

LAW ON DEFENSE

Chapter I

GENERAL PROVISIONS

Article 1

This Law shall regulate the defense system of the Republic of Serbia, competences of government bodies and the Serbian Armed Forces in defense, rights and duties of the government bodies, autonomous provinces, local self-government units, citizens, companies, other legal entities and entrepreneurs in the area of defense, and other matters of importance to defense.

Article 2

Defense of the Republic of Serbia is implemented through engagement of available human and material resources, and is enabled through the use of the Serbian Armed Forces and other defense forces working on protection of sovereignty, independence, territorial integrity and security.

The main purpose of defense is to avert attacks and opposition to the military and non-military challenges, risks and threats to the country's security, and protection of its people, material resources and environment.

Defense of the Republic of Serbia is implemented through a unified system of organized preparation of citizens, government bodies, bodies of autonomous provinces and local self government, companies, and other legal entities and entrepreneurs for the fulfillment of defense tasks, work and use of the Serbian Armed Forces and other defense forces in maintaining and preservation of security of the Republic of Serbia and its citizens.

Defense of the Republic of Serbia is implemented autonomously and may also be implemented in coordination with other countries within the institutions of the systems of national, regional and global security.

Defense system subjects include the following: citizens, government bodies, companies, other legal entities, entrepreneurs and the Serbian Armed Forces.

Article 3

The Republic of Serbia maintains defense cooperation with other countries and international organizations and institutions of the system of national, regional and global security in building and preservation of peace in the world, and fulfills the obligations ensuing from its membership in the United Nations and commitments assumed under the ratified international treaties.

Article 4

The terms used in this Law shall have the following meaning:

- 1) **Defense system** is part of the national defense system and a unique form of organizing preparations for the execution of defense tasks, implementation of measures and activities pertaining to the work of citizens, government bodies, companies and other legal entities for the use of the Serbian Armed Forces and other defense forces in the state of war and emergency;
- 2) **Defense forces**, in a broader sense, are human and material potentials of the Republic of Serbia, and in the narrower sense, the defense forces, pursuant to the law, are made of organized structures of the defense system subjects;
- 3) **Military defense** is part of the defense of the Republic of Serbia that includes institutions and activities in preparation and defense from military challenges, risks and threats to security;
- 4) **Civil defense** is a part of the unified defense system of the Republic of Serbia organized to enable successful operation of government bodies, bodies of the autonomous provinces, local government units, companies and other legal entities, protection, saving lives and providing conditions for the lives and work of citizens, and for satisfaction of the needs of defense forces during the state of war and emergency;
- 4a) **Civil protection** is an organized system whose main purpose is to protect, save and remedy the consequences of Acts of God, technical and technological accidents and other major dangers that may affect the people, material and cultural wealth and environment during the states of war and emergency;
- 5) **Serbian Armed Forces** is an organized armed force defending the Republic of Serbia from external armed threats, and executing other missions and tasks in accordance with the Constitution, law, and the principles of international law regulating the use of force;
- 6) **State of emergency** is the state of public danger in which the survival of the country and its citizens is endangered, and comes as a consequence of military or non-military challenges, risks and threats to security;
- 7) **State of war** is the state of danger whereby the external armed actions endanger the sovereignty, independence and territorial integrity of the country and the peace in the region. It is the state that requires mobilization of the defense forces and resources;
- 8) **Defense preparations** include those activities that are based on the defined defense strategy and are implemented in accordance with the defense plans;
- 9) **Defense interests** include: defense of the country and protection of its people, confidence building, maintenance of security and stability in the region, cooperation

- with international organizations and institutions and accession to the institutions of national, regional and global security;
- 10) **Military challenges**, risks and threats to security are manifested in the following forms: aggression, armed rebellion and other forms involving the use of armed force;
 - 11) **Non-military challenges, risks and threats** are manifested in the following forms: terrorism, organized crime, corruption, natural disasters, technical-technological accidents and other accidents and threats;
 - 12) **Human resources in defense** include the demographic potential of the country subject to defense obligation, capable and trained to be included in the defense system;
 - 13) **Material resources in defense** include natural, economic, financial, information and other potentials of the country that are engaged for defense purposes;
 - 14) **National Security Strategy of the Republic of Serbia** is the highest strategic document the realization of which serves to protect the national interests of the Republic of Serbia from challenges, risks and threats to its security in different aspects of social life;
 - 15) **Defense Strategy of the Republic of Serbia** is the highest level strategic document in the defense area that defines stands on security environment, defense interests, missions and tasks of the Serbian Armed Forces and the structure and functioning of the Defense System;
 - 16) **Serbian Armed Forces Doctrine** is the basic document defining the general positions pertaining to military activities, organizing, preparations, use and support of the Serbian Armed Forces in peacetime, state of war and emergency, in accordance with the Constitution and the Defense Strategy of the Republic of Serbia;
 - 17) **Long Term Defense System Development Plan of the Republic of Serbia** is a defense planning document laying down the strategic directions for development of the defense system of the Republic of Serbia, required capabilities of the Serbian Armed Forces, contents and dynamics of the organizational changes, development of human and material resources, defense system financing and other issues pertaining to the functioning of the defense system, in accordance with the defined missions and tasks of the Republic of Serbia defense;
 - 18) **Strategic Defense Review of the Republic of Serbia** is the initial program document defining mid term defense planning, efficient management of defense resources, transparency of defense operations and development of preconditions for democratic and civil control, professionalization and efficiency of the Serbian Armed Forces in carrying out its assigned missions and tasks;
 - 19) **Air Traffic Management System**, in a broader sense, includes the unity of organizations, services and units, facilities, equipment and gear, skills, information and doctrines (regulations and procedures) established to enable safety and efficiency of the flow of aircrafts in all maneuver stages, and consists of the internally interactive airborne and the elements on the ground; Air Traffic Management System, in the narrower sense, is part of the national security system and a unique form of a civil – military organizing for the purpose of control, protection and defense of the air space, regulating and surveillance of the functioning of the system and delivery of services in peacetime, wartime and state of emergency;

- 20) **Defense System Management** represents the process of guiding defense subjects in the of execution of their tasks and assignments;
- 21) **Democratic and Civil Control** of the Serbian Armed Forces includes in particular: control of the use and development of the Serbian Armed Forces, internal and external control of military expenditures, monitoring the status and reporting to the public on the status of preparations of the Serbian Armed Forces, enabling free access to information of public interest, and identification of responsibilities for fulfillment of military duties in accordance with the law;
- 22) **Transparency in financing defense requirements** includes in particular: proposals, preparations, reporting and control of defense system costs; presentation of objectives and tasks that require relevant funds; reporting on the proper use of those funds and constant control of defense system expenditures;
- 23) **Multinational operations** represent activities undertaken within the systems of collective security and collective defense, in accordance with the international law and ratified international treaties and agreements.

Article 5

Defense of the country is achieved through:

- 1) Organization and preparations of defense subjects for fulfillment of tasks both in wartime and during the state of emergency;
- 2) Undertaking measures and actions pertaining to the work of defense subjects and the use of the Serbian Armed Forces and other defense forces in the state of war or state of emergency until the final elimination or termination of a threat to the country;
- 3) Undertaking measures and activities in protection and rescue of people and material resources and environment in the states of war or emergency;
- 4) Participation in multi national operations.

Article 6

Preparation for defense is the right and the duty of defense subjects to plan their preparations for the fulfillment of defense tasks and to undertake measures and actions pertaining to the deployment and use of the Serbian Armed Forces and other defense forces in the state of war and state of emergency.

In addition to preparations from Paragraph 1 hereof, the Ministry of Defense and the Serbian Armed Forces conduct preparations for participation in multinational operations.

Article 7

Basic strategic doctrinaire documents in the field of defense are: the National Security Strategy of the Republic of Serbia, the Defense Strategy of the Republic of Serbia and the Serbian Armed Forces' Doctrine.

Basic planning documents pertaining to defense include: Long Term Defense System Development Plan of the Republic of Serbia, Strategic Defense Review of the Republic of Serbia and the Defense Plan of the Republic of Serbia.

Article 8

At any given time and under any circumstances when performing combat and non combat operations, the members of the Serbian Armed Forces and other defense forces shall have to stick to the rules of the international wartime and humanitarian law with regard to the treatment of prisoners of war and the wounded and to the protection of population, and other rules defined by the said law and the international standards for the use of force, in accordance with the Constitution, law and the ratified international agreements.

A member of the Serbian Armed Forces and other defense forces has the right to reject an order that will make the member act contrary to the Constitution, law and the rules of the international humanitarian law.

Section II

COMPETENCES OF GOVERNMENT BODIES IN DEFENSE AREA

National Assembly

Article 9

National Assembly passes laws and bylaws in respect of defense, and exercises democratic and civil control of the Serbian Armed Forces.

National Assembly performs the following duties in the defense area:

- 1) Issues decisions in respect of wartime and peacetime, and declares the state of war or state of emergency;
- 2) Adopts the National Security Strategy of the Republic of Serbia;
- 3) Adopts the Defense Strategy of the Republic of Serbia;
- 4) Adopts the Long Term Defense System Development Plan of the Republic of Serbia;
- 5) Passes the laws on ratification of international agreements pertaining to defense and military cooperation;
- 6) Prescribes measures of divergence from human and minority rights during the state of war or state of emergency;
- 7) Adopts the annual Government report on the defense preparation status;
- 8) Decides on the use of the Serbian Armed Forces outside the territory of the Republic of Serbia;
- 9) This item shall terminate – vide 88/2009;
- 10) Decides on the level of funds for defense financing purposes;

- 11) Examines implementation of the Defense Plan of the Republic of Serbia;
- 12) Supervises the work of security services;
- 13) Performs other duties and tasks, as provided by the law.

Article 10

When the National Assembly is prevented from convening:

- 1) Decision to declare war is jointly passed by the President of the Republic, Parliament Speaker and the Prime Minister acting together;
- 2) Measures of divergence from the constitutionally guaranteed human and minority rights during the state of war are defined by the Parliament Speaker, President of the Republic and the Prime Minister together;
- 3) Decision on declaration of state of emergency is passed jointly by the President of the Republic, Parliament Speaker and the Prime Minister, under the same conditions that apply to the National Assembly;
- 4) Measures of divergence from human and minority rights in the state of emergency may be defined by the Government, by passing a decree, with a co-signature of the President of the Republic.

President of the Republic

Article 11

President of the Republic, in accordance with the Law, shall be in command of the Serbian Armed Forces.

In particular, President of the Republic shall:

- 1) Acting together with the Government, submit to the National Assembly a proposal to declare the state of war or emergency;
- 2) Grant approval to the proposed Strategic Defense Review of the Republic of Serbia;
- 3) Adopt the Doctrine of the Serbian Armed Forces, based on the proposal by the Defense Minister;
- 4) Make orders for the implementation of the Defense Plan of the Republic of Serbia;
- 5) Define the principles of the peacetime and wartime organization of the Serbian Armed Forces, pursuant to the proposal of the Defense Minister;
- 6) Pass the Plan for mobilization of the Armed Forces;
- 7) Issue order for the implementation of alert measures, general and partial mobilization;
- 8) Pass the Plan of the Armed Forces' Use, and issues orders for its implementation;
- 9) Decide, in accordance with the law, on placing the Serbian Armed Forces personnel in multinational operations, based on the resolution of the National Assembly;
- 10) Pass the guidelines for development of operational capabilities of the Serbian Armed Forces;

- 11) Appoint and release from duty the Chief of General Staff of the Serbian Armed Forces, based on the opinion of the Defense Minister;
- 12) Pass the rules pertaining to the use of the Serbian Armed Forces, and other rules regulating the internal order and rules of conduct in the Serbian Armed Forces;
- 13) Perform other duties as provided by the law.

For the execution of the tasks from Paragraph 1 hereof, the President of the Republic passes: decrees, directives, orders, commands, guidelines, decisions, rules and other bylaws.

President of the Republic forms a military cabinet to in charge duties and tasks falling under the competences of the President in respect of defense.

President of the Republic may assign presidential authorities pertaining to defense to the Defense Minister other than the presidential decisions on deployment of the Serbian Armed Forces, decisions on appointment, promotion and dismissal of officers that fall under the responsibility of the President of the Republic, in accordance with the law, and presidential authorities for passing strategic, doctrinaire and plan documents, the passing of which is legally vested with the President of the Republic.

Government

Article 12

The Government defines and implements the defense policy, proposes and executes the laws and bylaws with respect to defense passed by the National Assembly.

In particular, the Government shall:

- 1) Acting jointly with the President of the Republic, submit a proposal to the National Assembly for declaration of the state of war or the state of emergency;
- 2) Make proposals to the National Assembly to adopt the National Security Strategy of the Republic of Serbia, Defense Strategy of the Republic of Serbia and the Long Term Defense System Development Plan of the Republic of Serbia;
- 3) Adopt the Strategic Defense Review of the Republic of Serbia, based on the proposal by the Defense Minister,
- 4) Adopt the Defense Plan of the Republic of Serbia, except for the Plan of Armed Forces' Use and the Plan of the Armed Forces Mobilization;
- 5) Propose to the National Assembly to pass the laws pertaining to defense, security and the Serbian Armed Forces;
- 6) Propose to the National Assembly to pass the laws on ratification of international treaties pertaining to defense and military cooperation;
- 7) Pass the guidelines for the make of defense plans and prescribes the instructions on methodology for development of defense plans in accordance with the proposal by the Defense Minister;

- 8) Submit annual reports on the status of defense preparations to the National Assembly;
- 9) Approve defense plans developed by government bodies, and define their organizational and operational structure for the state of war or state of emergency;
- 10) Prescribe the alert measures for government bodies, bodies of the autonomous provinces, local self government units, companies and other legal entities and entrepreneurs for the state of war or state of emergency;
- 11) Propose the implementation of alert measures and general and partial mobilization, except for mobilization of the Serbian Armed Forces, to the President of the Republic;
- 12) Decide, pursuant to the law, on deployment of civil defense personnel and government employees to humanitarian and other missions abroad;
- 13) Decide on identification of legal entities that are important for the defense of the Republic of Serbia;
- 14) Identify the products and services that are of special importance for the defense of the Republic of Serbia;
- 15) Decide on the rights and duties of the agencies in charge of spatial planning and construction of buildings that are of importance both to the defense and the Serbian Armed Forces, and identify the types of capital construction and spatial and urban plans that are important for the defense of the Republic of Serbia;
- 16) Decide on opening and closing of the institutions of military education and their inclusion in the educational and scientific research system of the Republic of Serbia;
- 17) Define the principles and the criteria for internal organization and classification of jobs in the Ministry of Defense, based on the proposal of the Defense Minister;
- 18) Define the criteria for assignment of material resources and citizens for defense purposes and manning of the Serbian Armed Forces, based on the proposal of the Defense Minister;
- 19) Define the principles and criteria for organization of crypto-protection agencies of the Republic of Serbia, based on the proposal of the Ministry of Defense;
- 20) Define the procedures and methods for implementation of mobilization, other than the mobilization of the Serbian Armed Forces, and the methods and procedures for the performance of compulsory military service, compulsory labor and asset requisition during the states of war and emergency, based on the proposal by the Defense Ministry;
- 21) Define the methods, procedures and measures for protection of confidential inventions and discoveries of importance for the defense, based on the proposal of the Ministry of Defense;
- 22) Monitor and provide guidance for the research, development, manufacturing and sales of weapons and military equipment;
- 23) Undertake the measures for creation, use, utilization, renewal and distribution of reserves for defense purposes and provides funds for financing special defense

- tasks during the states of war and emergency, based on the proposals submitted by line ministries;
- 24) Decide on the number and assignment of the Serbian Defense Attaché Officers abroad, based on the proposal of the Defense Minister;
 - 25) Define the organization and work of the Early Warning Service;
 - 26) Fulfill other tasks defined by the law.

Article 13

During the state of war or emergency, the Government of Serbia implements the resolutions passed by the National Assembly and the President of the Republic pertaining to the following:

- 1) Functioning of government bodies, bodies of the autonomous provinces, local self government units, companies, other legal entities and entrepreneurs in the territory of the Republic of Serbia;
- 2) Transition of the government bodies from peacetime to wartime and emergency organization and their functioning in accordance with the defense plans;
- 3) Undertaking measures for fulfillment of international obligations pertaining to the treatment of the prisoners of war, foreign citizens and their property.

Ministry of Defense

Article 14

The Ministry of Defense, within its scope of work, proposes and implements the defense policy, implements laws and international treaties, bylaws passed by the National Assembly and Government, and the acts of the President of the Republic of Serbia from the domain of defense.

The Ministry of Defense performs the activities pertaining to the following:

- 1) assessment of risks and threats to the country's security;
- 2) drafting of National Security Strategy of the Republic of Serbia, Defense Strategy of the Republic of Serbia and the Long Term Defense System Development Plan of the Republic of Serbia, and adoption of documents for their further elaboration;
- 3) drafting of the Serbian Armed Forces Doctrine;
- 4) drafting of the Strategic Defense Review of the Republic of Serbia;
- 5) drafting of the Mid Term Defense System Development Plan and Program;
- 6) drafting of annual Government report on the status of defense preparations, approved by the President of the Republic of Serbia;
- 7) preparation of draft laws pertaining to defense, security and Serbian Armed Forces;
- 8) drafting of laws pertaining to the verification of international agreements and treaties in defense and military cooperation;
- 9) preparation of platforms for negotiations and entering into international treaties and agreements pertaining to defense and military cooperation, and their implementation;

- 9a) entering into agreements in the field of military education and training for the defense of the country with line ministries of other states pursuant to the law;
- 10) planning and implementation of international cooperation in the areas of defense and military cooperation;
- 11) coordination in the process of creation of the Draft Defense Plan of the Republic of Serbia, in accordance with the Government's instructions on the methodology to be applied to the creation of defense plans, and making a proposal for the Government's approval;
- 12) proposal of the guidelines concerning the methodology to be used for drafting of the plans of defense;
- 13) defining draft defense plans of other defense system forces that are related to the Plan of the Serbian Armed Forces' Use;
- 14) planning, preparation and control of mobilization of the citizens of Serbia, government bodies, bodies of autonomous provinces, local self government units, companies, other legal entities and entrepreneurs and other defense forces in the states of war and emergency;
- 15) drafting of legal acts and planning documents pertaining to planning of the measures and actions for the work of citizens', government bodies, companies, other legal entities and entrepreneurs, and for the use of the Serbian Armed Forces and other defense forces during the states of war and emergency;
- 16) execution of the compulsory military service, compulsory labor and requisition;
- 17) execution of resolutions passed by the President of the Republic on sending professional military personnel to multinational operations, and resolutions of the Government on sending civil defense personnel and government employees to humanitarian and other operations abroad;
- 18) planning and organizing civil-military relations in defense;
- 19) activities relating to the information, culture, museum, archive and religious sectors, and other activities, for the needs of defense;
- 20) DELETED – by 88/2009;
- 21) DELETED – by 88/2009;
- 22) organization, modernization and promotion of communications and crypto-protection for the Serbian Armed Forces and other government bodies;
- 23) harmonization of telecommunications and information provision, information and telecommunication networks and means for defense purposes;
- 24) clearance and preparation of the territory for defense purposes;
- 25) research, development, production and sale of weapons and military equipment;
- 26) equipping and arming the Serbian Armed Forces and other defense forces, procedures for classified procurements and material support to the Serbian Armed Forces;

- 26a) defines the procedures of public procurements of low value applicable to the commands, units and installations of the Serbian Armed Forces, military units and institutions that are organizationally and functionally related to the Ministry of Defense;

- 27) planning, management, control and implementation of intelligence-security activities of significance to the defense, in accordance with the law governing the work of security-intelligence agencies and with other regulations;
- 28) education and training for the defense and security of the country, planning, organization and activities of military education;
- 29) development of the educational system for defense purposes and for the needs of the Serbian Armed Forces;
- 30) harmonization of the military education system and scientific research activity that are of importance for defense with the secondary and higher education system and scientific research activity in the Republic of Serbia;
- 31) planning, programming and development of scientific, research and innovation activities of significance to the defense;

- 31a) provision of cartography and geo-topography services and make of geo-topographic material for the defense system;

- 32) status and other issues pertaining to the Serbian Armed Forces personnel;
- 33) passing bylaws on the organization of commands, units and installations of the Serbian Armed Forces, and bylaws on the organization of military units and installations which are organizational and functionally related to the Ministry of Defense;
- 34) opening and closure of defense attaché offices, in accordance with the Government's resolution on the number and assignment of defense attachés of the Republic of Serbia abroad;

- 34a) establishing and organizing financial offices at the Ministry of Defense, commands, units and installations of the Serbian Armed Forces, military units and military installations that are organizationally and functionally related to the Ministry of Defense;

- 34b) organizing and enhancement the information system in the area of material and financial affairs required for financial reporting, pursuant to adopted standards;

- 35) planning, programming, providing budget and implementation of a finance plan for the Ministry of Defense needs, in accordance with the law;
- 36) planning, organization, execution and control of material and financial operations;
- 37) planning, organization, supervision and construction of military buildings, and regular of the infrastructure used by the Ministry of Defense and the Serbian Armed Forces;
- 38) acquisition, disposal, use of, management and maintenance of immovable assets for military purposes, apartment buildings, apartments, garages, business premises for the use of the Ministry of Defense and the Serbian Armed Forces, and the building for temporary accommodation of professional members of the Serbian Armed Forces and those employed by the Ministry of Defense;

- 38a) acquisition, disposal, use of, management and maintenance of immovable assets used by the Ministry of Defense and Serbian Armed Forces when represented abroad and in the country;

- 39) devising, planning, organization, implementation and control of safety and health protection at work, environmental protection, and protection against fire, explosion, pursuant to the laws governing these activities;
- 39a) devising, planning, organization, implementation and control of protection of animals and health control over the production and sale of foodstuffs and things of general use at the Ministry of Defense and Serbian Armed Forces;
- 39b) devising, planning, organization, implementation and control of metrology services, pursuant to the laws governing the activity;
- 40) cooperation with other ministries and other government bodies, bodies of autonomous provinces and local self governments in preparation and implementation of defense plans and execution of tasks in defense;
- 41) organization, transfer and implementation of measures pertaining to alert, mobilization and staffing of government bodies, public services, bodies of local government units, companies, other legal entities and entrepreneurs;
- 42) joint civil-military system of managing the air traffic for the defense purposes;
- 42a) adoptions of bylaws on founding of a military health institutions of primary, secondary and tertiary level of health care and protection;
- 43) other activities defined by the law.

In discharging duties from Paragraph 2 hereof, the Defense Minister shall pass: orders, commands, directions, decisions, rules, guidelines, instructions, regulations and other bylaws under the authorities granted by this law and other laws.

For the implementation of acts passed by the President of the Republic, and for passing bylaws upon authorization of the President of the Republic, the Defense Minister shall pass: orders, commands, guidelines, rules and other acts and shall be responsible for their execution.

The regulations from Paragraph 3 hereof are published in the "Official Military Gazette, pursuant to the instructions of the Minister of Defense.

Art. 14a

The Ministry of Defense shall have its insignia, symbols and other emblems

The Government acting on proposal of the Ministry of Defense, shall define in closer detail how the insignia, symbols and other markings, signs and other elements of visual identity of the Ministry of Defense shall look like and be used,

Wearing the insignia, symbols and other emblems from Paragraph 1 of this Article in a manner violating the Ministry of Defense reputation shall not be allowed.

General Staff of the Serbian Armed Forces

Article 15

General Staff of the Serbian Armed Forces is under the Ministry of Defense and executes the tasks falling within its scope of activities, in accordance with the relevant laws and instructions of the President of the Republic and the Defense Minister.

Serbian Armed Forces General Staff conducts the tasks referring to the following:

1. Creation of the functional doctrines and other rules for the use of the Serbian Armed Forces
2. Creation of the Plan for the Serbian Armed Forces' Use
3. Creation of the Serbian Armed Forces Mobilization Plan
4. Creation of guidelines for building operational and functional capability of the Serbian Armed Forces;
5. Preparation of bylaws on organization of commands, units and installations of the Serbian Armed Forces;
6. Organization of alert measures in accordance with acts issued by the President of the Republic or the Minister of Defense;
7. Other tasks defined by the law and bylaws of the President of the Republic and Defense Minister.

Inspection in Defense Area

Article 16

The Ministry of Defense is in charge of control of implementation of the laws in defense area and those of significance to defense, the regulations ensuing from those laws, and the plans and measures of government bodies and organizations and the Serbian Armed Forces, pertaining to:

- 1) defense preparations;
- 2) implementation of resolutions and bylaws of entities in charge of the defense system management;
- 3) inspection supervision of the work of commands, units and installations of the Serbian Armed Forces, and bodies and installations of the Ministry of Defense;
- 4) implementation and harmonization of organization of telecommunication and information system security, crypto-protection and other forms of information protection;;
- 5) inspection of operational and functional capabilities of the commands, units and installations of the Serbian Armed Forces following the order of the President of the Republic;
- 6) equal status of professional personnel of the Serbian Armed Forces;
- 7) other duties defined by the law or as requested by a responsible body;

The duties from Paragraph 1 hereof are implemented by the Defense Inspectorate, in accordance with this law and regulations pertaining to the inspection supervision.

Article 17

In performing the inspection duties defined in Article 16 of this law, inspectors and entities authorized for inspection tasks are entitled to:

- 1) have insight into documents pertaining to the preparation of defense forces for defense;
- 2) conduct inspection of implementation of resolutions and bylaws passed by the bodies managing the defense system;
- 3) perform extraordinary inspections of operational and functional capabilities of the commands, units and installations of the Serbian Armed Forces, based on the approval of the President of the Republic of Serbia;
- 4) order rectification of discovered deficiencies in the defense plans or in the implementation of prescribed measures and actions for completion of tasks from the Defense Plan of the Republic of Serbia and individual plans;
- 5) order the suspension of measures and activities that are not in accordance with the law and defense plans until resolution is passed by a responsible body;
- 6) order the commands, units and installations of the Serbian Armed Forces and government bodies and other bodies in charge of planning to deliver reports on the current status of their defense preparations;
- 7) order suspension of all actions that directly threaten or jeopardize the lives and health of people or property, until a resolution is passed by a responsible body;
- 8) submit proposals for initiating procedures on account of disciplinary, misdemeanor, criminal offenses or other liability breaches against responsible persons, pursuant to the law;
- 9) provide technical assistance to the defense forces whose preparations are under their control, and inform the responsible bodies on the recorded status and measures undertaken;
- 10) issue orders for rectification of identified breaches of laws and other regulations governing the rights, duties and responsibilities of the professional Serbian Armed Forces personnel;
- 11) undertake other measures falling under their responsibility by the law, or following an order by responsible bodies.

The entities that have undergone inspection shall proceed in accordance with the findings of inspectors or persons/entities with authorization for the inspection.

Article 18

Defense Minister proscribes the elements, content and standards for evaluation of: the status, operational and functional capabilities of the Serbian Armed Forces; functioning of the organizational parts of the Serbian Armed Forces and Ministry of Defense; metrology status; safety and health protection at work, protection against fire and explosion, protection of environment and protection of animals, protection of financial and materials operations of

commands, units and installations of the Serbian Armed Forces and of the organizational parts Ministry of Defense, based on the law and guidelines issued by the President of the Republic.

Defense Inspectorate shall provide regular reports to the President of the Republic of Serbia and the Defense Minister on the findings of the inspection.

Article 19

The Defense Inspectorate performs the inspection activities in accordance with the law and regulations passed by the Defense Minister.

Intelligence and Security Affairs of Importance to Defense

Article 20

Intelligence and security affairs that are of importance to the defense include:

- 1) intelligence activities like: general security, counterintelligence and military police affairs.

The competences, tasks and duties of the bodies in charge of intelligence and security affairs pertaining to defense, and relevant departments operating within the Ministry of Defense, are governed by the law on security services and by other regulations.

Air Traffic Management for Defense Purposes

Article 21

A joint civilian-military system of the air traffic management for defense purposes includes the following:

- 1) management of air space and organization of air surveillance and early warning system in coordination with other relevant bodies and organizations;
- 2) organization of the air space control and defense;
- 3) implementation of security regulations' requirements;
- 4) participation in preparation of the national air traffic security plan;
- 4a) participation in preparing and organizing the search and rescue system;
- 5) organizing protection of territory and air traffic management system from the airborne terrorist attacks;

- 6) modernization of the system, military aircraft equipment and application of international standards in pilots' training and aircraft management with the view of improving air traffic security and efficient use of air space;
- 7) interoperability in the communication, navigation and air surveillance systems;
- 8) providing approvals and oversight of air imaging activities;
- 9) content, creation and distribution of military air force information package;
- 10) issuance of permits for construction military air force facilities and approval for construction of civilian air force facilities;
- 11) issuance of approvals for the use of military facilities by foreign military aircrafts;
- 12) issuance of approvals to a responsible body for the transportation of hazardous materials and biological agents that may give rise to or spread contagious diseases, and for transport of weapons and military equipment, and dual use equipment in the Serbian aerospace;
- 13) organizing search and rescue service for military aircrafts;
- 14) application of international aviation standards and recommendations in civil-military cooperation and coordination;
- 15) organization of the air space management system in the state of war and state of emergency in accordance with the Plan of the Serbian Armed Forces Use;
- 16) drafting regulations and other documents in accordance with the air traffic regulations;
- 17) discharging other tasks related to air traffic management for defense purposes.

International Cooperation in Defense and Military Cooperation

Article 22

The Ministry of Defense maintains the international defense and military cooperation in accordance with law and other regulations governing international cooperation and entering into international agreements.

The Ministry of Defense maintains the records on the approved international agreements from the area of defense and military cooperation, in accordance with the instructions passed by the Defense Minister.

The Ministry of Defense shall be engaged in international co-operation and shall organize international military co-operation for the Serbian Armed Force needs, and in accordance with adopted defense strategy and policy.

With reference to the co-operation from Paragraph 3 hereof, the Ministry of Defense may enter into the agreements governing the matters of joints interest in the field of defense and military cooperation, without undertaking new responsibilities for the Republic of Serbia.

Article 23

Diplomatic functions pertaining to the defense and the Serbian Armed Forces shall be carried out by the defense attaché offices and military representative offices.

Decisions on opening and closing the defense attaché offices and military representative offices shall be taken by the Defense Minister.

Defense attachés and military representatives shall be appointed and dismissed from duty by the Defense Minister.

The conditions and procedure for selection and appointment of defense attachés of the Serbian Armed Forces and military representatives, organization of work of the defense attaché offices and military representatives offices, methods of financing and their activities abroad, shall be stipulated by the Defense Minister.

CHAPTER III

RIGHTS AND DUTIES OF THE STATE ADMINISTRATION AND OTHER BODIES IN DEFENSE AREA

Ministries

Article 24

The Ministries, within their scope of work, shall implement the laws in respect of defense, labor regulations during the states of war and emergency, bylaws of the National Assembly and Government, and tasks defined in the Defense Plan of the Republic of Serbia, and shall be responsible for legal entities that are under their jurisdiction.

In defense area the Ministries shall:

1. create, following the request of the Ministry of Defense, bylaws and documents for preparation of the Defense Plan of the Republic of Serbia in accordance with the instructions on methodology of producing plans;
2. provide planned capacities and mandatory reserves that are of importance for defense in accordance with the decisions and requirements of the Government;
3. monitor the status of preparations for defense falling under the scope of their responsibilities, and shall be responsible for their implementation;
4. create their own defense plan and implement their own preparations for work in the states of war and emergency;
5. pass methodological, expert and technical instructions for preparations for the defense of legal entities that are under their jurisdiction;
6. propose to the Government to determine obligations for companies, other legal entities and entrepreneurs that are of importance for defense falling under the scope of their responsibilities;

7. plan and implement measures of civil defense and rescue, defined by law and regulations on civil defense;
8. train personnel and undertake measures necessary for successful functioning of industrial and other activities in the states of war and emergency;
9. implement alert measures in the state of emergency and other measures that are necessary for the transfer to a wartime organization;
10. carry out other jobs determined by the law and Defense Plan of the Republic of Serbia.

The bodies defined in Paragraph 1 hereof are directly in charge of execution of the tasks defined in the defense plans and decisions of responsible authorities.

Article 25

The Ministry of Interior has special rights and duties in defense area which refer to the following:

1. organization, preparation and planning of the use of the Police Force in wartime and state of emergency and support to the Serbian Armed Forces in defense of the Republic of Serbia from military and non-military challenges and threats falling under the responsibility of the Serbian Armed Forces;
2. determination of the size and organization of the Police Force during the states of war and emergency;
3. preparation of security measures and protection of facilities that are of importance for the defense other than military facilities during the states of war and emergency;
4. carry out of air surveillance and early warning control in securing the state borders,
5. other jobs prescribed by the law.

Article 26

During the states of war and emergency the state authorities shall implement laws, other regulations and bylaws of the National Assembly and Government pertaining to the work during the states of war and emergency.

Other state authorities are responsible for defense preparations and functioning falling under their respective areas of competence, and for the execution of defense tasks following the orders issued by responsible authorities.

Article 27

The bodies of state administration, companies and other legal entities and entrepreneurs shall provide the Ministry of Defense with the information from their scope of work, which is of importance for the defense.

During the execution of the defense matters, the state administration bodies, bodies of the autonomous provinces and bodies local government units shall cooperate in defense matters from their scope of work.

Other State Bodies

Article 28

Other state bodies (courts, prosecutions and others) shall organize and implement preparations for their work during the states of war and emergency, and are responsible for their efficient functioning and implementation of regulations and protection of guaranteed rights and freedoms of citizens during the states of war and emergency, and to fulfill those objectives they:

1. cooperate with the ministries in charge of preparation and creation of elements of the Defense Plan of the Republic of Serbia from their scope of work;
2. plan and provide resources and equipment for the work during the states of war and emergency;
3. fulfill other tasks or jobs in the defense area defined in the Defense Plan of the Republic of Serbia and bylaws issued by the National Assembly and Government.

Bodies of the Autonomous Provinces and Local Government Units

Article 29

Within their scope of work, the bodies of autonomous provinces and local government units are responsible for the status of preparations for defense, and the status of preparations of the companies, other legal entities and entrepreneurs through which the needs of the people are directly satisfied, or the tasks of the Defense Plan of the Republic of Serbia are fulfilled.

Autonomous provinces, municipalities, towns and the city of Belgrade do the following within their responsibilities in the defense area:

1. create their defense plans that make an integral part of the Defense Plan of the Republic of Serbia;
2. undertake measures to align defense preparations of legal entities with defense preparations of the autonomous province and Defense Plan of the Republic of Serbia;
3. undertake measures for local government functioning during the states of war and emergency;
4. implement alert measures and undertake other measures necessary for transition to the wartime and state of emergency organization;
5. perform other tasks prescribed by the law.

During wartime and state of emergency, the bodies described in Paragraph 1 hereof implement laws, other regulations and bylaws issued by the National Assembly and Government, and regulations passed by the bodies of autonomous provinces local government units.

Section IV
SERBIAN ARMED FORCES

Article 30

Serbian Armed Forces shall defend the country from external threats and execute other missions and tasks, in accordance with the Constitution, law and principles of the international law governing the use of force.

Article 31

Serbian Armed Forces are the main armed force and the carrier of armed operations and all other forms of armed resistance; the competences of the Serbian Armed Forces are laid down in the Constitution and the law.

Serbian Armed Forces unite all the participants in armed operations, and exercises command over all forces involved in armed operations in the state of war and state of emergency, pursuant to the law, and in accordance with the Serbian Armed Forces Doctrine.

The Doctrine of the Serbian Armed Forces is based on the Defense Strategy of the Republic of Serbia.

Article 32

Preparations, organization, use and support of the Serbian Armed Forces are based on defined security interests and defense needs.

Article 33

Any kind of a paramilitary organization and association aimed at execution of defense tasks pertaining to defense of the country shall be forbidden.

Any use of the Serbian Armed Forces for the purposes of political parties, ideological or religious purposes shall be prohibited.

Any use of insignia, symbols and other emblems of the Serbian Armed Forces by legal entities, entrepreneurs and associations shall be prohibited, unless approved by the Minister of Defense.

Article 34

Development, modernization, equipping and arming of the Serbian Armed Forces, and scientific, research and educational activities in the area of defense are intended for the creation of an efficient and professional Serbian Armed Forces capable of carrying out their missions and tasks.

Article 35

Serbian Armed Forces General Staff, commands of units, installations and other components of the Serbian Armed Forces, in accordance with the law and defense plans, are organized and trained for defense and provide the unity of their organization, preparations and activities.

Article 36

General Staff of the Serbian Armed Forces performs regular inspections and assessment of operational and functional capabilities of the subordinated commands, units and installations of the Serbian Armed Forces, in accordance with the law.

General Staff of the Serbian Armed Forces informs and reports to the President of the Republic of Serbia and Defense Minister on the operations and status of the Serbian Armed Forces.

Article 37

Commands, units and installations of the Serbian Armed Forces are organized and prepared for the execution of tasks in peacetime, wartime and state of emergency.

Article 38

Commands, units and installations of the Serbian Armed Forces shall develop operational capabilities, in accordance with the assigned missions and tasks.

Article 39

In cases when the border belt, the border or the lives and health of people and animals and material wealth in the border area are endangered, police and military forces will be organized for the execution of joint task on a joint proposal of the Minister of Interior and Defense Minister, with the approval of the President of the Republic.

In the execution of tasks from Paragraph 1 hereof, the police and military forces will be put under the joint command of a commanding officer of the Serbian Armed Forces appointed by the President of the Republic according to the joint proposal by the Minister of Interior and Minister of Defense.

Article 40

In the case of a threat to peace and security in the world, the Serbian Armed Forces personnel may be deployed to multinational operations outside the territory of the Republic of Serbia in accordance with the law and relevant resolution by the National Assembly.

Article 41

In accordance with a special law, the units of the Serbian Armed Forces may be engaged in delivering assistance to the population in case of natural and other large scale disasters in which the lives and health of the people and animals, and material wealth are endangered in a part of the country's territory, following a request made by the bodies in charge of protection and rescue of people and material wealth.

Manning of the Serbian Armed Forces

Article 42

Manning of the Serbian Armed Forces will be regulated by a separate law.

State of Alert of the Serbian Armed Forces

Article 43

The state of alert shall mean undertaking measures to increase operational and functional capabilities that are necessary for prevention and elimination of security challenges, risks and threats to security.

President of the Republic of Serbia or Defense Minister, acting upon authorization by the President, shall issue orders for implementation of the state of alert measures of the Serbian Armed Forces or of the elements of the Serbian Armed Forces.

Chief of the General Staff of the Serbian Armed Forces, that is, chief of the responsible command of the Serbian Armed Forces, acting upon special authorization by the President of the Republic of Serbia, and for the purpose of protection and rescue of people, material and cultural wealth from natural disasters, technical and technological accidents and Acts of Gods, consequences of a terroristic act and any other large scale accidents, shall be empowered to issue an order to introduce the state of alert measures and engage the parts of the Serbian Armed Forces in remedying harmful consequences resulting from non-military threats to security.

Logistics Support of the Serbian Armed Forces

Article 44

Management of defense resources required for logistic support of the Serbian Armed Forces is achieved through planning, programming, providing budget and financing of defense.

Defense Minister regulates the material and financial operations of the Serbian Armed Forces and control of Serbian Armed Forces' expenditures in accordance with regulations governing material and financial affairs and control for the budget users.

Article 45

Logistic support of the Serbian Armed Forces takes form of fulfillment of its needs in the following activities:

- 1) production, modernization and maintenance of weapons and military equipment;
- 2) procurement of weapons, military equipment and other gear;
- 3) general logistic requirements;
- 4) planning, development, and maintenance of infrastructure;
- 5) transport of people and equipment;
- 6) health care, safety and health protection at work, veterinary care, environmental protection, protection against fire and explosions and other types of protection.

Activities pertaining to the logistic support shall be regulated by by-laws.

Activities pertaining to the logistic support from Paragraph 1 hereof shall be performed by military establishments, with or without the status of a legal entity, which are organizationally and functionally related to the Ministry of Defense.

The Defense Minister shall stipulate the method of work, operation and management of the establishments from Paragraph 3 hereof, and shall specify which military establishments are to be entitled to the status of a legal entity in line with the law.

Article 46

Procurement of weapons and military equipment for the needs of the Serbian Armed Forces is conducted by the Ministry of Defense, pursuant to the law and verified international conventions, treaties and agreements regulating the trade of weapons, military equipment and dual use goods.

The Ministry of Defense cooperates with other ministries and state administration bodies in providing logistic support to the Serbian Armed Forces within their respective competences.

CHAPTER V

RIGHTS AND DUTIES OF CITIZENS IN DEFENSE AREA

Article 47

In defending the country, the citizens shall have the right and duty to carry out their compulsory military service, compulsory labor and requisition, and to participate in the civil defense in accordance with the law, decisions of state authorities and defense plans.

The citizens with already issued assignments to the duties described in Paragraph 1 of

this Article may also be reassigned to other duties that are of importance for defense, based on the decisions made by the authorities in charge.

Compulsory Military Service

Article 48

Compulsory military service embodies the right and duty of the citizens to prepare and train themselves to participate in defense.

The military service of the citizens shall be performed under the conditions and in the manner laid down in a separate law.

A conscript subject to military service who wants to serve the civilian service instead of his military service from some religious, moral and other justified reasons of conscientiousness, shall be enabled to serve the civilian service under the conditions and in the manner prescribed by a separate law.

Article 49

The Ministry of Defense provides for implementation of compulsory military service in accordance with the law and regulations on conscription.

Compulsory Labor

Article 50

Compulsory labor is introduced during the states of war and emergency and shall apply to the state bodies, the bodies of autonomous provinces, local government units, companies, other legal entities and entrepreneurs.

Compulsory labor implies execution of defense jobs and tasks in accordance with the Defense Plan of the Republic of Serbia.

Article 51

All citizens capable of work from the age of 18 to the age of 65 (men) and to the age of 60 (women), who are not assigned to serve in the Serbian Armed Forces are subject to compulsory labor.

The employees of the Ministry of Interior bodies shall perform their compulsory labor duty at their workplace.

The records prescribed by the Defense Minister shall be kept in respect of performance of the obligation from Paragraph 1 hereof.

Article 52

When the state of war or emergency is declared, all employed persons shall continue with their work at their workplaces, unless summoned to serve in the Serbian Armed Forces or assigned to other jobs and tasks in accordance with the law.

The persons from Paragraph 1 hereof who are appointed to other duties and tasks or to other legal entities shall act pursuant to the orders they received.

During their compulsory labor duty, the persons from Paragraph 2 hereof, who are assigned to the duties at a state body, legal entities or Serbian Armed Forces are entitled to compensation based on their engagement in accordance with the law and other regulations governing labor relations.

Article 53

The persons who are subject to compulsory labor shall be assigned to compulsory labor at the place of their work or residence.

In the case of shortages of a sufficient number of qualified persons for performance of a specific type of work in any territorial unit, the persons from other places on the territory of the same municipality or a city may be summoned to carry out that work.

In the case that sufficient number of persons for the execution of specific work can not be secured pursuant to Paragraphs 1 and 2 hereof, the persons from the places on the territory of some other municipality or city may be summoned.

The state authorities, companies, other legal entities and entrepreneurs to which the subjects of compulsory labor are placed shall have to provide the conditions and means for the execution of compulsory labor.

Article 54

Labor ability of a citizen for compulsory labor, on personal request or at the request of a responsible authority, shall be determined in health care facilities in accordance with the regulations governing general and special health capacity of an employee.

Article 55

No single parent of a child below 15 years of age, or of a minor with special needs, or a child of age for whom a prolonged parenthood right has been pronounced to one parent only, may be assigned to the compulsory labor.

No single parent of a child below 15 years of age, or of a minor with special needs, or a child of age for whom a prolonged parenthood right has been pronounced to one parent only, may be assigned to the compulsory labor, if the parents are jointly exercising their parental duties, and the other parent is already engaged in the defense matters.

The provisions of Paragraph 1 hereof also apply to: adopted parent and foster parent of an underage child or a person of age without necessary labor ability.

Compulsory labor may neither be imposed upon:

1. spouse or unmarried partner or another adult member of a guardian family or foster family of a child who has not turned 15 years of age, or of an underage child with special needs if the guardian or foster parent is engaged in defense jobs.
2. woman during pregnancy;
3. person whose spouse or unmarried partner is the beneficiary of somebody else's care and help;
4. person who is incapable of work.

Article 56

The organization and execution of the assigned compulsory work on the territory of autonomous provinces, municipalities, cities, and the city of Belgrade is in charge of administration bodies and legal entities from the business activities falling under the competence of those bodies, pursuant to the law.

The Government passes regulations on organization and execution of compulsory work.

Requisition

Article 57

The obligation of requisition may be determined to the citizens during wartime and state of emergency pursuant to the law and regulations governing the states of war and emergency.

The owners of things shall be subject to requisition for the purpose of defense of the country.

Article 58

In accordance with the wartime distribution, the things and material wealth for defense purposes shall be allocated to the Serbian Armed Forces, state authorities, companies and other legal entities in accordance with the regulations on the criteria for assignment of citizens and standards governing the allocation of things for the needs of the Serbian Armed Forces manning and other defense needs.

Article 59

Things and material wealth for defense needs, the procedure and manner of their recording, compensation for their use and other issues of importance for compulsory asset contribution (requisition) are governed by a separate law and regulations pertaining to the execution of requisition.

Procedure for Exercise of Rights and Duties of Citizens in Defense Area

Article 60

The citizens assigned to a compulsory military service, subject to compulsory labor or compulsory asset contribution (requisition), or those subject to participate in civil defense shall act pursuant to the instructions of responsible authorities.

Article 61

The procedures and manner for the execution of compulsory military service and the compulsory asset contribution that applies to citizens and legal entities are defined by the Government, based on a special law.

CHAPTER VI

RIGHTS AND OBLIGATIONS OF COMPANIES, OTHER LEGAL ENTITIES AND ENTREPRENEURS IN DEFENSE AREA

Article 62

In transacting their business, the companies, other legal entities and entrepreneurs shall also discharge duties of defending the country in terms of planning, organization and training for the

work during the state of war and emergency, and be responsible to secure and keep the volume of production and rendering of services in the activities for which they are registered on the level determined by defense plans and decisions passed by responsible authorities.

The companies, other legal entities and entrepreneurs, organizations, services and other entities that within the scope of their activities deal with the activities of early warning, reporting and alert, protection and rescue of citizens and material wealth, shall continue with their activity during the states of war and emergency, in accordance with the Defense Plan of the Republic of Serbia.

Article 63

The provisions of this law governing the compulsory asset contribution of citizens shall also refer to legal entities and entrepreneurs.

Products and services of special interest for defense

Article 64

In peacetime, the companies, other legal entities and entrepreneurs have to plan the measures for their work during the states of war and emergency that will enable them to continue with production or rendering of services, pursuant to the needs laid down in the Defense Plan of the Republic of Serbia.

Article 65

Based on a resolution issued by the Government, the state administration bodies may require from the companies, other legal entities and entrepreneurs to secure a priority production, supply of products and providing of services that are of importance for defense of the country.

Mutual rights and duties of the bodies of the state administration and companies, other legal entities or entrepreneurs related to the production, supply of products or providing services from Paragraph 1 hereof shall be regulated by a special agreement.

Article 66

The companies, other legal entities and entrepreneurs from article 65, Paragraph 2 of this law, may not change the intended use of manufacturing and technological units that are used for production or delivery of services of special importance without an approval of a responsible state authority.

Based on a proposal of the Ministry of Defense, the Government shall incorporate public companies to carry out the activities from Paragraph 1 hereof in order to satisfy the defense needs.

Facilities of Special Importance for Defense

Article 67

The facilities of special importance for defense shall include: large technical and technological systems, the facilities in which products are manufactured, stored or kept or services are delivered for defense needs, the facilities accommodating state bodies and legal entities of special interest for the country's defense, and certain infrastructure facilities.

The facilities or parts of facilities from Paragraph 1 hereof and the measures of their protection are prescribed by the Government by a separate regulations, based on a proposal of the Ministry of Defense.

Special Obligation Related to Construction of Facilities

Article 68

During the planning, construction and reconstruction of investment facilities of importance for the country's defense and creation of spatial and town plans, legal and physical entities – investors, shall comply with special conditions and requirements in respect of the country's defense.

In the process of designing and construction of facilities of importance for defense and in particular public shelters, the investors shall comply with standards in respect of ease of access of those facilities to disabled persons, children and senior citizens.

The obligations in respect to the designing, construction and reconstruction of shelters are prescribed by a special law.

The companies, other legal entities and natural persons licensed to produce and execute spatial and town plans, and the bodies in charge of adoption of those plans, shall always adhere to the prescribed measures and requirements of the Ministry of Defense with respect to the needs of defense of the country and protection against war destruction.

Article 69

Petrol stations, warehouses and other facilities for storing inflammable liquids and gas and warehouses and facilities for storage of explosive materials may be built only at distances that will guarantee that the fire or explosion of any such materials shall not jeopardize safety of the citizens, intended use of military and other facilities, installations and devices that are intended for defense needs.

When approvals are issued for construction and reconstruction of facilities and plants in the vicinity of facilities, installations and devices intended for defense needs and when they are of special importance for defense, the body responsible for issuance of such approvals for construction shall have to obtain prior approval of the Ministry of Defense.

Article 70

During the selection, construction and development of large technical systems in the telecommunication area, IT, transportation, power generation and distribution, water supply and other areas of importance for defense, and in procurement of technical equipment that is of importance for their functioning, the investors shall have to adjust them to the defense needs and to inform the Ministry of Defense about these development plans.

Based on the request of the Ministry of Defense, an investor, and/or owner, shall have to adjust the systems from Paragraph 1 hereof to defense needs.

The Government shall identify the systems and technical equipment described in Paragraph 1 hereof and prescribe the reporting procedure on selection, construction and development of those systems, procurement of technical equipment and placing demands described in Paragraph 2 hereof.

Research and Scientific Work of Importance for Defense

Article 71

The Ministry of Defense and the state administration body in charge of science shall regulate scientific and research areas of importance for defense, security and general interest of the Republic of Serbia in accordance with the law governing the area of scientific and research work.

Legal entities engaged in scientific and research work and development from Paragraph 1 hereof shall have to notify the results of such research to the Ministry of Defense.

The data described in Paragraph 1 hereof may be used by the Ministry of Defense exclusively for the needs of the country's defense and their use can be approved only for that purpose.

The procedure enabling the exercise of moral and property rights of the owners of intellectual property that is of importance for defense are stipulated by the Defense Minister in accordance with regulations governing intellectual property.

Standardization of Importance for Defense

Article 72

In the process of standardization of products and services, buildings and devices of special importance for the country's defense, a body in charge of standardization shall adjust them to the needs of the country's defense and obtain a respective approval of the Ministry of Defense.

Organization, criteria, registering and standardization and classification of products and services, facilities and devices of special importance for the defense, level of harmonization and technical and inspection control shall be regulated by the Defense Minister in line with this and other laws.

Import and export of products and devices described in Paragraph 1 hereof shall be approved by the Government.

Obligations of Special Legal Entities in Defense

Article 73

At wartime, state of emergency or Serbian Armed Forces mobilization, legal entities in the area of road, railway, air and internal waterway transport and postal- telegraph- telephone traffic and other carriers of telecommunications systems shall primarily deliver the services to be specified by the Ministry of Defense.

For the services from Paragraph 1 hereof, the legal entities shall be compensated at the actual cost of services.

The Government shall pass regulations to specify the services, amount for payment of actual costs and method of payment.

Article 74

During the adoption of regulations governing forestry management, the legal entities that manage forests specially intended for defense purposes shall have to fulfill the requirements set by the Ministry of Defense or another body that uses the forests for defense needs.

The Government shall identify the forests specially intended for defense purposes.

Article 75

As part of their regular activities, the legal entities dealing with public information, electronic and printed media have an obligation to provide information for the citizens in a timely and accurate manner during the states of war and emergency in accordance with the law and regulations on public information.

The Ministry of Defense and state authorities are obliged to make the information and data of public importance available to the public in accordance with the law and regulations on free access to information of public importance.

The legal entities from Paragraph 1 hereof are obliged to publish and/or broadcast urgent statements in respect of defense, issued by state authorities.

Associations of Citizens

Article 76

The Associations of citizens can base the programs of their work on the activities that are of importance for defense.

The Government and Ministry of Defense may, in accordance with previously determined criteria, participate in financing the projects and activities of special importance for defense.

The criteria and procedure for the allocation of finance from Paragraph 2 hereof are prescribed by the Government based on a proposal of the Ministry of Defense.

CHAPTER VII

CIVIL DEFENSE

Article 77

Civil defense is organized, prepared, conducted and implemented as a system of protection and rescue of citizens, material and cultural goods from natural disasters, technical and technological disasters and catastrophes, consequences of terrorism, war and other great accidents in accordance with the valid regulations, principles and demands of the Additional Protocol to the Geneva Convention and other regulations of the international humanitarian law and ratified international agreements.

During the states of war and emergency civil defense is organized and functions as part of the defense system.

Article 78

The system of civil defense consists of: personal and mutual protection, civil defense measures and tasks, civil defense management and leadership bodies, legal entities that are equipped and trained in protection and rescue, civil defense units and the early warning control system.

The state authorities' responsibilities in protection from natural disasters, technical and technological accidents and disasters can be regulated separately by a law governing the search and rescue area.

The elements of the civil defense system, responsibilities, and internal organization of the special unit in charge of protection and rescue matters shall be laid down in a special law.

Article 79

Early warning control system is organized to enable surveillance, early warning and alert of citizens, responsible authorities, companies, other legal entities and entrepreneurs in the danger zone, and protection and rescue forces, and to provide detection and monitoring of all types of hazards for the health and life of the people, animals, environment, material, cultural and other goods.

Article 80

The rights and responsibilities of citizens in terms of participation in defense and rescue of people, animals, material wealth, cultural and other goods, and environment, and the measures and activities taken by the civil defense bodies, are regulated by the law.

CHAPTER VIII

SPECIAL PROCEDURES AND MEASURES

Preparation of Defense Plans

Article 81

Defense preparations in the Republic of Serbia are organized, planned and implemented with the view of executing tasks and providing an efficient and uniform action of the defense forces.

The Defense Plan of the Republic of Serbia lays down the tasks of all defense subjects in terms of organization of the forces, resources, measures and procedures for the work of state authorities and the use of the Serbian Armed Forces, and other defense forces at wartime and during the state of emergency.

The Defense Plan of the Republic of Serbia determines: alertness measures, use of the Serbian Armed Forces, mobilization tasks and measures; civil defense functioning, early warning control and communications command; state authorities organization and functioning; tasks and obligations of legal entities and entrepreneurs pertaining to manufacturing and services and other measures and activities of interest for defense of the Republic of Serbia during the states of war and emergency.

The Defense Plan of the Republic of Serbia is prepared by the Ministry of Defense and proposed to the Government, except for the annexes referring to the areas prepared by the state administration authorities that are in charge of these matters.

The annexes to the Defense Plan of the Republic of Serbia pertaining to the state authorities and state administration bodies, autonomous provinces' bodies, local government bodies, companies and other legal entities of importance for defense are prepared by the bodies described in Paragraph 4 hereof.

The Serbian Armed Forces Mobilization Plan and the Use of the Serbian Armed Forces Plan are produced by the Serbian Armed Forces General Staff and proposed to the Serbian President by the Defense Minister.

The persons in charge of defense planning and defense plans managers in state bodies, autonomous provinces bodies and local government units, companies and other legal entities and entrepreneurs of importance for the defense, shall be subject to a security check.

The method and procedure of fulfillment of defense planning described in Paragraph 1 hereof and organization of defense preparations is prescribed by the Government.

Article 82

Legal entities of importance for defense of the Republic of Serbia and legal entities that are obliged to organize production and delivery of services during the states of war and emergency shall plan the following: measures with which they secure that production and services, raw material supply, production materials supply, power supply and other needs are in accordance with the Defense Plan of the Republic of Serbia, that is, with special tasks and duties; necessary number of workers that will enable production and rendering of services; protection at work of employees, materials and other goods, and other measures.

In order to fulfill their obligations during the states of war and emergency, in addition to the planning of the measures described in Paragraph 1 hereof, the legal entities and services that are equipped and trained for protection and rescue, and those legal entities with special duties in early warning control and other duties defined by law and other bylaws of the responsible Republic authorities, shall make special plans to secure the execution of their duties in case of natural disasters and other disasters at peacetime.

The measures from Paragraphs 1 and 2 hereof are defined by a manager of a legal entity.

Article 83

In peacetime, the autonomous provinces, municipalities, cities and the city of Belgrade plan the measures for their functioning during the states of war and emergency in which they analyze the execution of defense tasks and duties prescribed by the law and emanating from the Defense Plan of the Republic of Serbia pertaining to the protection and rescue of citizens and material goods on their territory, and determine the obligations of legal entities from their jurisdiction in accordance with the law and their articles of association (statute).

Article 84

Legal entities, whose main economic or social activity serves the purpose of enhancing operational capabilities of defense forces, make their development plans that are in accordance with the Long-Term Development Plan of Republic of Serbia Defense System.

The derived plans described in Paragraph 1 hereof make an integral part of the Defense Plan of the Republic of Serbia.

The Government shall identify those legal entities described in Paragraph 1 hereof that shall make their defense development plans.

Article 85

Development plans and defense plans must be brought in compliance.

The defense planning entities shall have to bring defense plans in compliance with the changes and needs that may occur.

Article 86

In accordance with their responsibilities in the defense area, the Ministry of Defense and the state administration authorities shall monitor defense preparations in the defense system, and submit a report to the Government accordingly once a year.

The report from Paragraph 1 hereof shall be provided by the state administration authorities to the Government through the Ministry of Defense.

The Defense Minister submits a report to the Prime Minister at least once a year on the status of operational capabilities of the Serbian Armed Forces for the execution of their missions and tasks.

At least once a year the Government shall notify the National Assembly on the status of defense preparations in the Republic.

Proposal for Declaration of State of War or Emergency

Article 87

When the National Assembly, based on the joint proposal of the President and Prime Minister, determines that conditions have been created, it passes a decision to declare the state of war or state of emergency.

Article 88

A joint proposal for the declaration of the state of war or state of emergency is determined based on the assessment of risks and threats to security of the Republic and its citizens.

The assessment from Paragraph 1 hereof that is concurrently sent by the Defense Minister to the President of the Republic and Prime Minister contains the threat evaluation and the consequences that have occurred or may consequently occur.

The declaration of the state of emergency can be proposed even for one part of the territory of the Republic of Serbia.

Decision on Declaration of State of War or State of Emergency

Article 89

The decision on declaration of the state of war or state of emergency is made known in accordance with the law and at the same time is sent to the President of the Republic and to the Government.

The decision to declare the state of emergency defines the area of Republic of Serbia at which the state of emergency is declared, if it is declared on one part of the endangered territory of the Republic of Serbia.

Implementation of Defense Plans during the State of War and State of Emergency

Article 90

Following the National Assembly's decision on declaration of the state of war or state of emergency, the President of the Republic issues orders for implementation of the Defense Plan of the Republic of Serbia.

Article 91

Divergences from the Constitutional human and minority rights may be ordered during the state of war and emergency only to the extent and scope prescribed by the National Assembly.

The President of the Republic can order other measures pursuant to the powers vested in him by the law.

Article 92

Following the issuance of the President's order on implementation of the Defense Plan of the Republic of Serbia:

1. citizens, state bodies, companies, other legal entities and entrepreneurs act in accordance with the obligations stipulated in the mobilization plans for the execution of defense tasks and the National Assembly and Government decisions;
2. state bodies, companies, other legal entities and entrepreneurs undertake measures and activities for their work and activities under the conditions of the state of war or state of emergency;

3. Serbian Armed Forces act in accordance with the Mobilization Plan of the Armed Forces, Use of Force Plan and the President's decisions.

Decision to Abolish State of War or State of Emergency

Article 93

Upon termination of the prerequisite conditions for declaration of state of emergency or state of war, the President of the Republic and Prime Minister submit a proposal to the National Assembly to make a decision to abolish the state of war and state of emergency.

When the decision from Paragraph 1 hereof is passed, the orders and other bylaws for implementation of the ordered measures cease to be valid.

The orders and other bylaws from Paragraph 2 hereof may be put out of force by the President of the Republic even before adoption of the decision on abolishment of the state of war or state of emergency.

Alert and Mobilization Measures

Article 94

In order to prevent and eliminate dangers that pose threat to the security of the Republic of Serbia and its citizens, the President of the Republic issues orders to put in place alert measures and mobilization.

The Government issues orders for the implementation of the measures and activities necessary for the execution of obligations of Republic of Serbia deriving from its membership in the UN and confirmed international contracts in defense area.

Article 95

In case of an attack on the country all citizens in the country and abroad, commands, units and installations of the Serbian Armed Forces and representatives of the state bodies and legal entities are obliged to act in accordance with their defined wartime assignment and obligations defined in the Defense Plan of the Republic of Serbia without waiting to be summoned or to receive any order.

Article 96

At a territory where the state of emergency is declared and during the state of emergency all defense subjects are obliged to undertake measures that full under their responsibility in accordance with the orders and other acts by the President of the Republic and other responsible bodies.

Article 97

Mobilization implies that the defense system subjects change their peacetime organization and status to wartime organization and working conditions.

In terms of its scope, mobilization may be general or partial, and is notified by public announcements or by an individual summons.

Article 98

General mobilization refers to all subjects of the defense system that have defined obligations in defense and whose wartime organization differs from the peacetime organization, and refers to all material resources necessary for defense of the country.

Article 99

Partial mobilization includes the necessary part of defense subjects whose wartime organization is different than the peacetime one, and material resources necessary for an adequate response to challenges, risks and threats.

Mobilization is carried out in accordance with the Defense Plan of the Republic of Serbia.

Article 100

Partial mobilization of the defense subjects and material resources for defense needs can be ordered to test the readiness for the execution of mobilization as part of the planned exercises and controlled organization of defense preparations.

The mobilization from Paragraph 1 hereof that applies to citizens, state authorities, companies, other legal entities and entrepreneurs, and material resources is ordered by the Prime Minister, and for the Serbian Armed Forces commands, units and installations and military servicemen working for the Serbian Armed Forces – it is ordered by the officers at command positions in the Serbian Armed Forces, upon authorization by the Serbian President.

Article 101

Mobilization is regulated by a special regulation of the Government.

Article 102

Classified Data Protection Measures

Classified data pertaining to the defense system, marked as data of interest for the national security and defense system (in accordance with the provisions of a special law), are protected in accordance with the law.

Section IX
DEFENSE FINANCING

Article 103

Republic of Serbia finances expenditures and obligations pertaining to defense from the budget and the tasks it sets before companies, other legal entities, and entrepreneurs in the segment that exceeds the scope of their preparations.

Autonomous provinces and local self-government units finance defense tasks, defined as their relevant rights and duties, from their own budget.

Companies, other legal entities and entrepreneurs will finance from their own funds the defense tasks defined as their relevant rights and obligations.

Funds for the Operation of Defense Ministry and Serbian Armed Forces

Article 104

The finance that enables the functioning of the Serbian Armed Forces is provided by the Ministry of Defense, from the budget of the Republic of Serbia.

Ministry of Defense can acquire additional funds by delivering services in accordance with the law and other regulations.

The Defense Minister, within the allocated funds, shall allocate funds to the organizational units of the Ministry of Defense, commands, units and installations of the Serbian Armed Forces, and to military units and military facilities that are organizationally and functionally related to the Ministry of Defense.

Defense Minister will pass a special act regulating material and financial operations in the Ministry of Defense and the Serbian Armed Forces in accordance with the regulations governing material and financial operations of the budgetary users.

Special Purpose Assets

Article 105

Immovable special purpose assets include: land, buildings, underground and over ground buildings with accompanying infrastructure, used for military purposes by the Ministry of Defense and the Serbian Armed Forces, and other immovable assets located within military compounds.

The immovable assets from Paragraph one hereof are the property of the Republic of Serbia.

The method of acquisition, disposal, use, management, maintenance and recording of immovable property from Paragraph 1 hereof are defined by the Defense Minister.

Access to special purpose immovable property, behind the scope of their normal use, will be allowed only with prior approval of the Defense Minister.

Article 106

Movable special purpose assets include: weapons and military equipment; means of transport (aircrafts, boats, railway vehicles, motor vehicles etc.), used for official purposes; equipment and consumable material (computer systems, reproduction and office equipment, telecommunication equipment and laboratory equipment), used by the Defense Ministry for military purposes.

Procurement and disposal of movable property from Paragraph 1 hereof, under the conditions defined by the Law on Property Owned by the Republic of Serbia, are decided by the Defense Minister, or a persons authorized by the Defense Minister.

The types of movable assets from Paragraph 1 hereof, method of use, management, maintenance and timelines for their use and safekeeping are defined by the Defense Minister.

Article 106a

Special purpose biological agents are the following: service animals, animals used for scientific research, biomedical and education related purposes, as well as other animals, as decided by the Defense Minister.

The method of acquisition, recording, disposal and usage of biological agents from Paragraph 1 of this Article shall be regulated by the Defense Minister.

Development Funds

Article 107

For the purposes of development, modernization of weapons and military equipment and enhancement of defense capabilities, the Republic of Serbia may establish budgetary funds for the development of capacities and defense industry's production programs.

A budgetary fund may be established to secure funds for financing of the housing needs for the professional members of the Serbian Armed Forces and for the employees of the Ministry of Defense.

The funds from Paragraph 1 hereof will be set up for definite for indefinite time periods, in accordance with the provisions of a special law.

CHAPTER X

Rights, Duties and Responsibilities of the Ministry of Defense Personnel

Article 108

The business of state administration in the Ministry of Defense shall be carried out by civil servants, staffers and professional military personnel assigned to work in the Ministry of Defense.

The principles of internal organization and classification of jobs in the Ministry of Defense are governed by a decree issued by the Government.

Article 109

The annexes with descriptions of jobs of professional military personnel assigned to work in the Ministry of Defense, and in military units and installations in which no tasks from the competence of the Ministry of Defense are performed, which are functionally and organizationally connected with the Ministry of Defense make an integral part of the Regulations on Internal Organization and Classification of Jobs in the Ministry of Defense.

Article 110

In addition to general employment conditions a person who wants to be employed in the Ministry of Defense has to fulfill special conditions prescribed for professional military personnel. Those conditions are prescribed by the Defense Minister.

Professional military person whose service in the Serbian Armed Forces has terminated as a result of the service needs can be directly employed by the Ministry of Defense in the capacity of a civil servant or a staffer to fill in a vacancy.

Article 111

Due to special conditions of their work, difficulty and special nature of the tasks and jobs, the Government may raise the salaries of personnel employed, appointed and nominated and of the personnel occupying high positions in the Ministry of Defense, based on a proposal of the Defense Minister, and by a special bylaw, by up to 20% above the salaries of other employed, appointed and nominated personnel and personnel occupying positions in other ministries.

Art. 111a

The Defense Minister shall stipulate the manner and criteria for resolving housing issues of the Ministry of Defense and Serbian Armed Forces employees with the approval by the Government.

CHAPTER XI

Penal Provisions

Article 112

Legal entities will be fined with 50,000-250,000 dinars if:

1. they fail to act in accordance with the order given by a person in charge of inspection matters (Article 17, Paragraph 2)
2. they fail to provide the Ministry of Defense with the data of importance for defense from its scope of work (Article 27, Paragraph 1)
3. they fail to provide a responsible body with the data from their scientific and research program and development or the data about scientific and research achievement or information of importance for the country's defense, or if they fail to provide access to the data, or fail to handover the data of importance for the country's defense (Article 71);
4. If the body in charge of standardization of the products and services, buildings or devices of special importance for the country's defense does not obtain necessary approval from the Ministry of Defense (Article 72, Paragraph 1).

A responsible person of a legal entity shall be also fined with 10,000 to 20,000 dinars for the breaches from Paragraph 1 hereof.

A person in charge employed by the state authority whose responsibility has been determined by the responsible body will also be fined with 10,000 to 20,000 dinars for the breaches from Paragraph 1 hereof.

Article 113

Legal entities will be fined with 250,000 to 500,000 dinars if:

1. they fail to manufacture things or render services of importance for defense of the country as a priority (Article 65);
2. they alter the purpose of a manufacturing and technological unit serving for manufacturing of the things or delivery of services of special importance for the country's defense without an approval from the authority in charge (Article 66, Paragraph 1);
3. if the user of a facility of special importance for defense fails to undertake prescribed measures of protection of that facility (Article 67, Paragraph 2)
4. if in designing, construction and reconstruction of investment buildings and shelters, and creation of spatial and city plans the legal entity does not comply with special conditions and demands related to defense, or if the legal entity does not act in accordance with the Ministry of Defense special measures and requirements (Article 68).

5. they fail to provide for priority transportation or delivery of services for the Serbian Armed Forces needs at wartime or state of emergency or during the Serbian Armed Forces mobilization (Article 73);
6. they fail to adjust their preparations and execution of other tasks and jobs with the Defense Plan of the Republic of Serbia and demands of responsible authorities (Article 82, Paragraph 1);
7. they fail to produce their development plans (Article 84, Paragraph 1);
8. they fail to adjust their defense plans to the changes and needs incurred (Article 85, Paragraph 2);
9. they fail to provide the responsible authority with reports on implementation of defense preparations (Article 86, Paragraph 2).

A responsible person employed by the legal entity will also be fined with 20,000 to 35,000 dinars for violation described in Paragraph one hereof.

A person in charge employed by the state authority whose responsibility has been determined by the body in charge will also be fined with 20,000 to 35,000 dinars for violation described in Paragraph one hereof.

Article 114

Legal entities will be fined with 500,000 to 1,000,000 dinars if:

1. they do not conduct defense preparation jobs within their regular activities which refer to planning, organization, preparation and training for work at wartime or state of emergency (Article 62, Paragraph 1);
2. they do not plan measures for their functioning at wartime or state of emergency that provide for manufacturing activities or delivery of services in accordance with the needs determined in the Defense Plan of the Republic of Serbia (Article 64);
3. If the authority in charge fails to provide the approval of the Ministry of Defense prior to issuance of permits for construction and reconstruction of facilities and plants that are located in the vicinity of facilities, installations and devices intended for defense needs or are of special importance for defense (Article 69, Paragraph 2);
4. during the selection, construction or development of large technical systems of importance for the country's defense or during the procurement of technical equipment of importance for functioning of that system, they do not ensure necessary adjustment of that system to the defense needs or if they fail to introduce the authority in charge with the program referring to construction and development of that system, or if they do not act in accordance with the request of the authority in charge. (Article 70, Paragraph 1 and 2);
5. they import or export a product, thing or device of special importance for the country's defense without a previous approval or against the previously issued approval. (Article 72, Paragraph 2);
6. when the basis for the management of forests with special purpose for defense needs is passed, they do not act in accordance with the authority's request or if they do not comply with that demand during the implementation of that basis (Article 74);

7. they do not inform the citizens in the legally prescribed manner (Article 75);
8. they do not create special plans that will provide for execution of their duties in case of natural disasters and other greater disasters at peacetime (Article 82, Paragraph 2);
9. they do not execute obligations stipulated in the Defense Plan of the Republic of Serbia or do not act in accordance with the National Assembly, Government and President's decisions during the states of war and emergency; or if they do not undertake measures planned for work and execution of their activities under those conditions (Article 92);
10. upon becoming aware of the attack on the country they do not act in accordance with the obligations defined in the Defense Plan of the Republic of Serbia without waiting for an order by the authority in charge (Article 95);
11. they do not undertake measures from the scope of their responsibilities in accordance with the orders and other bylaws by the President of the Republic or the authorities in charge on the territory where the state of emergency has been declared (Article 96);
12. they do not undertake prescribed measures to protect classified data (Article 102);
13. they expose and use insignia, symbols and other Ministry of Defense's emblems in a manner that violates reputation of the Ministry of Defense (Article 14a);
14. they use the name, symbols and other Serbian Armed Forces emblems without the approval of the Defense Minister (Article 33, Paragraph 3).

A responsible person of a legal entity shall be also fined with 35,000 to 50,000 dinars for the breaches from Paragraph 1 hereof.

A person in charge employed by the state authority whose responsibility has been determined by the responsible body will also be fined with 35,000 to 50,000 dinars for the breaches from Paragraph 1 hereof.

Article 115

Entrepreneurs will be fined with 300,000 to 500,000 dinars if:

1. they fail to plan measures during the states of war and emergency that enable manufacturing activity or delivery of services, in accordance with the needs determined in the Defense Plan of the Republic of Serbia (Article 64);
2. they fail to fulfill their duties in response to requests of the authorities in charge that refer to priority manufacturing and services in accordance with the contract (article 65);
3. they alter the purpose of the manufacturing and technological unit that serves for manufacturing and services of special importance for the country's defense (article 66, Paragraph 1);
4. they do not comply with special conditions and demands in terms of defense needs, or if they fail to act in accordance with prescribed measures and demands of the Ministry of Defense during design, construction and reconstruction of investment facilities and creation of spatial and city plans (Article 68, Paragraph 3);
5. they expose and use the insignia, symbols and other Ministry of Defense's emblems in a manner that violates reputation of the Ministry of Defense (Article 14a);
6. they use the name, symbols and other Serbian Armed Forces emblems without the approval of the Defense Minister (Article 33, Paragraph 3).

Article 116

Citizens will be fined with 10,000 to 50,000 dinars if:

1. they do not act in accordance with their orders to undertake other duties at wartime and state of emergency following the decision of an authority in charge (Article 47, Paragraph 2);
2. following the declaration of wartime or state of emergency they fail to continue with work at their workplaces (Article 52, Paragraph 1);
3. following the declaration of war or state of emergency they refuse to act in accordance with the altered distribution or movement to another legal entity (Article 52, Paragraph 2);
4. they fail to act in accordance with the orders of a body in charge when the compulsory military service, compulsory work, compulsory asset contribution and compulsory civil defense have been determined (Article 60).

Article 117

Responsibility for failure to execute defense jobs and tasks, acting against the law and decisions made by the authorities in charge and other activities that contain elements of criminal offence will be determined in accordance with regulations on criminal liability.

CHAPTER XII

TRANSITIONAL AND FINAL PROVISIONS

Article 118

The Government and other state administration bodies that are authorized by this law to pass regulations for the implementation of this law will do so within 90 days from the effective date of this law.

The Defense Plan of the Republic of Serbia will be passed by the Government within one year from the effective date of this law.

Regulations passed for the implementation of the Law on Defense (Official Gazette of the Federal Republic of Yugoslavia, number 43/94, 11/95, 28/96, 44/99 and 3/02) shall remain in effect until the regulations for implementation of this law have been passed except for the provisions that are contrary to this law and other laws.

Article 119

The Ministry of Defense and other state administration bodies shall adjust their organization and work on execution of defense jobs and tasks to this law, at the latest within 90 days from the effective date of this law.

On the effective date of this law, the Ministry of Defense and the Serbian Armed Forces shall continue to use the resources for special purposes for defense and Serbian Armed Forces needs.

Article 120

In case of threat against the Republic of Serbia and its citizens and until the Defense Plan of the Republic of Serbia has been passed, the Defense Plan of the State Union of Serbia and Montenegro shall be in effect.

Article 121

The bodies of autonomous provinces, local government units, companies, other legal entities and entrepreneurs are obliged to adjust their bylaws and defense plans to this law and regulations passed in accordance with this law within six months of passing regulations from Article 118 of this law.

Article 122

Until regulations on compulsory asset contributions for citizens and legal entities have been passed, the provisions of Articles 26-30 and Article 39 of the Law on Defense (“Official Gazette of FRY” number 43/94, 11/95, 28/96, 44/99, and 3/02) and bylaws for their execution shall remain in effect.

Article 123

Until the Law on Protection of Classified Data of the Republic of Serbia has been passed, the provisions of Chapter VI – Security and Protective measures, Article 67-80 of the Law on Defense (“Official Gazette of FRY” number 43/94, 11/95, 28/96, 44/99, and 3/02) and bylaws for their execution shall remain in effect.

Article 124

The provisions of Articles 49-66 of the Law on Defense (“Official Gazette of FRY” number 43/94, 11/95, 28/96, 44/99, and 3/02) and bylaws for their execution shall remain in effect until the regulations on civil defense have been passed.

Regulations passed in accordance with articles 73-86 of the Law on Defense (“Official Gazette of the Republic of Serbia”, no 45/91, 58/91, 53/93, 67/93, and 48/94) shall remain in effect until the Law on Civil Defense has been passed.

Article 125

In order to inform the public on legal amendments in the defense area and the Serbian Armed Forces and other laws that refer to the country’s security and international cooperation in defense area and military cooperation, the Ministry of Defense will twice a year issue press releases to the public that will contain the list of laws and explanations of legal amendments.

The Ministry of Defense shall make public the first information from Paragraph 1 hereof within six months from the effective date of this law.

Article 126

On the effective date of this law, the following shall cease to be valid:

1. The Law on Defense (“Official Gazette of FRY” number 43/94, 11/95, 28/96, 44/99, and 3/02) except for the provisions of Articles 26-30 and Article 39, the provisions of Chapter VI – Security and Protective measures (Article 67-86) and the provisions of Articles 49-66 that shall remain in effect until separate laws have been passed.
2. The Law on Measures in the State of Emergency (“Official Gazette of Republic of Serbia”, no 19/91);
3. The Law on Defense (“Official Gazette of the Republic of Serbia” number 45/91, 58/91, 53/93, 67/93, and 48/94), except for the provisions of Chapter VI – Civil Defense (Articles 73-86) that shall remain in effect until the Law on Civil Defense has been passed.

Article 127

This Law shall enter into effect on the eighth day of the date of its publishing in the “Official Gazette of the Republic of Serbia”.