

LAW
ON CIVILIAN SERVICE

I MAIN PROVISIONS

Article 1

This Law shall stipulate the following: the right to conscientious objector to persons obliged to do military service; performing conscription in civilian service; rights and duties of persons sent to civilian service; rights and obligations of the authorities, organizations, institutions and units responsible for civilian service; performing civilian service; training of persons in civilian service; civilian service control; reserve forces; reserve forces service reimbursement; records keeping, monitoring and financing of civilian service; penalties for non-execution of duties in civilian service, as well as other issues pertaining to civilian service.

Article 2

The basic terms used herein shall have the following meanings:

1) **civilian service** is a service, by which a conscript replaces execution of conscription under arms or without arms and which is executed in state bodies, organizations, institutions, units and legal entities determined by a certain decision taken by the Minister of Defence, as well as the service in the reserve forces;

2) **state bodies, organizations, establishments, units and legal entities**, in which civilian service can be exercised (hereinafter: an organization or an institution) are the following: institutions, public enterprises and organizations performing scientific, education, cultural, sporting, social, health, humanitarian and other activities of general public interest, state bodies, bodies of the autonomous provinces and local self-governments, as well as units, services and other organizational units of the civilian protection system formed in accordance with the law, and financed from the budget of the Republic of Serbia;

3) **a person who lodges a conscientious objector** is a conscript (a recruit and a person in the reserve forces), who for religious, moral or other justifiable reasons wishes to replace military service in the Serbian Armed Forces by executing civilian service, under conditions and in the manner stipulated by law;

4) **a person in the civilian service** is a person who performs the civilian service in

an organization or an institution or a person, who has already performed the civilian service and is now a member of the reserve forces;

5) **a person responsible** is a manager (chief, manager, director, secretary, etc.) of an organization or an institution, which the civilian service is executed in.

The right to conscientious objector

Article 3

A conscript, who for religious, moral or other justifiable reasons wishes to replace service in the army under arms with the civilian service, shall be allowed to exercise the civilian service, under the terms and conditions stipulated by this Law.

The execution of the civilian service will be provided to conscript, who is estimated capable of work.

A conscript in the reserve forces of the Serbian Armed Forces may declare conscientious objector, upon the expiry of the period of four years after the completion of military service under arms.

The execution of the civilian service is provided by the Ministry of Defence through territorial bodies formed to perform the tasks pertaining to conscription, compulsory labour and requisition (hereinafter: territorial body).

An organization or an institution, in which the civilian service is exercised shall be responsible to exercise rights and obligations of a person performing the civilian service in accordance with this Law.

Article 4

Territorial body shall notify the recruit on his right to conscientious objector along with the procedures for exercising this right in summons for entering into the military records, medical check-ups and military service execution.

Article 5

The right to conscientious objector shall not be granted to the following conscripts (a recruit and a person in the reserve composition):

- 1) If he possessed or still possesses the licence for keeping weapons;
- 2) If he applied for the licence to keep weapons;
- 3) If he was charged with crime prosecuted by official duties along with the crime or offence with the elements of violence prosecuted by private proceedings before the court;
- 4) If he dealt with or is still engaged in the sale or repair of arms or ammunition;
- 5) If he is under the proceeding for the crime prosecuted by official duties;
- 6) If he was charged and convicted of causing or participating in the riots and fights;
- 7) If he is registered as the owner or collector of firearms or trophy weapons;
- 8) If he is a member of the hunting, shooting, archery or other club, society or association which uses cold or firearms in its activities, or was the member of such organization at least one year prior to submission of his application;
- 9) If he is proven to give false information in his application for civilian service.

II. THE RIGHT TO CONSCIENTIOUS OBJECTOR

Article 6

A conscript, who is a conscientious objector shall submit a request in writing for civilian service with the necessary evidence, no later than eight days after being summoned for military service.

The request from Paragraph 1 of this Article shall be submitted to the territorial body where the recruit is kept in the records.

A person in the reserve forces, who is a conscientious objector and requires further exercising of the conscription in the civilian service shall submit a request with necessary evidence to the territorial body.

Article 7

A request for the civilian service shall be submitted in the form prescribed by the Minister of Defence.

Along with the request for civilian service, a conscript shall submit the following:

- 1) proof of academic and other qualifications and specific occupations;
- 2) evidence from Article 5 of this Law;

3) a medical certificate proving that he is able to work.

Provided that some evidence stipulated above is missing, the territorial body of the Ministry of Defence shall require submission of the necessary documents within eight days.

Territorial body of the Ministry of Defence shall submit a recruit's request to the Commission for civilian service within three days.

Centre for civilian service

Article 8

The Centre for civilian service shall be established within the internal units of the Ministry of Defence responsible for conscription, compulsory labour and requisition.

The Centre for civilian service shall perform jobs and tasks in terms of planning, organising, coordination, monitoring and execution of civilian service.

Decision on the establishment of the Centre for civilian service shall be taken the Minister of Defence.

Article 9

The Centre for civilian service shall be engaged in the following activities:

- 1) preparation and drafting regulations and other documents which regulate civilian service in detail;
- 2) collecting and processing data and developing solutions so as to determine the organizations or institutions used for civilian service;
- 3) development and adoption of plans in terms of the places available in organization or institution in which the civilian service is exercised;
- 4) development and adoption of plans in terms of places available in the units of civilian protection and other defence forces for persons from the reserve forces;
- 5) exercising rights and obligations of persons in the civilian service and organisation or institution in which civilian service is performed;
- 6) organizing and execution of the civilian service;
- 7) records keeping for persons in the civilian service and reserve forces;
- 8) control and supervision of planning, organizing and managing civilian service;
- 9) other duties stipulated by this Law and other special laws.

In performing the duties within the scope of its activities, the Centre for civilian service shall cooperate with the state authorities, autonomous provinces authorities and local self-governments in accordance with the scope of their activities in the field of defence, civilian protection, rescuing, surveillance, report and alarm, i.e. responsible commands, units and establishments of the Serbian Armed Forces.

Civilian service board

Article 10

A request submitted by a conscript or conscientious objector requiring fulfilment of conscription by performing civilian service, shall be decided by the Civilian service board.

Civilian service board is a working body appointed by the Minister of Defence or a person authorized by him.

The Civilian service board shall be established as a board of the first instance for civilian service and the board of the second instance for civilian service within the territorial body of the Ministry of Defence.

Article 11

The Civilian service board of the first instance (hereinafter: First instance board) shall resolve requests of persons who submit conscientious objector.

The First instance board consist of the five members: president, vice president and three members.

The First instance board shall be appointed and dismissed by the Minister of Defence or a person authorized by him.

Three members of the board shall be appointed from the territorial body, one member shall be appointed from the local self-governments bodies in the field of labour and social policy, and one member from the medical institution from the territory of the authority of the local self-government unit.

The First instance board shall be appointed for three years.

Article 12

The Second instance board for civilian service (hereinafter: Second Instance Board) shall decide on complaints lodged against the decisions of the First Instance Board.

The Second instance board shall consist of five members: president, vice president and three members.

The president of the Second instance board shall be appointed within the Ministry of Defence.

The vice president and the members of the Second instance board are appointed from the ministries in charge of welfare, justice and health and the local self-governments bodies, at the proposal of ministries in charge and the local self-government bodies.

The Second instance board shall be appointed or dismissed by the Minister of Defence or a person authorized by him/her for a period of three years.

Article 13

Organization, methods and the procedure of decision making, appointment of the president and vice president of the First instance and Second instance boards, along with other issues relevant to functioning of the commissions are stipulated by the Minister of Defence.

For the engagement and work of the members of the First and Second instance boards appointed outside the Ministry of Defence reimbursement shall be entitled as determined by the Minister of Defence.

Processing requests for civilian service

Article 14

The First instance board shall decide upon the request of the conscript for the civilian service by issuing a decision which is to be accepted or rejected within 30 days of the receipt of the request.

Summoning for civilian service shall be done by a territorial body of the Ministry of Defence by individual summons delivered to a conscript, no later than 15 days before he/she reports to an organization or an institution.

Article 15

A person whose request for civilian service has been accepted cannot be assigned for exercising civilian service in any organization or institution, in which:

- 1) he is or was employed;
- 2) a member of his family is employed (a spouse, brother, sister, or parents);
- 3) he is being educated, i.e. studies in.

A person responsible cannot assign the person in the civilian service to posts and jobs which are vacant according to the positive systematization of organization or institution which the person is exercising the civilian service in, or to jobs the performance of which would lead to dismissal of the employed persons.

Article 16

A complaint can be lodged against the decision of the First instance board within 8 days from the date of the reception of the decision.

The complaint shall not postpone execution of the decision.

The complaint shall be submitted to the Second instance board, through the territorial body by which the person is registered. The Second instance board shall respond to the complaint no later than 30 days since the receipt of the complaint.

The decision by the Second instance board shall be final in the administrative procedure.

Against the decision stipulated in Paragraph 3 of this Article, administrative trial can be initiated.

III EXECUTION OF CIVILIAN SERVICE

Article 17

Civilian service lasts for 12 months including holidays.

Civilian service in the reserve forces shall be planned and performed in civilian protection units and other defence forces.

Article 18

A conscript is sent to the civilian service in the calendar year, in which he turns 19 years of age, and at the latest until the end of the calendar year, in which he turns 27 years of age.

Exceptionally from Paragraph 1 of this Article, a conscript, can be, under special conditions, sent to civilian service, at the latest until the end of the calendar, in which he turns 30 years of age.

Manner and procedure of performing civilian service shall be regulated by the Government at the proposal of the Minister of Defence.

Article 19

A conscript shall be obliged to report to the civilian service he is sent to by a document issued by a competent authority to the place and at the time stipulated in the summons of the territorial authority he is registered with.

If the conscript fails to report at the place and at the time stipulated in the summons, and without an excuse, it is considered that he gave up his right to conscientious objector.

In case from Paragraph 2 of this Article, the responsible person from organization or the institution promptly after the expiration of the time for report of a conscript, shall be obliged to inform territorial authority on the issue.

Article 20

The Government at the proposal of the Minister of Defence decides to engage persons who are performing civilian service to participate in prevention and removal of the consequences after natural disasters.

The President of the Republic of Serbia, at the proposal of the Government, shall decide on engagement of civilian protection reserve forces under conditions of proclaimed state of emergency, in a part or on the whole territory of the Republic of Serbia in the period needed for removal of causes and consequences of such state of emergency.

Delay and termination of the civilian service

Article 21

A conscript, whose request for civilian service is accepted, may delay his civilian service in following cases:

- 1) If he, according to the law regulating protection of family members of a person doing conscription, becomes the only person providing for the family (for the time being);
- 2) If another member of his household is already doing conscription (as long as that family member completes his military service);
- 3) If due to death or a serious disease in the family or due to natural disaster, family of a conscript has been brought into very difficult financial situation by him doing civilian service (for the time being);

- 4) If he started his apprenticeship at work (until the end of apprenticeship period);
- 5) If he started working on permanent basis, and due to civilian service he would not be able to go to work on the precise date, and if a conscript, who is temporarily employed, has evidence that after expiration of his temporary employment he will start working on permanent basis, but not longer than one year.

A conscript from Paragraph 1 of this Article files a request to the territorial authority he is registered with, eight days from the date of receipt of the summons for the civilian service and is obliged to enclose necessary evidence for such request.

The territorial body shall decide on the request from Paragraph 2 of this Article within 15 days.

Against the decision from Paragraph 3 of this Article, a claim can be made to the Minister of Defence or the person authorized by him/her within eight days from the date of receipt of the decision.

A conscript from Paragraph 1 of this Article can delay civilian service, at the latest until the end of September of the calendar year, in which he turns 27 years of age.

A conscript, who, according to provisions of this Article, uses right to delay his civilian service is obliged to inform the territorial authority he is registered with on the change of circumstances, due to which this right ceases to exist, within eight days from the date of such a change.

Article 22

At the request of the competent ministry, civilian service shall be delayed to following conscripts:

- 1) scientist researcher, engaged in research and scientific and development related projects of special significance for the Republic of Serbia;
- 2) top athlete and a member of the national team of the Republic of Serbia, due to participation in the world, Olympic or European championships;
- 3) artist to enable him participate in cultural events of importance for the Republic of Serbia.

Civilian service is delayed to the conscripts from Paragraph 1 of this Article up to one year, and at the latest until the end of September of the calendar year, in which he turns 27 years of age.

The request from Paragraph 1 of this Article, accompanied by the evidence that the conscript has a status of a scientist researcher, top athlete, a member of national team of the Republic of Serbia and artist, shall be sent to the Ministry of Defence within 15 days from the date of receipt of the summons for civilian service.

Article 23

The person in civilian service can make a written request to leave the service while it is still in progress and ask to continue his service in military with or without arms.

The request for leaving civilian service can be made 15 days at the earliest and no later than 90 days after the beginning of civilian service.

The request from Paragraph 2 of this Article is made to the territorial authority who is obliged, within 8 days, to make a decision about the request and if all terms are fulfilled they send the person to military service with or without arms.

The territorial authority, prior to sending the conscript to do military service with or without arms, send the conscript to do a medical check-up and examination, if they were not done in due course.

Once the conscript is found capable of doing the military service; the territorial authority will stipulate his branch, position and military speciality (MS) and will send him to the Serbian Armed Forces in the following conscription term.

The territorial authority from Paragraph 3 of this Article, the person is registered with shall define the length of military service, and two days spent in civilian service shall be counted as one day spent in the military.

The person from Paragraph 1 of this Article shall be entitled to the conscientious objector.

Article 24

The conscript who is allowed to perform civilian service, and who made the request to leave the citizenship of the Republic of Serbia and informed the territorial authority about that, shall not be sent to civilian service until the decision is made.

Exceptionally from Paragraph 1 of this Article, the conscript who has made the request to leave the citizenship of the Republic of Serbia is sent to civilian service if he is 27 in that calendar year.

The organizational unit of the Ministry of Interior competent for making decision on leaving citizenship of the Republic of Serbia is obliged to decide about the request of the conscript from Paragraph 1 of this Article who made the request in the calendar year in which he turns 27 years of age and the decision has to be sent without delay to the territorial authority the conscript is registered with.

Article 25

Civilian service shall be terminated to the following persons in the civilian service:

- 1) If it is evident that circumstances from Article 5 of this Law exist;
- 2) If he is assessed as temporarily disabled or disabled to perform the duties;
- 3) If he fails to do his civilian service three continuous days or five interrupted days;
- 4) Due to breach of duties settled by the final decision of the authorized person from the organization or institution and after completed discipline procedure initiated to establish the responsibility for not performing duties during the civilian service;

5) If he did something contrary to the reasons of the conscientious objector or made discipline or financial breach of duties (fight, use of cold or fire weapons, consuming alcohol and drugs, destroying property, etc.).

In order to evaluate capability for work from Paragraph 1, Item 2 of this Article, a competent military health institution can be engaged.

Discipline procedure started against the person in civilian service from Paragraph 1, Item 4 of this Article shall be conducted by a Commission stipulated by the responsible person.

The decision on leaving civilian service from Paragraph 1, Items 1 to 5 of this Article shall be taken by the First instance commission, which shall inform the organization or the institution and territorial authority the conscript doing the civilian service is registered with.

Persons from Paragraph 1, Item 1, 3, 4, and 5, of this Article shall be sent to military service without arms in the Serbian Armed Forces unit.

Article 26

At the request of the authorized person by the competent ministry, civilian service may be terminated for the person who is a scientist researcher (to allow him to participate in some scientific, research and developing projects, which are of special importance for the Republic of Serbia), top athlete and a member of the national team of the Republic of Serbia (to allow him/her participate in the world, Olympic and European competitions) and an artist (to allow him/her participate in some events, which are of interest for the Republic of Serbia), while the reasons exist and at the latest until the end of June of the calendar year, in which the conscript turns 27 years of age.

The request from Paragraph 1 of this Article shall be submitted to the Ministry of Defence.

Article 27

Civilian service shall be terminated at the request of the person in civilian service:

- 1) If he is assessed as temporarily incapable of work;
- 2) Due to death or serious illness of a member of his family (husband, children born in his marriage, or outside of marriage, adopted or foster children, relatives of the first line, under condition that they live together);
- 3) Due to natural disasters and other misfortunes, by which his family would be brought into difficult position because of his absence;
- 4) If he requests to continue doing the military service with or without arms;

Person in civilian service may be sent to competent medical institution for evaluating his capability of performing civilian service at personal request, or by an order of the responsible from the organization or institution or at the request of the First instance commission.

The civilian service shall be terminated by the decision of the First instance commission

due to reasons stated in Paragraph 1, Item 1 of this Article when in the person in civilian service was found that there was change in his health condition affecting his ability to perform civilian service, with such break lasting no longer than two years.

If civilian service is terminated due to reasons stated in Paragraph 1, Item 3 of this Article, break in civilian service can last no longer than 6 months from the date when the service has been terminated.

Article 28

Against the decision on delay or termination of the civilian service, one can lodge a complaint to the Second instance commission, within eight days from date of the receipt of the decision.

The compliant shall not postpone the decision.

During the period of the complaint procedure against the decision on termination of civilian service, the person in civilian service continues doing his civilian service.

The Second instance commission shall make a decision on the complaint within eight days from the date of the receipt of the complaint.

Against the decision from Paragraph 4 of this Article the administrative procedure may be started.

Transfer of persons in civilian service

Article 29

Civilian service shall be performed in the organization or institution at the place defined in the summons for civilian service.

Person in the civilian service, during civilian service performance, can be transferred to another organization or institution:

- 1) when competent health organization finds that the place where he works affects his health;
- 2) if during civilian service he changes the place of residence;
- 3) in case of breaking the contract between the Ministry of Defence and the organization or institution, or in case when the organization or institution ceases operating;
- 4) if the organization or the institution loses status from Article 2, Paragraph 1, Item 2 of this Law.

The decision on transfer shall be made by the territorial authority of the Ministry of Defence.

IV RIGHTS AND DUTIES IN CIVILIAN SERVICE

Article 30

The Ministry of Defence announces public invitation for participation in the procedure of choosing organizations or institutions where civilian service is to be performed.

The organization or the institution from Article 2, Paragraph 1, Item 2, of this Law shall submit to the competent ministry their request for passing a decision according to which they would become the civilian service facilities.

The request should contain: data on organisation or institution: field of activity and work they do; number of persons who can be engaged in civilian service (per year and per sending terms); description of tasks and work which those persons would be engaged on doing in civilian service; desired qualifications of the persons in civilian service and other significant details for performing duties in civilian service.

Competent ministry handles the request with necessary evidence and opinion of its justifiability to the Ministry of Defence.

The Minister of Defence defines organizations or institutions where civilian service will take place.

Mutual rights and obligations of the organization or institution where the civilian service is performed and the Ministry of Defence are settled by contract.

Rights and duties of persons performing civilian service

Article 31

Person sent to civilian service has right to have regular holiday of 10 days, counting non-working days.

For extraordinary working efforts and achieved results, person in civilian service can be awarded by a holiday of 7 days total.

Person sent to civilian service has right to have irregular holiday for some private matters in duration of 5 days in case of marriage, child birth, death or hard illness of a member of his household, taking exams, removal of consequences of natural disasters in his household and in other cases which person in charge finds justifiable.

Irregular holiday for private matters can be allowed more than once, and the time spent on such holidays longer than 5 days is counted as time of the regular holiday, except when that leave is allowed because of the death of a member of the household.

Decision about regular holiday, award or irregular holiday is made by person in charge from the organization or institution or person in charge whom he appoints.

Regular holiday, award and irregular holiday cannot be used at the end of civilian service and civilian service cannot be shortened on that bases.

Person in civilian service gets 2 days off for each case of giving blood voluntarily and those 2 days do not include the day when blood is given.

Article 32

Person in civilian service during his civilian service can choose journey abroad during his regular holiday or award holiday.

The request with necessary evidence must be given to the Ministry of Defence 30 days prior to the journey abroad.

Conditions, ways and procedure for journey abroad for the person in civilian service are prescribed by the Ministry of Defence.

Article 33

If the person sent to civilian service finds that he is being treated incorrectly, inhumanly, or humiliatingly he can make a written claim to the First instance commission.

The person from Paragraph 1 of this Article informs the person in charge in the organization or institution about sending claim to the First instance commission.

The First instance commission is obliged to consider the claim from Paragraph 1 of this Article within 15 days and to take adequate measures for establishing and overcoming the reasons for the claim.

The decision related to the claim First instance commission gives to the person who made the claim and to the organization or institution where the person performs civilian service within eight days from the date of making it.

Against the decision of the First instance commission a claim can be made to the Second instance commission within 8 days from the date of its receipt.

The decision of the Second instance commission is final in administrative procedure.

Article 34

The person sent to civilian service during his serving civilian service shall be entitled to the following:

- 1) Reimbursement of 50% of the payment which belong to the conscript doing the military service;
- 2) Compensation for transportation costs to the place of residence to the organization or institution according to the rules which apply to other employees;
- 3) Food and payment for food unless provided in the organization or institution (as well as for other persons in the organization or institution);
- 4) Protection of safety and health at work.

Person in civilian service shall be entitled to health insurance, health protection and rights in case of injury at work.

Article 35

Person in civilian service is liable to disciplinary responsibility.

Under breach of duties and obligations as the base for establishing discipline responsibility is considered:

- 1) frequent coming late, leaving earlier and leaving the organization or institution during working hours without approval of the responsible person;
- 2) unjustifiable absence from work for a day;
- 3) irresponsible or bad performance;
- 4) careless and harmful attitude towards working equipment;
- 5) coming into organization or institution drunk or under the influence of drugs and coming into such state during working hours;
- 6) bullying and improper behaviour towards people in the organization or institution, i.e. person in charge.

Disciplinary procedure against a person in civilian service shall be initiated by the responsible person in the organization or institution. Disciplinary procedure in civilian service shall be conducted by a commission formed by the responsible person. One member of the commission has to be from the First instance commission, which has sent the person to civilian service.

If the person in civilian service breaches only one of the obligations and liabilities from Paragraph 2, Item 1 to 6 of this Article, the responsible person can pronounce a measure “warning” as a warning and inform the First instance commission.

Article 36

Persons in civilian service are not allowed to participate and organize a strike.

All data about the organization or institution, except from the data available to the public, are considered confidential, i.e. official secret.

Person in civilian service is obliged to keep data he learned as secret also after finishing the civilian service.

Rights and obligations from work of the person in civilian service are still and he cannot be employed nor do tasks from his working place according to the Law.

Article 37

The person sent to civilian service performs duties and tasks defined by the responsible person in accordance with need of the organization or institution, and in that case education and vacation of the person in civilian service are not an obliging criterion.

The person sent to civilian service does tasks in accordance with his working hours of the

organization or institution. Working hours for the person in civilian service is eight hours a day and 40 hours per week.

When nature of a job, organization of work, better exploiting of equipment, rational use of working time and doing certain job in given terms requires, the responsible person can organize different working hours for the person in civilian service in accordance with the Law pertaining to labour.

Exceptionally from Paragraph 2 of this Article, and in case mentioned in Article 20, Paragraph 1 of this Law, working hours can be extended until the work is finished, i.e. until the consequences of natural disasters are removed.

The person in charge will provide by extra working hours a compensation of time for engagement of the person on prevention and removal of consequences of natural disasters.

Rights and obligations of organizations or institutions

Article 38

Organization or institution, the civilian service is exercised in, shall be obliged to ensure a person serving the civilian service all rights prescribed in Article 34 of this Law.

Organization or institution, the civilian service is exercised in, shall be obliged to ensure a person serving the civilian service work at the workplace and the working environment, health and safety at work measures have been implemented in, protection of personal integrity, as well as other forms of protection, in accordance with the Law and general acts of the organisation or institution.

Organization or institution, the civilian service is exercised in, shall be obliged to facilitate training for a person serving the civilian service pertaining to civilian defence activities, at the request of the territorial body of the Ministry of Defence.

A person serving the civilian service can neither be a driver or an operator at construction and other machines, nor perform security duties in the organization or institution the civilian service is exercised in.

Article 39

A responsible person in organization or institution shall be obliged to immediately inform the Centre for civilian service of any change in status, activity or any other changes in the organization or institution of importance for the civilian service.

The obligation of keeping records

Article 40

A responsible person in organization or institution, i.e. person authorised by him/her shall be obliged to provide record-keeping of a person serving the civilian service, containing

all documents from the territorial body of the Ministry of Defence and documents compiled in the organization or institution.

The Minister of Defence shall pass guidelines for keeping records.

Training of persons in the civilian service

Article 41

In the course of the civilian service, a person serving the civilian service shall be trained for performing work tasks within the scope of an organization or institution, as well as for the civilian defence.

Training for performing work tasks in the organization or institution shall include professional training for execution of tasks carried out by the organization or institution of interest for the defence.

Civilian defence training shall include professional training for protection and rescuing people, material and other goods, in the event of natural disasters, technical and technological accidents, i.e. in case of war and war consequences.

Programme, procedures and ways of organizing and conducting training for the civilian defence related jobs, lasting for 14 days at least or 84 training hours, as well as other issues of importance for the training, shall be prescribed by the Minister of Defence, at the proposal of a body in charge of the civilian defence.

Civilian defence training is normally conducted at the place civilian service is exercised in. Unless there are such conditions for organising and conducting the training, persons serving the civilian service shall be sent to the territory of the local self-government, where such conditions exist, provided costs of transport, accommodation and catering are covered.

A person serving in the civilian service that cannot qualify for the civilian defence shall be sent to training again in the first following term.

Civilian service control

Article 42

Organization or institution the civilian service is exercised in shall be obliged to appoint a person responsible for inspection of work and conduct of persons in the civilian service and report to the First instance board.

The responsible person from Paragraph 1 of this Article shall report to the First instance board once a month on the conduct and commitment of persons in the civilian service.

Article 43

Centre for civilian service and the Civilian service commissions shall be responsible for controlling persons in the civilian service and organisations or institutions the civilian service is exercised in.

In case of any deviations from provisions of this Law, the Centre for civilian service shall take all measures within its competences in accordance with the Law.

V. RESERVE FORCES

Article 44

A person who has completed civilian service becomes a person in the reserve forces and shall be entered into the reserve forces register, on the date of release from the organization or institution.

Reserve forces comprise the civilian defence reserve forces and other defence forces reserve forces.

Civilian defence and other defence forces reserve forces include persons who have fulfilled the conscription by doing civilian service and have been assessed capable of work.

Civilian defence and other defence forces reserve forces include persons who have been both assigned and unassigned.

Assigned members of reserve forces are persons who have been assigned to the civilian defence or other defence forces.

The territorial body of the Ministry of Defence shall keep records on unassigned reserve forces members.

Article 45

Reserve forces member is liable from the date of the release from civilian service, i.e. the date the civilian service obligation has been fulfilled in any other way, until the end of the calendar year, in which the person (male) turns 60.

Notwithstanding the provision from Paragraph 1 of this Article, a single parent shall not be summoned to the provided his child is under 15.

In case of the state of emergency or war, the President of the Republic of Serbia may decide to keep the person, who has completed the civilian service according to this Law immediately after the completion of the civilian service, as the person in the reserve forces.

Article 46

A person in the reserve forces may be summoned to training and the civilian defence and other defence forces exercises (hereinafter: exercises).

A person in the reserve forces can be engaged in the exercise not more than 90 days per year.

The reserve forces obligation shall also be carried out by participation in exercises, courses and other forms of civilian training and execution of other duties stipulated by this and other laws, and in case of the state of emergency or war, or emergencies caused by natural disasters and other accidents, by engaging in the civilian defence units, in the civilian defence and by execution of certain duties and activities in other defence forces.

Exceptionally, during the state of emergency or war, the President of the Republic of Serbia may decide to engage the following:

- 1) persons in the reserve forces who have completed the exercise lasting as prescribed by the provision from Paragraph 2 of this Article;
- 2) persons in the reserve forces who are of age as prescribed in Article 45, Paragraph 1 of this Law.

Article 47

Upon the request of persons in the reserve forces, an exercise shall be delayed or cancelled under the following circumstances:

- 1) if he is ill (until next summons upon his recovery);
- 2) if another member from his household is summoned at the same time or is already doing the military service (until he comes back);
- 3) if he is to take exams during the exercise, or if he would be prevented from finishing a school year by going to the exercise (for the time being);
- 4) if at the time of the exercise he is training for participation in the European and world sports competitions and the Olympic games;
- 5) if he participates in international scientific, research and art events or is engaged in assignments of great importance for the Republic of Serbia (while such events and activities are on);
- 6) if due to a death case or a serious illness in the household, or natural disasters, his household may suffer difficult financial or social issues when he is summoned to the exercise (for the time being);
- 7) if immediately before or at the time of departure for the exercise a death case occurs in his household or family (until next summons);

8) and for any other justifiable reasons, in accordance with this Law.

If a contagious disease breaks out at the place of residence of a person in the reserve forces, the exercise shall be postponed as long as the contagious disease is on.

Exceptionally, an exercise may be delayed for a person in the reserve forces due to urgent service needs, if requested by the competent state body, commercial enterprise, other legal entity and entrepreneur this very person is employed with (as long as necessary).

An exercise lasting more than three days may be postponed for a registered farmer or any another person independently running a business activity, due to urgent works, unless there is another household member capable of doing business.

Request for postponement of the exercise shall be submitted to the territorial body a person in the reserve forces is registered with.

Provided the delay or termination of the exercise is required for the reasons described in Paragraph 1, Items 1), 4), 5) and 6) of this Article, the request may also be submitted when the reason for the delay occurs.

Article 48

Persons in the reserve forces shall be notified on the schedule in the reserve forces, civilian defence system and other defence forces.

Data on the schedule in the reserve forces shall be treated as classified data, in accordance with the Law.

Article 49

Summoning persons in the reserve forces shall be conducted on the basis of the Training plan and Exercise plan, or, exceptionally, when urgently required.

In order to carry out exercises and training in the civilian defence units and other defence forces, persons in the reserve forces shall be summoned in line with regulations on the civilian defence and a request of the competent civilian defence body, i.e. a competent body.

A unit, i.e. the civilian defence body shall submit a request to call persons in the reserve forces to the territorial body of the Ministry of Defence persons in reserve forces are registered with, no later than 60 days before the date designated for reporting of these persons in the unit, that is the civilian defence service.

The territorial body of the Ministry of Defence a person in the reserve forces is registered with shall send summons no later than 30 days before the date designated for reporting for the exercise.

In the state of emergency or at wartime, natural disasters and technical and technological accidents, persons in the reserve forces shall be summoned without any time limitations.

Article 50

A person in the reserve forces shall submit a request for postponement of the exercise to the territorial body no later than 8 days from the date of receiving the summons.

Provided postponement of the exercise is requested by the state authority, commercial enterprise, another legal entity or entrepreneur a person in the reserve forces is employed with, it is necessary to submit evidence on the necessity of his engagement together with the exercise postponement request.

Provided postponement of the exercise is required by a farmer due to urgent agricultural activities, he shall submit evidence on his registration and the certificate issued by the competent local self-government stating that there is no other member in his household capable of carrying out agricultural activities in question at the time of the civilian defence exercise.

The decision on postponement the exercise shall be taken by the territorial body and its copy shall be submitted to the civilian defence body or a body the applicant is assigned to.

Article 51

Obligation in the reserve forces shall be terminated for a person in the reserve forces in the following circumstances:

- 1) at the end of the calendar year, in which he turns 60;
- 2) if he is assessed as incapable of work;
- 3) if he is no longer the citizen of the Republic of Serbia;
- 4) if he passes away.

Reserve forces service reimbursement

Article 52

A person in the reserve forces summoned to carry out service in the reserve forces shall be entitled to reimbursement of costs for the public transport from the place of residence to the reporting place for the service in the reserve forces.

Article 53

A person in the reserve forces, who is employed and summoned to the service in the reserve forces, shall be entitled to the compensation in the amount of average salary of last three months prior to being summoned, unless otherwise stipulated by a special law.

A person in the reserve forces, who is self-employed or engaged in any other registered commercial or professional activity, in the course of the reserve forces service, shall be entitled to the compensation in the amount of the salary base, from which mandatory social contributions are paid.

A person in the reserve forces, who is unemployed or not engaged in any registered business or any other registered commercial or professional activity, registered agricultural activity, as well as a person in the reserve forces entitled to pension or compensation for being temporarily unemployed, shall be entitled to the compensation in the amount prescribed by the Government, in the course of the reserve forces service.

Article 54

Compensations envisaged by provisions of Articles 52 and 53 of this Law shall be paid to persons summoned to take part in the civilian defence exercise at the expense of the competent civilian defence body.

A person in the reserve forces summoned to the civilian defence exercise shall be entitled to food and accommodation free of charge provided the exercise lasts longer than 8 hours.

VI. RECORDS KEEPING, MONITORING AND FINANCING OF CIVILIAN SERVICE

Records keeping

Article 55

Records on persons in the civilian service and reserve forces are kept by the Ministry of Defence.

A person in the civilian service and in the reserve forces is registered according to his/her place of residence.

Records on persons in the reserve forces residing abroad longer than one year are kept in the diplomatic-consular representative office.

Method of records keeping in the civilian service and the form of the civilian service booklet shall be prescribed by the Minister of Defence.

Article 56

State bodies, autonomous provinces bodies, local self-government bodies, commercial enterprises, other legal entities and entrepreneurs, shall provide data on the civilian service performance upon the request of the territorial body and be held responsible for their validity.

Article 57

A civilian service booklet shall be issued to a person in the civilian service as evidence of the civilian service fulfilment and his/her identity in the course of the service.

A special ID card shall be issued to a person assigned to the civilian defence unit or other defence forces in line with regulations of the civilian defence.

Article 58

A person in the civilian service and a person in the reserve forces shall report to the territorial body the record is kept with, no later than 8 days from the date of the change, as following:

- 1) return from the civilian service;
- 2) new address;
- 3) change of residence;
- 4) any health related change of importance for the ability to work;
- 5) the nature and place of the registered self-employment or entrepreneurial activities, or any other professional activities;
- 6) loss of the civilian service booklet;
- 7) enrolment at or renewal of a school/academic year;
- 8) and other data relevant for performing the civilian service.

Monitoring

Article 59

Inspection over the implementation of this Law shall be carried out by the Defence Inspectorate in accordance with the Law on Defence and regulations pertaining to inspection and monitoring.

Article 60

Payment of fees for all submitted documents pertaining to the civilian service shall be regulated according to the Law.

Financing of civilian service

Article 61

Funds for financing of the civilian service shall be provided within the budget of the Republic of Serbia and the organisation or institution the civilian service is performed in.

VII. PENALTIES

Article 62

Fine in the amount of 10,000 to 50,000 dinars or imprisonment of up to 60 days shall be imposed on a recruit, a person in the civilian service and a person in the reserve forces, if, contrary to this Law, he fails to resort to the territorial body when being summoned, and without a justifiable reason, at the time and place stipulated in individual summons - for civilian service, medical and other check-ups, as well as for an exercise or any other training in the reserve forces considered to be execution of the civilian defence exercise.

Article 63

Fine in the amount of 10,000 to 50,000 dinars or imprisonment of up to 60 days shall be imposed on a person in the civilian service if, contrary to this Law, without a justifiable reason, he abandons the civilian service, training and exercise during its course or if he discloses a business, i.e. official classified information.

Article 64

Fine in the amount of 10,000 to 40,000 dinars or imprisonment of up to 30 days shall be imposed on a recruit, a person in the civilian service and a person in the reserve forces in the following cases:

- 1) if he intentionally or by negligence causes material damage to the organization or institution the civilian service is performed in, by his reckless use of means and facilities for performance of work related tasks (Article 35, Paragraph 2, Item 4) of this Law);
- 2) if he is irresponsible and violently towards a responsible person or employees of the organization or institution (Article 35, Paragraph 2, Item 6) of this Law);
- 3) if he organizes, prepares and participates in a strike (Article 36, Paragraph 1 of this Law);
- 4) if he fails to report any changes described in Article 58 of this Law to the territorial body his records are kept with, in a prescribed deadline.

Article 65

Fine in the amount of 45,000 to 450,000 dinars shall be imposed on an organization or institution, when established, that during the civilian service, it has failed to ensure prerequisites for carrying out the civilian service or rights to the person at the time of performing the civilian service (Article 38, Paragraphs 1 and 2 of this Law).

For the offense referred to in Paragraph 1 of this Article, the responsible person in an organization or institution shall be fined in the amount of 10,000 to 50,000 dinars.

Article 66

Fine in the amount of 50,000 to 150,000 dinars shall be imposed on an organization or institution, when established, that during the civilian service, contrary to this Law, a person

in the civilian service was treated in an undignified, inhuman or degrading way.

For the offense referred to in Paragraph 1 of this Article, the responsible person in an organization or institution shall be fined in the amount of 10,000 to 50,000 dinars.

VIII. FINAL PROVISIONS

Article 67

A person serving the civilian service, on the date this Law enters into force, shall continue to perform the civilian service in line with provisions of the regulations in effect at the time he commenced performing the civilian service.

The incomplete conscientious objector procedure shall be resolved under provisions of this Law.

A recruit, who applied for the civilian service, and has been assessed capable or partly capable of the military service by the drafting board, shall be assigned to the civilian service as capable of work.

A person, who has completed the civilian service in an organization or institution, before this Law enters into force, shall be registered with the civilian defence and other defence forces establishment in the territorial body of the Ministry of Defence.

Article 68

Regulations for implementation of this Law shall be passed no later than six months from the date of enactment of this Law.

Article 69

Individual legal documents necessary for the implementation of this Law shall be passed by the Minister of Defence, or a person authorised by him/her, 90 days from the date of enactment of this Law.

Article 70

Until a special law is passed, the Ministry of Defence shall reimburse all expenses of persons serving the civilian service, carrying out their duties in the units and service of the civilian defence, rescue, surveillance, report and alarm.

Article 71

Agreements signed between the Ministry of Defence and an organization or institution the civilian service is performed in, shall stay in force until new agreements are concluded in accordance with provisions of this Law.

Article 72

On the date of enactment of this Law, the following provisions cease to be effective: the Law on Yugoslav Armed Forces ('Official Gazette of the FRY', no. 43/94, 28/96, 44/99, 74/99, 3/02 and 37/02, 'Official Gazette of Serbia and Montenegro', no. 7/05 and 44/05 and 'Official Gazette of the RS', no. 116/07) and Decree on the Military Service ('Official Gazette of the FRY', no. 36/94 and 7/98, 'Official Gazette of Serbia and Montenegro', no. 37/03 and 4/05 and 'Official Gazette of the RS', no. 6/07 and 86/07), pertaining to civilian service parts.

Article 73

This Law shall enter into force on the eight day from the date of publishing in 'Official Gazette of the Republic of Serbia'.