**Return to consolidated text**

MAIN TEXT

Pursuant to Article 128, paragraph 11 of the Law on Public Procurement (“Official Gazette of the Republic of Serbia”, No. 91/19), and Article 44 of the Law on the Registration Procedure in the Business Registers Agency (“Official Gazette of the Republic of Serbia”, Nos. 99/11, 83/14, 31/19),

The Minister of Finance enacts the following

Rulebook on the content of the Register of Bidders and the documentation submitted with the application for registration of bidders

The Rulebook was published in the “Official Gazette of the Republic of Serbia”, no. 17/2020 of 28 February 2020, entered into force on 29 February 2020, and is applied from 1 March 2020.

Subject matter

Article 1

This Rulebook prescribes the content of the Register of Bidders (hereinafter referred to as: the Register) and the documentation to be submitted with the application for registration of economic operators.

Registered entities

Article 2

The Register is kept as a public, unique, central and electronic database in which, in accordance with the law, entrepreneurs and legal entities are registered, who meet the conditions for entry in the Register.

Subject matter of registration

Article 3

Registration of economic operators, change of data on economic operators and deletion of economic operators and records of data on economic operators that are important for legal transactions are registered in the Register.

The date of registration of the economic operator is also registered in the Register, i.e., the date of change of data on the economic operator and the date of deletion of the economic operator.

Data in the register

Article 4

The register contains legally prescribed data on the bidder, as follows:

1) identification/registration number;

2) tax identification number;

3) business name and address of the registered office;

4) personal name and personal identification number, i.e., passport number and country of issue of the legal representative of the bidder, if the legal representative is a natural person and business name and personal identification number of the legal representative of the economic operator, if the representative is a legal entity.

An integral part of the Register

Article 5

In addition to the data referred to in Article 4 of this Rulebook, the Register also contains the documents on the basis of which the registration was performed.

Application for registration of bidder registration

Article 6

The application for registration of the bidder’s registration shall be accompanied by:

1) proof of registration number;

2) certificate of tax identification number;

3) certificate of the competent court, i.e., the competent police administration in accordance with Article 111, paragraph 1, item 1) sub-item (1) and (2) of the Law on Public Procurement;

4) confirmation by the competent tax authority that the economic operator has paid due taxes and contributions for compulsory social insurance or that it has been granted a deferral of debt payment, including all accrued interest and fines, by a binding agreement or decision, in accordance with a special regulation;

5) confirmation by the competent tax authority of the local self-government unit that the economic operator has settled the due obligations of public revenues or that it has been granted a deferral of debt payment, including all accrued interest and fines, by a binding agreement or decision, in accordance with a special regulation.

A legal entity that is in the process of privatisation, instead of the evidence referred to in paragraph 1, items 4) and 5) of this Article, enclose a certificate from the ministry responsible for economic affairs that it is in the process of privatisation.

Evidence from paragraph 1, items 3) –5) of this Article may not be older than two months from the day of submitting the documentation to the Register.

Along with the application for registration of the bidder’s registration, proof of payment of the prescribed amount of the fee for conducting the registration procedure shall be submitted.

Bidders that are entered in the Register, in accordance with previously valid regulations, shall submit to the Register the evidence referred to in paragraph 1, items 3) –5) of this Article, on a certificate is issued by the Registrar keeping the Register and which is published on the website of the Business Registers Agency.

Application for registration of changes in registered bidder data

Article 7

Along with the application for registration of the change of registered data on the bidder who is not registered in one of the registers kept by the Business Registers Agency, the documentation that is the basis for the change is attached.

The change of date referred to in Article 4, paragraph 1, items 1) –3) of this Rulebook on the bidder entered in the Register kept by the Business Registers Agency shall be performed automatically by downloading data from the competent register.

Along with the report of the change of the legal representative of the bidder referred to in Article 4, paragraph 1, item 4) of this Rulebook, the certificate from the criminal record for the legal representative from Article 6, paragraph 1, item 3) of this Rulebook shall be attached.

Along with the application for registration of changes in the registered data on the bidder from paragraphs 1 and 3 of this Article, proof of payment of the prescribed amount of the fee for conducting the registration procedure shall also be submitted.

Application for registration of deletion of bidders from the Register

Article 8

Deregistration of bidders from the Register based on the request of the bidder is done on the basis of the application for registration of deletion of bidders from the Register.

Deregistration of bidders from the Register entered in the register kept by the Business Registers Agency is done automatically by downloading data from the competent register.

Deletion of the bidder from the Register ex officio is done on the basis of submission of evidence by the competent authority that the bidder has ceased to meet the requirements of the documentation prescribed by Article 6, paragraph 1, items 3) –5) and Article 6, paragraph 2 of this Rulebook.

Along with the application for deregistration of the bidder referred to in paragraph 1 of this Article, proof of payment of the prescribed amount of the fee for conducting the registration procedure shall be submitted.

Application for registration of re-entry of the bidder in the Register

Article 9

The application for registration of re-entry of the bidder in the Register shall be accompanied by the documentation referred to in Article 6 of this Rulebook, as well as proof of payment of the prescribed amount of the fee for conducting the registration procedure.

Application for registration of the note

Article 10

Along with the report of facts important for the legal registration and publication on the website of the Business Registers Agency, the documentation establishing those facts is attached, as well as the proof of payment of the prescribed amount of the fee for conducting the registration procedure.

Termination of effectiveness of regulations

Article 11

On the day of the beginning of the application of this Rulebook, the Rulebook on the content of the register of bidders and the documentation submitted with the application for registration of bidders (“Official Gazette of the Republic of Serbia”, No. 75/13) shall cease to be valid.

Entry into force

Article 12

This Rulebook shall enter into force on the day following the day of its publication in the “Official Gazette of the Republic of Serbia”, and shall apply from 1 March 2020.

01 No. 110-00-78/2020

In Belgrade, dated 20 February 2020

Minister,

**Siniša Mali**, personally signed

AMENDMENTS

Pursuant to Article 128, paragraph 11 of the Law on Public Procurement (“Official Gazette of the Republic of Serbia”, No. 91/19), and Article 44 of the Law on the Registration Procedure in the Business Registers Agency (“Official Gazette of the Republic of Serbia”, Nos. 99/11, 83/14, 31/19),

The Minister of Finance enacts the following

Rulebook amending the Rulebook on the content of the Register of Bidders and the documentation submitted with the application for registration of bidders

The Rulebook was published in the “Official Gazette of the Republic of Serbia”, no. 94/2020 of 3 July 2020, and came into force on 4 July 2020.

Article 1

In the Rulebook on the content of the Register of Bidders and the documentation submitted with the application for registration of bidders (“Official Gazette of the Republic of Serbia”, No. 17/20), Article 6, paragraph 1, items 1) and 2) is hereby amended to read as follows:

“1) proof of the bidder’s identification number, if the bidder is not entered in the competent register kept by the Business Registers Agency;

2) certificate on the tax identification number of the bidder, if the bidder is not entered in the competent register kept by the Business Registers Agency;”

After Article 4, paragraphs 5 to 6 shall be added, which read:

“Confirmation from paragraph 1, items 3) –5) and paragraph 2 of this Article, the bidder shall not enclose if the registrar can obtain data on the basis of which the facts proven by these certificates are established ex officio from the competent body that keeps official records in electronic form and if such is official records available in accordance with the regulations governing electronic government.

The registrar shall promptly inform the bidders on the website of the Business Registers Agency that the certificates referred to in paragraph 1, items 3) –5) and paragraph 2 of this Article do not need to be attached to the registration application.

Previous paragraph 5, which becomes paragraph 7, is amended to read as follows:

“Bidders that are entered in the Register, in accordance with previously valid regulations, shall submit to the Register the evidence referred to in paragraph 1, items 3) –5) of this Article, if this evidence cannot be obtained ex officio in the manner prescribed in paragraph 5 of this Article, a certificate issued by the Registrar maintaining the Register and published on the website of the Business Registers Agency.”

Article 2

Article 9 is amended to read as follows:

“Article 9

The application for registration of re-entry of the bidder in the Register shall be accompanied by the documentation referred to in Article 6 of this Rulebook in the manner prescribed by that Article, as well as proof of payment of the prescribed fee, in accordance with law.”

Article 3

This Rulebook shall enter into force on the day following the day of its publication in the “Official Gazette of the Republic of Serbia”.

No. 110-00-310/2020-03

In Belgrade, dated 2 July 2020

Minister,

**Siniša Mali**, personally signed

**Return to consolidated text**