preventing money laundering and terrorism financing and sales of goods by unregistered economic operators.

If an insured item is cleared via an automation device, the sender shall be identified by means of appropriate secure technology provided for in the operator's general terms and conditions,

subject to prior recording of the sender in the postal operator's system, by inspecting the sender's identification document with a photograph and recording the registration number of such identification document.

The postal operator is obliged to provide the data from para. 1. and 2. of this article, uses it for the purpose for which it was collected and to submit the requested data only at the request of the court or other competent authority, for the purposes of the proceedings conducted before that authority.

Data from para. 1. and 2. of this article, the postal operator is obliged to keep for 12 months, in the manner prescribed by the law regulating the protection of personal data.

Article 45

In case of unsuccessful delivery of the registered postal item, the postal operator shall leave a report on the arrival of a postal item containing a notice about the deadline and the place where the recipient can pick up the mail.

In case of unsuccessful delivery, instead of leaving a report on the arrival of a postal item, the postal operator may also use means of electronic communication (SMS, email and other manners in writing) to notify the recipient about a postal item that arrived, with instructions for further actions.

If a report on the arrival of a postal item is submitted to the recipient before the expiry of the deadline for delivery of the item, it shall be considered that the postal operator has fulfilled its obligation and delivered the item within the statutory deadline. Postal items delivered in the postal network units can be received by recipients within the deadlines set by postal operators under the general conditions for the provision of postal services.

Notwithstanding paragraph 1 of this Article, if the postal operator does not have a defined place where undelivered postal items can be collected, it shall notify the recipient of an attempt of delivery (SMS, email and other manners in writing), with instructions for further actions.

Article 46

Unless otherwise specified by the sender, a postal item shall be returned to the sender when:

- 1) The delivery is refused by the recipient;
- 2) The recipient is unknown;
- 3) The address is incomplete;
- 4) The address is incorrect;
- 5) The date of storage expired;
- 6) The recipient is relocated etc.

The postal operator shall set the deadlines for the return of postal items referred to in paragraph 1 of this Article under its general conditions.

Registered postal items shall be subject to payment of demurrage or return postage, if the postal operator is not responsible for their non-delivery.

A postal item shall be considered undeliverable if:

- 1) A postal item cannot be delivered to either the recipient or the sender;
- 2) The postage has not been paid or has been partially paid, and the sender and the recipient have refused to pay the unpaid amount of postage.

Article 47

The postal operator shall inspect undeliverable postal items on a commission basis, which includes opening them if:

- 1) The storage period has expired and the exact address of the sender cannot be determined;
- 2) There is evidence on the packaging, i.e. the wrapping, that a postal item is damaged and that it may damage other postal items or equipment or may endanger employees of the postal operator;
- 3) There is a decision of the competent authority.

If, even after a commission check, a postal item cannot be delivered to the recipient or returned to the sender, the postal operator shall:

- 1) Immediately destroy the correspondence on a commission basis;
- 2) Keep a postal item containing goods and other items for six months, counting from the day of the commission inspection;
- 3) Keep the order and the redemption amount for three years, counting from the day when it was found to be non-payable;
- 4) Deliver the identification documents and other documents found in a postal item, including the item whose contents are prohibited, within thirty days of the date of the commission inspection, to the authority which issued the identification documents and other documents or to the competent authority of the municipality in the territory of which the item in question was received.

Article 48

Upon expiry of the storage period, the postal operator shall expose the goods and other items contained in the undeliverable postal item to the public sale.

If the content of an undeliverable postal item is liable to deterioration the postal operator shall destroy the item in question or sell it by direct negotiation.

Article 49

The funds obtained by the sale of the contents of a postal item shall be kept for one year from the expiry of the period for keeping postal items.

The funds referred to in paragraph 1 of this Article shall be paid to the sender if, within one year of the date of the sale, they submit a request for payment, excluding storage costs, public sale expenses and payment of these funds.

If the sender does not submit a request for payment within the time limit referred to in paragraph 2 of this Article, the funds from the sale of the contents of the undeliverable postal item shall become extra income of the postal operator.

Upon expiry of the deadline for keeping the order or the redemption amount, the funds shall become extra income of the postal operator.

Article 50

In the delivery area of the postal network unit, investors or the owners of residential buildings and business premises shall place home mailboxes and provide access to the home mailboxes at the entrance to residential buildings, office buildings, yards or other appropriate places. Maintaining home mailboxes shall be the responsibility of the property owner. Home mailboxes shall be made of solid and durable material and placed in such a manner as to allow unobstructed delivery of postal items.

Home mailboxes shall be appropriately marked by the recipient's surname or legal entity's name and apartment number/business unit number, if a house number includes several apartments and/or legal entities.

Home mailboxes shall be kept in good repair, which prevents unauthorised access to postal items in home mailboxes.

If postal items which can be delivered to home mailboxes in accordance with this Law cannot be placed in a home mailbox due to their dimensions, the postal operator can leave a report on the arrival of a postal item.

If the persons referred to in paragraph 1 of this Article fail to install or maintain their home mailboxes, the postal operator/universal postal service provider may warn them in writing and set a reasonable deadline, not less than 30 days, to eliminate shortcomings. In case of non-compliance with the warning, the postal operator/universal postal service provider shall not have the duty to deliver a postal items to the recipient.

Article 51

The deadline for delivery of postal items shall be the time from the receipt of a postal item until its delivery.

The deadlines for delivery of postal items shall not include:

- 1) Delay time due to incomplete and incorrect address;
- 2) Delay time due to force majeure;
- 3) Non-working days and days when postal items are not delivered.

If a postal item is received after the last shipment of postal items from the access point of the postal operator, the deadline shall be extended by one working day.

The postal operator shall transport and deliver postal items, except express services, to recipients within deadlines of maximum five working days. The universal postal service provider shall deliver postal items in accordance with the quality parameters laid down by the act referred to in Article 19 paragraph 4 of this Law.

The postal operator may arrange different delivery deadlines with users who submit a large number of postal items referred to in paragraph 4 of this Article, it being understood that deadlines for delivery of express services cannot be longer than 3 working days.

V. ACCESS TO POSTAL NETWORK OF PUBLIC POSTAL OPERATOR

Article 52

The public postal operator shall allow other postal operators and consolidators (hereinafter referred to as the “access user”) access to the postal network.

The Regulatory Authority shall specify in more detail the access to the postal network referred to in paragraph 1 of this Article.

The conditions and prices for access to the postal network shall be known in advance, transparent and non-discriminatory to all access users.

Article 53

The request for access to the postal network shall include:

- 1) An access user’s information (name and address);
- 2) A list of postal services and an estimate of the amount of postal items to access the network during the calendar month;
- 3) Estimated dynamics of postal items delivery;
- 4) Access points and manner of access to the postal network;
- 5) The period for which access to the postal network is required.

The public postal operator shall decide on the request for access to the network within 30 days of the date of receipt of the request.

Article 54

A public postal operator may refuse a request for access to the postal network if:

- 1) An access user does not have the technical and technological capabilities to support network access;
- 2) The access to the network jeopardizes the rights and obligations of the public postal operator in the provision of the universal postal service or endangers the quality of service provision;
- 3) The postal operator does not accept the conditions set by the regulator authority’s act and the prices determined in the price list for the provision of services of the public postal operator.

In case of refusal of the request for access to the network, the public postal operator shall submit to the applicant the decision on refusal with an explanation within eight days of the date of the decision.

Article 55

The Regulatory Authority shall resolve disputes regarding access to the network.

The Regulatory Authority shall decide on disputes within 90 days of the date of initiation of the dispute resolution procedure and shall publish the decision on its website within eight days of the date of its adoption.

In resolving access disputes, the Regulatory Authority shall take decisions in accordance with the provisions of the law governing the general administrative procedure.

The decisions of the Regulatory Authority referred to in paragraph 3 of this Article are final and an administrative dispute may be brought against them by a lawsuit before the Administrative Court.

Article 56

The mutual rights and obligations of the public postal operator and an access user shall be governed by the access contract.

The contract referred to in paragraph 1 of this Article shall contain:

- 1) Rights and obligations of the public postal operator and an access user;
- 2) The types of services that an access user will provide and access requirements;
- 3) Access points to the postal network;
- 4) Prices, method and payment terms for access to the postal network;
- 5) Contract amendment procedure;
- 6) The term of the contract and the reasons for termination of the agreement.

The Regulatory Authority shall give its consent to the contract referred to in paragraph 1 of this Article within 30 days of the date of receipt of the contract.

Article 57

Based on the contract concluded, the public postal operator shall also provide access users with access to:

- 1) A database of postal address data on the basis of which addressing, sorting and routing of postal items is carried out;
- 2) Information about change of address, redirection of postal items and return of postal items to the sender.

An access user shall use the address information obtained from a public postal operator for the purpose of addressing, sorting and routing of postal items, in accordance with the contract.

The user of access to the specified data cannot give it to other persons.

Postal address databases and other information are the property of the public postal operator.

Article 58

The price of access to the postal network is determined on the basis of the actual costs of access to the network, while the price is reduced by the costs incurred by an access user for securing access to the postal network, as an avoided cost to the public postal operator.

Prices for access to the postal network, as well as prices for access to data and services, are included in the price list for providing services of the public postal operator.

The Regulatory Authority may also determine the annual compensation for the participation in the costs of maintaining the postal network by the act referred to in Article 52, paragraph 2 of this Law.

Article 59

The postal network access contract shall expire:

- 1) Upon expiry of the term for which it was concluded, in case it was not extended;
- 2) By mutual agreement;
- 3) Upon the termination by one contracting party;
- 4) Imposing a measure prohibiting the performance of activities to the user of access.

The agreement referred to in paragraph 1 of this Article shall also cease to be valid in case of revocation of the licence to one of the contracting parties or when bankruptcy or liquidation proceedings are instituted against the authorized universal postal service provider or access user.

VI. LICENCES FOR PROVISION OF POSTAL SERVICES

Article 60

The postal operator, registered with the economic operators register in the Republic of Serbia, shall provide postal services on the basis of a licence.

The Regulatory Authority shall issue the following types of licences:

- 1) A licence to provide the universal postal service and
- 2) A licence to provide postal services outside the scope of the universal postal service.

A licence to provide the universal postal service shall be issued to:

- 1) Public postal operators for the entire territory of the Republic of Serbia and includes all services within the scope of the universal postal service;
- 2) Postal operators to perform one or more services within the scope of the universal postal service as a provider of the universal postal service for the entire territory of the Republic of Serbia.

The Regulatory Authority may issue a licence to provide postal services outside the scope of the universal postal service to the postal operator for the entire territory of the Republic of Serbia or for a specific part of the territory of the Republic of Serbia.

Article 61

A licence to provide the universal postal service shall be awarded to the public postal operator by a decision when the Regulatory Authority, based on an analysis of the situation on the postal services market in the Republic of Serbia, finds that:

- 1) Only one interested postal operator that can ensure provision of the universal postal service referred to in Article 18 of this Law. In that case, the Regulatory Authority shall implement public consultations on a proposal of a decision lasting minimum 30 days, and
- 2) Two or more interested postal operators can ensure provision of the universal postal service referred to in Article 18 of this Law and implements a public call procedure.

The Regulatory Authority shall analyse the situation on the postal services market in the Republic of Serbia:

- 1) Two years before expiry of the validity of a licence of a public postal operator to provide the universal postal service of a public postal or
- 2) If provision of the universal postal service is at risk.

Article 62

The Regulatory Authority shall lay down in detail the content, procedure, requirements and deadlines to implement a public call, as well as the selection criteria referred to in Article 61 paragraph 1 item 2) of this Law.

The selection criteria, based on which the Regulatory Authority selects a public postal operator in the public call procedure shall be based on the principles of impartiality, transparency, proportionality and non-discrimination, taking particular account of the objectives referred to in Article 18 paragraph 1 of this Law.

Public calls for selection of public postal operators shall be published in the *Official Gazette of the Republic of Serbia* and on the Regulatory Authority's official website.

Based on the selection criteria referred to in paragraph 1 of this Article, after evaluation of all received bids in the public call procedure, the Regulatory Authority shall pass a decision on the selection of the public postal operator, within 90 days.

Exceptionally, the deadline referred to in paragraph 4 of this Article can be additionally extended for the period of 60 days in exceptional cases due to the volume and complexity of the issue to be decided on.

Article 63

The licence for public postal operator to provide the universal postal service shall contain:

- 1) Information on the licensee (business name, head office, registration number and TIN);
- 2) Specification of postal services provided on the basis of the licence;

- 3) The territory where the universal postal service is provided;
- 4) Licence validity term;
- 5) Rights and obligations in the provision of the universal postal service.

The licence for public postal operator to provide the universal postal service shall be issued for the period of 15 years.

Article 64

A licence to provide one or more services within the scope of the universal postal service shall be issued to universal postal service providers by the Regulatory Authority, based on applications submitted by economic entity.

A licence to provide postal service outside the scope of the universal postal service shall be issued by the Regulatory Authority, based on applications submitted by economic entity.

The content of the application for issuance of the licence referred to in paragraphs 1 and 2 of this Article shall be specified in detail by the Regulatory Authority under the act referred to in Article 8 of this Law.

The Regulatory Authority shall decide on compliant applications for issuance of a licence to provide the universal postal service within 30 days of the date of submission of applications, while compliance of applications shall be evaluated in accordance with the law providing for the general administrative procedure.

The Regulatory Authority shall decide on compliant applications for issuance of a licence to provide postal services outside the scope of the universal postal service within 30 days of the date of submission of applications, while compliance of applications shall be evaluated in accordance with the law providing for the general administrative procedure.

Article 65

The licence referred to in Article 64 paragraphs 1 and 2 shall contain:

- 1) Information on the licensee (business name, head office, registration number and TIN);
- 2) Specification of postal services provided on the basis of the licence;
- 3) The territory where postal services is provided;
- 4) Licence validity term.

The licence shall be issued for the period of up to ten years.

Article 66

The licensee shall provide postal services in accordance with the licence.

The licensee may stop using the licence even before the expiry of the period for which the licence was issued, except public postal operators.

In the case referred to in paragraph 2 of this Article, the licensee shall notify the Regulatory Authority of the cessation of the use of the licence within 30 days prior to the cessation of the

activity and settle all assumed obligations towards users, the Regulatory Authority and other persons.

The licence shall be non-transferable.

Postal operators providing postal services based on the licence shall notify the Regulatory Authority in writing of any change in information contained in the licence referred to in Articles 63 and 65 of this Law, within 30 days of the date when such changes occur at the latest.

Article 67

The Regulatory Authority may amend the licence *ex officio* if necessary to comply with international acts, other regulations or in order to ensure the sustainability of the universal postal service.

The Regulatory Authority may also amend the licence on request of the postal operator.

The licence shall cease to be valid upon revocation, expiry of the period for which it was issued or on request of the licensee.

Prior to the decision referred to in paragraph 1 of this Article, the Regulatory Authority shall notify the Ministry if amendments relate to the licence to provide the universal postal service.

Article 68

Postal operators shall bear the cost of the licence fee and the license change fee.

Postal operators shall pay the Regulatory Authority up to 0.4% of the total revenue generated from the provision of postal services in the previous calendar year for the compensation of operating costs.

The regulator, with the consent of the ministry responsible for financial affairs, determines the amount and method of payment of the fee from paragraph 1 of this article and the amount and method of payment of the operating expenses fee from paragraph 2 of this article.

Funds from paragraph 1 and paragraph 2 of this article are used for the performance of regulatory tasks of the Regulator.

Article 69

The Regulatory Authority may revoke the licence for the provision of postal services to the licensee in the following cases:

- 1) If the licence was obtained on the basis of false information, which was relevant for making the decision;
- 2) If postal services are not provided in accordance with the law, in the manner and in accordance with the requirements determined by the licence;
- 3) If, even after a written warning, within 15 days the licensee fails to settle the obligation referred to in Article 68, paragraph 2 of this Law;

4) If damage to the general interest or damage on a large scale has been caused by unlawful pursuit of an activity;

5) If the licensee did not start providing postal services within 60 days of the date when he/she obtained the license or there was a break in the provision of postal services for a continuous duration of more than 12 months.

The Regulatory Authority shall make decisions in accordance with the provisions of the law governing the general administrative procedure.

The decisions of the Regulatory Authority referred to in paragraph 2 of this Article shall be final and an administrative dispute may be brought against them before the Administrative Court.

VII. POSTAGE STAMPS

Article 70

Postage stamps shall be used to pay for postal services provided by a public postal operator, in domestic and international postal traffic.

Article 71

The tasks of issuing, selling and withdrawing from the use of postage stamps shall be entrusted to the Public Enterprise “Pošta Srbije“, Belgrade.

Postage stamps of the Republic of Serbia shall meet the requirements laid down in the acts of the Universal Postal Union and shall contain the word “Serbia”.

In the current year, the Minister shall establish a plan for the issuance of commemorative postage stamps, as well as the motives for regular issues of postage stamps to be issued in the coming year.

Postage stamps shall be issued in accordance with the issuance plan referred to in paragraph 3 of this Article.

The requirements for and manner of issuing postage stamps, with the consent of the Government, shall be determined by the Public Enterprise “Pošta Srbije“, Belgrade.

The Public Enterprise “Pošta Srbije“, Belgrade shall submit, at the request of the Ministry, at least once a year, a report on the number and quantity of printed regular, commemorative and personalized postage stamps, as well as the information on the users, applicants for printing personalized postage stamps.

Article 72

The Public Enterprise “Pošta Srbije“, Belgrade shall:

- 1) Issue regular, commemorative and personalized postage stamps;
- 2) Issue commemorative envelopes that are issued on the first day of issuing a postage stamp;
- 3) Issue maximum cards;

- 4) Issue commemorative postmarks;
- 5) Issue picture postcards with a printed postage stamp;
- 6) Issue postcards with a printed postage stamp;
- 7) Issue catalogues and other philatelic products;
- 8) Sell and exchange international reply coupons.

The additional postage stamp shall not be considered a postage stamp within the meaning of this Law.

Article 73

Postage stamps shall be considered invalid if:

- 1) They have not been issued in accordance with the provisions of this Law and regulations adopted pursuant to this Law;
- 2) They have been damaged, resulting in no visible markings, the publisher name or the nominal value;
- 3) Have been issued by an unauthorized person;
- 4) Have been cancelled;
- 5) Have been withdrawn from use.

If an invalid postage stamp is affixed to a postal item, the postal service shall be deemed not to have been paid.

VIII. PROTECTION OF POSTAL SERVICE USERS AND COMPLAINTS

Article 74

If the user considers that a postal item has not been delivered to the recipient or has been delivered late, that the specific contracted obligation has not been fulfilled or has not been fully fulfilled, they can file a complaint with the postal operator within 60 days in domestic and within six months in international postal transport, counting from the next day from the day of delivery of a postal item.

The complaint shall contain a postal item number, name, surname and address of the sender and recipient, as well as information on the value of a postal item and the redemption amount, if the subject of the complaint is a value or redemption postal item.

In the event that the user does not file a complaint within the deadlines referred to in paragraph 1 of this Article, they shall not be entitled to the right to financial compensation for the damage that they could obtain under the provisions of this Law.

Article 75

In cases of damage or loss of the postal item, the user or an authorized person can file a complaint with the postal operator no later than the next working day after the delivery of the item.

In the event that the user does not submit a complaint within the period referred to in paragraph 1 of this article, he loses the right to monetary compensation for damages that he could receive under the provisions of this law.

Article 76

Upon receipt of a complaint in the cases referred to in Article 75, paragraph 1 of this law, the postal operator is obliged to draw up a record, which must contain all information about the shipment, the sender and the recipient referred to in Article 74, paragraph 2 of this law.

The postal operator is obliged to make a report before delivering the postal item, if he notices damage to the item that occurred during the postal operator's processes, as well as to inform the user about it.

Article 77

The postal operator is obliged to declare the merits of the complaint in domestic postal traffic within eight days from the day of receipt of the complaint and to make a decision on the submitted complaint within 15 days from the day of receipt of the complaint, while the decision on the merits of the complaint in international postal traffic is made by within the terms prescribed by the acts Universal Postal Union.

For the universal postal service, after completion of the complaint procedure, the user shall be entitled to file a complaint to the postal operator within 15 days of the date of delivery of a written reply, who shall decide on the user's complaint within 15 days of the date of receipt of the complaint.

The postal operator shall, as an integral part of its general requirements, describe the procedure to file and resolve complaints and acting on complaints by postal service users which shall be transparent, impartial, non-discriminating and publicly available to all postal service users.

Article 78

The user may file a complaint with the Regulatory Authority against the decision referred to in Article 77, paragraphs 1 and 2 of this Law to reject the complaint, within 15 days of the date of receipt of the decision.

The user may also file a complaint with the Regulatory Authority for failure to submit the decision referred to in Article 77 paragraphs 1 and 2 of this Law within 90 days of the date of filing the complaint.

After filing of the complaints referred to in paragraph 1 and paragraph 2 of this Article, disputes between the postal operator and a user shall be settled in the extra-judicial procedure.

The Regulatory Authority shall specify in detail the manner of implementing the procedure referred to in paragraph 3 of this Article.

If a dispute cannot be settled amicably, the Regulatory Authority shall, within 60 days of the of the date of initiation of the procedure referred to paragraph 3 of this Article, pass a decision based on presented evidence (submitted documentation, statements given by parties in the

dispute etc.), as a rule without oral hearing. The Regulatory Authority shall submit a reasoned decision to the complainant and the postal operator.

The decision referred to in paragraph 5 of this Article shall be final and may be challenged in the administrative procedure before the Administrative Court.

The procedure for out-of-court settlement of the dispute before the Regulator does not exclude the possibility of starting the procedure before the competent court.

Article 79

The postal operator shall deliver a postal item to the recipient in the condition in which it was received from the sender.

The postal operator shall be liable for the damage caused in international postal traffic in accordance with the acts of the Universal Postal Union or international conventions, agreements and other international acts confirmed by the Republic of Serbia, within the limits of the established liability.

For the damage caused in domestic postal transport, the postal operator shall pay the user compensation for the damage, as follows:

- 1) For the loss or total damage to an insured postal item - the amount marked on a postal item and the postage charged for such postal item;
- 2) For the loss or wrong payment of the money order - the amount equal to the amount indicated on the money order, increased by the amount of the postage paid for the receipt, transfer and payment of the money order;
- 3) For partial damage or impairment of the contents of a postal insured item - the amount of the determined part of damage or impairment of the contents, provided that the amount cannot exceed the amount that would be paid pursuant to item 1) of this paragraph;
- 4) For the loss or complete damage of a registered postal item - ten times the amount of postage charged;
- 5) For partial damage or impairment of the contents of the registered postal item - the amount of the determined part of the damage or impairment of the contents, provided that the amount cannot exceed the amount that would be paid pursuant to item 4) of this paragraph;
- 6) For non-provided, incomplete or incorrectly provided postal service of registered postal item - three times the amount of postage charged;
- 7) For exceeding the deadline for delivery of registered postal items - double amount of postage paid.

In case of incorrectly calculated postage and incorrectly paid or unpaid redemption amount, the postal operator shall pay the user the following:

- 1) For overcharged postage – the amount of overcharged postage;

2) For incorrectly paid or unpaid redemption amount – the amount equal to the amount of unpaid redemption amount.

When calculating damage compensation, one return postage shall be added to the calculated amount referred to in paragraph 3 of this Article if it was charged when a postal item was returned to the sender.

Damage compensation to the user can be paid on several bases, in accordance with paragraph 3 of this Article, it being understood that the total amount cannot exceed the amount that would be paid in case of loss of a postal item, total damage of a postal item or incorrect payment of money order.

The postal operator shall pay damage compensation to the user or the authorised person within 30 days of the date of passing a decision on acceptance of a complaint referred to in Article 77 paragraph 1 and 2 or submission of a decision by the Regulatory Authority referred to in Article 78 paragraph 5 of this Law under which a dispute was settled in favour of the postal service user.

If the postal operator fails to pay to the user or another authorised person damage compensation within 30 days of the date of acceptance of a complaint or submission of a decision by the Regulatory Authority, the right to damage compensation can be exercised through a court.

Indirect damage or lost profit is not taken into account when calculating compensation from paragraph 3 of this article by the postal operator, as well as in the procedure for out-of-court settlement of the dispute before the Regulator, which does not exclude the possibility of starting the procedure before the competent court.

The postal operator shall compensate the damage referred to in paragraph 3 to the user who paid postage.

If postage was not collected, the postal operator shall compensate damage to the user who agreed the service with the postal operator, it being understood that the user is entitled to damage compensation in the amount specified in paragraph 3 items 1), 2) and 4) of this Article, reduced by the amount of postage.

If the sender is entitled to damage compensation, he/she may waive damage compensation for the benefit of the recipient and shall submit a consent on the form specified in the general conditions of the postal operator.

If a lost postal item or its part are found after damage compensation is paid, the postal operator shall notify the sender or the authorised person. If the sender or the authorised person requests delivery of a subsequently found postal item, they shall return the received damage compensation amount. Otherwise, the postal operator shall be entitled to destroy a postal item or sell its content.

The postal operator may agree a different damage compensation amount with users who send a higher number of postal items, if the sender pays postage under a contract.

Article 80

The postal operator shall not be liable for damages if:

- 1) Damage occurred due to circumstances of which the postal operator was not aware when a postal item was received, which were unforeseeable, unavoidable or irreparable (force majeure);
- 2) Clearance, sorting, transport and delivery of a postal item has been carried out in accordance with the provisions of this Law and regulations adopted pursuant to this Law;
- 3) Damage has been caused by the sender's failure to choose the postal service or to provide its contents;
- 4) Address is incomplete or incorrect.

Article 81

The sender is obliged to correctly and clearly indicate on a postal item the business name or name and surname and the correct address of the recipient.

The sender is obliged to correctly and clearly indicate on a postal item his/her business name or name and surname and the correct address.

If a postal item does not contain the information referred to in paragraphs 1 and 2 of this Article, the postal operator, or employees responsible for receipt of postal items, shall require the user to eliminate the identified shortcomings in addressing, and if the user fails to comply with the request, they shall refuse to receive such postal item.

The sender is responsible for properly placing a postal item in an adequate internal and external packaging in a manner that protects the contents of that postal item, other postal items and employees handling postal items, as well as the equipment and means used to handle postal items, in accordance with the law and packaging rules laid down by the general requirements of postal operators.

When receiving postal items, employees with the postal operator shall point to inadequate packaging and if it is not rectified shall reject the receipt of such postal item.

For postal items with fragile or other specific content, the postal operator shall check if a postal item is in adequate packaging, to point to inadequate packaging, to offer appropriate service to the sender, as well as to reject receipt of such postal item if irregularity is not rectified. In addition, the postal operator shall mark postal items with fragile or other specific content and handle them with special care at all phases of transport.

Article 82

Users' claims for damages shall be time-barred after 3 years. The statute of limitations referred to in paragraph 1 of this Article shall begin to run:

- 1) For claiming damages due to underpaid or overpaid postage or other charges paid - from the date of payment;

- 2) For claiming damages related to the ransom - after 15 days of the date of expiry of the deadline for delivery of a postal item;
- 3) For claiming damages related to the damage or impairment of the contents of a postal item or for exceeding the deadline for delivery of the registered postal item - from the date of delivery of a postal item, or from the date of expiry of the delivery deadline;
- 4) For claiming damages due to loss of a postal item - 30 days of the expiry of the deadline for delivery of postal items.

Article 83

The statute of limitations shall be terminated when a request for payment of claims in writing is submitted to the postal operator or an out-of-court dispute settlement procedure is initiated before the Regulatory Authority, in accordance with this Law. The statute of limitations shall begin to run again when a written response to that request is provided to the user or the authorized person.

The statute of limitations may not occur before the expiry of the 30-day period of the date of receipt of the postal operator's response related to the request for a claim.

Subsequent claims regarding the same case shall not interrupt the statute of limitations.

IX. SUPERVISION

Article 84

The Ministry shall supervise the implementation of this Law and the regulations adopted pursuant to this law.

Inspection supervision referred to in paragraph 1 of this Article shall be carried out by the Ministry through the postal services inspector (hereinafter referred to as the "inspector").

Article 85

Postal operators and the Regulatory Authority shall, at the request of the Ministry, provide all necessary information regarding the provision of postal services, including information characterised as business secret.

Article 86

Inspector is independent within the limits of the powers established by law and other regulations governing the performance of inspection activities and shall be personally responsible for their work.

When conducting an inspection, inspector shall have an identity document demonstrating their capacity of an inspector.

The form of the identity document referred to in paragraph 2 of this Article and the manner of its issuance shall be laid down by the minister competent for state administration affairs.

Article 87

In the course of supervision, the inspector shall:

- 1) Perform supervision conscientiously and fairly, in accordance with the law;
- 2) Cooperate with other inspectors, judicial, misdemeanour and other competent authorities;
- 3) Act on the applications by natural and legal persons in connection with the matters within his/her competence and inform the applicant about the procedure and the results of the procedure within a reasonable time;
- 4) Undertake and propose preventive measures and actions in order to prevent violation of laws and other regulations.

Article 88

In the course of supervision, the inspector shall have the right and duty to:

- 1) Identify persons who perform postal services activity or persons he/she finds performing postal services activity tasks, by inspecting their identity documents or other documents containing a photo;
- 2) Inspect business premises where postal services are provided;
- 3) Review general and individual acts, business records and other documentation related to the provision of postal services;
- 4) Take photographs, make video recordings of the premises under supervision, as well as other items that are subject to supervision and/or are found in a facility or a vehicle used for transporting postal items;
- 5) Inspect vehicles used for transporting postal items;
- 6) Request and obtain timely assistance from the police or the municipal police, if he/she reasonably deems it necessary in the circumstances of a particular case;
- 7) Take statements from persons providing postal services, i.e. witnesses and responsible persons, as well as invite persons to give statements on matters of importance for the subject of supervision;
- 8) In cooperation with the competent state authorities, submit a proposal for the issuance of a court search warrant for a residential or other facilities, when he/she becomes aware that postal services are provided in those premises;
- 9) Collect other data and evidence that are relevant for the correct facts finding;
- 10) Order a written report to be submitted to him/her within a specified period on undertaken measures and actions he/she ordered in the course of inspection;
- 11) Take other actions in accordance with the law.

The business premises referred to in paragraph 1, item 2) of this Article shall also include apartments, accompanying rooms or other residential premises, registered as a head office or place of business, in accordance with the law governing the registration procedure at the Agency for Economic Registers.

Article 89

In carrying out inspection, the inspector shall be authorized to:

- 1) Order that the necessary documentation be made available or submitted to him/her;
- 2) Order the refund if the postage was overpaid;
- 3) Order the compensation of the user for loss or damage of the registered postal item or exceeding the deadline for delivery of registered postal items;
- 4) Bring criminal charges or report economic infraction with the competent authority, file a motion for initiation of misdemeanour proceedings and issue a misdemeanour warrant.

Article 90

In carrying out inspection, the inspector shall be authorized to:

- 1) Temporarily, at the latest until the completion of the procedure, seize postal items the contents of which are prohibited and issue a certificate of temporarily seized items;
- 2) Temporarily, at the latest until the completion of the procedure, seize postal items or items used, intended or created as a result of an offense, an economic infraction or a criminal offense and issue a certificate of temporarily seized items;
- 3) Temporarily prohibit the performance of the activity, by closing the premises where the activity is carried out or in other appropriate manner in the following cases:
 - (1) Preventing inspectors from performing supervision activities;
 - (2) Unauthorized pursuit of an activity;
- 4) Temporarily revoke the license if the licensee fails to comply with the issued license.

The inspector shall determine by a decision the duration of the temporary prohibition to perform the activities referred to in paragraph 1, item 3) of this Article and the period for which the license has been temporarily withdrawn referred to in paragraph 1, item 4) of this Article, within which persons must eliminate irregularities for which the measure was imposed.

The inspector shall notify the Regulatory Authority of the temporary withdrawal of the license referred to in paragraph 1, item 4) of this Article. The inspector may also request measures to be undertaken within the competence of the Regulatory Authority.

The certificate on temporary seizure of postal items, or items referred to in paragraph 1 of this Article, shall contain information on the supervised entity, time and place of seizure, legal basis of seizure, type and quantity of seized items, signature of the supervised entity or authorized person, or a note that the supervised entity or authorized person refused to sign the inspector's certificate, name, surname and signature.

Article 91

If the inspector, in the course of supervision, determines that the law has either not been applied or that it has not been properly applied, he/she shall issue a decision ordering the elimination

of the identified irregularity and determine the time limit within which the supervised entity must comply with the order from the decision.

The inspector shall issue a decision on temporary prohibition to perform activities referred to in Article 90 of this Law within 48 hours from the closure of the facility.

Article 92.

The Minister shall decide on the complaint against the decision of the inspector.

The complaint shall be filed within 15 days of the date of delivery of the decision.

The Minister's decision is final in the administrative procedure and may be challenged in an administrative dispute.

The complaint does not delay the execution of the decision.

X. EXPERT SUPERVISION

Article 93

The Regulatory Authority shall perform expert supervision over the implementation of this Law and regulations adopted on the basis of the Law to the extent that they relate to the quality of the universal postal service, public postal operator network access, postal services price, accounting separation of the postal activity from other activities performed by postal operators and accounting separation of the universal postal service and services outside the scope of the universal postal service of universal postal service providers.

The manner and procedure of expert supervision, as well as other issues related to expert supervision, shall be laid down by the Minister on proposal of the Regulatory Authority.

Article 94

The Regulatory Authority can perform expert supervision only with the economic entities that are registered with the register of postal operators.

Expert supervision on behalf of the Regulatory Authority may be performed by a person authorized by the Regulatory Authority .

In the expert supervision procedure, an authorized person of the Regulatory Authority shall have the right and obligation to:

- 1) Control compliances with the statutory quality parameters in the provision of the universal postal service, as well as the quality of provision of postal services outside the scope of the universal postal service;
- 2) Control the implementation of the applicable postal services price lists;
- 3) Control compliance with general requirements by operators;
- 4) Control the implementation of network access contracts;
- 5) Control accounting separation of postal services;

6) Control the quality of submitted or updated data in connection with provision of postal services necessary to undertake actions and measures in accordance with this Law, as well as data for clearly defined statistics purposes.

Postal operators shall provide, at the request of the regulating agency, all pieces of information necessary to perform expert supervision, including information that constitute the operator's business secret.

The Regulatory Authority shall notify the postal services inspector of the performed expert supervision referred to in paragraph 1 of this Article, the facts found and the measures taken.

If during the expert supervision, the Regulatory Authority finds irregularities, shortcomings or omissions in the implementation of this Law and regulations passed based on this Law, he/she shall notify the supervised entity and shall determine the time limit for rectification.

The time limit referred to in paragraph 6 of this Article shall be minimum 15 days of the date of receipt of a notification, except in cases that require urgent acting.

If the Regulatory Authority finds that the supervised entity failed to rectify identified irregularities, shortcomings or omissions in the implementation of this Law and regulations passed based on this Law within the set time limit, it shall file a report with a postal services inspector.

The Regulatory Authority shall act upon the request of the inspector to carry out expert supervision and to inform the inspector of the outcome of the supervision.

Article 95

The form of the official identification card of the Regulatory Authority's authorized person and the method of its issuance shall be determined by the Regulatory Authority.

The official identification card of the authorized person referred to in paragraph 1 of this Article shall include: logo of the Regulatory Body for Electronic Communications and Postal Services, name and surname of the authorized person, a photograph of the authorized person, official identification number, date of issuance of the identification document, the stamp of the Regulatory Authority, the signature of the director of the Regulatory Authority, as well as the following printed text: "The holder of this official identification card has the powers in accordance with the provisions of Article 94, paragraph 3 of the Law on Postal Services".

XI. PENAL PROVISIONS

Article 96

A fine in the amount between RSD 1,000,000 and RSD 3,000,000 shall be imposed on an economic operator for an economic infraction if it provides reserved postal services without authorization or delegates provision of reserved postal services to an unauthorised economic operator (Article 24).

A fine in the amount between RSD 50,000 and RSD 200,000 shall be imposed on a responsible person of a legal entity, or an economic operator for the economic infraction referred to in paragraph 1 of this Article.

Article 97

A fine in the amount between RSD 1,000,000 and RSD 3,000,000 shall be imposed on a legal entity for an economic infraction if it provides the universal postal service without a license for the universal postal service (Article 60 paragraph 2 item 1).

A fine in the amount between RSD 50,000 and RSD 200,000 shall be imposed on a responsible person of a legal entity for the economic infraction referred to in paragraph 1 of this Article.

Article 98

A fine in the amount between RSD 1,000,000 and RSD 3,000,000 shall be imposed on a legal entity for an economic infraction if it provides postal services without a license (Article 60 paragraph 1).

A fine in the amount between RSD 50,000 and RSD 200,000 shall be imposed on a responsible person of a legal entity for the economic infraction referred to in paragraph 1 of this Article.

Article 99

A fine in the amount between RSD 100,000 and RSD 3,000,000 shall be imposed on a public postal operator for an economic infraction if it:

- 1) Fails to comply with the requirements for and the manner of the provision of the universal postal service laid down under the act referred to in Article 8 of this Law;
- 2) Provides the universal postal service contrary to Article 21 paragraph 1 of this Law;
- 3) Fails to separate in accounting revenues generated and costs incurred from the universal postal service from revenues generated and costs incurred from postal services outside the scope of the universal postal service (Article 34 paragraph 2);
- 4) Fails to separate in accounting revenues from reserved postal services from revenues from non-reserved postal services within the scope of the universal postal service (Article 34 paragraph 4);
- 5) Uses revenues from reserved postal services to subsidize postal services which are not the universal postal service (Article 34 paragraph 10);
- 6) Fails to submit the annual report within the statutory deadline (Article 34 paragraph 12);
- 7) Fails to allow access to the network in the manner established by this Law and regulations adopted pursuant to this Law (Article 52 paragraph 1);
- 8) Issues postage stamps to Article 71 paragraphs 4 and 6 of this Law.

A fine in the amount between RSD 100,000 and RSD 3,000,000 shall be imposed for an economic infraction on a universal postal service provider in the capacity that is a legal entity in the cases referred to in paragraph 1 items 1) 2) and 3) of this Article.

A fine in the amount between RSD 5,000 and 200,000 shall be imposed for the economic infraction referred to in paragraphs 1 and 2 of this Article on a responsible person of a public postal operator or a universal postal service provider.

Article 100

A fine in the amount between RSD 50,000 and RSD 2,000,000 shall be imposed for an infringement on the postal operator that is a legal entity if it:

- 1) Fails to comply with its own general requirements (Article 9 paragraph 10);
- 2) Acts contrary to Article 15 of this Law;
- 3) Uses the title “post” without authorization (Article 20);
- 4) Fails to submit to the Regulatory Authority a report on its operations (article 22 paragraph 1);
- 5) Acts contrary to the provisions of Article 44 of this Law;
- 6) Fails to provide postal services in accordance with the license (Article 66 paragraphs 1 and 4);
- 7) Fails to comply with the inspector’s order (Article 89 paragraph 1 items 1), 2) and 3));
- 8) Fails to comply with the inspector’s decision (Article 91 paragraph 1);
- 9) Fails to submit to the Regulatory Authority data and information necessary for expert supervision, or fails to rectify identified irregularities within the statutory time limit (Article 94 paragraphs 4 and 6).

A fine in the amount between RSD 5,000 and RSD 150,000 shall be imposed on a responsible person of a legal entity for the infringement referred to in paragraph 1 of this Article.

A fine in the amount between RSD 100,000 and RSD 500,000 shall be imposed on a postal operator that a sole trader for the infringements referred to in paragraph 1 items 1), 2), 3), 5), 6), 7), 8) and 9) of this Article.

Article 101

A fine in the amount of RSD 40,000 shall be imposed for an infringement on the postal operator if it acts contrary to Article 9 paragraphs 3 and 8, Article 12, Article 28 paragraphs 2-4, Article 32 paragraphs 2, Article 37 paragraph 3, Article 40 paragraphs 3, 5 and 8, Article 45 paragraph 1, Article 66 paragraphs 3 and 5, Articles 76 and 77 and Article 81 paragraph 3 of this Law.

A fine in the amount of RSD 20,000 shall be imposed on a responsible person of the postal operator for the infringements referred to in paragraph 1 of this Article.

A fine in the amount of RSD 20,000 shall be imposed on sender if he/she hands over to the postal operator a postal item the content of which is prohibited (Article 42 paragraph 1).

XII. TRANSITIONAL AND FINAL PROVISIONS

Article 102

Secondary legislation for implementation of this Law shall be passed within one year of the date when this Law enters into force.

Secondary legislation adopted before this enters into force shall apply until secondary legislation in accordance with this Law is passed, except provisions that are contrary to this Law.

Article 103

Licenses issued before the date when this Law enters into force shall be valid until the expiry of the period for which they were issued.

Article 104

Procedures initiated before the day when this Law enters into force shall be completed in accordance with the regulations under which they were initiated.

Article 105

Provisions of Article 24 of this Law shall apply until the date of accession of the Republic of Serbia to the European Union.

Provisions of Article 36 of this Law shall apply from the date of accession of the Republic of Serbia to the European Union.

Article 106

Article 18 paragraph 2 of this Law shall continue to apply after the date of accession of the Republic of Serbia to the European Union, until the decision referred to in Article 61 paragraph 1 of this Law is passed.

Articles 61 – 62 of this Law shall apply upon expiry of 5 years of the date of accession of the Republic of Serbia to the European Union, except the provision of Article 61 paragraph 2 of this Law which shall apply upon expiry of 3 years of the date of accession of the Republic of Serbia to the European Union.

Article 107

On the date of entry into force of this law, the Law on Postal Services ("Official Gazette of the RS", number 77/19) ceases to be valid, except for the provisions of Article 81, para. 3-5, which cease to be valid after 12 months from the date of entry into force of this law.

Article 108

This Law shall enter into force on the eighth day of its publication in the *Official Gazette of the Republic of Serbia*.