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**4906**

Pursuant to Article 184, paragraph 3 of the Law on Public Procurement (“Official Gazette of the Republic of Serbia”, Nos. 91/19 and 92/23), the Public Procurement Office and the Office for IT and e-Government enact the following

**INSTRUCTION**

**on amendments to the Instruction for the Use of the Public Procurement Portal**

1. In the Instruction for the Use of the Public Procurement Portal (“Official Gazette of the Republic of Serbia”, No. 93/20), item 5 is amended to read as follows:

“5. Portal Users shall use the Portal after one-time registration on the Portal as an organisation.

Access to the User as a person from the organisation in which he/she is employed shall be enabled after the Portal User is registered on the Portal.

The Portal automatically grants administrator rights to the first registered person of the Portal User (hereinafter referred to as: administrator) within the organisation in which he/she is employed and that person may perform all actions on the Portal intended for that profile of the Portal User.

Every next person from the same organisation in which he/she is employed shall be registered on the Portal by the administrator.

Every next registered person from the same organisation in which he/she is employed performs actions on the Portal within the rights granted to him/her by the administrator.

The Portal User uses the Portal only within the limits of the rights granted to him/her when registering on the Portal.

The Portal User uses the Portal and its functionalities by using his/her own and unique user account with a specific username and password.

The basic user data required for registration on the Portal are entered by the Portal User, and the Portal, during registration, automatically fills in the organisation data by accessing electronic databases of the Business Registers Agency and the Ministry of Finance – Treasury Administration (public funds user records).

A natural person as a business entity in order to register on the Portal enters his/her personal data and uploads a photographed, scanned or scanned identity card or passport.

A legal entity as a business entity for the purpose of registration on the Portal authorises the person who enters data about that business entity, his/her personal data, uploads a photographed, scanned or read ID card or passport, as well as a certificate or authorisation of the person to work on the Portal on behalf of the business entity that is registered.

The data on a legal entity includes basic data (registration number, tax identification number and name), data on the address of the registered office, contact data, etc.

Personal data includes name and surname, personal ID number or personal identification number, address data, contact data, etc.

The confirmation or the authorisation to work on the Portal referred to in paragraph 10 of this item, issued on the letterhead of the business entity, is signed by the authorised person of the business entity.

A business entity registered on the Portal until the date of entry into force of this instruction shall renew its registration by entering the data and uploading the evidence provided for in this instruction.

The Office checks and approves registration and renewal of registration.

The process of checking and approving the registration does not affect the undertaking of activities on the Portal.

The Office will not approve registration and renewal of registration if the business entity has not acted in the manner provided for in this item of the instruction.

The competent authorities will be informed about possible abuses during registration or renewal of registration.

Business entities that are not granted registration or renewal of registration will be prevented from:

1) requesting additional information or clarification regarding procurement documentation within the meaning of Article 97 of the Law;

2) submission of bids in terms of Article 135 of the Law; and

3) submitting a request for the protection of rights within the meaning of Article 213 of the Law.

The business entity referred to in paragraph 18 of this point will be granted access to the Portal after registration, i.e., renewal of registration in accordance with this instruction.

The user account and entered data will be used for electronic communication and will be considered valid for any communication and exchange of documentation between the contracting authority/procuring entity, bidder, the Office and the Republic Commission for Protection of Rights in Public Procurement Procedures (hereinafter referred to as: the Republic Commission).

The Portal User regularly checks the user data and makes all changes in a timely manner.

The Portal User shall use only his/her own user account.

The Portal User shall keep his/her password and shall not pass it on to third parties.

If he/she suspects that his/her data is used by a third party, an unauthorised person or that the data has been unauthorisedly disclosed, the Portal User shall notify the Office thereof without delay.

In the case referred to in paragraph 24 of this item, the Office may change the conditions of registration, reject the application for registration and block the user account.

The Office and the IT Office may monitor the activities of the Portal User, with the aim of analysing the use of certain functionalities and improving the Portal.

2. This instruction shall enter into force on 4 November 2023.

Number 011-00-127/2023-01

In Belgrade, dated 31 October 2023

**Public Procurement Office**

Director,

**Sandra Damčević**, personally signed

**Office for IT**
 **and electronic administration**

Acting Director,

**Milan Latinović**, personally signed