

Chapter 14: Transport policy

EU transport policy is aimed at sustainable mobility combining Europe's competitiveness with the welfare of its citizens, making for greater safety and security and enhanced rights. It is an essential component of the Lisbon strategy and contributes to the EU's social and territorial cohesion. The objectives of EU transport policy are establishing efficient transportation systems offering a high level of sustainable mobility throughout the Union, ensuring high quality standards for safety, security and passenger rights and improving working conditions. The EU's sustainable transport policy requires our transport systems to meet society's economic, social and environmental needs.

Transport policy is governed by Title VI – Articles 90 and 100 of the Treaty on the Functioning of the European Union (TFUE). The *acquis* consists of regulations, decisions and directives. Their implementation has to be ensured by the day of accession.

I. BASIC TRENDS AND DATA OF THE TRANSPORT SECTOR

Basic data should be provided by completing the attached charts in Annex 1.

II. MARKET STRUCTURE AND BASIC TRENDS FOR EACH MODE OF TRANSPORT

A. Road Transport

Conditions of access to market and profession

- 1) What are the rules governing access to the profession for operators engaged in national and/or international transport of passengers and goods? How and by whom is this legislation enforced? To which extent are the four criteria for access to the occupation of road transport operator met?**

Laws governing the road transport and stipulating, for national transport operators, the conditions for access to the profession for operators in international and national road transport of passengers and goods are as follows:

- the Law on International Road Transport ('Official Journal of FRY' No. 60/98, 5/99, 44/99, 74/99, 4/00, 'Official Gazette of RS', No. 101/05 and 18/10 of 26 March 2010)
- the Law on Road Transport ('Official Gazette of RS' No. 46/95, 66/01, 61/05, 91/05, 62/06 of 19 July 2006).

Ministry of Infrastructure of the Republic of Serbia, i.e. is responsible for the implementation of both laws.

The Law on International Road Transport enables access to the profession for the road transport operators (legal persons) meeting the following criteria:

- Previous national transport engagement period
- financial standing
- technical equipment
- professional qualification

Mandatory previous national transport engagement period is three years. The national road operator is to have been engaged for three years in the corresponding type of the national road transport and that is corroborated by a decision on the fulfilment of conditions for launching

and performing public passenger and goods transport for the national road transport operator, in compliance with the Law on Road Transport.

Financial standing implies that the transport operator has at his disposal certain bank balances (amounting to 100 Euros per coach seat or per ton of maximum transport capacity of a large goods vehicle, yet not less than 2500 Euros per vehicle).

Technical equipment means fulfilment of conditions in terms of technical features that coaches or large goods vehicles must meet and in terms of a number of coaches or large goods vehicles (1. ownership of minimum three coaches per one line and of an additional coach for every new line 2. ownership of minimum two coaches for charter coach services 3. ownership of minimum two large goods vehicles for international carriage of goods). National transport operator may as well perform international transport using hired or leased vehicles. Professional qualification implies that a manager or a responsible person had received relevant education and that he possesses required professional experience. By virtue of the amendments to the Law on International Road Transport it has been stipulated that a responsible person had received an education and is in possession of professional experience, as follows:

- 1) Manager - completed secondary school of transport, mechanical or electrical engineering or, acquired education at second-degree studies (graduate academic studies - master, special academic studies, special professional studies) or, basic studies with a minimum four-year term in transport, mechanical or electrical engineering, as well as to hold a manager's or responsible person's licence;

- 2) Responsible person - higher education at second-degree studies (graduate academic studies – master, special vocational studies) or, basic studies with a minimum four-year term in legal sciences or transport engineering, as well as to hold a manager's or responsible person's licence.

Person responsible of transport management with the received higher education in the field of legal sciences must also have a minimum three years of professional experience in transport management.'

National transport operators must align their business activities with these provisions within two years.

Drivers must not be persons convicted of a road traffic criminal offence.

The Ministry is responsible for the implementation of both laws.

The Law on International Road Transport provides for the issue of the Certificate of Qualification for International Road Transport to a national undertaking (legal person) meeting the aforesaid conditions.

Inspectorate of the Ministry of Infrastructure verifies whether all conditions have been met and issues a decision on the fulfilment of the conditions for launching and performing public passenger and goods transport for the national transport operator.

Road transport operators issued with the Qualification Certificate for international public transport meet all of the previously listed criteria.

Thus far, 1500 certificates were issued to the international road transport operators.

Transport on own account may be performed by an undertaking or other legal person or entrepreneur or a citizen meeting conditions laid down by this law in terms of equipment,

appropriate parking spaces for vehicles – except for passenger cars – and of staff performing routine maintenance and vehicle roadworthiness checks.

2) What are the rules governing market access for resident operators in national and international road goods transport (Regulation 1072/2009)? How and by whom is this legislation enforced?

Access to national and international goods transport market for resident transport operators is stipulated by:

- the Law on International Road Transport
- the Law on Road Transport
- the Regulation on the Allocation Method and Criteria for Issue of Foreign Permits for International Public Goods Transport to Resident Operators ('Official Gazette of RS', Nos 88/05 and 6/09)

- bilateral agreements on international road transport

Ministry of Infrastructure is responsible for the implementation of this legislation.

Resident operators (meeting conditions) need no particular permit to perform domestic goods transport.

Resident operators perform international goods transport mostly in the regime of permits, which are bilaterally exchanged between the Republic of Serbia and other states on an annual basis. In addition to these permits, international goods transport is performed by using CEMT, owing to the membership of the Republic of Serbia in this international organisation.

Ministry of Infrastructure issues permits for international road goods transport to resident operators in accordance with the Regulation on the Allocation Methods and Criteria for Issue of Foreign Permits for International Public Goods Transport to Resident Operators. Foreign permits are issued to resident operators in accordance with the following criteria:

- 1) Correct use of individual permits or efficient use of time-limited and CEMT permits
- 2) fleet quality
- 3) number of drivers
- 4) use of fleet for certain shipment
- 5) use of combined transport
- 6) turnover generated from the supply of international goods transport services.

The regulation also stipulates methods for ascertaining each of these criteria.

Cabotage is not permitted to foreign operators, except in cases where no suitable transport capacity exists in the Republic of Serbia to perform certain types of transport. Ministry of Infrastructure issues cabotage permits.

3) What are the rules governing market access for national and international road passenger transport for resident operators? Are authorisations required for:

- a) regular services;
- b) special regular services;
- c) shuttle services (if any);
- d) occasional services?

Market access in national and international road passenger transport is governed by the following legislation:

- Law on International Road Transport
- Law on Road Transport
- Rulebook on Contents of the Feasibility Study, Solvency of Resident Operator and Methods of Determining a Resident Operator for Launching a Line in the International Public Passenger Transport ('Official Journal of FRY', No. 19/2000 and 'Official Gazette of RS' Nos 20/2004 and 91/2006).
- General Terms and Conditions for Intercity and Inter-republic Passenger Transport ('Official Gazette of RS' No. 1/06)
- bilateral agreements on the international road transport

a) Permit is required for regular line international and national passenger transport. For international transport, permit is issued for the territory of the Republic of Serbia (Ministry of Infrastructure) and for territories of all states crossed by the coach line, in accordance with the approved trip itinerary (route), with validity period of usually five years or one year in cases where no bilateral agreement is concluded with that particular state.

Ministry of Infrastructure issues registrations and verifications with a one year validity period, as a condition for the conduct of national line passenger transport. Operator submits proposals for new timetables to the Serbian Chamber of Commerce that are subsequently examined in accordance with the Transport General Terms and Conditions, whereas in case of an existing timetable, i.e. old time table, the operator files a request for the extension of timetable validity.

Municipal or town authorities determine a method of registration and verification of timetables for urban and suburban passenger transport.

b) There are no specific requirements for special line passenger transport.

c) Resident operator engaged in national shuttle passenger transport needs no special permit, while shuttle services in international transport commonly remain under the permit regime (whether by exchange of contingents or for each individual drive), except where otherwise specified in bilateral agreement.

d) Resident operator needs no permit for occasional services in national transport, while this type of service in international transport falls under the regime provided for by bilateral agreement. Certain types of occasional transport in most cases are not subject to the permit regime (for example: entry of full and exit of empty vehicle or "closed door" journey).

4) How do companies obtain these authorisations? What is the normal validity period of authorisations? Do companies benefit from exclusive rights? How and by whom is this legislation enforced?

Authorisations are issued upon a request filed by a resident operator with the Ministry of Infrastructure, in compliance with the Law on International Road Transport and the Law on Road Transport. Ministry of Infrastructure issues authorisation for line passenger transport to resident operator (and to foreign operator as well, for the Republic of Serbia). Validity period of licences for line transport is five years.

Municipal or town authorities determine a method of registration and verification of timetables for urban and suburban passenger transport.

In line with bilateral agreements, international shuttle services are under the regime of authorisations, which are generally exchanged between competent state authorities. Validity period of licences for shuttle transport is thirteen months (a year + January).

Upon request of a resident transport operator, the Ministry of Infrastructure issues an authorisation for occasional transport from the contingent that is interchanged with competent authorities of another state or, by filing a request with competent authorities of another state for a particular drive. Validity period of licences for occasional transport is thirteen months (a year + January).

No exclusive rights are guaranteed to resident operators.

5) What are the rules regarding competition? How and by whom is this legislation enforced?

No department, nor the department of transport, is exempted from the general regime of the protection of competition described within Chapter 8.

Social and technical rules and standards

6) What are the rules applicable to drivers' hours in domestic and international transport (driving and rest times, daily and weekly driving limits, daily and weekly rest periods, weekly working time etc.)? How and by whom is this legislation enforced?

These issues are governed by the Law on Road Traffic Safety ('Official Gazette of RS') Nos 41/09 and 53/10 dated 29 July 2010) and, in international transport, by the Regulation on Driving and Rest Times for Drivers of Motor Vehicles in International Transport and the Application of the Digital Tachograph System ('Official Gazette of RS', number 54/10 dated 4 August 2010). The Law on Road Traffic Safety also provided for the Rulebook on Drivers' Hours, Driving and Rest Times, the compilation of which is in progress.

Supervisory agencies of the Ministry of Infrastructure and the Ministry of Interior control the course of implementation of these provisions, while supervisory agencies of the Ministry of Interior carry out inspections of transport undertakings' premises.

Supervision of drivers in terms of their compliance with driving and rest times is conducted both on the road in real-time traffic and in premises of the legal persons and entrepreneurs engaged in road transport activities.

7) Please give detailed answer for the following questions concerning driving licences.

a) What are the modalities concerning the attribution of driving licences? What is the minimum age for drivers?

It is provided by the Law on Road Traffic Safety that a driver shall be allowed to drive a motor vehicle or a vehicle set independently if he meets all the prescribed conditions and is in possession of a driving licence for adequate category of vehicles.

The EU member country citizens temporarily residing in the Republic of Serbia and the Republic of Serbia citizens with a temporarily or permanently staying on the territory of the

European Union shall be permitted to drive a motor vehicle on the territory of the Republic of Serbia, on the basis of a valid driving licence issued by a competent authority of an EU member state and within its validity period.

A foreign national, temporarily staying in the Republic of Serbia or the Republic of Serbia citizen staying or residing abroad and temporarily coming to the Republic of Serbia, shall be permitted to drive a vehicle on the basis of a foreign driving licence or a valid international driving licence during his/her temporary stay, under condition of reciprocity and within its validity period.

A foreign national, with an approved permanent sojourn in the Republic of Serbia, staff of embassies, consulates, foreign missions, representative offices of international organisations in the Republic of Serbia, foreign commercial, transport, culture and other representative offices and foreign correspondence offices and the Republic of Serbia citizens coming back from abroad, i.e. the ones who return to the Republic of Serbia on permanent basis, shall be allowed to drive a motor vehicle, i.e. line of vehicles on the basis of a foreign driving licence for the period of six months from the day of entering the Republic of Serbia.

Persons from the two above mentioned paragraphs shall be issued a Serbian driving licence at his/her own request without having to pass a driving and a first aid test, on the basis of their valid foreign driving licence (except for temporary, probationary and similar driving licences), provided it did not expire and also provided they meet the age and health requirements, they have permanent residence or an approved minimum six-month temporary residence in the Republic of Serbia and no placed ban on driving a motor vehicle and/or vehicle set.

Diplomatic and consular missions' staff, foreign states missions' staff and international organisations' staff in the Republic of Serbia shall not be required to enclose evidence of age and/or health requirements fulfillment.

Serbian driving licence shall not be issued on the basis of international driving licence. Serbian driving licence shall be issued on the basis of only if an applicant encloses a licence clearly stipulating which vehicle categories he/she is allowed to drive and provided it did not expire.

Driving licence or and probation driving licence shall be issued by a territorially competent organizational unit of the Ministry of Interior where an applicant has a residence in. Driving licence may be issued by a competent organisational unit of the Ministry of Interior to a person who due to employment, education or any other justified reasons stays outside his/her residence for a period longer than three months, as well as to a foreigner with an approved sojourn for a period longer than three months.

The following are minimum ages for obtaining driving licences:

- 1) For category M, 15 years of age,
- 2) For category F, 16 years of age,
- 3) For categories AM and A1, 16 years of age,
- 4) For category A2, 18 years of age,
- 5) For categories B, B1 and BE, 18 years of age,
- 6) For categories C1 and C1E, 18 years of age,
- 7) For categories C, CE, D1, D1E, 21 years of age,

- 8) For categories D and DE, 24 years of age,
- 9) For category A, 24 years of age,, except for persons holding A2 category driving licence for at least two years

A probationary driving licence shall be issued to a 17-year-old person meeting all requirements for operating category B vehicle for a one-year period.

Probationary driving licence shall be used in the Republic of Serbia only.

Probationary driving licence shall also be issued to a 18-year-old person entitled to operate category B motor vehicles for the first time. Probationary driving licence for this person shall be issued for a one-year validity period.

b) What are the driving licence categories?

Provisions of the Law on Road Traffic Safety prescribe that a driving licence shall be issued for operating motor vehicle or a vehicle set of the following categories:

- 1) AM - Mopeds, light motor tricycles or light motor quadricycles
- 2) A1 – Motorcycles whose engine is not above 125 cm³ and engine power up to 11 kW whose ratio between engine power and vehicle mass is not above 0.1 kW/kg and heavy tricycles whose engine power is not above 15 kW
- 3) A2 - Motorcycles with engine power not exceeding 35 kW and whose ratio between engine power and vehicle mass is not above 0.2 kW/kg
- 4) A – Motorcycles and heavy tricycles with engine power not exceeding 15 kW
- 5) B1 - Heavy quadricycles
- 6) B - Motor vehicles save for those in categories A, A1, A2, AM, F and M with maximum mass not exceeding 3.500 kg, with not more than eight seats excluding driver's seat
- 7) BE - Vehicle sets, with a pull vehicle of B category and maximum mass of a trailer above 750 kg but not exceeding 3,500 kg
- 8) C1 - Motor vehicles save for those in the categories A, A1, A2, AM, F, M, B, D and D1, whose maximum allowed mass is above 3.500 kg but not exceeding 7,500 kg
- 9) C1E – Vehicle sets whose pull vehicle is of the category C1 and maximum allowed mass of a trailer above 750 kg but maximum allowed mass of a group does not exceed 12.000 kg as well as group of vehicles whose pull vehicle is of the B category and maximum allowed trailer mass above 3.500 kg but maximum allowed mass of a group does not exceed 12,000 kg
- 10) C - Motor vehicles, save for the categories A, A1, A2, AM, F, M, B, D and D1 whose maximum allowed mass is above 3,500 kg
- 11) CE - Vehicle set, with a pull vehicle of C category and maximum allowed trailer mass above 750 kg
- 12) D1 – Passenger vehicles which apart from the driver's seat have more than eight but not more than 16 seats and whose maximum length is up to eight metres.
- 13) D1E - Vehicle sets with a pull vehicle of D category and with maximum allowed mass of trailer exceeding 750 kg
- 14) D - Passenger vehicles which apart from the driver's seat have more than eight seats.
- 15) DE - Vehicle sets, with a pull vehicle of D category and with maximum allowed mass of trailer exceeding 750 kg
- 16) F – Agricultural tractors with or without a trailer and work machines

17) M – Motor cultivators

c. Please provide information on the driving licence model and on the theoretical and practical driving exams (Directives 91/439/EC and 2006/126/EC on driving licences).

The Rulebook on Driving Licences ('Official Gazette of RS', No. 73/10), in application since 1st of January 2011, provides that a driving licence blank is a one-piece document, rectangular in shape, dimensions 85,6 x 54 mm. It is manufactured from polycarbonate and in form of ID-I identification card, in accordance with the Serbian Identification Cards Standards SRPS ISO/IEC:7810 for Dimensions and Physical Features and 10373 for Testing of Physical Features.

Front page of the driving licence is pink in colour, against a background made of words 'DRIVING LICENCE .- EUROPEAN UNION MODEL', in Serbian and written in Cyrillic.

Front page of the driving licence blank consists of the following: international country code of the Republic of Serbia 'SRB', written in white capital letters and Latin alphabet in blue rectangle; words 'REPUBLIC OF SERBIA' and 'DRIVING LICENCE', written in blue capital letters in Serbian and Cyrillic, as well as in English; a small coat of arms of the Republic of Serbia in the top right corner; laser-printed black and white photograph of a driver, dimensions 30 x 24 mm (placed under the international country code of the Republic of Serbia and registered under a sequence number 6) and the following data written in Serbian and Latin alphabet and numerated:

1. Surname
2. Name
3. Date and place of birth
- 4a. Date of issue
- 4b. Expiry date
- 4c. Licence issued by:
5. Licence number
7. Driver's signature
- (8) Residence
9. Categories of vehicles driver is entitled to drive

Back of the driving licence is pink in colour and contains a chart consisting of four columns and seventeen rows, whereas the eighteenth row is placed below the columns, numbered as 12, where additional information concerning restrictions from column 12 is entered, as well as their interrelation with the information from column 9 and other information of importance in establishing grounds and scope of restrictions.

Columns are numbered in the following manner:

9. Categories of vehicles driver is entitled to drive
10. Date of first issue of licence for each category
11. Expiry date for each category
12. Restrictions

In the upper left corner of the back of the driving licence, numbered information is entered, as follows:

13. Information relevant for issuance of a driving licence, entered by an EU Member State which has issued the driving licence

14. Information relevant for issuance of driving licence, entered by the issuing EU Member State

Alphanumeric data is entered in the driving licence blank in Latin alphabet and Arabic numerals.

Probationary driving licence blank is a bipartite document and manufactured from a protected rectangular paper, light blue in colour (Pantone233-7C), dimensions 148 x 105 mm and 105 x 74 mm, when folded.

The title page of the probationary driving licence blank is consisted of a small coat of arms of the Republic of Serbia, below which is the text stating 'REPUBLIC OF SERBIA, PROBATIONARY DRIVING LICENCE FOR MOTOR VEHICLES OF B CATEGORY', in Serbian and written in Cyrillic. In the lower right corner is a serial number consisting of letters 'RS' and Arabic numerals from 0 to 8.

The second page of the driving licence blank contains an excerpt from Article 182 of the Law on Road Traffic Safety, stating the following:

‘A probationary driving licence shall be issued to a 17-year-old person meeting all requirements for operating category B vehicle for a one-year period.’

Third page of the probationary driving licence blank consists of a photograph, dimensions 45 x 35 mm, with a seal of the issuing authority in its lower right corner. The photograph is affixed mechanically, so that it cannot be replaced without having the blank damaged beyond repair. Third page of the probationary driving licence blank also contains certain columns with personalised and coded data on driver, as well as data on driving licence, all written in Serbian and in Cyrillic and numbered in accordance with its contents and sequence from the driving licence, regardless of a natural order of ordinal numerals, as follows:

1. Surname
2. Name
3. Date and place of birth
8. Place of residence
- 4a. Date of licence issue
- 4b. Expiry date of provisional driving licence
- 4c. Title of issuing authority
5. Licence number
7. Driver's signature
9. Vehicle category that driver is entitled to drive
12. Restrictions

In the lower left corner of the probationary driving licence blank is a space left for the authorised person's signature, as well as for a seal, whereas the licence serial number is printed in the lower right corner

Driver's personal data is written in a substantiating document serving as evidence of driver's identity.

Fourth page of the probationary driving licence contains Small Coat of Arms of the Republic of Serbia.

Integral driving test consists of two parts: a theory examination and a practical driving test.

An applicant has passed the driving test after he had passed the theory examination and a practical driving test.

Theory examination is carried out in a form of test.

Practical test consists of operating a vehicle on a training ground and on a public road in real-time traffic and it assists in establishing whether an applicant possesses required knowledge, skills and practice.

Applicants having applied for BE, C1E, CE, D1 and DE licenses, respectively, shall not take the theory examination.

Every applicant, irrespectively of the category he applied for, shall take the practical test.

Driving test shall be taken before a two-member test commission. Applicant has passed a test in case of positive marking by both members of the commission.

Apart from the driving test, an applicant must also pass the first aid test. The first aid test shall be taken in the Serbian Red Cross offices and health agencies authorised by a ministry responsible for health affairs.

d) Which institution is in charge of the organisation and supervision of driving exams?

It is provided by the Law on Road Traffic Safety that training candidates for drivers can be done only by a company, or secondary professional school in its organizational unit which meet the prescribed conditions and which are approved for it.

The permit is issued by the Ministry of Interior.

Training candidates for drivers consists of: theoretical training, practical training in operating vehicle and driving test.

Driving test is organised and conducted by a legal person that is licenced for driver training.

Driving test shall be taken before a two-member test commission of examiners, one being a police officer and the other being a legal person's representative.

Minister of Interior prescribes detailed terms and conditions on organisation, conduct and mode of taking a driving test, records policy, records keeping periods, as well as terms and conditions that training and driving test vehicle must meet.

Ministry of Interior is responsible for a driving test conduct supervision.

e) Is the possession of the appropriate national driving licence sufficient for entry into the profession of commercial vehicle driver? If no, is complementary initial training, sanctioned by a certificate of professional proficiency (CCP) or an equivalent document required?

Possession of the appropriate national driving licence is not sufficient for entry into vocation of a professional driver and specifically, in terms of drivers of vehicles of category C, C1, D, D1, CE, C1E, DE and D1E, respectively.

It is provided by the Law on Road Traffic Safety that driver of a motor vehicle i.e. vehicle set, to whom vehicle operating is basic job i.e. a driver who operates public transport in order to carry out that job must have licence for professional driver (Certificate of Professional Competence – CPC, hereinafter: CPC).

Licence may be national, valid for the territory of Republic of Serbia and international, valid in international traffic.

The licence is issued by the Road Traffic Safety Agency which keeps records on issued licences.

The licence may be issued to a driver meeting the following conditions:

- 1) possession of a driving licence for operating vehicles of the categories C, C1, D, D1, CE, C1E, DE and D1E categories
- 2) completed prescribed training
- 3) passed professional state exam

As an exception, persons who performed the job of a professional driver or had right to perform a job of a professional driver before 11th of December 2009, which is the date when the Law on Road Traffic Safety came into force, may do the job of a professional driver (CPC) without the licence for a maximum period of five years.

It is expected that the adoption of a rulebook providing detailed rules and regulations concerning the activities of and qualifications for professional drivers (CPC) will take place in 2011.

f) Is periodic training required for working as a professional driver? How and by whom is this legislation enforced?

It is prescribed by the Law on Road Traffic Safety that the licence for professional driver shall be renewed to the driver who attended obligatory seminars for knowledge improvement.

The Minister in charge of transport issues pursuant to the proposal of the the Road Traffic Safety Agency shall prescribe detailed conditions on the following: on training programme; skills and knowledge improvement seminars; modes of taking a professional test; modes of examination of skills and knowledge acquired at seminars; layout and contents of the blank licence for professional drivers (CPC). Layout of certificate of passed professional proficiency examination procedure for enactment of a rulebook, which shall govern all of these issues, is in progress.

At the moment, there are no periodical trainings organised for professional drivers, as the procedure for the enactment of a rulebook regulating the area concerned is in progress and its adoption is expected to take place in 2011.

g) Which authority issues permits for the establishment of driving schools and according to what procedure are they issued (Directive 2003/59/EC on the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods or passengers)?

It is provided by the Law on Road Transport Safety that training of candidates for drivers can be done only by a company, or secondary professional school in its organizational unit which meet the prescribed conditions and which are approved for it.

The permit is issued by the Ministry of Interior.

Legal person giving training to applicant must have:

- 1) At least one properly equipped classroom for theoretical instructions and testing of at least 10 candidates either owned by company or secondary school or rented. The classroom may be rented only for the needs of one legal entity i.e. its branch.

2) business premises for administrative affairs being property of a legal person or leased business premises may be leased only for the needs of one legal person or its branch

3) proper teaching aids

4) minimum three vehicles of B category and at least one vehicle for each of the remaining categories that legal person or its branch gives training for, all registered in legal person's name or all secured by means of leasing if applicants are not trained for B category motor vehicles, then legal person must have minimum three vehicles of corresponding categories registered in legal person's name or secured by means of leasing.

5) training ground for the initial practical training of drivers enabling conduct of activities prescribed by curriculum, which is property of legal person or is leased.

Legal person that gives training to applicants must have either an appointment of limited duration or an employment for an indeterminate period.

1) full-time work, minimum three driving instructors for B category vehicles and at least one driving instructor for each of the categories of vehicles that applicants are trained for; in case it does not give training to applicants for B category motor vehicles, the legal person must have minimum three driving instructors for corresponding categories.

2) minimum one lecturer for theory classes

3) minimum one examiner for each of the vehicle categories that legal person gives training for

Minister of Interior prescribes particularities regarding conditions which legal entity providing training to applicants must meet.

Adoption of a rulebook providing detailed terms and conditions to be met by legal entities giving periodical trainings to professional drivers (CPC) in accordance with the Directive 2003/59/EC is expected to take place in 2011.

8) What are the national limits of maximum weights and dimensions for road vehicles (including maximum axle weights)? Is the road network accessible to vehicles in compliance with Directive 96/53/EC? If not, what would be the timeframe to make it accessible?

Maximum dimensions of vehicles in road transport are provided by the Law on Road Traffic Safety and by the Rulebook on Classification of Motor Vehicles and Trailers and on Specifications for Vehicles in Road Traffic ('Official Gazette of RS' Nos 64/10 and 69/10 of 24 September 2010). The rulebook concerning the vehicle dimensions, total weight and axle weight is aligned with the Directive 96/53/EC, while the road network is available to vehicles in accordance with this directive.

Maximum permitted lengths of vehicles are as follows:

1) for motor vehicle, except motor coaches and L type vehicles - 12,00 m

2) for motor vehicles O and R - 12 m, except that trailer's length is measured from the eyelet of the drawbar to the most protruding point at vehicle's rear end, whereas the length of a semitrailer is measured from the axis of the tow ball to the most protruding point at vehicle's rear end.

3) for two-axle coaches – 13,50 m

4) for coaches with minimum three axles - 15 m

5) for articulated coaches – 18,75 m

6) for articulated coaches with two or more pivoting joints – 25,00 m

7) for vehicles of L type – 4,00 m

8) for vehicles of K type, except for K5 – 12,00 m

Maximum permitted lengths of combined vehicle are as follows:

- 1) for truck tractor with semitrailer – 16,50 m
- 2) for towing vehicle with trailer – 18,75 m
- 3) for combined vehicles intended for transport of containers or vehicles - 21,00 m
- 4) for tourist train - 40,00 m

Distance between any point at the front end of a semitrailer and the axis of semitrailer's tow ball must not exceed 2,04 m.

Distance from the rear axle of the towing vehicle and the front axle of the trailer and the central axle trailer must not be less than 3,00 m.

Maximum permitted overhang may go up to 63% of the total axle distance (wheel base).

Maximum permitted tolerance for vehicle's length is 0,5% of the statutory value.

Maximum permitted width of the vehicle is 2,55 m, except in the following cases:

- 1) work machines and interchangeable towed agricultural and forestry machines with maximum permitted width of 3,00 m
- 2) for vehicles of N and O types, with annexed refrigerated lorry with wall thickness above 45 mm and a maximum width of 2,6 m
- 3) for vehicles of N type with interchangeable devices for road maintenance with maximum permitted width of 3,00 m

As an exception from these provisions, the vehicle's width does not include oversteps that may be a result of the following: tire contact surface deformity; fitting of snow chains; fitting of side marker lights; fitting of turn signals; fitting of exterior mirror; fitting of headlights; fitting of flexible mudguards; fitting of other supplementary equipment having flexible connections with vehicle's rigid structure. All parts having articulated or elastic joints must stay – when folded against rigid structure of the vehicle – within the prescribed and permitted maximum width of a vehicle, i.e. within the prescribed and permitted maximum width increased by the allowed deviation value of maximum 1%.

Maximum permitted height of vehicles is 4,00 m, except for vehicles of L type, the maximum permitted height of which is 2,50 m.

Vehicle clearance must enable the vehicle with a maximum load to cross a 10 cm high obstacle.

Motor vehicles and combined vehicles must have devices enabling the vehicle's most protruding point, while driving in a 360° circle, to follow the circumference of a circle that has the diameter of maximum 25 m, whereas the vehicle's dimensions must stay within the maximum width of 7,2 m.

Maximum permitted total weight of motor vehicle and combined vehicle is 40 t.

Total weight of motor vehicle and trailers must not exceed the value of a maximum permitted vehicle's weight, as declared on the motor vehicle's identification plate

Total weight of a combined vehicle must not exceed the value of a maximum permitted combined vehicle's weight, as declared on the motor vehicle's identification plate. In case this information is not available, the total weight of a trailer must not exceed the total weight of a towing vehicle by more than 50%.

Total weight of a motor vehicle must not exceed the following values:

- 1) for twin-axle motor vehicles – 18 t
- 2) for tri-axle motor vehicles – 26 t
- 3) for quad-axle motor vehicles with minimum two steering axles – 32 t, whereas the maximum axle weight must not exceed 9,5 t
- 4) for tri-axle articulated coaches – 28 t
- 5) for light tricycles – 0,57 t

- 6) for heavy tricycles – 1,3 t
- 7) for heavy cargo transport tricycles - 2,5 t
- 8) for light quadricycles – 0,55 t
- 9) for heavy quadricycles for passenger transport – 0,60 t
- 10) for heavy cargo transport quadricycles - 1,55 t

Total weight of trailers must not exceed the following values:

- 1) for single-axle trailer – 10 t
- 2) for twin-axle trailer – 18 t
- 3) for tri-axle trailer – 24 t

Total weight of combined vehicle must not exceed the following values:

- 1) for combined vehicle with 5 or 6 axles:
 - 1.1) for twin-axle motor vehicle with tri-axle trailer – 40 t
 - 1.2) for tri-axle motor vehicle with twin- or tri- axle trailer - 40 t
- 2) for truck tractor with semitrailer with 5 or 6 axles:
 - 2.1) for twin-axle truck tractor with tri-axle semitrailer – 40 t
 - 2.2) for tri-axle truck tractor with twin- or tri-axle semitrailer - 40 t
 - 2.3) for tri-axle truck tractor with twin- or tri-axle semitrailer transporting 40-foot ISO container (or two 20-foot ISO containers and/or interchangeable transport tanks) – 44 t
- 3) for combined quad-axle vehicle consisting of twin-axle motor vehicle and twin-axle trailer – 36 t
- 4) for truck tractor with quad-axle semitrailer, where both the truck tractor and the semitrailer are twin-axle vehicles and, in case the semitrailer's wheelbase is as follows:
 - 4.1) from 1,3 m to 1,8 – 36 t
 - 4.2) more than 1,8 m distance – 36 t and 38 t, when the maximum permitted weight of the towing vehicle is 18 t and the maximum permitted load of the twin-axle semitrailer is 20 t, whereas driving axles are equipped with dual tires and air suspension.

Axle weight must not exceed values declared by the manufacturer and stated on the identification plate affixed to the vehicle.

Vehicle or combined vehicle axle weight, when in the state of rest on a horizontal surface, must not exceed the following values:

- 1) for a single drive axle – 10 t
 - 2) for a single driving axle – 11,5 t
- Total load of two axles on motor vehicles, where the axle weight of a single axle must not exceed 10 t and where the distance between them is as follows:
- 1) less than 1,0 m – 11,5 t
 - 2) from 1,0 to 1,3 m – 16 t
 - 3) from 1,3 to 1,8 – 18 t and 19 t, if the driving axle is equipped with dual tires and air suspension or, if the maximum axle weight does not exceed 9,5 t
 - 4) total load of two axles on trailers having following wheelbase values:
 - 4.1) less than 1,0 m – 11 t
 - 4.2) from 1,0 to 1,3 m – 16 t
 - 4.3) from 1,3 m to 1,8 m – 18 t, while the axle weight for a single axle must not exceed 10 t

5) total load of three axles on trailers having following wheelbase values:

5.1) up to 1,3 m – 21 t

5.2) from 1,3 to 1,4 m – 24 t

5.3) from 1,4 m to 1,8 m – 27 t, while the axle weight for a single axle must not exceed 10 t

Minimum one quarter of the vehicle's or combined vehicle's total weight must exert effect upon driving wheels on vehicles of L, M and N type must, if the vehicle is loaded and in the state of rest on a horizontal surface.

Upon wheels of the steering axle on a vehicle of L, M and N type, must exert effect at least one fifth of the vehicle's total weight, if the vehicle is loaded and in the state of rest on a horizontal surface.

Maximum permitted weight of a wheeled vehicle without tires for a vehicle having wheels with rims made of metal, solid rubber, plastic or other similar material, is as follows:

1) with a single axle – 1.2 t

2) two axles – 3,0 t

Rims made of metal, solid rubber, plastic or other similar material must be even. Elements used to affix the rims must have flat head and must not protrude out of the rim's level.

Ratio between the gross engine power expressed in kilowatts and vehicle's or combined vehicle's maximum permitted weight expressed in tons, must be at least 5 kW/t, except for towing vehicles, which are used to tow trailers by means of a drawbar and are not aimed for passenger or cargo transport and except a towing vehicle of a tourist train, where it must be minimum 2,2 kW/t. This provision is not related to agricultural and forestry tractors, nor does it relate to vehicles powered by an electric motor.

9) Is there national legislation concerning the installation of digital tachographs in trucks and busses (equivalent to Regulation 3821/85/EC as amended)? Does legislation concerning the installation of speed limiting devices on these vehicles exist (equivalent to Directive 92/6/EC)? How and by whom is this legislation enforced? What is the minimum number of controls carried out at the roadside and at the premises companies? What are the penalties?

The duty of installation of digital tachographs is stipulated by the Rulebook on Classification of Motor Vehicles and Trailers and on Specifications for Vehicles in Road Transport, as well as by the Regulation on Driving and Rest Times for Drivers of Motor Vehicles in International Transport and the Application of the Digital Tachograph System.

The Law on Road Transport Safety lays down the duty of installation of speed limiting devices.

Minimum number of road and undertakings controls is stipulated by AETP, which is currently subject to the ratification process.

Legal person/entity and/or responsible person of legal entity or an entrepreneur shall be fined in the following cases: infringement of regulations concerning the possession and soundness of tachograph and speed limiter; use of vehicle with malfunctioning tachograph and speed limiter or use of vehicle having none of these for transport purposes. Likewise, driver of a vehicle with this type of flaws and defects shall be fined as well.

Road Traffic Safety Agency is entrusted with tasks and duties concerning the issue of tickets for digital tachographs.

10) Is there national legislation on technical vehicle inspection and control (equivalent to Directive 96/96/EC)? How and by whom is this legislation enforced? What are the scope and frequency of these controls? Are technical inspections of vehicles also conducted at the roadside (equivalent to Directive 2000/30/EC)? If yes, how often on average per year? Which body is in charge of it?

The Law on Road Transport Safety provides for general terms and conditions for performance of technical vehicle inspection, whereas the Ministry of Interior prescribes detailed rules and regulations. Regulations concerning technical inspections are aligned with the said Directive and its amendments.

Technical vehicle inspection can be performed only by the company that meets prescribed requirements and is authorized for that. Ministry of Interior issues these authorisations and this ministry is responsible for the supervision of activities of these companies.

Technical vehicle inspections may be regular, extraordinary and control one.

Regular technical vehicle inspection is performed on a six-month and annual basis.

Vehicle is subjected to regular annual technical inspection before the issue of registration card and/or registration vignette. In exceptional cases, a newly produced vehicle may be subjected to next routine technical inspection after two years.

Regular six-month technical inspection must be conducted prior to the expiry of a six-month term, when counted from the issue date of the registration card and/or registration vignette and the following vehicles are subjected to it: motor vehicles and trailers used in public transport; coaches, motor vehicles and trailers used for carriage of dangerous goods; motor vehicles and trailers used for training of applicants; motor vehicles with inbuilt devices for emanation of special light and audio signals (escorted vehicles and vehicles with priority passage); motor vehicles and trailers whose maximum allowable payload exceeds 3.500 kg; motor vehicle and/or trailing vehicle for rental without a driver (rent-a-car); motor vehicle whose age exceeds 15 years (age of the vehicle is determined based on its year of production).

Extraordinary technical safety inspection shall take place after repairing and before releasing into traffic a vehicle whose vital assemblies and devices that are essential for its safe participation in traffic were damaged in a traffic accident or otherwise, and/or which is not rendered roadworthy by such repairs, as well as a vehicle which is excluded from traffic due to a technical flaw determined at the control technical safety inspection.

Control technical safety inspection shall be performed upon the order of the Ministry of Interior's authorised person and/or the road traffic inspector, for the purpose of testing vehicle's roadworthiness.

Road test of vehicle's roadworthiness is conducted by a police officer, who visually examines the vehicle. If police officer has any doubts about proper functioning of certain devices on a vehicle, the visual inspection of which is insufficient, the inspected vehicle can be referred for control technical safety inspection to the nearest company authorised to perform technical vehicle inspection. Police officer must attend the technical vehicle test.

Road test of vehicle's roadworthiness is conducted as part of a regular traffic control and its scope needs not to be particularised. Approximately 34.000 technical vehicle tests are conducted per year (approximately 2% of the total number of registered vehicles).

11) Is there national legislation concerning road, rail or inland waterway transport of dangerous goods, transportable pressurised equipment and designation/professional qualification of safety advisers to these transports? How and by whom is this legislation enforced? What are the scope and frequency of these controls? How many vehicles are subject to daily controls? Is the reporting format for registering the frequency and outcome of such checks in conformity with Directive 95/59/EC on

uniform procedures for checks on the transport of dangerous goods by road, or is such conformity planned?

Transport of dangerous goods by road, railway, waterway and air is regulated by the Law on Transport of Dangerous Goods ('Official Gazette of RS', no. 88/10 of 23 November 2010). This law shall enter into force on 22 May 2011. By this law the Administration for Transport of Dangerous Goods is established, being a body that is a constituent part of the ministry responsible for transport affairs, which is a central law enforcement authority. The following ratified international agreements on transport of dangerous goods are implemented:

- 1) European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR)
- 2) Agreement on Acceptance of Uniformed Conditions for Homologation and Mutual Recognition of Equipment and Motor Vehicle Parts Homologation ('Official Journal of FPRY – International Conventions', number 5/62)
- 3) Annex C to the Convention on International Convention concerning Carriage by Rail (COTIF) – Regulations concerning the International Carriage of Dangerous Goods (RID)
- 4) Annex 18 to the Convention on International Civil Aviation – the Safe Transport of Dangerous Goods by Air and ICAO Doc. 9284 AN/905 – Technical Instructions for the Safe Transport of Dangerous Goods by Air.
- 5) European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterways (ADN)
- 6) the Convention on the Physical Protection of Nuclear Material

Until new legislation is adopted, bylaws enacted in accordance with the Law on Transport of Dangerous Goods ('Official Journal of SFRY' no. 27/90) are in force, as follows: **Rulebook concerning the Methods of Carriage of Dangerous Substances by Road** ('Official Journal of SFRY', number 82/90); **Rulebook concerning the Vocational Training of Drivers of Motor Vehicles Used for Carriage of Dangerous Substances, as well as of Other Persons Participating in Carriage of Substances Concerned** ('Official Journal of SFRY', number 17/91); **Rulebook concerning the Technical Requirements to be met by Companies Providing Vocational Training to Drivers of Motor Vehicles Used for Carriage of Dangerous Substances, as well as of Other Persons Participating in Carriage of Substances Concerned** ('Official Journal of SFRY', number 76/90); **Rulebook concerning the Methods of Carriage of Dangerous Substances by Rail**; Rulebook concerning the Methods of Carriage of Dangerous Substances by Sea and Inland Waterways ('Official Journal of SFRY', number 17/87).

Transport of dangerous goods is supervised by the Administration for Transport of Dangerous Goods, except in cases of Class 1, which are supervised by the Ministry of Interior.

As regards vehicle control, there is no accurate record of number of controls conducted. However, the Administration for Transport of Dangerous Goods will keep the records of controls conducted on the road. Law on Transport of Dangerous Goods provides for drawing up the by-laws which will prescribe the manner and content of vehicle control on the road in accordance with the Directive 95/50/EC *on uniform procedures for checks on the transport of dangerous goods by road*.

12) Is there national legislation on vehicle registration documents (equivalent to Directive 1997/37/EC)? What data do these documents contain?

The Law on Road Transport Safety stipulates that the registration card, number plates and the registration vignette are issued for a registered vehicle.

Entry into the Single Vehicle Registry, as well as the issue of registration cards, number plates and registration vignettes are duties that are all within the limits of territorial jurisdiction of an organisational unit of the Ministry of Interior responsible for the area in which vehicle's proprietor habitual residence and/or main office is located.

Minister of Interior determines and renders the following details: contents and methods of the single vehicle register; conditions for entry of vehicles into the register; methods and conditions for the issue of registration cards, number plates and registration vignettes; contents, layout and technical specifications of registration cards, number plates and registration vignettes; number plate and registration card fitting method.

Minister of Interior also determines and provides the following details: contents of records and record policy on issued probationary marking number plates and certificates of their use and methods of and conditions for their issue; contents, layout, technical specifications and probationary marking number plates fitting method.

13) Is there national legislation on the setting up of a databank on road accidents? Are the data collected in line with the content of the European road accidents database CARE (Council Decision 93/704/EC)?

In accordance with the Law on Police, there exists a Unified Information System (UIS) as an integral part of the Ministry of Interior, one of the elements of which is also the databank on road accidents. All data concerning the traffic accidents that were registered with the police are entered into the databank on road accidents. This means registration of traffic accidents resulting in material damage as well, besides those involving fatalities and injured persons.

Article 9, paragraph 2, point 1 of the Law on Road Traffic Safety stipulates that the Road Traffic Safety Agency shall be responsible for the development and exploitation of a single databank relevant for transport safety that shall also encompass the data on traffic accidents.

Road Traffic Safety Agency shall establish communication with the Directorate-General for Mobility and Transport (DG MOVE) in the forthcoming period, in order to align the contents of the existing databank and CARE databank.

Article 173 of the Law on Road Transport Safety prescribes that insurance companies shall be responsible for the traffic accident record keeping and data management in relation to which the European Accident Statement is made. These data shall be delivered to the Ministry of Interior and the Transport Safety Agency on a monthly basis.

Likewise, Article 50 of the Law on Mandatory Traffic Insurance prescribes creation of the Information Centre within the Association of Serbian Insurers that shall be responsible for the gathering of the data relevant for damages claims, as well as for the data management.

14) Is there a national scheme for the refurbishment of existing road tunnels so as to upgrade their level of safety (equivalent to Directive 2004/54/EC)? Is there a plan for implementing a safety management of road infrastructure (equivalent to 2008/98/EC)?

In accordance with the Law on Road Traffic Safety, the drafting of the following by-laws is prescribed: Rulebook on Transport Safety Conditions for Tunnels that shall be in accordance with the Directive 2004/54/EC; Rulebook on Strategic Comparative Analysis that shall be in accordance with the Directive 2008/98/EC. Drafting of these by-laws is in progress and it has

been planned for them to enter into force by the end of 2011. These two directives are also recognised as a priority in the twinning project known as 'Alignment with EU Transport Acquis' that is currently implemented in the Ministry of Infrastructure.

15) What is the administrative capacity of enforcing the legislation concerning social and technical regulations in the field of road transport?

There are 57 police officers employed in the Traffic Police Directorate, Ministry of Interior of the Republic of Serbia. Within 27 regional police administrations, there are around 100 police employees performing technical inspection tasks and duties and approximately 4.000 uniformed traffic police officers engaged in direct traffic control.

There are two departments functioning within the Ministry of Infrastructure, i.e.: Roads and Transport Safety Department, having 21 civil employees; Road Transport Department, having 58 civil employees.

There are 65 job positions in the Road Traffic Safety Agency, with 35 of which have been filled during 2010.

'Roads of Serbia' Public Undertaking with its 346 employees is entrusted with a part of tasks in the field of road transport.

Creation of the National Road Transport Safety Coordination Body is in progress.

Road and other user charges

16) What road user charges system, including minimum annual vehicle taxes and minimum excise duty for fuel, has been implemented in your country? What are the fee levels and what are the modalities for collecting them? Do these fees also apply to third country operators? What is the total amount of road fees collected per year? How reliable is the collection system? How is the collection system controlled in terms of reliability? What are the collected funds used for?

Legal basis for the road taxation system for road users is provided by Articles 16 and 17 of the Law on Public Roads ('Official Gazette of RS' No. 101/05 and 123/07, respectively, dated 26 December 2007).

Revenues of 'Roads of Serbia' Public Undertaking are the funds raised through charges for the use of national roads referred to in Article 17, points 3 to 13.

◆ SPECIAL CHARGE FOR THE USE OF MOTORWAY ('TOLL') is the 'Roads of Serbia' Public Undertaking's highest own revenue.

Toll collection in the Republic of Serbia is conducted on motorways and semi-motorways, with the total length of over 550 km. Sections Belgrade – Nis and Belgrade – Sid are part of the closed collection system, whereas sections Nis – Leskovac, Belgrade – Novi Sad and Novi Sad – Subotica are part of the open collection system.

Having its head office in Belgrade, the toll collection system is organized through four sections, i.e. its centres in Belgrade, Nis, Novi Sad and Simanovci.

Users have the following toll payment methods at their disposal:

- payment in cash
- credit cards ((VISA, VISA Electron, MASTERCARD, MAESTRO, DINACARD, DINERS and AMERICAN EXPRESS)
- coupons
- monthly and annual subscription tickets
- electronic method – no-stop toll payment at certain motorway sections

TOLL PRICE LIST

20 December 2010 unified toll price list								
Section/route	Toll in RSD				For vehicles with foreign number plates there is also a possibility of toll payment in EUR			
	Category of vehicles				Category of vehicles			
	I	II	III	IV	I	II	III	IV
Belgrade-Nis	730	1.100	2.190	4.390	8,0	12,0	24,0	47,5
Belgrade-Sid	340	520	1.030	2.050	4,0	6,0	11,5	22,5
Belgrade-Novı Sad	240	350	710	1.420	3,0	4,0	8,0	15,5
Novı Sad-Subotica	330	500	990	1.980	4,0	5,5	11,0	21,5
Nis-Leskovac	190	280	570	1.130	2,5	3,5	6,5	12,5

Section/route	Toll in RSD				For vehicles with foreign number plates there is also a possibility of toll payment in EUR			
	Category of vehicles				Category of vehicles			
	I	II	III	IV	I	II	III	IV
Belgrade-Nis	730	1.100	2.190	4.390	7,0	10,5	20,5	41,5
Belgrade-Sid	340	520	1.030	2.050	3,5	5,0	10,0	19,5
Belgrade-Novı Sad	240	350	710	1.420	2,5	3,5	7,0	13,5
Novı Sad-Subotica	330	500	990	1.980	3,5	5,0	9,5	19,0
Nis-Leskovac	190	280	570	1.130	2,0	3,0	5,5	11,0

Vehicle classification is done based on the following vehicle features:

- number of axles
- vehicle's height on its first axle measured vertically from road surface

category I – height less than 1,3 m; 2 axles

category II - height less than 1,3 m; more than 2 axles

category III – height over 1,3 m; 2 or 3 axles

category IV - height over 1,3 m; more than 3 axles

♦ FOREIGN GOODS VEHICLE TAX is paid at border crossings when a foreign goods vehicle enters our country. the Customs Administration of the Republic of Serbia is responsible for the tax collection, based on the Law on International Road Transport

♦ COMMERCIAL FACILITY CHARGE (PETROL STATIONS) FOR THE FACILITIES ACCESSIBLE FROM NATIONAL ROADS OF CATEGORIES I AND II AND FOR THE USE OF ROAD LAND STRIP Highest revenues are realised by commercial facilities, by petrol stations primarily Owners of those facilities realise their revenues on public roads, which means payment of fixed charges to the 'Roads of Serbia' Public Undertaking.

The Law on Roads prescribes payment of fees for placement of boards in the land strip, installation and fittings works, connecting of access road with the public road, lease and use of land etc.

♦ FEE SPECIAL TRANSPORT is paid for a vehicle, which exceeds legally permitted dimensions, total weight and axle load These vehicles cause considerable damage to the roads, and the idea of the fee collection is to induce transport operators to use other modes of transport (transport by rail, for example)

These fees are collected from the third country transport operators.

As per the Decision on the Amount of Special Charge for the Use of Public Road, its Section and/or Road Facility – toll – ('Official Gazette of RS', No. 12/09 dated 13 February

2009) the disparity between the toll prices for motor vehicles with Serbian and foreign number plates was eliminated, i.e. toll prices were equalized. A new, unified price list with the toll price reduction by 40% on the average for vehicles with foreign number plates has been applied since 20 February 2009. This equalization resulted in a decrease of annual toll revenues in 2009 by 3,4 billion dinars.

The total annual amount of collected tolls is affected by a number of factors causing changes, which are directly connected with the toll price and the number of motorway users in Serbia. Over the last couple of years, the development of these changes during a year was most often caused by the currency exchange fluctuations between the Euro and the domestic currency, thus resulting in changes of the toll prices. The change that had the greatest impact on the toll collection revenues was the equalisation of toll prices for vehicles with foreign and Serbian number plates, which resulted in major reduction of the toll collection revenues in 2009.

The following chart displays an overall revenue trend over the years, expressed in dinars, as follows: total revenue = revenue realised from payments made in dinars + revenue realised from POS cards + revenue realised from payments made in effective foreign currency (EUR) – converted into dinars, as per the National Bank of Serbia middle exchange rate for the sake of better comparison.

Year	2007.	2008.	2009.
Revenue in RSD	14,806,0 million dinars	16.498,9 million dinars	13.731,3 million dinars
Revenue trend as compared to the previous year	4.45%	12.22%	-17.49%

Revenues from TAG (electronic toll collection) that were realised in 2009 have decreased in comparison with the previous year (27.273.240,00 dinars in 2008) by: -22,56%. Reason for this is again the road toll price equalization between the motor vehicles with Serbian and foreign number plates. The total revenue in 2009 compared to the previous year has dropped - 17,49%. The reason for this is the disparity elimination and the road toll price equalisation between the motor vehicles with Serbian and foreign number plates in February 2009 - LINEAR by approximately 40,0%.

Total revenue from the toll charge during the period from January to September 2010, when compared to the same period in the previous year, is increased by +0,31% and it amounts to 10.466,251,699.78 + 3,305,521,912.78 dinars in Euros, whereas subscription and tag revenues are not included.

Total revenue from the toll charge during the period from January to September 2010, when compared to the same period in the previous year, is increased by +0,31% and it amounts to 10.466,251,699.78 + 3,305,521,912.78 dinars in Euros, whereas subscription and tag revenues are not included.

The planned toll revenue for 2010 is **14.098,6 million dinars**.

The information that the proportionate chargeability in 2009 amounted to 99,61% serves as evidence of the high reliability of the road toll charge system.

The system that was modernized for the toll collection is supported by the 'MySQL' operating system. Data are downloaded and backed up to either flash or passport memory.

The new system ensures the following: very short car stops at the toll booths; minimised cash transactions; higher revenue from the toll collection; ruling out of any misuse and malpractice; improvement of working conditions of toll collectors; reduction of

environmental pollution. Specificity of the system is the automatic vehicle number plate recognition and data transfer encryption.

The toll collection system solutions represent a complex transaction management system, which is completely modular and based on PC technology and is supported by modern operating systems, yet is a real-time operating system with a comprehensive data transfer encryption.

The reliability of the toll collection system is largely reflected in the ticket coupling and/or non-coupling, which is the best indicator of an attempt to abuse the toll collection system. Over the years, the Toll Collection Department has been putting more emphasis on the reduction of non-coupling with the aim of its minimising and complete eradication of all malpractices by road users or toll collectors. Given the results achieved so far, we can proudly underline our result comparisons with the previous years:

Non-coupling	2004.	2005.	2006.	2007.	2008.	2009.	Jan. to Sept. 2010
Proportionate	0,73	0,81	0,81	0,38	0,09	0,12	0,09

Pursuant to the Rulebook on Job Position and Business Structure, the 'Roads of Serbia' Public Undertaking consists of 7 departments plus the Office of the Director-General, thus making 8 organisational components of the Undertaking. One of the departments is the Toll Collection Department consisted of the Division for Operational Toll Collection and the Division of Toll Collection Supervision.

The Division of Toll Collection Supervision that conducts its activities pursuant to the Rulebook on Toll Collection Supervision is consisted of the following sections:

- Analytics Section
- Video Surveillance Section
- Control Section
- Facilities and Money Transport and Protection Section

There are 107 employees in the Division of Toll Collection Supervision, as follows: 27 employees engaged in activities of video surveillance and analytics; 20 employees engaged in control operations; 59 employees engaged in operations of protection of personnel, money and property; the Division Manager, altogether making the total of 107 employees.

The reliability of the Toll Collection System is controlled on a daily basis in several ways:

- through the exchange of information between the Host and the Central Computer, thus making the real-time monitoring of situation on the ground
- by collection, safekeeping and processing of activities data for every single toll booth
- by accessing the data controlled via Menu System that are processed by authorised services
- by occasional requests of authorised personnel for compilation of a report on the Toll Collection System Functioning.

Apart from controlling the technical segment of the toll collection system, we also control the toll collection system with the help of the video surveillance system, which is implemented in an organised manner in each of the toll booths and is aimed to facilitate access to and checking of the overall toll collection system functioning, thus enabling the following: continuous monitoring of toll collectors' activities and equipment performance; monitoring of road users' actions and activities. Likewise, the system is controlled by the

Analytics Section and the Division of Toll Collection Supervision, which analyse all the parameters related to the toll collection process.

A system for prevention of any kind of malpractice in the toll collection process is now devised and installed within the Toll Collection Department. The system works through the Analytics Section and the Video Surveillance Section, both being parts of the Department for Toll Collection Supervision, and its main function is to monitor the activities of toll collectors, section managers, field inspectors and road users.

Thanks to this system, any form of organised theft in the process of toll collection is now prevented.

As regards the individual attempts of theft, they are timely discovered and sanctioned and almost completely eradicated, which is an argument that is corroborated by an exceptionally low percentage of 'non-coupled' vehicles (a difference between the number of issued and the number of charged tickets) of 0,09% per year.

Video Surveillance Section controls activities of toll collectors, section managers, field inspectors and road users by reviewing the recorded materials that are stored on hard discs. This type of control is conducted through 7 *defined procedures*, which are used as a basis for regular monthly reports.

1. Routine monthly procedure

Routine monthly procedure in the Video Surveillance Section refers to the reviewing of video and audio materials, as ordered by head of section.

These reports are used in the inspection of activities of the toll collection direct agents (toll collectors).

Information on work discipline breaches is submitted based on reports ensuing from reviewed video and audio materials.

After being processed by the Department for Legal Affairs, the following measures may be rendered: notice of termination of employment; warning – reminder; note; initiated proceedings; suspension of proceedings.

Likewise, one may table a motion for verbal warning to the toll collectors, whose negligence was not a sufficient reason for the submission of information on committed work discipline breach.

2. Random sample

The random sample method is used for the inspection of activities of toll collectors

The random sample method means that an officer has two options in the selection of materials to be reviewed:

- video surveillance officer personally selects a disc with recorded materials from the disc shelf or
- video surveillance officer selects the number of a disc he wants to watch from the computer data base of recorded discs, which are classified by individual toll booths

It is important to mention that in both cases the officer has no information referring to the toll collector and his/hers particular day of work he shall control and analyse. In this type of inspection, it is the clerk's duty to review the toll collector's activities throughout minimum four hours of work without a break.

3. Requests coming from other sections and departments

Requests for the review of toll collectors' activities that may be processed are those filed by field inspectors, section managers, division managers, assistants to the Director, Toll Collection Department Manager and managers of other departments of the 'Roads of Serbia' Public Undertaking.

4. Control of activities of video surveillance officers

Activities of video surveillance officers are controlled by a repeated review of inspected video-materials.

The repeated review means that the Video Surveillance Section Manager, after having read the reports of one officer, forwards the video-materials concerned to another officer for a repeated review, with the aim of finding possible omissions, which are identified by the comparison of reports.

5. Control of activities of field inspectors

Special analysis of conduct and modes of activities of field inspectors inside the toll collector's booth is performed upon the Department Manager's request and in coordination with the Analytics Section.

Since it has been noted in the previous analyses of toll collectors' activities that some inspectors were not performing their duties in accordance with the Rulebook of Procedure, a separate order was issued for the scrutiny of inspectors' conduct when controlling toll collector's turnovers in booths, as a part of an effort to improve the quality of work of the field inspectors. A number of field inspectors were given notice of termination resulting from these analyses.-{}-

6. External requests (Ministry of Interior, courts, legal persons)

When a need arises, employees of the Video Surveillance Section may process requests coming from the Ministry of Interior, courts and legal persons that are related to the analysis and control of questionable activities of particular toll collectors.

7. Processing requests of the Ministry of Interior

Employees of the Video Surveillance Section may process requests coming from various police stations (administrations) in relation to checks of vehicles, which are connected with certain criminal acts (trafficking in persons, abductions, murders, aggravated thefts and the like).

Analytics Section makes *32 different analyses and controls* of employees' activities (toll collectors, managers and inspectors) and it analyses and monitors activities of road users, thus making a basis for routine monthly analyses – reports. Basis for these analyses are:

1. Daily monitoring of 'non-coupling'

Non-coupling of tickets is a derived mathematical value representing a difference between the number of vehicles registered at the entrance gate and the number of vehicles at the exit gate of a toll road.

Non-coupling is expressed nominally and in percents in relation to a total number of vehicles entering a road.

One of the tasks of the Analytics Section is a routine monitoring of the total percentage of the coupling and non-coupling, respectively, by vehicle categories, thus enabling a timely reaction in case of conflict between the entrance and exit data.

Preliminary reports ensuing from the gathered and processed data refer to the Belgrade-Nis and Belgrade-Sid sections.

2. Analysis of anomalous (suspicious) tickets

This is just one type of a number of types of tickets that tend to appear in the distribution process. The modernisation of the system at certain toll booths that was done due to the detected errors in the work of distributors resulted in singling out and marking of such situations, which in certain cases can significantly affect and alter the percentage of non-coupled tickets.

3. Analysis of issued, yet uncharged tickets

The Analytics Section also deals with the analysis of issued, yet unpaid tickets, primarily on the motorway section Belgrade-Nis. The percentage of the non-coupling on the motorway section Sid-Simanovci was relatively satisfactory, hence a greater attention was given to the section that has a much higher traffic flow, where serious consequences can result from possible disturbances in the traffic flow.

It has been noted that a number of non-coupled third category tickets has increased, speaking both in relative and absolute terms. By analysing the traffic flow between certain toll stations on the motorway section Belgrade-Nis, it was noticed that certain third category vehicles – most of them being roadside assistance vehicles (towing service) – evade toll charging the most. This analysis refers to abuses by road users, who take the ticket when entering a motorway, but fail to appear at any of the toll booths. It is therefore believed that they evade toll charging by using the ‘wildcat exits’.

4. Traffic profile analysis

Analysis of the traffic profile for a particular time period is necessary, as it can point to possible incongruities in the traffic flow on certain motorway sections or toll booths. Traffic profile also displays the number of vehicles entering a motorway, as classified by their categories after being issued with tickets, for each individual toll booth in the closed toll charge system. At the same time, it also displays the number of vehicles exiting a motorway, as classified by their categories for all toll booths they paid their tickets on.-{}-

5. Analysis of field inspectors’ activities

Monitoring of the work of field inspectors is yet another important activity of the Analytics Section. All individual field inspector reports are regularly filed, while monthly, semiannual and annual summaries of their work are based on these record files.

6. Miscategorisation analysis

In the process of toll charging, a great number of tickets issued for a particular category of vehicle are mis-categorized into lower or higher category. By using the miscategorisation analysis, the Analytics Section determines which ones of the toll collectors are unacquainted with the vehicle categorisation and which one of them abuses the miscategorisation. The analysis has shown that a wrongful categorisation of vehicles could be a result of an error in the modernised system during the computerised determination of vehicle’s category and a consequence of an unfavourable position of the booth itself, which impedes the collector’s visual determination of the vehicle category.

7. Analysis of runaway drivers

Analysis of runaway drivers shows misuses committed by road users evading toll paying by running away from a toll booth. The analysis pinpoints critical spots and extreme cases in terms of the number of runaways and whether drivers of runaway vehicles have taken tickets when entering a motorway or not, all being aimed at deterrent actions and the runaway prevention. Major part of the runaway cases is related to the vehicles of category 1 and most often to motorcycles, which use their high mobility by 'sticking' to a vehicle in front of them in the driveway and passing through without stopping. Subject of this analysis are also runaway vehicles using entrance gates. After being analysed and filed, the complete material is then forwarded to the Department for Legal Affairs to take further action.

8. Analysis of toll charge refusal

This analysis shows the total number of toll charge refusals on all toll booths and sections and it detects the vehicles, or more precisely, motorway users doing it repeatedly. Information on these road users is forwarded to the Department for Legal Affairs to take urgent action.

The analysis encompasses also the analysis of toll collectors’ activities relating to the filling in and handing in of the statement form.

9. Analysis of road users with free-of-charge licences and subscription tickets

The Analytics Section has established a database of toll exempt road users and subscription ticket users that is being updated on a daily basis. This database is used as a ground for an analysis of the toll collectors' conduct when processing and admitting the toll exempt vehicles and/or when charging vehicles with the subscription tickets.

The analysis is made for all sections, i.e. Belgrade – Nis, Nis – Leskovac, Belgrade – Subotica and Belgrade – Sid.

Checks are conducted to verify if the toll collectors observe the statutory logging procedure and if there is any malpractice committed by the toll collectors, who present and log false data on vehicles with subscription tickets and free-of-charge licences.

Similarly, controls are conducted for possible abuses by road users to check if they have used the same free-of-charge licence or the subscription ticket for another vehicle and out of the designated route and after the validity period.

10. Analysis of deficits/surpluses

Toll collectors, who most often hand over cash receipts that are smaller than the debit or, in other words, create deficits and those, who most often create surpluses, are identified based on information ensuing from the automatically processed data on deficits and surpluses on each individual toll collector. The results of this analysis may have impact upon the selection of toll collectors, whose work will be fully analysed.

Toll collected funds are used in compliance with Article of the Law on Public Roads, for construction, reconstruction, maintenance and protection of public roads and also for use expenditures and service of loans obtained for these purposes.

The funds are used in accordance with the 'Roads of Serbia' Public Undertaking Statute (No. 953-00-996 dated 8 February 2006), for the activities it is registered for:

- use of national road – organisation and control of collection of fees for use of national road
- protection of national road
- officiating investor's position in national road construction and reconstruction activities
- organisation and conduct of professional tasks and duties of construction, reconstruction, maintenance and protection of national road
- organisation of professional supervision of construction, reconstruction, maintenance and protection of national road
- construction, reconstruction, maintenance and national road protection planning
- marking of national road, for national road record keeping and national road traffic and technical data record keeping
- traffic management and organisation of counting and counting of vehicles on national road

17) Are other charges to heavy good vehicles [and other road vehicles] applied? If yes, describe their scope (national, foreign, EU vehicles), amount, method of calculation and payment, authorities responsible for managing in the light of the Eurovignette Directive and the Land transport Protocol to the SAA.

The Law on Public Roads, i.e. its Article 17, point 13) provides legal basis for charges for large goods vehicles:

Fees for foreign large goods vehicles are paid at border crossings, when entering our country. Fees are charged by the Customs Administration based on Article 51 of the Law on International Road Transport

Fee level is determined by the government of the Republic of Serbia, as per the Decision on Fees for Foreign Vehicles using Roads in FRY ('Official Journal of FRY', Nos 36/92, 4/98, 7/98 and 'Official Gazette of RS', No. 90/04 dated 6 February 2008) and is 0,003 USD/for gross register ton per kilometre (GRTKm).

Based on Article 51 of the Law on International Road Transport and the Decision on Fees for Foreign Vehicles using Roads in FRY, the 'Roads of Serbia' Public Undertaking and the Ministry of Finance together with the Customs Administration of the Republic of Serbia have signed on 25 August 2006 'The Agreement on Payment Methods for Road Fees for Foreign Vehicles in the Republic of Serbia, Methods and Terms of Payment of Funds Collected Through Charges and Methods of Payment Records Keeping, all with the aim of implementation of provisions of the Law on Public Roads.

In compliance with Article 21, paragraph 2 of the Law on Public Roads, funds collected through charged fees represent the revenues of the 'Roads of Serbia' Public Undertaking and are paid to an account in accordance with the prescribed special protocol signed between these two parties.

In accordance with Article 248, paragraph 3, point 3 of the Law on Customs ('Official Gazette of RS', Nos 73/03, 61/05, 85/05), 1% of the charged fees for the use of roads in international road transport goes to the Customs Administration of Serbia, as well as the fees for the calculation and charging services in the amount of 1 Euro in dinar counter value per calculation, in accordance with paragraph 1, point 7 of the Decision on Type, Level and Methods of Payment of Fees for Customs Services ('Official Gazette of RS, Nos 7/04 and 97/05, dated 17 February 2010).

The amount of 721,2 million dinars is the planned revenue from this type of fee for the year 2010. 717,3 million dinars were realised until 8 December 2010 inclusive.

The revenues for the previous three years were as follows:

2007. 682.3 million dinars

2008. 671,8 million dinars

2009. 622,4 million dinars

Method of calculation and payment to heavy good vehicles is not carried out in accordance with the "Eurovignette" Directives 1999/62/EC and 2006/38/EC . This has been identified by the Ministry of Infrastructure, therefore it is set out as a priority until the end of 2012, within the Twinning Project -Compliance with the EU Regulations in the Field of Transport, to lay down conditions for implementation of Directive, whilst its application would commence in accordance with the recommendation of consultants and technical capabilities.

18) What is the procedure applied to the selection of contractors for road maintenance and development of road infrastructure?

When selecting a contractor for road maintenance and development of road infrastructure, the statutory procedures of the Law on Public Roads are applied ('Official Gazette of RS', No. 101/05) and the Law on Public Procurement, respectively ('Official Gazette of RS', No. 116/08), stipulating the following procedures:

1. open procedure
2. restrictive procedure
3. negotiating procedure with call for proposals
4. negotiating procedure without call for proposals
5. Low value public procurement procedure

Public procurement plan and provision of resources for public procurement are just the beginning of the procedure. In most cases when selecting a contractor, the basic public procurement procedure applied is the open public procurement procedure. Public procurement procedure begins with the passing of the Procedure Initiating Decision, followed by the creation of a commission for opening and evaluation of tenders and, subsequently, by the announcement of a competitive bidding on the internet site of the Public Enterprise 'Roads of Serbia' and in the Official Gazette of RS; if the value of subject public procurement exceeds 150.000.000 dinars for the property and services and/or 300.000.000 dinars for the works, the announcement of the bidding for public procurement is then published in a language commonly used in international trading business.

Tenders are opened publicly, at the expiration of the bidding period and in presence of the bidders, who have submitted their tenders. The Commission for Opening and Evaluation of Tenders takes minutes in the Minutes of the Opening of Tenders Form, containing all statutory information. The Commission for Opening and Evaluation of Tenders summarises, evaluates and compares tenders. The public procurement procedure is completed by the rendering of a Decision on Selection of the Most Favourable Tender, based on the Report on the Public Procurement Procedure, which the Commission for Opening and Evaluation of Tenders forwards to the Director-General for further action and decision on the selection of the most favourable tender. The decision is then published on the internet site of the Public Enterprise 'Roads of Serbia' and in the Official Gazette, respectively, while at the same all the bidders, who took part in the public procurement bidding, are informed of the decision. At the expiration of the period for complaint filing, the Public Enterprise 'Roads of Serbia' signs the Contract on Public Procurement with the selected bidder.

Besides the lowest price criterion, other terms and conditions that the bidder must meet, as per Articles 44, 49 and 50 of the Law on Public Procurement, are as follows: business and financial capacities, technical and personnel capability.

In exceptional cases of contracts on public procurement and due to reasons of utmost urgency, the negotiating procedure may be initiated with or without previously having announced the bidding.

These procedures are applied in connection with specific situations and are specificities themselves and the Law provides for cases in which they may be used. Negotiating procedures are the procedures in which a client negotiates with one or several bidders on terms and conditions of a contract. In cases of projects financed or donated for by international financial and other institutions, such as EBRD, EIB, IBRD, IDA, ECB and the European Commission Delegation to Serbia and the like, the public procurement procedure is conducted according to the procedures prescribed by these institutions.

Evaluation of tenders is performed by a commission, created by the Public Enterprise 'Roads of Serbia', while the evaluation reports are forwarded to a financing agency for its final approval preceding the award of contract.

Procedure for final selection of contractor for road maintenance

Routine and periodical national roads and structures maintenance is conducted by virtue of the Contract in force – 344-01-265/1992 – and the Annex to it – X 454-01-538/2006 – on the National Roads Maintenance, signed between the Public Enterprise 'Roads of Serbia' (previously the Republic of Serbia Road Directorate) and the contractor.

It has been defined by this contract, who the responsible contractors are and what are they areas of responsibility, in which they regularly and periodically maintain roads, whereas the conducted works are invoiced to on a monthly basis and for routine and/or periodical maintenance, respectively.

- **routine** maintenance (maintenance of roadbed, carriageway maintenance, cleaning of channels, gutters, ditches, road marking and traffic signing, salt and grit spreading, clearing snow from carriageways in winter weather...)

- **periodical** maintenance (strengthening of the pavement structure, rehabilitation and intensified maintenance)

If the road suffered a serious damage and if that requires a larger intervention on certain road section, the Public Enterprise 'Roads of Serbia' shall issue and/or approve an order for the execution of works to the contractor, part of whose area of responsibility that particular road section is; this is then treated as periodical maintenance (Article 59 of the Law on Public Roads).

In order to have the periodical maintenance order approved, the contractor must prepare technical documentation prior to the execution of works. If this is a class I or class II national road, the technical documentation, after having been completed, must be handed over to the Ministry of Infrastructure for the purpose of obtaining (endorsement of) an approval (a receipt is issued confirming delivery of technical documentation) for the execution of works based on that documentation.

Technical documentation must contain the following: terms of reference; technical report; location plan; longitudinal profile; cross sections; bill of quantity and cost estimate; design of road marking,, signals and equipment; plan of traffic regulation during the execution of works; technical verification of the design documentation (design review). Approval of terms of reference is given by the Public Enterprise 'Roads of Serbia'.

Upon the completion of works, the Public Enterprise 'Roads of Serbia' files a request with the Ministry of Infrastructure for creation of a commission for technical inspection of works performed within the scope of intensified national road maintenance. The Ministry issues a decision creating the commission with specified members for technical inspection of works executed within the scope of intensified national road maintenance. Technical acceptance is to be attended both by the employer's and contractor's representatives. Costs of technical inspection are to be born by the employer.

The Commission forwards the minutes (without remarks) of the technical inspection to the Ministry of Infrastructure, based on which the Ministry issues a certificate of acceptance of the works executed.

In 2004, public procurement bidding (tender) for modern road maintenance was announced for the maintenance of 1.236,72 kilometres of national roads in Macva and Kolubara regions, the so-called Pilot Project, which serves as a basis for the constructor's activities even at the present time.

By the enactment of the Law on Public Procurements that has entered into force on 6 January 2009, we have approached the preparatory procedure of a new bidding for national roads maintenance on the rest of the territory of Serbia using the Pilot Project as a pattern.

Drafting of the bidding documentation is now in its preparatory stage and we expect to have the public procurement bidding for the maintenance works on the rest of the territory of Serbia announced in 2011.

International organisations and conventions

19) On which date did your country sign or intends to sign:

a) the United Nations ADR agreement;

Published in: 'Official Journal of SFRY' – Annex, number 59/72, dated 21 September 1977

b) the United Nations ATP agreement;

Published in: 'Official Journal of SFRY' – Annex, number 50/1976, dated 12 November 1976

c) the United Nations - ECE legislation on motor vehicle type approval;

Published in: 'Official Journal of FPRY' – International agreements, number 5/62, dated 26 May 1962.

d) the United Nations AETR agreement;

Published in: 'Official Journal of SFRY', number 30/74, dated 13 June 1974

e) accession to the Vienna Convention of the United Nations (1968)?

Published in: 'Official Journal of SFRY', number 6/78, dated 15 August 1978

f) the agreement on the international occasional carriage of passengers by coach and bus – INTERBUS?

Republic of Serbia is not a signatory country of the INTERBUS Agreement.

20) Do you have national standards for the movement of ammunition and explosives in accordance with the European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR)?

There are national standards for the movement of ammunition and explosives. ADR Convention was ratified in 2007 and the Law on Transport of Dangerous Goods was passed ('Official Gazette of RS', No. 88/10). The Army of Serbia was given an internal instruction, whereas the preparation of a rulebook aligned with the Law on Transport of Dangerous Goods and ADR is in progress.

B. Rail transport

Conditions of access to market and profession

21) What are the rules governing market access (e.g. regarding railway licences, safety certificates, safety certification of rolling stock and of staff)? Have all railway operators been awarded a license and a safety certificate?

Market access in the rail transport sector is regulated by the Law on Railways ('Official Gazette of RS', number 18/05 of 24 February 2005) that has entered into force on 1 March

2005. This law is partially aligned with the Council Directives 91/440/EEC and 95/18/EC and the set of rules and regulations, known as the 'First Railway Package'.

The law also regulates the conduct of public railway infrastructure management activities and the conduct of public carriage activities in the rail transport, based on the principles of separation of public railway infrastructure management operations from the public carriage operations in rail transport; it also provides for the following:

- 1) Transport operator, as well as transport operator, undertaking, other legal persons or entrepreneur conducting carriage for own needs may use the railway infrastructure, provided they are in possession of the transport licence and a transport safety certificate, issued by the Directorate for Railways and/or an authorised agency of another state on the basis of reciprocity, and a contract on use of railway infrastructure.
- 2) terms and conditions for the issue of licence; validity period for issued licences; verification of fulfilment of licence issue conditions by the licenced operator; licence revocation; issued licences record keeping.
- 3) licencing conditions and procedures; contents of transport safety certificate; validity period for issued certificates; revocation of certificates; issued certificates record keeping.
- 4) issue of licences for use of railway vehicles, parts and equipment for railway vehicles and devices and of licences for railway infrastructure devices, parts and equipment
- 5) creation of the Directorate for Railways, as an agency not providing carriage services that is independent from transport operators and is responsible for issue of licences, safety certificates and permits
- 6) criteria for path allocation conducted by the public railway infrastructure manager on equal terms and conditions specified by the Law, for all transport operators
- 7) elements in setting of charges for the use of railway infrastructure; railway traffic organisation and regulation, as transparently established by the manager and based on the non-discrimination principle

The following by-laws relating to the market access have been enacted with the aim of implementation of provisions of the Law on Railways:

- 1) Rulebook on Charges for Issue of Licence for Use of Railway Vehicles, Parts and Equipment for Railway Vehicles, and of Licence for Railway Infrastructure Parts and Equipment (**'Official Gazette of RS', numbers 117/05 and 92/09 of 7 November 2009, respectively**)
- 2) Rulebook on Charges for Issue of Licence for Railway Infrastructure Management (**'Official Gazette of RS', number 39/06 of 9 May 2006**)
- 3) Rulebook on Terms and Conditions for the Issue and Contents of Safety Certificates on Railway Infrastructure Management and/or Industrial Railway (**Official Gazette of RS', number 39/06 of 9 May 2006**)
- 4) Rulebook on Terms and Conditions for the Issue and Contents of Safety Certificates on Railway Infrastructure Management and/or Industrial Railway (**Official Gazette of RS', number 39/06 of 9 May 2006**)
- 5) Rulebook on Charges for Issue of Licence for Carriage in Rail Transport (**'Official Gazette of RS', number 39/06 of 9 May 2006**)
- 6) Rulebook on Terms and Conditions for the Issue and Contents of Safety Certificates on Carriage in Rail Transport (**'Official Gazette of RS', number 39/06 of 9 May 2006**)
- 7) Rulebook on Charges for Issue of Certificates on Carriage in Rail Transport (**'Official Gazette of RS', number 39/06 of 9 May 2006**)

- 8) Regulation on the Elements Evaluation Methodology in Setting of Charges for Use of Railway Infrastructure and for Rail Transport Organisation and Regulation ('Official Gazette of RS', number 14/10 of 17 March 2010)

Rulebook on Terms and Conditions for the Issue and Contents of Transport Safety Certificate ('Official Gazette of RS', number 39/06 of 9 May 2006) provides detailed conditions for the issue of Transport Safety Certificate and comprehensively stipulates its content.

For the time being, the Public Undertaking „Serbian Railways” is the sole operator for passenger and goods transport in Serbia. Since the Law on Railways has entered into force, Public Undertaking „Serbian Railways” have not filed a request for transport licence, nor have they filed a request for safety certificate, hence they are not in possession of either of the documents.

So far, the Directorate for Railways has issued transport licences and safety certificates to the following operators:

- 1) 'Combined Transport' („*Kombinovani prevoz*")
- 2) Railway Construction, Repairs and Maintenance Company ('ZGOP') and
- 3) 'Nikola Tesla' Thermal Power Plant ('TENT')

22) Does the national railway company have management autonomy in relation to the State (Government or Parliament)? Is there accounting separation between operations and infrastructure? Is the national railway company financially sound (no accumulated debt burdens imposed by the State)?

National railway company, Public Undertaking „Serbian Railways” does not have management autonomy in relation to the State, as it can be concluded based on the following facts: Public Undertaking „Serbian Railways” was established by the Government of the Republic of Serbia, i.e. by virtue of its **Decision on the Establishment of a Public Undertaking for the Public Railway Infrastructure Management and Public Carriage Operations in Rail Transport** ('Official Gazette of RS', No. 78/04 and 19/05 of 26 February 2005). Director-General of the Public Undertaking „Serbian Railways” is appointed or deposed by the government of the Republic of Serbia for a four-year term. Chairperson and members of the Management Board are appointed and deposed by the government of the Republic of Serbia. Chairperson and members of the Supervisory Board are appointed and deposed by the government of the Republic of Serbia. With the previous consent of the government of the Republic of Serbia, the railways company renders the following acts: Mobile five-year Action and Development Plan; Annual Business Activities Programme; Railway Infrastructure, Organisation and Traffic Control Annual Programme. Transport prices are approved by the government, upon a motion tabled by the Public Undertaking „Serbian Railways” Management Board.

Activities of the Public Undertaking „Serbian Railways” are:

- 1) public railway infrastructure management
- 2) public passenger and goods transport and rolling stock maintenance
- 3) other activities in accordance with the law and the statute

According to the Law on Railways, performance of activities of public railway infrastructure management and of activities in the public rail transport is organised by the principle of separation of public railway infrastructure management from the public rail transport activities. However, separation of accounts was never implemented in practice.

Financial consolidation of the Public Undertaking „Serbian Railways” was never conducted. In its business dealings and transactions, the Public Undertaking „Serbian Railways” is

burdened by debt of approximately 1,030 million Euros long-term credits, of which 840 million Euros to IFIs (EIB, EBRD, EUROFIMA and other IFIs) and 190 million Euros to national creditors. The company is burdened by short-term liabilities, as its operational revenues cannot cover operational expenditures.

23) What is the procedure of adopting the network statement? Does the infrastructure manager need approval of the state to adopt it, including setting the charges for using the infrastructure?

Network Statement is compiled and published by the public infrastructure manager, who needs no approval of the state for it. Public infrastructure manager's responsibility to compile and publish the Network Statement is prescribed by the Rulebook on Terms and Conditions for the Issue and Contents of Safety Certificates on Railway Infrastructure Management and/or Industrial Railway.

The Government of the Republic of Serbia has established on 4 March 2010 the evaluation methodology for elements needed for the setting of charges for the use of railway infrastructure. Based on this methodology, the charges are determined by the public infrastructure manager, i.e. the Public Undertaking „Serbian Railways”, with the previous consent of the Government of Serbia.

Likewise, the Government of the Republic of Serbia gives its approval of decision of the Public Undertaking „Serbian Railways” on charges for the use of infrastructure and of the act on general terms and conditions for the provision of services (being the activity of common interest), all in accordance with the Law on Public Undertakings and Performance of Activities of Common Interest.

24) Can new entrants have access to the national rail network, provided that they have a licence which recognises their capacity as a railway carrier and they fulfil other relevant requirements (e.g. safety certificate, etc.)? How are train paths allocated to avoid any discrimination, and how are infrastructure usage fees defined and applied?

Carriers having received the transport licences and the safety certificates do not have access to the railway infrastructure yet, as all statutory conditions for the use of public railway infrastructure have not been met: (1) the network statement, containing basic principles that the charges regime for the use of infrastructure is grounded on, was not published yet (2) contract model between the infrastructure manager and carriers has not been determined and, first and foremost (3) restructuring of the Public Undertaking „Serbian Railways” was not completely conducted in the manner that enables the network access.

Path allocation is done by the public infrastructure manager applying the following statutory criteria: transport volume; public railway infrastructure utilization; volume of additional services provided by the manager in relation to the conduct of transport on the allocated path; business reputation and activities of common interest in public transport. Public Undertaking „Serbian Railways” has not yet defined the evaluation methodology of these criteria by a separate act, though they are bound to do so by the Law on Railways. The Law on Railways stipulates an appellate procedure in relation to the path allocation and it also determines a competent authority (Directorate for Railways).

Right now, the Methodology for Setting of Charges is not being applied.

25) Has Serbia established a regulatory body, a safety authority, an accident investigation body and a notified body? What staff numbers, competences and budgets have been made available to these authorities? Can these institutions take decisions without the approval of the ministry? In case of disagreements or complaints, can a railway undertaking lodge a complaint with an appeal body (regulatory body) and can the regulatory body launch an investigation on its own initiative?

Directorate for Railways was established by the Law on Railways, as a separate organisation having legal personality and uniting certain competencies of the regulatory body, safety authority and a licencing authority. Investigation body and notified body have not been established yet.

The Directorate for Railways has the authority to issue the following licences and certificates: safety certificate on public railway infrastructure management and/or industrial railway; public transport safety certificate; licence for use of newly constructed rolling stock and new types of parts and equipment for rolling stock; licence for new types of devices, parts and equipment of the railway infrastructure. These are the duties of the Rail Transport Safety Division, being part of the Directorate for Railways, with 8 civil servants meeting requirements for relevant positions.

There are 30 employees in the Directorate performing duties within the Directorate's competencies. Funds for the establishment and work of the Directorate for Railways are budgeted for in the budget of the Republic of Serbia, by providing professional services within its competence and from donations and other legal sources. By the Law on Budget of the Republic of Serbia for 2010 ('Official Gazette of RS'. No. 107/09 of 23 December 2009) funds amounting to 55.202.000 dinars (approximately 550.000 €) are allocated for the needs of the Directorate for Railways.

In making its decisions in the areas relating to functions of the body with safety competencies and authorities, the Directorate does not need a previous approval from the relevant ministry. Directorate for Railways is authorised to decide on entered objections to a rejected or altered or amended offer for the conclusion of contract on use of the railway infrastructure. In practice, however, these regulatory activities are not conducted, as the provisions of the Law on Railways relating to the market opening and access to infrastructure were never implemented.

The law does not provide for authorities of the Directorate for Railways to launch an investigation at its own initiative.

26) Has the safety authority a right to put rolling stock into service? How does the safety authority enforce national safety rules?

The safety authority (Directorate for Railways) has a right to put rolling stock into service in accordance with the Law on Railway.

The safety authority (Directorate for Railways) shall pass national regulations with respect to safety matters (by-laws), but shall have no authority to carry out the implementation control thereof or to impose sanctions. Such authority is entitled to the inspection within the competent ministry.

- 27) Has the safety authority adopted the criteria on train driver training centres and is there a right of access to these training centres? Has the safety authority established a register of driver licenses?**

Criteria on train driver training centres and the right of access to these training centres have not yet been regulated by the law or other regulations.

The Law on Railway Transport Safety ('Official Journal of FRY') Nos 60/98 and 36/99, dated 20 May 1999), prescribes mandatory licencing of train drivers by railway undertaking, which also keeps records of driving licences.

- 28) Has Serbia aligned its international agreements on rail border crossings to EU railway legislation and has Serbia ensured that any agreements on border crossings do not restrict open access of railway undertakings?**

Serbia has not aligned its international agreements on rail border crossings control to EU railway legislation. (see answer to question number 36).

- 29) Are there any rules that the infrastructure manager should be independent from any railway undertaking? Does the law provide incompatibility rules applied for the members of infrastructure management board, the management of the holdings and the railway underway undertakings? Do such rules exist for the first years after quitting a management position in one of these entities and taking up another one? Does the regulatory body have to approve the appointment or dismissal of the members of the infrastructure management board? What safeguards have been put by the infrastructure manager to ensure business confidentiality of data that are sensitive to competition between railway undertakings, in particular relating to access to ICT systems and offices?**

These matters are not regulated by the national rules for the time being.

Public service contracts in road and rail transport

- 30) Please describe the implementation of *acquis* concerning public service contracts and general rules (as defined by Regulation (EC) No. 1370/2007 on public passenger transport service by rail and road). Please provide information on:**

The Law on Railways has not been aligned with the Regulation (EC) No. 1370/2007, given that it was enacted prior to the adoption and entering into force of this regulation.

Public service obligation has been regulated by the Law on Railways (articles 70-77) and the following implementing legislation: Regulation on the Methodology for Determination of Full Price of Transport ('Official Gazette of RS', number 76/09 of 16 September 2009); Rulebook on Conditions and Procedures regarding Compensations for Public Service Obligations ('Official Gazette of RS', number 58/10 of 20 August 2010); Rulebook on the Contents of Contract on Public Service Obligations (*Official Gazette of RS* No. 56/10 of 10 August 2010).

- a) **the requirements the operators have to fulfil on the concerned areas of public service;**

As per the Law on Railways, either the government of Serbia or a local government unit may determine an operator's public service obligation in passenger rail transport for certain routes. The law prescribes that the public service obligation may be determined for all passenger transport routes. Transport may be carried out by a public undertaking or some other form of a company or another legal person or an entrepreneur, in accordance with the law regulating the performance of activities of common interest.

- b) **the duration of the contracts;**

The applicable rules and regulations do not envisage any limitations in terms of duration of contracts. Public service obligation is regulated by a contract signed between an operator, on one side, and a ministry that is responsible for transport affairs or a local government unit, on the other, whereas the contract validity period is an element of the public service obligation contract

- c) **the award of public service contracts (including rules on awards to internal operators and direct awards);**

- d) **the publication requirements;**

- e) **the review/appeal procedures.**

When it comes to c), d) and e) and the issue of public service contracts awarding, publication requirements and review/appeal procedures, these issues have not been regulated either by the law, or by-laws.

Social and technical regulations and standards

31) Who sets the technical and environmental standards, technical specifications applicable for rolling stock and for other rail subsystems? Are these standards in accordance with EU legislation on interoperability and with international standards?

The Law on Railways prescribes that technical rules, regulations and standards in the field of rail transport are drafted by the Directorate for Railways.

Technical conditions relating to the rolling stock and other railway subsystems are set by the Law on Railway Transport Safety and the implementing legislation. For the time being, rules and regulations set forth by the former Community of Yugoslav Railways are in force. These rules and regulations refer to the application of corresponding international standards (UIC, IEC, ISO etc.).

International conventions - COTIF (RID), AGC and AGTC – that were ratified by the Republic of Serbia, have regulated technical and environmental conditions relating to the rolling stock and other railway subsystems in terms of the international transport.

Alignment of national technical regulations and standards with EU technical regulations and standards is still in its incipient stage.

Determination of environmental standards is part of the competencies and authorities of the Ministry of Environment and Spatial Planning.

32) Who sets and enforces the safety standards? Are the rules and standards made public? Who delivers the safety certificates? Does an independent national railway safety authority exist?

Safety standards are set by the Railway Transport Safety Law and by-laws. The Railway Transport Safety Law provides for conditions to be met by the following: railways; rolling stock; facilities; buildings; devices and equipment utilised in rail transport; railway staff and other personnel. There are also other conditions that are important for a safe, orderly and unhindered rail transport. Legislation, which was enacted by the former Community of Yugoslav Railways, is still in effect and is available to the public.

It is stipulated by the Law on Railways that technical rules, regulations and standards in the field of rail transport are to be drafted by the Directorate for Railways. The Directorate is also authorised to issue the following licences and certificates: Safety Certificate on Railway Infrastructure Management and/or Industrial Railway; Transport Safety Certificate and Licence for Use of Newly Constructed Rolling Stock, Licence for Use of New Parts and Equipment for Rolling Stock; Licence for Use of New Types of Devices, Parts and Equipment for Railway Infrastructure; all said being part of functions of a safety agency.

A ministry in charge of transport affairs is also responsible for the implementation of safety standards and it conducts an inspectional supervision of implementation of the set safety standards, the same being done by the Directorate for Railways, which is an agency authorised for delivery of corresponding certificates and licences. The Directorate is an agency that is independent of the relevant ministry and the national railway undertaking.

33) Is there a specific fiscal regime for rail transport operations?

There are no particular taxes and no tax exemptions in relation to the rail transport.

Overall assessment of the transposition of the acquis

34) Please describe ongoing work, including plans, for the transposition of the relevant *acquis*, and in particular in relation

a) to the first railway package (Directives 2001/12, 13, and 14):

The existing rules regulating the field of rail transport are as follows:

- 1) Railway Transport Safety Law and by-laws that comprehensively regulate rail transport safety matters
- 2) Law on Railways regulating conditions and methods of railway infrastructure management and conduct of rail transport
- 3) Law on Rail Transport Contracts ('Official Journal of FRY' No. 26/95 of 2 June 1995)
- 4) Decision of the Government of the Republic of Serbia on establishment of a public undertaking for railway infrastructure management and public railway transport operations, being new instruments of incorporation applied in the constitution of the Public Undertaking „Serbian Railways”.

The Law on Railways has been partially aligned with the first railway package.

b) the second rail package (Directive 2004/49 on rail safety and Directive 2004/51 on rail freight market opening – see Official Journal L164 of 30 April 2004 and corrigendum in OJ L220 of 21 June 2004):

The plan for 2011 is to have a new law on railways enacted, which shall be aligned with the second rail package.

c) the directives on “interoperability” (Directives 96/48, 2001/16 and 2004/50), which were recast in Directive 2008/57/EC):

The plan for 2011 is to have a new law on rail transport safety enacted, which shall be aligned with the EU directives for this area (primarily with the Directive 2004/49 and Directive 2008/57).

d) the third railway package (Directive 2007/58/EC on the opening of the international rail passenger market, directive 2007/59/EC on the certification of train drivers, Regulation (EC) No 1370/2007 on public passenger transport services by rail and road and regulation (EC) No 1371 on rail passengers' rights and obligations).

Alignment of the national legislation in the area of rail transport with the third railway package of EU railway regulations is yet to be carried out or, more precisely, it has not been implemented in our regulations. It has been planned for 2011 to initiate the alignment of the Law on Railways with the Directive 2007/58/EC, while the legal requirements from the Directive 2007/59/EC, Regulation 1370/2007 and Regulation 1371/2007, respectively, for their implementation into the legislation are still in the initial consideration stage.

On the other hand, however, the Public Undertaking „Serbian Railways” have entered numerous provisions in its tariff regulations, thus introducing the duty of publication of the following information: timetable; transport prices; transport general requirements, privilege and special offers; accompanied motorcar transport; transport of passengers with special needs; transport of bicycles; retail outlets and agencies. In its exceptional effort to meet the minimum quality standards for services, such as the requirements of Annex III of the Regulation 1371 EC in relation to the passengers with special needs, Public Undertaking „Serbian Railways” has done the following: They defined by its tariff provisions a set of transport conditions for blind persons and their guides and for persons in wheeled chairs and certain stations have been equipped for transport in wheeled chair; similarly, certain stations have been equipped with surfaces and panels used for orientation of blind persons.

Passengers' rights

35) Is there national legislation on rail passengers' rights equivalent to Regulation (EC) No. 1371/2007?

Carriage of passengers by rail in the Republic of Serbia is regulated by the Law on Railway, Law on Carriage Contracts in Railway Traffic and Law Ratifying the Protocol of 3 June 1999 for the Modification of the Convention concerning International Carriage by Rail (COTIF) of 9 May 1980 (the Protocol of 1999) and Convention concerning International Carriage by Rail (COTIF) of 9 May 1980 in the version of the Protocol of Modification of 3 June 1999.

There is no law equivalent to the EU Regulation on rail passengers' rights and obligations in the national legislation of the Republic of Serbia. However, the Law on Carriage Contracts in Railway Traffic, within the chapter Contract of carriage of passengers and luggage, inter alia, contains provisions on the rights and obligations of passengers and provisions on carriage of luggage. Provisions of this law provide for obligations of carrier to provide passengers with information concerning conditions for concluding the contract of carriage, timetable, issuing of tickets, conditions in the event of cancellation of a journey, discontinuation of service, delays and lost connections, and with regard to rights and obligations of passengers in case of carriage of luggage.

This law provides for minimum requirements for these obligations and does not meet standards of quality such as those defined in Regulation 1371/2007/EC due to its obsolescence. However, in accordance with this law a set of tariff regulations applied by the Public Undertaking „Serbian Railways” was passed as stipulated by Article 28 of the Regulation (EC) 1371/2007, but these establish a quality management system to a small extent.

a) What are the rules on minimum requirements for the information to be provided to passengers before and during the journey?

In accordance with the Law on Carriage Contracts in Railway Traffic, the carrier is obliged to publish a timetable in an appropriate manner, while an abstract of the timetable must be displayed on visible spot at each station open for carriage of passengers. The carrier is yet obliged to publish the tariffs. However, Public Undertaking „Serbian Railways” by its internal acts broadened the possibility of obtaining the information through their website. Available information are pertaining to the timetable, transport prices, general conditions of carriage, special rates and offers, carriage of attended vehicles, carriage of disabled passengers, carriage of bicycles and points of sale.

b) What are the rules on availability of tickets, through tickets and reservations?

In accordance with the Law on Contracts of Carriage by Rail the only obligation of the passengers prescribed therein is to obtain a train ticket before commencing the journey. If there is no ticket office in the place of commencing the journey, a passenger shall buy a train ticket on board the train.

However, according to internal acts of the Public Undertaking „Serbian Railways”, sale of train tickets and reservations is carried out at ticket offices at railway stations, through travel agencies and on board the train. As for the traffic with Montenegro, sale of tickets is carried out via the internet as well. Pre-reservation of seats for all destinations can be made via the internet, too.

c) What are the rules on liability of railway companies for passengers and luggage and in the event of delays, missed connections and cancellations of services?

The issues of carriage of hand luggage by rail and the liability of carriers for delays and/or missed connections, respectively, have been regulated by the Law on Carriage Contracts in Railway Traffic. In accordance with this law, a passenger is entitled to have a free hand baggage allowance for a luggage that can be stowed in an overhead rack and under the seat

that he/she occupies. Carrier is liable for any damage caused by a total or partial loss or damage to hand baggage, if the passenger proves the carrier's liability for the damage caused.

In accordance with the transport contract, a passenger, who has missed his connection due to delay or was prevented from continuing his/her journey (discontinuation of services) due to the non-arrival of the train or railway traffic disturbance, he/she is entitled to: 1) request the carrier to have him/her transported to his/her destination by the following train or, in case the following train is not going to the same destination, by some other method, without surcharge 2) request the carrier to have him/her and his/her luggage returned to his/her departure station free of charge by the next train going to his/her departure station and to be reimbursed of the full cost of the ticket 3) cancel further journey and request compensation of the ticket price for the unused part of the journey from the carrier.

Apart from the aforesaid and with the aim of promoting the quality and defining the service standards, Public Undertaking „Serbian Railways” have enacted on 11 December 2005 a Charter on the International Carriage of Passengers , as a part of their efforts to follow the footsteps of the ‘Charter on Rail Passenger Services’ that was the forerunner of Regulation 1371/2007 and was in force in EU railways at the time. This Charter defines passenger rights that are greater than the rights prescribed by these laws in case of late running of a train or traffic disturbances resulting in delay of continuation of the journey.

d) What are the rules on transport conditions (including accessibility, assistance and information to be provided) for persons with reduced mobility?

This matter is not specifically regulated by law. However, the Public Undertaking „Serbian Railways” defined by its tariff provisions conditions for transport of blind persons and their companions, as well as for transport of persons in wheelchairs, and technically equipped certain stations for transport in wheelchairs and/or equipped certain stations with surfaces and panels used for orientation of blind persons.

e) What are the rules on the handling of complaints and the national body responsible for the protection of passengers' rights? Is that national body independent of any infrastructure manager, charging body, allocation body or railway undertaking?

There is no national body and/or authority for the protection of passenger rights in railway transport in terms of obligation prescribed by Article 30 of the Regulation (EC) 1371/2007. According to internal acts of the Public Undertaking „Serbian Railways”, passengers shall exercise their rights under the contract of carriage at ticket offices until the beginning of ticket validity period, and/or after that period through complaints to competent authorities.

f) What are the rules and penalties foreseen in case passenger rights are not respected?

National railway regulations do not contain provisions on penalties in case of disregard of passenger rights.

International organisation and conventions

36) **Has Serbia concluded rail border crossing agreements in recent years on its international border crossings? In which way do these agreements permit open access by domestic or foreign operators? If they do not provide open access and are thus not yet aligned to EU legislation, what are the plans to make them compliant?**

Serbia has concluded the following agreements in recent years:

- 1) Agreement between the Government of the Republic of Serbia and the Government of the Republic of Montenegro on border control in railway transport (*Official Gazette of RS-International Treaties* No. 1/10 of 21 May 2010)
- 2) Agreement between the Council of Ministers of Serbia and Montenegro and the Government of Bulgaria on border controls and procedures for railway traffic (*Official Journal of SMN-International Treaties* No. 13/05 of 4 November 2005)

The said agreements introduced the so called "**Zone**" which shall mean a part of territory of the host country where official and railway staff of the neighbouring country is authorised to carry out border control pursuant to their own national regulations.

The mentioned agreements do not restrict access by domestic and foreign operators to the territory of Zone subject to the concluding of the **Protocol for the implementation** of the Agreement, with each other and with the Infrastructure manager, which would in depth regulate the operations of rail transport at the border railway and/or the activities of rail transport personnel at the border posts.

There are ongoing negotiations for the conclusion of the Treaty establishing the Transport Community between the European Community and the contracting parties of the South-East Europe, i.e., Albania, Bosnia and Herzegovina, Croatia, Former Yugoslav Republic of Macedonia, Montenegro, Serbia and UNMIK Kosovo (UNHCR Resolution 1244/99) which also includes the rail transport, therefore this multilateral agreement provides for the obligation of alignment with rail transport acquis.

37) **Is your country party to any multilateral agreements regarding international railway organisations (OTIF and OSZD) ?**

Republic of Serbia is a signatory state of the following multilateral conventions and agreements and is a member of the following international organisations:

- 1) Protocol of 3 June 1999 for the Modification of the Convention concerning International Carriage by Rail (**Convention relative aux transports internationaux ferroviaires–COTIF**) of 9 May 1980 (1999 Protocol); Convention concerning the International Carriage by Rail (COTIF) of 9 May 1980 in the version of the Protocol of Modification of 3 June 1999 ('Official Gazette of RS - International Agreements, No. 102/07 of 21 May 2010).
- 2) European Agreement on Main International Railway Lines – the AGC Agreement (Accord Européen sur les Grandes lignes internationales de Chemin de fer), signed on 31 May 1985 ('Official Journal of SFRY – International Treaties', number 11/89 of 14 July 1989).
- 3) European Agreement on Important International Combined Transport Lines and Related Installations (**Accord Européen sur les Grandes lignes de Transport international Combiné et les installations connexes**), done on 1 February 1991

(*'Official Journal of Serbia and Montenegro – International Conventions'*, number 7/05 of 1 July 2005).

- 4) **Protocol on Combined Transport on Inland Waterways to the European Agreement on Important International Combined Transport Lines and Related Installations (AGTC) of 1991** ('Official Gazette of RS – International Agreements', number 38/09 of 25 May 2009).
- 5) Agreement on the Establishment of a High Performance Railway Network in South East Europe - **SEECF Railway Agreement** ('Official Gazette of RS – International Agreements', number 102/07 of 7 November 2007).
- 6) Trans-European Railway (TER) Project Trust Fund Cooperation Agreement of the United Nations Economic Commission for Europe – UNECE ('Official Gazette of RS – International Agreements', number 1/10 of 21 May 2010)
- 7) Memorandum of Understanding on the Development of Pan-European Transport Corridor X, signed in Thessaloniki on 15 March 2001
- 8) Memorandum of Understanding on the Development of South East Europe Core Regional Transport Network), signed in Luxembourg on 11 June 2004
- 9) **(Addendum to the Memorandum of Understanding on the Development of the South East Europe Core Regional Transport Network for a *South East European Railway Transport Area*), signed in Tirana on 4 December 2007**
- 10) Convention for the Establishment of EUROFIMA (**European Company for the Financing of Railroad Rolling Stock** - Société Européenne Pour le Financement de Matériel Ferroviaire), signed on 20 November 1956 (Regulation on the Ratification of Convention for the Establishment of Eurofima, 'Official Journal of FPRY – Appendix International Treaties and other conventions', number 01/57)

Organisations:

- 1) OTIF (Intergovernmental Organisation for International Carriage by Rail - Organisation intergouvernementale pour les Transports Internationaux Ferroviaires) that FRY was admitted to on 1 August 2001 and of which the Republic of Serbia is a full member This organisation's aim is to establish safety and uniform system of carriage of passengers, luggage and goods by rail in direct transport between the member States and to facilitate pursuit and development of the international rail transport
- 2) South-East Europe Transport observatory (SEETO), established by the Memorandum of Understanding for the Development of Core Regional Transport Network in South-East Europe, with its Secretariat based in Belgrade.

C. Maritime and inland waterway transport

38) Please provide a brief description of any sea transport activities as well as transport that may take place on your lakes and rivers.

Inland waterways in the Republic of Serbia are of a considerable length (approximately 1600 km) and represent a natural advantage for the development of inland waterway transport. Inland waterways comprise Danube, Sava and Tisa rivers (total length of approximately 960 km) and canals being part of the Danube-Tisa-Danube hydro-engineering system (approximately 600 km). Majority of the lakes in the Republic of Serbia are reservoirs and are used for various purposes. The most important ports in terms of transport and capacity volume are those in Belgrade, Pancevo, Novi Sad, Smederevo and Prahovo. Majority of the

ports are connected with major railway lines and roads, thus resulting in their strategic and logistical importance. Ports are mainly specialised for general and bulk freights, while the volume of container transport is extremely low. Port capacities exceed the transshipment volume. Undertakings that are registered for the supply of port services and pursuit of port activities are privatised, except for the Apatin and Novi Sad ports, both being state property.

The most important types of carriage of goods in the field of inland waterway transport is transport of goods and merchandise transported by ships intended for dry and bulk freight transport and by ships intended for liquid freight transport. Approximately 5 million tons of goods is transported by inland waterways in the Republic of Serbia. Inland waterway passenger transport is of a primarily touristic character. Number of foreign tourists visiting Serbia as a part of their river cruises is on the rise. Around 70.000 passengers are transported on waterways in Serbia per year.

Nautical tourism is poorly developed, despite its great natural potential.

The number of boats on rivers and lakes being used for passenger transport (coast to coast) is fairly small and there are boating activities on lakes for sporting and leisure purposes.

Republic of Serbia is a landlocked country, with no sea port and no sea-going ship flying its flag. Many Serbian nationals are crew members on board sea-going ships flying foreign flags.

39) Please outline the legislation that covers this area. Are there any rules concerning safety, security, environmental and pollution prevention aspects of transport by sea and on lakes/rivers? Which institution is in charge of registration and control of ships/boats?

The following legislation covers the area of maritime and inland navigation:

1. Law on Navigation and Ports on Inland Waters ('Official Gazette of RS', number 73/10 of 12 October 2010); This law stipulates the following issues: terms and conditions for safe navigation on inland waterways of the Republic of Serbia; inland waterways and navigation; vessels and their seaworthiness; crew; search and rescue; ports and harbours; inspection surveillance and other issues concerning the inland navigation.

2. Law on Maritime and Inland Navigation ('Official Journal of FRY', No. 12/98, 44/99, 74/99 and 73/00 of 29 December 2000) (provisions referring to inland navigation have expired, except for Article 50, paragraph 2, Article 51. and Article 52, whereas provisions referring to maritime navigation are still in force, as follows: Article 1. to 9; Article 20; Article 26; Article 30; Article 36; Article 44, Article 50. to 52; Article 56. to 186; all referring to maritime navigation, just as the provisions of Articles 202. to 821 and Articles 835. to 1051, related to inland and maritime navigation

3. Law on Inland Navigation ('Official Gazette of RS', No. 54/90, 53/93, 67/93 and 48/94 of 20 July 1994) the only provisions that are still in force are those on carriage on inland waterways and the system of penalties related to inland waterway transport, as follows: Article 2. and 4, point 7), 8), 9), 10), 11), Articles 44. to 53, Article 64, points 10), 11), 12), 13), Article 66, points 10), 11) and 12), Article 67 and Article 69;

The following by-laws cover the area of maritime and inland navigation:

1. Regulation on Conditions to be met by Wintershelters open to Foreign Vessels Wintering on Inland Waterways open for International and Interstate Navigation ('Official Journal of FRY, number 28/98 of 6 June 1998);

2. Regulation on conditions to be met by the Ports or Harbours open for International Traffic ('Official Journal of FRY', number 28/98 of 6 June 1998)

3. Regulation on the Conditions under which Foreign Vessels can navigate on the Domestic Inland Waterway of the Federal Republic of Yugoslavia toward entering into the Ports open for International Traffic ('Official Journal of FRY', No. 51/98 and 'Official Gazette of RS', No. 38/10 of 4 June 2010);

4. Regulation on the conditions under which a foreign vessel in laid up can stay in the coastal sea and on Inland Waterways of the Federal Republic of Yugoslavia ('Official Journal of FRY', number 10/99 of 26 February 1999);

5. Regulation on the providing of Initial, Regular and Special Inspections of Boats and Floating Establishments ('Official Gazette of RS', number 18/96 of 18 April 1996);

6. Regulation on the Security Protection of the Merchant Ships and Ports open for International Traffic in the State Union of Serbia and Montenegro ('Official Journal of Serbia and Montenegro'), number 32/04 of 2 July 2004);

7. Regulation on the minimum safe manning required for seagoing ships of merchant marine of the State Union of Serbia and Montenegro ('Official Journal of SCG', number 43/04 of 10 September 2004);

8. The Rulebook on methods for providing pilotage service, level of education required for pilots and conditions for conducting pilotage service ('Official Journal of FRY', number 44/98 of 4 September 1998);

9. The Rulebook on Inland Waterways, Ports and Harbours where Pilotage Service is compulsory for Ships of certain types and size ('Official Journal of FRY', number 63/98 of 25 December 1998);

10. The Rulebook on methods for conducting trial voyage of the vessels ('Official Journal of FRY'), number 29/98 of 12 June 1998);

11. The Rulebook on program and training method of professional examination for obtaining the qualification of the crew member of inland navigation vessels of mercantile marine of the Federal Republic of Yugoslavia ('Official Journal of FRY', number 20/98 of 17 April 1998);

12. The Rulebook on the minimum safe manning required for inland navigation vessels of merchant marine of the Federal Republic of Yugoslavia ('Official Journal of FRY', number 30/98 of 19 June 1998);

13. The Rulebook on the Certificate of Competence of Crew Members on board Seagoing Ships of Merchant Marine of the Federal Republic of Yugoslavia and conditions for their obtaining ('Official Journal of FRY', Nos 67/99 and 71/00 of 22 December 2000);

14. The Rulebook on displaying a merchant marine flag of the Federal Republic of Yugoslavia ('Official Journal of FRY'), number 31/98 of 26 June 1998);

15. The Rulebook on determining the names, designations and call signs of ships and keeping records of names, designations and call signs of ships ('Official Journal of FRY', number 51/98 of 9 October 1998);

16. The Rulebook on registration of ships in certain registers, the data entries in sheet A of the Ships Registers, ship's certificate records, auxiliary books kept together with Ships Registers and patterns of these documents and books ('Official Journal of FRY', number 29/98 of 12 June 1998);

17. The Rulebook on shipping casualty investigations ('Official Journal of FRY'), number 57/98 of 20 November 1998);

18. The Rulebook on work method and working conditions of the radio-service required for safety of navigation ('Official Journal of FRY', number 72/99 of 17 December 1999);

19. The Rulebook on conditions which must be met by the coastal and ship radio stations ('Official Journal of FRY', number 72/99 of 17 December 1999);

20. The Rulebook on contents, forms and methods of conducting of the ship's documents and books of the ships of merchant marine of the Federal Republic of Yugoslavia ('Official Journal of SFRY', Nos 16/80, 25/88 and 'Official Journal of FRY', number 6/93 of 12 February 1993);

21. The Rulebook on qualifications, condition for obtaining the qualifications and certificate of competence of the crew members of inland navigation vessels of mercantile marine of the Federal Republic of Yugoslavia ('Official Journal of SFRY', Nos 32/82, 30/83, 30/87 and 'Official Journal of FRY', No. 25/96 of 7 June 1996);

22. The Rulebook on navigation on inland waterways ('Official Journal of FRY', number 79/91 of 27 September 1991);

23. The Rulebook on seaman books, service booklets and licenses for boarding ('Official Journal of SFRY', No. 13/81 of 6 March 1981);

24. The Rulebook on determination of seaworthiness of boats and floating establishments ('Official Gazette of RS', No. 28/96 of 20 June 1996);

25. The Rulebook on program and training method of examination for *operators of pleasure craft* ('Official Gazette of RS', No. 18/97 of 5 May 1997);

26. The Rulebook on the official clothes of employees in harbour master offices ('Official Gazette of RS', Nos 25/97 and 49/06 of 8 June 2006);

27. The Rulebook on manning for vessels other than inland navigation ships of merchant marine ('Official Gazette of RS', number 49/06 of 8 June 2006);

28. The Rulebook on register and licence for boats and floating establishments ('Official Gazette of RS', number 111/07 of 4 December 2007);

29. The Rulebook on training method of examination for obtaining qualifications of crew members of inland navigation vessels of mercantile marine ('Official Journal of FRY', number 29/83 of 25 July 1983);

30. The Rulebook on specific medical conditions to be met by persons authorized to perform work on vessels of merchant marine ('Official Gazette of RS', number 23/83 and number 27/83 of 16 July 1983);

31. The Rulebook on method for transport of dangerous goods by sea and inland waterways ('Official Journal of SFRY', number 17/87 of 9 March 1987);

32. Decision on Determination of Harbours ('Official Gazette of RS', No. 51/05 and 14/10 of 17 March 2010).

The matter of security in inland navigation is regulated by the Law on Navigation and Ports on Inland Waters-Part Four-Title I. Harbour Master Office, RIS, VTS and Security Protection of Vessels, Navigation Safety Establishments and Ports (Article 198 – 202). In the matter of maritime navigation, the security issue is regulated by the Rulebook on the Security Protection of the Merchant Ships and Ports open for International Traffic in the State Union of Serbia and Montenegro whereby the Title 11 of the SOLAS Convention (ISPS CODE) is implemented into national legislation.

Protection of environment from negative impacts of inland water transport is regulated by the Law on Navigation and Ports on Inland Waters, Chapter V –Prevention of the pollution from the vessels – thus stipulating the issue of vessel pollution, as aligned with the Resolution No. 21 (UNECE), Danube Commission Recommendation and the Protocol of the Sava River Basin International Commission, respectively, and also, with the Decision on Technical Rules for the Shipbuilding of the Inland Navigation Vessels – Part12 –Prevention of the pollution from the shipping (*Official Journal of FRY* No. 12/95 of 10 March 1995).

The Law on Maritime and Inland Navigation, Chapter V, Articles 876 – 888. regulates the issue of responsibility for the pollution of maritime environment, just as the issue of responsibility for the oil spillage pollution, when transported as a cargo on a sea-going ship.

Likewise, the protection of maritime environment from the negative impact of shipping has been regulated by a Decision on Technical Regulations of 'Jugoregistar' on the Prevention of the pollution from the shipping, Part 22 – Maritime Shipping Pollution Prevention ('Official Journal of SFRY', number 43/89 of 21 July 1989).

Furthermore, the area of environment protection has been regulated by the Law on Environment Protection that represents a basic regulation in the area of environment protection. Environment protection is an issue within the scope of a ministry responsible for environment protection affairs and of a ministry responsible for waterpower engineering.

The issue of vessel registration is regulated by the following: Law on Maritime and Inland Navigation; The Rulebook on registration of ships in certain registers, the data entries in sheet A of the Ships Registers, ship's certificate records, auxiliary books kept together with Ships Registers and patterns of these documents and books; The Rulebook on register and licence for boats and floating establishments.

Vessel registers (ship, technical vessels, floating facilities, boats etc.) are kept by 12 Harbour Master Offices being regional unit of the Ministry of Infrastructure. Technical inspection of vessels is conducted by the Authority for Determination of Seaworthiness, which is an Administration within Ministry of Infrastructure; within the three-month period from the date when the Law on Navigation and Ports on Inland Waters has entered into force (20 October 2010), this Administration shall take over, among other, the duties and activities of the Federal Public Institution Yugoslav Inland Navigation Vessels Register "Jugoregistar", whereas the technical inspection of the seaworthiness of boats and floating establishments is conducted by the Ministry of Infrastructure. Surveillance over the ships and boats is exercised by the navigation safety inspectors who are assigned to the harbour master offices.

40) What is the competent Serbian administration for maritime and inland waterway transport?

The competent public administration authority for maritime and inland waterway transport is the ministry responsible for traffic affairs-the Ministry of Infrastructure.

41) What are the actual numbers of ships under Serbian flag involved in maritime and inland waterway transport?

According to data obtained from the Authority for Determination of Seaworthiness on 9 December 2010, the number of ships under Serbian flag which were actively involved in inland navigation in 2010 is 349. The Republic of Serbia has no sea-going ships or other maritime floating establishments under its flag.

42) What are the relevant International Conventions that Serbia applies in relation to safety, security, environmental and pollution prevention aspects of transport by sea and on lakes/rivers?

Being the successor to the SFR Yugoslavia and the Federal Republic of Yugoslavia in the field of inland waterway navigation, the Republic of Serbia is the signatory state to the following conventions stipulating the issues of safety, security and environment protection:

1. Convention regarding the Regime of Navigation on the Danube of 1948, ratified in 1949 (*Official Journal of FPRY* No. 8/49 of 26 January 1949);
2. Supplementary Protocol and Protocol on Signing the Supplementary Protocol to the Convention regarding the Regime of Navigation on the Danube from 1998, ratified in 1998 (*Official Journal of FRY-International Treaties* No. 6/98 of 04 December 1998);
3. Convention relating to the Unification of Certain Rules concerning Collisions in Inland Navigation of 1960, ratified in 1961 (*Official Journal of FPRY-International Treaties* No. 7/61 of 15 July 1961);
4. Convention on the Measurement of Inland Navigation Vessels of 1966, ratified in 1969 (*Official Journal of SFRY-International Treaties* No. 47/70 of 29 October 1970);
5. Framework Agreement on the Sava River Basin, Protocol on the Navigation Regime to the Framework Agreement on the Sava River Basin and Agreement on the Amendments to the Framework Agreement on the Sava River Basin (*Official Journal of SMN-International Treaties* No. 12/04 of 28 May 2004)
6. Regional Arrangement concerning the Radiotelephone Service on Inland Waterways (*Official Journal of FRY –International Treaties* No. 11/2001 of 9 November 2001);
7. Convention on the Registration of Inland Navigation Vessels with Protocols No. 1 and No. 2 to the Convention (*Official Journal of SFRY –International Treaties* No. 7/85 of 15 February 1985);
8. Protocol on Combined Transport on Inland Waterways to the European Agreement on Important International Combined Transport Lines and Related Installations (AGTC) of 1991 (*Official Gazette of RS-International Treaties*, No. 38/09 of 25 May 2009);
9. European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterways (ADN) (*Official Gazette of RS –International Treaties* No. 3/10 of 25 May 2010);
10. Budapest Convention on the Contract for the Carriage of Goods by Inland Waterway (CMNI) (*Official Gazette of RS –International Treaties* No. 1/10 of 21 May 2010);

Being the successor to the SFR Yugoslavia and the Federal Republic of Yugoslavia in the field of maritime navigation, the Republic of Serbia is the signatory state to the following conventions stipulating the issues of safety, security and environment protection in maritime transport:

1. The United Nations Convention on the Law of the Sea (*Official Journal of SFRY –International Treaties* No. 1/86 of 10 January 1986);
2. International Convention relating to Registration of Rights in respect of Vessels under Construction (*Official Journal of SFRY –International Treaties* No.1/71 of 7 January 1971);
3. Convention on a Code of Conduct for Liner Conferences (*Official Journal of SFRY –International Treaties* No. 1/86 of 10 January 1986);
4. International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978 (STCW)(*Official Journal of SFRY-International Treaties* No. 3/84 of 30 March 1984), as well as Appendices to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, the Code of Training, Certification and Watchkeeping and Resolutions adopted in 1995 (*Official Journal of FRY-International Treaties* No. 3/01 of 11 May 2001);

5. International Convention for the Safety of Life at Sea of 1974 (*Official Journal of SFRY –International Treaties* No.2/81 of 16 January 1981);
6. Protocol of 1978 relating to the International Convention for the Safety of Life at Sea of 1974 (*Official Journal of SFRY –International Treaties* No. 2/81 of 16 January 1981);
7. International Convention for the Prevention of Pollution from Ships of 1973-MARPOL (*Official Journal of SFRY –International Treaties* No.12/81 of 27 February 1981);
8. Protocol of 1978 relating to the International Convention for the Prevention of Pollution from Ships of 1973 with appendices (*Official Journal of SRY –International Treaties* No. 2/85 of 18 January 1985);
- MARPOL ANNEX I/II-Annex I-Regulations for the Prevention of Pollution by Oil, Annex II-Regulations for the Control of Pollution by Noxious Liquid Substances in Bulk,
- MARPOL ANNEX III-Annex III-Regulation for the Prevention of pollution by harmful substances carried by sea in packages or freight containers, portable tanks or road or rail tank wagons
- MARPOL ANNEX IV-Annex IV-Regulation for the Prevention of Pollution by Sewage from Ships,
- MARPOL ANNEX V-Annex V-Regulation for the Prevention of Pollution by Garbage from Ships,
9. Protocol of 1997 to amend the International Convention for the Prevention of Pollution from Ships, as modified by the Protocol of 1978 thereto (MARPOL Convention-Annex VI) (*Official Gazette of RS-International Treaties* No. 1/10 of 21 May 2010),
10. International Convention on Load Lines (*Official Journal of SFRY –International Treaties* No.4/69 of 29 January 1969);
11. International Convention on Maritime Search and Rescue (*Official Journal of Serbia and Montenegro –International Treaties* No. 23/04 of 24 December 2004);
12. International Convention on Tonnage Measurement of Ships (*Official Journal of SFRY –International Treaties* No. 10/72 of 24 February 1972);
13. Convention on the International Maritime Satellite Organisation and Operating Agreement on International Maritime Satellite Organisation (*Official Journal of FRY – International Treaties* No. 3/94 of 20 May 1994);
14. International Convention for Safe Containers (*Official Journal of SFRY – International Treaties* No. 3/87 of 31 March 1987);
15. Convention on the International Regulations for Preventing Collisions at Sea (*Official Journal of SFRY –International Treaties* No.12/90 of 26 October 1990);
16. Protocol relating to Intervention on the High Seas in Cases of Pollution by Substances other than Oil of 1973 (*Official Journal of SFRY –International Treaties* No.12/81 of 27 February 1981);
17. Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter of 1972, (the London Convention) (*Official Journal of SFRY –International Treaties* No. 13/77 of 24 November 1977);
18. Protocol relating to Intervention on the High Seas in Cases of Pollution by Substances other than Oil of 1969 (*Official Journal of SFRY –International Treaties* No.12/77 of 07 January 1977);
19. Convention on the Protection of the Mediterranean Sea Against Pollution, Protocol for the Prevention of Pollution of the Mediterranean Sea by Dumping of Wastes and Other Matter from Ships and Aircraft and Protocol concerning Co-operation in Combating Pollution of the Mediterranean Sea by Oil and Other Harmful Substances in Cases of Emergency of 1976 (*Official Journal of SFRY-International Treaties* No. 12/77 of 4 March 1977),
20. Protocol concerning Mediterranean Specially Protected Areas (Geneva, 1982) (*Official Journal of SFRY –International Treaties* No. 9/85 of 22 February 1985);

21. International Convention on the Control of Harmful Anti-fouling Systems on Ships of 2001 (Antifouling Convention) (*Official Gazette of RS –International agreements* No.1/10 of 21 May 2010);

22. Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation (*Official Journal of Serbia and Montenegro –International Treaties* No.2/04 of 5 March 2004);

23. Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf (*Official Journal of SMN –International Treaties* No.6/04 of 26 March 2004);

24. Protocol of 2005 to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation (SUA Protocol) (*Official Gazette of RS–International Treaties* No. 1/10 of 21 May 2010);

25. International Convention on Civil Liability for Oil Pollution Damage (*Official Journal of SFRY –International Treaties* No.7/77 of 4 February 1977); (cancellation in progress);

26. Protocol of 1992 to amend the International Convention on Civil Liability for Oil Pollution Damage ('Official Gazette - International agreements', No. 12/10, dated 17 December 2010)

27. International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage (*Official Journal of SFRY –International Treaties* No.3/77 of 14 January 1977) (cancellation in progress);

28. Protocol of 1992 to amend the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage adopted in 1971, ('Official Gazette – International agreements', No. 12/10, dated 17 December 2010)

29. Athens Convention relating to the Carriage of Passengers and their Luggage by Sea, adopted in 1974 and Protocol of 2002 to amend the Athens Convention relating to the Carriage of Passengers and their Luggage by Sea, adopted in 1974 (publishing in progress),

30. International Convention on Civil Liability for Bunker Oil Pollution Damage (*Official Gazette of RS –International Treaties* No.1/10 of 21 May 2010);

31. Placing of Seamen Convention (Convention No. 9), (*Official Gazette of the Kingdom of Yugoslavia* No. 44-XVI of 24 February 1930),

32. Convention (No.16) concerning the Compulsory Medical Examination of Children and Young Persons Employed at Sea, (*Official Gazette of the Kingdom of Yugoslavia* No. 95-XXII of 30 April 1927),

33. Seamen's Articles of Agreement Convention, 1926 (Convention No. 22), (*Official Gazette of the Kingdom of Yugoslavia* No. 44-XVI of 25 February 1930),

34. Convention concerning the Repatriation of Seamen, 1926 (Convention No. 23), (*Official Gazette of the Kingdom of Yugoslavia* No. 44-XVI of 25 February 1930),

35. Convention Concerning the Marking of the Weight on Heavy Packages Transported by Vessels, adopted in 1929 (Convention No. 27), (*Official Gazette of the Kingdom of Yugoslavia* No. 58-XVI of 14 March 1933),

36. Convention Concerning the Protection against Accidents of Workers Employed on Loading and Unloading Ships-as amended in 1932 (Convention No. 32) (*Official Journal of SFRY –International Treaties* No. 35/75 of 18 July 1975);

37. Convention concerning the Minimum Requirement of Professional Capacity for Masters and Officers on Board Merchant Ships, adopted in Geneva on 24 October 1936 (Convention No. 53) (*Official Journal of FPRY –International Treaties* No.9/61 of 16 September 1961);

38. Certification of Ships' Cook Convention, adopted in 1946 (Convention No. 69) (*Official Journal of FPRY –International Treaties* No. 7/61 of 15 July 1961);

39. Medical Examination (Seafarer's) Convention (Convention No. 73) (*Official Journal of SFRY –International Treaties* No. 3/67 of 30 March 1967);
40. Certification of Able Seamen Convention (Convention No. 74) (*Official Journal of FPRY –International Treaties* No. 3/62 of 24 March 1962);
41. Convention No. 92 concerning Crew Accommodation on Board (Revised in 1949) (*Official Journal of FPRY –International Treaties* No. 3/67 of 30 March 1967);
42. Medical Examination (Fishermen) Convention (Convention No. 113) (*Official Journal of FPRY –International Treaties* No. 9/61 of 16 September 1961);
43. Convention concerning Accommodation on Board Fishing Vessels (Convention No. 126) (*Official Journal of SFRY –International Treaties* No. 43/74 of 30 August 1974).

43) Are there any requirements regarding access to the profession of carrier of passengers and/or goods by waterway? Are there any rules concerning crew working time and manning in the maritime and inland waterway sector? What are the competent authorities responsible for enforcing the relevant legislation and requirements?

There is no specific regulation governing the access to the profession of carrier of passengers and/or goods by inland waterways.

There is no particular regulation concerning the issue of crew working time in inland waterway sector. The law applicable for the crew on inland navigation vessels flying the flag of the Republic of Serbia is the Labour Law ('Official Gazette of RS', Nos 24/05, 61/05 and 54/09 of 17 July 2009), being the basic law in the field of labour relations and labour rights in all forms. The same law regulates the issue of working time.

There is neither a special regulation concerning the working time of crew on board sea-going ships. The Labour Law is also applied on crew members on board sea-going ships, while for seafarers who perform duties of watchkeeping Republic of Serbia directly applies the standards of watchkeeping from Section A-VIII/1 of Annex to the International Convention on the Standards of Training, Certification and Watchkeeping for Seafarers - and the Code on Training, Certification and Watchkeeping for Seafarers ('Official Journal of FRY - International Conventions; number 3/01 of 11 May 2001). It has been stipulated by these provisions that persons who are assigned duty as officer in charge of a watch shall be provided a minimum of 10 hours of rest in any 24-hour period. The hours of rest must be divided into no more than two periods, one of which shall be at least 6 hours in length. The minimum period of ten hours may be reduced to not less than 6 consecutive hours provided that any such reduction shall not extend beyond two days and not less than 70 hours of rest are provided each seven-day period.

Manning in the maritime and inland waterway sector is stipulated by separate regulations. The Rulebook on the minimum safe manning required for inland navigation vessels of merchant marine of the Federal Republic of Yugoslavia prescribes the minimum number of crew members for inland waterway ships.

Rulebook on manning for vessels other than inland navigation ships of merchant marine prescribes the number and composition of the crew for safe navigation of vessels other than inland waterway ships, as follows: boats and floating establishment used for economic and/or public purposes.

Minimum number of the crew for maritime ships has been stipulated by the Regulation on the minimum safe manning required for seagoing ships of merchant marine of the State Union of Serbia and Montenegro.

As an administrative agency of the Ministry of Labour and Social Policy, the Labour Inspectorate is responsible for the pursuit of activities by the rules regulating crew labour relations.

Ministry of Infrastructure and its Navigation Safety Inspectors, who are assigned to Harbour Master Offices being regional units of the Ministry of Infrastructure, are responsible for the pursuit of activities concerning the minimum number of the crew on ships and other vessels.

44) Please provide information regarding the renewal of the Serbia inland waterway fleet under the Inland Navigation Fund Law.

The Republic of Serbia has not enacted the Law on Inland Navigation Fund.

45) According to which technical requirements are the vessels of the Serbian inland navigation fleet certified?

Technical requirements applied to the inland navigation vessels are as follows:

1. Decision on Technical Rules on Shipbuilding of Inland Navigation Vessels (*Official Journal of FRY* No. 20/95),

2. Decision on Technical Regulations of "Jugoregistar" on Seaworthiness of Inland Navigation Vessels for Carriage of Passengers (*Official Journal of SFRY* No. 10/88),

3. Decision on Technical Rules of "Jugoregistar" concerning recognizing the Manufacturers and Assessment Institutions (*Official Journal of SFRY* No. 60/88).

Law on Navigation and Ports on Inland Waters stipulates that the Ministry of Infrastructure shall adopt the regulation on technical requirements for inland navigation vessels. The above mentioned regulation will promulgate into national legislation the Directive of the European Parliament and the Council 2006/87/EEC laying down technical requirements for inland waterways vessels and repealing the Council Directive No. 82/714/EEC with subsequent amendments.

46) Which authority is responsible for the inspection of the vessels?

Authority responsible for the technical inspection of the vessels is the Authority for Determination of Seaworthiness, as an administration authority within the competent ministry in charge of traffic affairs, that is founded for professional and technical services in the field of determination of the seaworthiness of inland navigation ships.

47) Which authority is responsible for the issuing of the vessel certificates?

Each vessel registered in the register of inland navigation vessels must have Ship Certificate issued by the Harbour Master Offices based on the Inland Navigation Certificate of Seaworthiness which will be issuing the Authority for Determination of Seaworthiness (formerly "Jugoregistar"). Interim Certificate on ability of the ship for navigation shall issue the diplomatic and consular missions of the Republic of Serbia. Measurement certificate, Certificate on ship's ability to conduct trial voyage, Cargo gear register, Certificate of the ability of the ship for loading of dangerous cargo, Certificate of the ability of the tanker for loading of dangerous cargo, Certificate of the ability of the ship for loading of refrigerated

cargo, Interim certificate on ability of the ship or tanker for loading of dangerous goods for shipping, Interim certificate on ability of the ship to transport passengers and Certificate on safety of radio equipment shall issue the Authority for Determination of Seaworthiness. Certificate of pest control and Certificate of exemption from pest control shall issue the body responsible for health affairs.

48) How many inland waterway vessels (in different categories) are registered in Serbia?

According to data from the harbour master offices that keep the registers of inland navigation vessels, the Republic of Serbia has 970 inland navigation vessels registered in the national registers thereof. By categories:

type of vessel	number
tugboat	114
pusher	67
passenger ship	27
self-propelled barge	95
self-propelled oil tanker	16
other vessels under its own power	19
barge	151
tank barge	39
push barge	202
tank barge	48
dredger	72
elevator	23
other technical vessels	42
ferryboat	51
yacht	4
total:	970

Source: Data obtained from harbour master offices keeping registers of inland navigation ships

Total propulsion power of vessels: 151,700 kW

Total load-bearing capacity: 573,423 t

49) What is the technical state of the Serbian inland waterway fleet?

Inland navigation vessel fleet flying Serbian flag is obsolete, whereas its technical condition is below European standards; devices and equipment are outdated and incompatible with new technologies. The average age of inland navigation vessel is approximately 40 years and the fleet itself is not renewed and no new ships flying the national flag are constructed

Passanger rights

50) Is there national legislation on the rights of passengers travelling by sea or by inland waterway?

The rights of passengers travelling by sea or by inland waterways are regulated by the Law on Maritime and Inland Navigation (Chapter VI, Obligations- Contracts for navigational services, Transport of passengers and luggage, Article 643 – 679.).

a) What are the rules on minimum requirements for information to be provided to passengers before and during the journey?

There are no particular provisions on minimum requirements with respect to information to be provided to passengers before and during the journey.

b) What are the rules on availability of tickets and reservations?

Law on Maritime and Inland Navigation prescribes that a ship operator shall issue a transport ticket to a passenger upon his request. The ticket may be issued to a named person or to a bearer. It shall be deemed that the content of a ticket corresponds to the concluded contract until proven otherwise. The complaint against the content of the ticket issued to a bearer may be made only during the issuance thereof. There are no specific provisions concerning the reservations.

c) What are the rules on delays and cancellation of services?

In case a ship has not started its journey on Serbian inland waterways – the Law on Maritime and Inland Navigation prescribes that a passenger may withdraw from the contract one hour upon the time determined by the contract or timetable and out of those borders/limitations, twelve hours after the time determined by the contract or timetable. In this case the passenger is entitled to recovery of passage money (fare). If the delay of departure by ship occurred on purpose or due to gross negligence of the ship operator and/or persons who work for the ship operator, the ship operator shall compensate for damage. The passage money is not refundable if the passenger does not come aboard or if he cancels a journey during travel. The ship operator shall refund the passage money to a passenger with a named ticket if he cancels a journey on inland waters of the Republic of Serbia six hours before departure and three days before departure outside the specified inland waters. In the event of cancellation of journey in this case, the ship operator is entitled to retain up to 10% of the amount of passage money. If the ticket is issued to a bearer, the ship operator shall, unless otherwise resulting under the ticket, refund the passage money (fare) to a passenger provided that he had cancelled the journey one hour before departure. In the event of cancellation of journey in this case, the ship

operator is entitled to retain up to 10% of the amount of passage money. If the journey is stopped during travel due to reasons the passenger is not responsible for and the stopover lasts for more than 12 hours on inland waters of the Republic of Serbia and three days on journey outside the specified inland waters, the passenger is entitled to request from the ship operator to transport him and his luggage to the destination or to request from the ship operator to transport him and his luggage to the port of departure and/or to the harbour and refund him the passage money within reasonable time or to cancel the contract and ask for the refund of passage money by the ship operator.

If the stopover occurred on purpose or due to gross negligence of the ship operator and/or persons who work for the ship operator, the ship operator shall compensate for damage.

A passenger demanding the refund of passage money or compensation for damage shall, in case of navigation on the inland waters of the Republic of Serbia, request in writing from the ship operator, but not later than three days, the refund of passage money and/or compensation for damage, while in case of navigation outside the specified inland waters not later than seven days. Written request for returning to the port of departure and/or continuing the journey the passenger shall submit to the ship operator within 24 hours after expiry of specified periods of time. The passenger who fails to comply with the prescribed procedure, shall lose the right to request compensation for damage, refund of freight and/or continuing the journey or returning to the port of departure and/or harbour.

d) What are the rules on transport conditions (including accessibility, assistance and information to be provided) for persons with reduced mobility?

There are no specific regulations concerning special transport conditions for persons with reduced mobility.

e) What are the rules on the handling of complaints and the national body responsible for the protection of passenger rights?

Rules governing the navigation do not contain provisions concerning the handling of complaints and the national body responsible for the protection of passengers' rights.

f) What are the rules and penalties foreseen in case passenger rights are not respected?

Rules governing navigation do not contain provisions concerning the procedures in case passenger rights are not respected and penalties applied thereto.

D. Combined transport

51) What are the existing promotion measures/instruments available for national/international combined transport, such as:

a) granting of subsidies for combined transport terminals;

At present, there are no subsidies for combined transport terminals.

b) granting of operational subsidies;

At present, there are no subsidies for carriers in combined transport.

Partial implementation of this incentive is feasible based on the Law on Railways ('Official Gazette of RS', number 18/05, dated 24 February 2005) (Articles 70-77), which prescribes the public service obligation in combined transport on certain routes to the rail carrier.

c) exemption from general restrictions imposed on road transport (driving ban, maximum authorised weights and dimensions etc.) when performing combined transport operations;

As per the Rulebook on the Division of Motor Vehicles and Trailers and Technical Requirements for Road Transport Vehicles, movement of road vehicles conducting combined transport, weighing up to 44 tons, when transporting 40-foot ISO containers (or two 20-foot containers or interchangeable transport tanks), is permitted.

d) specific fiscal treatment.

There is no special tax treatment in the field of combined transport.

Other incentives for the promotion of combined transport are defined by multilateral and bilateral agreements and strategic plans of the Republic of Serbia, such as:

1. Law on Ratification of the Agreement between the Government of Serbia and the Government of Hungary on International Combined Transport of Goods and Customer Services ('Official Gazette of RS – International agreements', No. 1/10, dated 17 May 2010).
2. Law on Ratification of the Agreement between the Council of Ministers of Serbia and Montenegro and the Government of Croatia on International Combined Transport of Goods ('Official Journal of Serbia and Montenegro – International agreements', No. 4/06, dated 11 May 2006).
3. Law on Ratification of the Agreement between the Federal Government of the Federal Republic of Yugoslavia and the Government of Bulgaria on International Combined Transport of Goods ('Official Journal of FRY – International agreements', No. 3/03, dated 30 January 2003).
4. Law on Ratification of the European Agreement on Important International Combined Transport and Related Installations (AGTC) ('Official Journal of Serbia and Montenegro – International agreements', No. 7/05, dated 29 June 2005).
5. Law on Ratification of the Protocol on Combined transport on Inland Waterways to the European Agreement on Important International Combined Transport Lines and Related Installations (AGTC) of 1991 ('Official Gazette of RS', No. 38/09, dated 25 May 2009), and
6. Development Strategy for Transport by Rail, Road, Water, Air and Combined Transport in the Republic of Serbia from 2008 to 2015 ('Official Gazette of RS', No. 04/08, dated 13 January 2008).

Air transport

52) Does competition law apply to air transport? If yes, are competition rules applied to air transport different from those applied to other sectors? How and by whom are these rules enforced?

The Law on Protection of Competition (Official Gazette of RS, No 51/09 of 14 July 2009) applies to all sectors of economy, thus also to air transport. The Law defines the actions of distortion of competition, processing rules and the competences of the Commission for the Protection of Competition.

The Law does not envisage special rules for the sector of air transport.

The supervision of the application of protection of competition rules is within the competences of the Commission for the Protection of Competition, as an independent organisation exercising public competencies entrusted to it.

The answers to the questions concerning the protection of competition are given within Chapter 8 of the Questionnaire of European Commission.

53) Are there public service obligations or similar schemes introduced in the air transport sector?

Article 90 of the Air Transport Law (Official Gazette of RS, No 73/10 of 12 October 2010) introduces the public service obligation and lists the basic requirements for declaring public service obligation on a certain route. In paragraph 5 of this Article it is envisaged that the Government shall set out detailed conditions for operating air services on a route with public service obligation, upon the proposal of the minister in charge of transport.

In Republic of Serbia currently there are no routes with public service obligation

54) What is the legal basis for the establishment of the national air carrier?

Legal basis is the Law on Companies (Official Gazette of RS, No. 125/04 of 22 November 2004) governing the establishment of companies and enterprises, company management, rights and responsibilities of founders, partners, members and shareholders, joining and restructuring (changes of status and changes in legal form of companies, restructuring), closure of enterprise and winding up of companies.

In addition to the requirements prescribed by the Law on Companies, it is necessary to meet the requirements prescribed by the Air Transport Law and the Regulation on conditions and procedures for issuance of an air operator certificate (Official Gazette of RS, No 33/08, 39/09 and 14/10 of 17 March 2010).

55) Are there plans to privatise the national air carrier? If yes, please provide relevant details. Is there state aid granted in any form to the national air carrier? How and by whom are competition rules applied?

The Ministry of Economy and Regional Development initiated the procedure of privatisation of Public Enterprise for Air Transport JAT Airways Belgrade on July 28, 2008.

After an unsuccessful tender (Public Call for sale on tender published on July 31, 2008), the RS Government passed the Conclusion on 16 April 2010 with the decision to establish a new company (NewCo) for commercial air transport operations.

On 16/9/2010 the Ministry of Infrastructure as the competent authority initiated public procurement procedure for the services of consulting in management – for the selection of advisor who shall render expertise in the implementation of the strategy laying down the basics for the establishment of a new company (NewCo) for commercial air transport operations and for selecting the strategic partner.

After signing the contract with the selected advisor, the advisor is expected to prepare all the relevant documentation according to the Terms of Reference, particularly Action Plan and the strategy for the selection of strategic partner. During the implementation of this model, one of preliminary steps is initial identification of assets that have not lost their value in which the investor would be interested.

State aid has never been given to the national air carrier.

No department, thus including the sector of transport, is exempted from the general regime of the protection of competition described within Chapter 8.

Access to market and profession

56) How can air carriers obtain authorisation to operate specific routes, whether they are domestic or international? Do certain air carriers hold exclusive rights on specific air routes? How is the ECAA Agreement taken into account in relation to the authorisation of air services? Who is responsible for the authorisation of air services?

Pursuant to the provisions of Article 89 of the Air Transport Law, domestic air carriers freely select routes when operating domestic scheduled air services, whereas scheduled international air services may be operated in accordance with conditions laid down in a ratified international agreement.

Pursuant to the provisions of Article 91 of the Air Transport Law, foreign air carriers may operate international commercial air transport with the Republic of Serbia if holding a permit granted by the Civil Aviation Directorate of Republic of Serbia (hereinafter referred to as: the Directorate), except when such permit is not envisaged as necessary in a ratified international agreement.

Domestic regulations do not envisage restrictions with regard to exclusive rights to operate air services on specific air routes. Such restrictions may be envisaged only by bilateral air services agreements (single or double designation/city pair).

Having regard to the transitional application of the ECAA Agreement, and the fact that the National Assembly of Republic of Serbia ratified the ECAA Agreement on 13/05/2009, and that all the ratification instruments were deposited on 24/11/2009, when issuing the permit for operating air services to EU air carriers, the following provision of Protocol VI, Annex V of ECAA Agreement is taken into account:

„ During the first transitional period: Community air carriers and air carriers licensed by the Republic of Serbia shall be permitted to exercise unlimited traffic rights between any point in the Republic of Serbia and any point in an EC Member State.“

The Directorate is responsible for issuance of permits for operating air services.

57) What are the rules on setting air fares and rates? How and by whom are these enforced?

Article 92 paragraph 1 of the Law on Air Transport stipulates that an air carrier freely sets air fares and rates for the carriage of passengers, baggage, mail and cargo in commercial air transport, unless such a freedom is limited by a ratified international agreement.

Paragraph 2 of the same Article stipulates that an air carrier is obliged to publish a total amount of air fares and air rates for scheduled air services, including the fare for the carriage of passengers, baggage, mail and cargo, augmented by fees and taxes charged alongside with the transport fare.

Whereas the application of the Regulation No 2409/92 (replaced by the Regulation No 1008/2008) was mandatory for the first transitional period in the application of the ECAA Agreement, the Directorate adopted the Regulation on Pricing of intra-Community Air Services (Official Gazette of RS, No. 1/10 of 12 January 2010) (Official Gazette of RS No. 1/10) transposing the Chapter IV titled "Provisions on Pricing" of the Regulation of European Parliament and Council (EC) No 1008/2008 of 24 September 2008 on common rules for the operation of air services in the Community.

With the countries which are not members of the ECAA Agreement, this issue is governed by bilateral agreements.

Pursuant to the Air Transport Law, enforcement of these regulations is in the jurisdiction of the Directorate in so far as auditing of air carriers is concerned, or in the jurisdiction of the ministry in charge of transport, as far as inspection is concerned. At the moment, transitional period is running after the new law has entered into force, according to which the Directorate still conducts the inspection on the basis of the act of the minister in charge of transport, until the ministry takes over the inspection in accordance with the Air Transport Law.

58) What are the conditions for the certification of airports? What are the conditions for the licensing of air carriers (AOC and operating licence)? Which bodies are competent for certification and licensing in these areas?

Airports

Article 102 of the Air Transport Law stipulates that an airport may be used in air transport if the airport operator has the certificate for its use, if the airport is registered in the Aerodromes Register of the Republic of Serbia and if at the moment of use airport meets all the requirements for safe air transport. Article 105 paragraph 1 of the Air Transport Law stipulates that an airport certificate is issued if the airport meets safety and other requirements concerning purpose, reference code, category, capacity, infrastructure and other conditions prescribed by the Directorate.

Requirements for certification of an airport are set out in detail by the Regulation on issuance of licence for use of an aerodrome (Official Gazette of Republic of Serbia, No 71/09 of 31 August 2009), aligned with Annex 14 ICAO and the Manual on Certification of Aerodromes ICAO Doc 9774.

In the procedure of issuing the licence for the use of an airport (aerodrome certificate), the compliance of the facility, equipment and airport services with prescribed requirements, standards and recommended practice is established.

Article 19 of the Regulation on issuance of the license for the use of aerodrome prescribes that the Directorate shall issue appropriate licence, if it is established from the report on compliance with the requirements for the issuance of licence, attached evidence and entire documentation that:

1) the applicant and his staff have the necessary professional qualification and experience to correctly operate and maintain the airport, special purpose airport, airfield or terrain:

2) on the airport, special purpose airport, airfield or terrain where air traffic control has not been established, the provider of air traffic control services has approved navigation procedures and other procedures for safe take off, approach and landing of aircraft;

3) the facilities and equipment and airport services and facilities and equipment on special purpose airport, airfield or terrain are in accordance with prescribed requirements, standards and recommended practice.

For the issuance of an aerodrome certificate or special purpose aerodrome certificate it is required that their operational procedures ensure safe and timely application of adopted technologies thus enabling safe and secure conduct of air transport; for the issuance of an airport certificate, it is necessary for the Directorate to approve airport manual to the airport, whereas for the issuance of a special purpose airport certificate, it is necessary that there is acceptable safety management system on such special purpose airport.

Air carriers

The Air Transport Law in the Article 78 lays down the provision that commercial air transport shall be operated only by an undertaking or a legal person holding an operating licence (air carrier).

An operating licence is issued to an undertaking or a legal person having the principal place of business in the Republic of Serbia, registered to operate commercial air transport and being in sole or majority ownership of Republic of Serbia or its nationals and under their effective control, unless otherwise provided by a ratified international agreement, as well as on condition that: 1)) for a period of 24 months from commencing commercial air transport operations, it can meet its actual and potential obligations established under realistic assumptions; 2) for a period of three months from the date of commencement of commercial air transport operations, it has provided funds sufficient for coverage of fixed and operational costs incurred by operations according to its business plan; 3) it has at its disposal, on the basis of ownership, lease or other legal grounds, at least one aircraft which can operate commercial air transport and which is entered on the Aircraft Register of the Republic of Serbia; 4) it holds the Air Operator Certificate; 5) it is insured to cover liability for the damage caused to passengers, baggage, mail, cargo and third parties.

An undertaking or a legal person intending to operate scheduled air services shall have registered and invested minimum basic capital in funds in the amount of 400,000 EUR - equivalent in RSD, or 200,000 EUR equivalent in RSD if it intends to operate charter air services.

Exceptionally, an undertaking or a legal person intending to operate non-scheduled air services exclusively by means of using aircraft with the maximum take-off mass of less than ten tones, or aircrafts with less than 20 passenger seats and whose turnover does not exceed 3,000,000 EUR (equivalent in RSD) shall not be bound to demonstrate that it is able to meet its actual and potential obligations under realistic assumptions for a period of 24 months from the start of operations (paragraph 2 point 1 of this Article), nor shall it be

bound to demonstrate that it has enough funding to cover fixed and operational costs (paragraph 2 point 2 of this Article), but shall demonstrate that it has at its disposal net capital of at least 100,000 EUR (equivalent in RSD).

For the operation of commercial air transport, an air operator certificate (AOC) is to be granted to an undertaking, a legal person or a state administration body which holds equipment, staff and organization to ensure the safety of commercial air transport it intends to operate (Article 84 of the Air Transport Law).

The following requirements for issuance of an air operator certificate are specified in the Regulation on Conditions and Procedure for the Issuance of an Air Operator Certificate: essential technical requirements for the issuance of an air operator certificate are listed in the Annex 1 to this Regulation, thus transposing the consolidated version of the Council Regulation (EEC) No 3922/91, and by means of the Annex 2 to the Regulation - JAR-OPS 3, Amendment 5 is implemented.

The Directorate is competent for the issuance of airport certificate, operating licence, as well as air operator certificate.

59) What are the insurance requirements in the air transport sector?

The Law on Mandatory Insurance in Transport (Official Gazette of RS, No 51/09 of 14 July 2009) lays down, inter alia:

1. mandatory insurance for the owner of the aircraft to cover the liability for the damage caused to third parties and passengers, and
2. responsibility of the owners of the means of transport used for the public transport of passengers (aircrafts intended for commercial air transport inter alia (scheduled, charter, air-taxi) and tourist aircrafts intended for shorter flights and panoramic flights and "rent-a-plane" aircrafts") to conclude the contract on insurance of passengers in commercial air transport in case of an accident.

Concluding the contract referred to in point 2 does not exclude the obligation of concluding the contract referred to in point 1.

Licence to be used in transport operations or another act of competent authority which specifies the capacity of certain means of transport to be used in transport operations may be issued upon presenting the proof to such authority on concluded contract of insurance referred to in point 2 of this Article.

The owner of the means of transport shall display on visible spot in the means of transport and on the ticket the information on the concluded contract of insurance referred to in point 2 of this Article, and particularly the name of insurance company and the rights of passengers granted by such contract.

The minimum insurance cover in case of an accident which may be the subject of contracted insurance of passengers in commercial air transport, per passenger, is established by the Government on the proposal of the National Bank of Serbia.

Insurance cover referred to in paragraph 1 of this Article may not be less than:

- 1) in case of passenger's death 8,000 EURO;
- 2) in case of permanent loss of working abilities (disability) of a passenger 16,000 EUR;
- 3) in case of temporary loss of working abilities and actual and necessary expenses for medical care of a passenger 4,000 EUR;

Concerning the mandatory insurance payable by the owner of the aircraft in respect of the liability for the damage caused to third parties and passengers, third party is any person except the passengers and crew members of the aircraft who are on duty during a flight. Passenger is

any person who is being transported by the aircraft, with the consent of the owner of such aircraft, except the crew members of the aircraft who are on duty during such flight.

The contract of insurance covers also the damage caused to the cargo and baggage, but does not have to cover the damage caused to the cargo and baggage if the aircraft is not used for commercial purposes. The contract of insurance covers also the damage caused due to the risk of war and terrorism (exceptions are the aircrafts whose MTOM is up to 500 kg, where the contract of insurance need not cover the damage related to the risk of war and terrorism).

The owner of a foreign aircraft entering the airspace of the Republic of Serbia must be insured to cover liability for the damage referred to in point 1, if not having other collaterals to cover the damage or if it is not otherwise specified by an international contract (exception is the owner of an aircraft registered neither in Republic of Serbia nor in EU Member State, or whose aircraft is registered outside the territory of the European Union and whose flights do not include landing or taking off in the territory of the European Union, but only operating in the airspace of the Republic of Serbia, which does not have to be insured to cover the damage to passengers, cargo and baggage.)

Registration of an aircraft and renewal of registration may be completed once the proof of concluded contract of insurance referred to in point 1 is presented to the authority responsible for the registration.

The owner of an aircraft that is not subject to mandatory annual registration shall conclude the contract on insurance when obtaining the appropriate operating certificate.

The amount of the lowest insurance which may be the subject of contracted insurance concerning the mandatory insurance payable by the owner of the aircraft against the responsibility for the damage caused to third parties and passengers, per loss event is established by the Government on the proposal of National Bank of Serbia.

The lowest insurance amount referred to in paragraph 1 of this Article may not be lower than:

1) for the damage caused to third parties:

(1) for engine gliders with MTOM exceeding 20 kg 10,000 SDR

(2) for free flying balloons with the crew 20,000 SDR

(3) for aircrafts with MTOM of:

-less than 500 kg, 750,000 SDR

-less than 1,000 kg, 1,500,000 SDR

-less than 2,700 kg, 3,000,000 SDR

-less than 6,000 kg, 7,000,000 SDR

-less than 12,000 kg, 18,000,000 SDR

-less than 25,000 kg, 80,000,000 SDR

-less than 50,000 kg, 150,000,000 SDR

-less than 200,000 kg, 300,000,000 SDR

-less than 500,000 kg, 500,000,000 SDR

-500,000 kg. and more 700,000,000 SDR

2) for individual passenger 250,000 SDR

3) for personal belongings of passengers in the cabin of the aircraft 1,000 SDR

4) for cargo and registered luggage, per kg 17 SDR

Exceptionally from the above mentioned, the lowest insurance amount, per loss event, determined by insurance contract referred to in Article 61 paragraph 1 of this Law concerning aircrafts with MTOM of 2,700 kg or less, that are Not used for commercial purposes, for individual passenger is 100,000 SDR.

60) What are the rules for ground-handling, slot allocation, and Computer Reservation Systems? How and by whom are these enforced?

Article 127 of the Air Transport Law stipulates that on the airport used for commercial air transport with more than 2,000,000 passenger movements or 50,000 tons of freight in annual traffic, ground handling services must be provided. Ground handling services are:

- 1) embarkation and disembarkation of passengers;
- 2) loading and unloading of baggage;
- 3) freight and mail handling;
- 4) aircraft ramp handling;;
- 5) handling of aircrafts;
- 6) supplying aircrafts with fuel and lubricants;
- 7) aircraft pre-flight inspection (line maintenance);
- 8) ground transport of passengers and crew from and to the aircraft;
- 9) catering services;
- 10) flight preparation and services for the crew;
- 11) aerodrome management and surveillance.

The Article 128 of the Air Transport Law lays down that ground handling services may be carried out by the airport operator, an undertaking, other legal person or entrepreneur who has an authorization for the provision of ground handling services.

Authorizations for the provision of ground handling services are issued by the Directorate, for a limited period.

Air carrier independently decides with whom it shall conclude a contract for ground handling services provision.

The Air Transport Law in the Article 130 generally lays down the right to self-handling in the sense that air carriers may for their own needs carry out one or more ground handling services, and that self-handling is subject to issuance of an authorization. Authorizations for self-handling are issued by the Directorate, for a limited period.

Ground handling is specified in detail by the Regulation on access to the groundhandling market at airports (Official Gazette of RS, No 14/10 of 17 March 2010) passed by the Directorate, which completely implements the Directive of the Council 96/67/EC of 15 October 1996 on access to the ground handling market at Community airports.

The rules concerning the allocation of slots still do not apply (considering the fact that there are no problems regarding the capacity of the airports and the volume of the traffic), therefore the Regulation of the Council (EEC) No 95/93 has not yet been implemented in the Republic of Serbia.

There are no regulations concerning CRS. The Directorate is responsible for passing these regulations pursuant to Article 265 of the Air Transport Law.

61) Which bilateral agreements with non-ECAA countries are in force? What type of regime is established under these agreements?

Republic of Serbia (as a successor of the State Union of Serbia and Montenegro and its predecessors) has valid bilateral agreements with the following non-ECAA countries:

Agreement between Federative People's Republic of Yugoslavia and the Kingdom of Afghanistan on Civil Aviation (*Official Gazette of SFRY –International agreements, No 12/60*);

Agreement on Air Transport between the Government of Socialist Federal Republic of Yugoslavia and the Government of People's Republic of Angola, signed in Belgrade on 23 July 1976, ratified on 13 January 1977;

Agreement between Socialist Federal Republic of Yugoslavia and Democratic Republic of Algeria on Air Transport (*Official Gazette of SFRY –International agreements, No 11/65*);

Agreement on Air Transport between the Government of Socialist Federal Republic of Yugoslavia and the Government of Australia (*Official Gazette of SFRY –International agreements, No 11/77*);

Agreement between the Government of Socialist Federal Republic of Yugoslavia and People's Republic of Bangladesh on Air Transport (*Official Gazette of SFRY –International agreements, No 52/75*);

Agreement on Air Transport between the Federal Government of Federal Republic of Yugoslavia and the Government of Belarus (*Official Gazette of FRY –International agreements, No 5/98*);

Agreement on Civil Aviation between the Government of Socialist Federal Republic of Yugoslavia and the Government of Socialist Republic of Vietnam *Official Gazette of SFRY, volume No 10/80*);

Agreement between Federal People's Republic of Yugoslavia and the Republic of Guinea on regular air transport (*Official Gazette of FPRY, volume No 8/62*);

Agreement between Federal People's Republic of Yugoslavia and the Republic of Egypt on regular air transport (*Official Gazette of FPRY-International agreements, volume No 4 for 1957*);

Agreement on Air Transport between the Federal Government of Federal Republic of Yugoslavia and the Government of Republic of Zimbabwe (*Official Gazette of FRY – International agreements, No 2/98*);

Agreement on Air Transport between the Federal Government of Federal Republic of Yugoslavia and the Government of the State of Israel (*Official Gazette of FRY –International agreements, No 3/02*);

Agreement on Air Transport between the Federal Government of Federal Republic of Yugoslavia and the Government of Republic of India (*Official Gazette of SMN –International agreements, No 10/04*);

Agreement on Air Transport between Socialist Federal Republic of Yugoslavia and the Republic of Iraq (*Official Gazette of SFRY, No 9/77*);

Agreement on Air Transport between the Government of Socialist Federal Republic of Yugoslavia and the Government of Hashemite Kingdom of Jordan (*Official Gazette of SFRY –International agreements, No 1/7*);

Agreement on Civil Aviation between the Governments of Socialist Federal Republic of Yugoslavia and of the People's Republic of China (*Official Gazette of SFRY, No. 51/73*);

Agreement on Air Transport between the Government of Socialist Federal Republic of Yugoslavia and the Government of Democratic People's Republic of Korea (*Official Gazette of SFRY, No 7/77*);

Agreement on Air Transport between Socialist Federal Republic of Yugoslavia and the Republic of Cuba (*Official Gazette of SFRY, No 1/87*);

Agreement on Air Transport between Socialist Federal Republic of Yugoslavia and the State of Kuwait (*Official Gazette of SFRY –International agreements, No 7/79*);

Agreement on Air Transport concluded between Federative People's Republic of Yugoslavia and Lebanese Republic, No 409 of 28 October 1954, signed at Beirut on 17 April 1954;

Agreement on Air Transport between Socialist Federal Republic of Yugoslavia and Great Socialist People's Libyan Arab Jamahiriya on regulation of air transport between their territories (*Official Gazette of SFRY –International agreements, No 8/82*);

Agreement between the Federal Executive Council of Socialist Federal Republic of Yugoslavia and the Government of Malaysia, on air transport between their territories respectively, signed at Kuala Lumpur on 20 November 1986, ratified on 17 December 1987;

Agreement between Socialist Federal Republic of Yugoslavia and the Kingdom of Morocco on Air Transport (*Official Gazette of SFRY –International agreements, No 6/66*);

Agreement on Air Transport between the Government of Socialist Federal Republic of Yugoslavia and the Government of Islamic Republic of Pakistan (*Official Gazette of SFRY – International agreements, No 10/78*);

Agreement on Air Transport between the Government of the United States of America and the Government of Socialist Federal Republic of Yugoslavia (*Official Gazette of SFRY – Addendum No 1/78*);

Agreement between the Government of Federative People's Republic of Yugoslavia and the Union of Soviet Socialist Republics on Air Transport, ratified 13 No 92 156/90 16/10/199 – not published;

Agreement between the Government of Socialist Federal Republic of Yugoslavia and the Government of Republic of Singapore on Air Transport (*Official Gazette of SFRY, No 58/73*);

Agreement on Air Transport between Socialist Federal Republic of Yugoslavia and Syrian Arab Republic (*Official Gazette of SFRY –International agreements, No 7/67*);

Agreement between Socialist Federal Republic of Yugoslavia and Republic of Sudan on Air Transport (*Official Gazette of SFRY –International agreements, No 6/65*);

Agreement between Socialist Federal Republic of Yugoslavia and Republic of Tunis on Air Transport (*Official Gazette of SFRY –International agreements, No 12/67*);

Agreement on Air Transport between Yugoslavia and Turkey (*Official Gazette of FPRY – International agreements, No 3/54 and 6/56*);

Agreement on Air Transport between the Federal Government of Federal Republic of Yugoslavia and the Government of Republic of Ukraine (*Official Gazette of FRY – International agreements, No 2/97*);

Agreement between the governments of Socialist Federal Republic of Yugoslavia and the Central African Republic on Air Transport (*Official Gazette of SFRY, No 40/73*);

Agreement on Air Transport between the Federal Government of Federal Republic of Yugoslavia and the Swiss Federal Council (*Official Gazette of FRY –International agreements, No 2/03*);

Agreement on Air Transport between the Government of Socialist Federal Republic of Yugoslavia and the Government of Sri Lanka, signed in Colombo on 17 December 1971.

Agreement on Air Transport between the Federal Executive Council of Socialist Federal Republic of Yugoslavia and the Government of Kingdom of Thailand (*Regulation of FEC EP, No 412/88*);

Agreement on Air Transport between the Government of Socialist Federal Republic of Yugoslavia and the Government of Republic of Korea (*Regulation of FEC ET No 198/91 of 17 May 1991*);

The majority of valid bilateral agreements is quite old and of so called Bermuda type of agreement (Bermuda type of agreement belongs to the traditional way of regulation of relations, whereas the agreements currently being negotiated belong to the new type of agreements (liberalised type and so called Open Sky: with the UAE, Australia and the USA).

Technical and social standards

How and by whom are airport charges set? Are they set in a transparent and non-discriminatory manner? Are they cost related? Are there any consultation mechanisms? Is airport management separate from airport ownership? How are aviation safety requirements implemented and applied in the field of design, production, operation, maintenance of aircraft, parts and appliances and persons and organisations involved in the design, production, maintenance and operation of such products, parts and appliances, as well as certification of aerodromes and air navigation service providers, Please describe the aviation safety requirements in Serbia in the following areas:

- 1) product certification;**
- 2) issuance of airworthiness certificates;**
- 3) continued airworthiness of aircraft;**
- 4) maintenance of aircraft, parts and appliances;**
- 5) personnel, licensing of pilots and crew;**
- 6) flight time limitations and training requirements of pilots and cabin crew as well as qualifications for training organisations;**
- 7) certification of aerodromes and air navigation service providers.**

Article 134 of the Air Transport Law prescribes the charges entitled to the operator of an aerodrome intended for commercial air transport and general purpose aerodrome.

Fees are charged with the airline ticket, but the air carrier shall display them separately. Air carrier shall refund the airport and safety charges to the aerodrome operator.

Charging the services by the aerodrome operator is non-discriminatory and alike for all air carriers.

The aerodrome operator shall consult the air carriers with respect to any change concerning the charges. This was particularly the case in 2009 and 2010 when there was a reduction in price of passengers service, security charges, fees for transfer passengers, ground handling and landing charges. The operator of an aerodrome intended for commercial air transport shall establish a Committee of air carriers using aerodrome services. The Committee shall represent the interests of the users of aerodrome services.

The amount of charges for every service shall be defined by the aerodrome operator with the prior consent of the aerodrome owner (Article 134 of the Air Transport Law).

The owner of Aerodrome “Nikola Tesla” Ltd. in Belgrade is the Republic of Serbia which appoints the Assembly of the company; the Assembly appoints the Management Board upon proposal of the owner while the Management Board appoints the management of the company.

Requirements with respect to aviation safety in the Republic of Serbia are implemented by passing the Air Transport Law and by-laws. The safety requirements contained in the European regulations and directives which are contained in the Annex I to the ECAA Agreement are applied through by-laws enacted by the Directorate.

1) Certification of aeronautical products is regulated by the Air Transport Law and the following instruments:

-Regulation on Common Rules in the Field of Civil Aviation and the Competences of the European Aviation Safety Agency (Official Gazette of RS No 68/10 of 21 September 2010) (this Regulation lays down common rules in the field of civil aviation pertaining to: essential requirements for the design, production, maintenance and use of aeronautical products and personnel and organisations involved in the design, production and maintenance of aircraft and aeronautical products and personnel and organisations involved in aircraft operations. This Regulation transposes the Regulation of the European Parliament and the Council (EC) No 216/2008 of 20 February 2008 on common rules in the field of civil aviation and establishing the European Aviation Safety Agency, which repealed the Council Directive 91/670/EEC, Regulation (EC) No 1592/2002 and Directive 2004/36/EC);

-Regulation on Certification of Aircraft Airworthiness and Certification of Production and Design Organisations (Official Gazette of RS No. 14/10 of 17 March 2010). (This Regulation lays down the technical requirements and administrative procedures for certification of aircraft and other aviation products, parts and appliances in the field of airworthiness and environmental protection; issuing type certificates and restricted type certificates and changes thereof; issuing the certificates of airworthiness, restricted certificates of airworthiness, flight permits and authorised release certificates; issuing the repair design approvals; showing of compliance with environmental protection requirements; issuing of noise certificates, identification of products, parts and appliances; certification of parts and appliances; certification of design and production organisations and issuing of airworthiness directives. This Regulation transposes the Commission Regulation (EC) No 1702/2003 of 24 September 2003 laying down the rules for exercising the certification of aircraft and related products, parts and appliances in the field of airworthiness and environmental protection, as well as for certification of organisations for production and design);

-Regulation on Implementation of Technical Conditions with respect to Airworthiness of Aircraft, Engine, Propeller and Aircraft Parts and Appliances (Official Gazette of RS No 93/09 of 10 November 2009)- the Airworthiness Code and Standards (CS standard) are directly applied by this Regulation.

2) Issuance of continuing airworthiness certificate is regulated by Article 158 of the Air Transport Law and the following by-laws:

-Regulation on Common Rules in the field of Civil Aviation and the Competences of the European Aviation Safety Agency;

-Regulation on Certification and Aircraft Airworthiness and on the Approval of the Design and Production Organisations;

3) Continuing airworthiness of aircraft is regulated by Articles 157-167 of the on Air Transport Law and the following by-laws:

- Regulation on Common Rules in the field of Civil Aviation and the Competences of the European Aviation Safety Agency ;

-Regulation on the Continuing Airworthiness of Aircraft and Aeronautical Products, Parts and Appliances and on the Approval of Organisations and Personnel involved in these Tasks (Official Gazette of RS, No 14/10 and 68/10 of 21 September 2010) (this Regulation lays down: technical requirements and manner of continuing airworthiness of aircraft and components and conditions to be met by the organisations and personnel performing tasks related to the continuing airworthiness; requirements for approval of organisations for aircraft maintenance and approval of organisations for training the personnel performing the tasks of aircraft maintenance; requirements for issuing licences for aircraft maintenance and conditions in terms of licence validity and the use thereof. This Regulation transposes the Commission Regulation (EC) No 2042/2003 of 20 November 2003 on the continuing

airworthiness of aircraft and aeronautical products, parts and appliances and on the approval of organizations and personnel involved in these tasks);

- Regulation on conditions and procedures for development of the Master Minimum Equipment List and the Minimum Equipment List and on the procedures for their approval (Official Gazette of the Republic of Serbia, No 16/09, 20/09-corrigendum and 14/10 of 17 March 2010) (this Regulation implements the *JAR MMEL/MEL* and *ACJ-MMEL/MEL*).

4) Maintenance of aircraft, parts and appliances is regulated by Articles 149 and 150 of the Air Transport Law and the following by-laws:

- Regulation on Common Rules in the field of Civil Aviation and the Competences of the European Aviation Safety Agency;

- Regulation on the Continuing Airworthiness of Aircraft and Aeronautical Products, Parts and Appliances and on the Approval of Organisations and Personnel involved in these Tasks;

5) Personnel licensing of pilots and crew is regulated by Articles 170 to 199 of the Air Transport Law as well as by significant number of by-laws:

- Regulation on Common Rules in the field of Civil Aviation and the Competences of the European Aviation Safety Agency;

- Regulation on Aeroplane Pilot Licences and Flight Training Organisations (Official Gazette of RS, No 30/08 of 25 March 2008) (this Regulation lays down: type of licenses obtained by aeroplane pilots, ratings that can be endorsed in licenses thereof, as well as authorisations acquired by the holders of licenses thereof; conditions and procedure for obtaining, issuance, revalidation and renewal of licenses, ratings and authorizations; aeroplane pilots training programs; programs for determining and verification of their professional skills; conditions to be met by training organisations for aeroplane pilots. JAR-FCL 1, Amendment 7 is applied by this Regulation;

- Regulation on Licences and Training Centres for Helicopter Pilots (Official Gazette of RS No 101/08 of 4 November 2008) (this Regulation lays down type of licences obtained by helicopter pilots, ratings that can be endorsed thereof, as well as authorisations acquired by the holders of licenses; conditions and procedure for obtaining, issuance, revalidation and renewal of licenses, ratings and authorizations; helicopter pilots training programs; programs of determining and verification of their professional skills; conditions to be met by training organisations for helicopter pilots. JAR-FCL 2, Amendment 6 is applied by this Regulation);

- Regulation on Establishing Medical Fitness of Flight Crew in Civil Aviation (Official Gazette of RS, No 101/08 of 4 November 2008) (this Regulation lays down: requirements that must be fulfilled by the flight crew for obtaining the medical certificate, revalidating and renewal thereof; conditions and manner of conducting medical examinations for flight personnel; conditions to be met by aeromedical centres and authorised medical examiners for obtaining authorizations for issuance of medical certificate to flight crew, as well as the way of keeping the medical records and documentation. JAR-FCL 3, Amendment 5 is applied by this Regulation);

- Regulation on Flight Engineer Licenses and Training Centres (Official Gazette of RS, No 39/09 of 26 May 2009) (this Regulation lays down the requirements and procedures for issuing, revalidation and renewal of licence, rating and authorisation for flight engineers, flight engineer training programs, manner of determining and verification of their professional skills, as well as conditions that training centres for flight engineers must fulfil. JAR-FCL 4, Amendment 3 is applied by this Regulation);

- Regulation on licenses for pilots of paragliders and training centers (Official Gazette of RS, No 71/09 of 31 August 2009) (this Regulation lays down requirements that a legal

person or an entrepreneur must fulfil to obtain the approval of a training centre for pilots of paragliders and paraglider instructor rating, training for obtaining paraglider pilot licence, passing the tests for obtaining a paraglider pilot licence and paraglider instructor rating, procedure for obtaining a paraglider pilot licence and paraglider instructor rating and tasks which can be exercised by a paraglider pilot and a paraglider instructor);

-Regulation on Ultralight Aircraft (Official Gazette of RS, No 68/10 of 21 September 2010) (this Regulation lays down: maintenance of ultralight aircraft and registering thereof in the Register of aircraft or Records of aircraft; intended use of ultralight aircraft and conditions of their use; requirements for obtaining a qualification of a training centre for ultralight aircraft pilot; training, passing the tests and procedure for obtaining a license of ultralight aircraft pilot, additional ratings and instructor ratings; privileges of a licence holder of ultralight aircraft pilot and instructor thereof, as well as layout and contents of an ultralight aircraft pilot licence.

-Regulation on Parachuting (Official Gazette of RS, No 77/07 of 17 August 2007) (this Regulation lays down: conditions for the use, maintenance and repair of parachutes, parachute components and equipment, content and manner of keeping the parachute documentation, conditions and manner of organising parachute descents, conditions for obtaining the parachutist licences, exercising the privileges and obligations of a licence, conditions for obtaining a parachuting instructor ratings, privileges and duties thereof, conditions for obtaining licences of a parachute packer, privileges and duties based on the license and the conditions and manner of performing tandem parachute jumps;

-Regulation on Flight Crew Licencing (Official Gazette of RS, No 30/05 of 5 April 2005) (this Regulation lays down the conditions and procedure for obtaining, issuing and revalidating licence for glider pilots, free balloon pilots, flight navigator and cabin crew);

-Regulation on Flight Dispatchers (Official Gazette of RS No 30/05 of 5 April 2005) (this Regulation lays down: conditions and procedure of obtaining, issuing, revalidating and renewal of flight dispatcher license; conditions and procedure of obtaining a flight dispatcher instructor rating; tasks to be exercised on the basis of a flight dispatcher licence and on the basis of a flight dispatcher instructor rating);

- Regulation on Air Traffic Controllers Licensing and Training Centres (Official Gazette of RS, No 16/09,20/09-corrigendum and 93/09 of 10 November 2009) (this Regulation lays down the conditions and procedure for granting student air traffic controller licences and air traffic controller licences, granting and revalidating ratings, rating endorsements and licence endorsements entered in the licences, privileges to be exercised on the basis of such ratings, rating endorsements and licence endorsements, conditions and a method of training for granting licences, ratings and rating endorsements, and licence endorsements, conditions and a method of recognizing the ATCOs licences granted abroad and the training delivered abroad, as well as requirements to be met by air traffic controllers' training providers; This regulation is aligned with the *ICAO Annex I* to the Chicago Convention, *Directive 2006/23/EC and ESARR 5*);

- Regulation on Medical Fitness of the ATC Personnel (Official Gazette of RS, No. 16/09 and 20/09-corrigendum of 19 March 2009) (this Regulation lays down the requirements to be met by air traffic controllers and student air traffic controllers to be granted, renewed and revalidated medical certificates, requirements and the manner of conducting medical examinations, as well as requirements to be met by aeromedical centres and authorized medical examiners for granting an aviation medicine certificate and for granting medical certificates. This regulation is aligned with the *EUROCONTROL Document "Requirements for European Class 3 Medical Certification of Air Traffic Controllers*;

-Regulation on ICAO Language Proficiency Expert Level 6 Endorsement into Pilot's or ATCO's Licence (Official Gazette of RS, No 14/10 of 17 March 2010) (this Regulation

lays down the manner of endorsement of English language proficiency level 6 into pilot's or air traffic controller's license, pursuant to requirements of ICAO document 9835 AN/453, point 5.3, chapter 5 "Demonstration of proficiency at the expert level" and pursuant to ICAO Circular 318-AN/180, point 4.2, chapter 1 "Assessment of language proficiency at expert level 6".

- Regulation on the Continuing Airworthiness of Aircraft and Aeronautical Products, Parts and Appliances and on the Approval of Organisations and Personnel involved in these Tasks;

6) In addition to the basic provisions contained in Chapter Eight of the Air Transport Law, requirements relating to flight time limitations and training requirements of pilots and cabin crew, as well as qualifications for training organisations are contained in the following regulations:

- Regulation on Common Rules in the field of Civil Aviation and the Competences of the European Aviation Safety Agency;

- Regulation on the organisation of the working time of the crew members (Official Gazette of RS, No 101/08, 16/09, 93/09, 14/10 of 17 March 2010) (this Regulation prescribes the organisation of working time of the crew members in commercial air transport, on job health and safety measures in respect of crew members, as well as special requirements in terms of working time of the crew members in transport for the purpose of providing medical emergency assistance, aerial works and in terms of education and training of crew personnel and panoramic flights). This regulation is aligned with the *Council Directive 2000/79/EC*, as well as with the Section Q of Annex III of the Council Regulation (EEC) No. 3922/91 of 16 December 1991 on the harmonization of technical requirements and administrative procedures in the field of civil aviation);

- Regulation on Pilot Licences and Flight Training Organisations (Aeroplanes);

- Regulation on Licences and Training Centres for Helicopter Pilots;

- Regulation on Flight Engineer Licences and Training Centres;

- Regulation on Licences and Training Centres for Paraglide Pilots;

- Regulation on Ultralight Aircraft;

- Regulation on the Continuing Airworthiness of Aircraft and Aeronautical Products, Parts and Appliances and on the Approval of Organisations and Personnel involved in these Tasks;

- Regulation on Training Centres for Parachutists (Official Gazette of the Republic of Serbia No 77/07 of 17 August 2007) (this Regulation prescribes conditions to be met by training centres for parachutists, as well as basic conditions for conducting the training of parachutists);

- Regulation on the Conditions to be met by the Flight Crew Personnel Training Centre (Official Gazette of the Republic of Serbia No 37/05 of 26 April 2005) (it is applied to training centres for glider pilots, free balloon pilots, flight navigator and cabin crew);

- Regulation on the Conditions to be met by the Flight Dispatcher Training Centre (Official Gazette of the Republic of Serbia No 37/05 of 26 April 2005) (this Regulation prescribes conditions to be met by the training centre for flight dispatchers);

- Regulation on Air Traffic Controller Licences and Training Centres;

7) Basic requirements pertaining to certification of aerodromes are contained in Chapter Six of the Law on Air Transport (as a reference to a part of the answer given to question No 58), as well as in the Regulation on Issuance of the Licence for the Use of Aerodrome, which is aligned with Annex 14 ICAO and Manual on Certification of Aerodromes ICAO Doc 9774.

In addition to the basic provisions contained in Article 64 to 73 of the Air Transport Law, requirements in respect of safety pertaining to air navigation service providers are contained in the following regulation:

-Regulation on Certification and Safety Oversight in ANS (Official Gazette of RS No. 16/09 and 20/09-corrigendum of 19 March 2009) (This Regulation prescribes the conditions to be fulfilled for issuance of certificates for rendering services in air navigation, procedure of certification and continuous oversight of compliance with safety regulatory requirements. Commission Regulation (EC) No 2096/2005 is fully implemented by this Regulation, while the Commission Regulation No 1315/2007 is implemented partially).

62) Which body is responsible for exercising regulatory control for aeronautical products, persons, organisations, aerodromes and air navigation service providers?

On the basis of the Air Transport Law, the following bodies are authorised to pass the regulations: the Government, the ministry in charge of transport and the Directorate.

The Government is responsible for passing the regulations concerning:

1. Air navigation service providers (airspace management, upon the proposal of the minister in charge of transport (Article 30 of the Law), the concept of flexible use of airspace (Article 31 of the Law), airspace classification and the conditions under which each airspace class may be used, upon the proposal of the minister in charge of transport (Article 37 of the Law), temporarily reserved and temporarily segregated portions of airspace, cross-border areas, conditional routes, prohibited areas, restricted areas, danger areas, military operations areas (Article 42 of the Law), conditions which air navigation service provider shall fulfil when planning, designing, procuring and utilizing communication, navigation and surveillance systems, equipment, devices and facilities, upon the proposal of the minister in charge of transport (Article 54 of the Law), the modality of participation in search and rescue, upon the proposal of the minister in charge of transport (Article 62 of the Law).

The ministry is responsible for passing the regulations concerning:

1. Personnel (working hours of crew members in scheduled air services and other commercial air transport operations, duration of flight time, time for which a crew member is to be released of all functions and on-duty activities, rest periods for crew members in scheduled air services and other commercial air transport operations, and paid leaves of flight personnel for the purpose of maintaining their psychological and physical fitness (Article 199 of the Law), working hours of air traffic controller control personnel on operational posts and the right of air traffic controller to paid leave for maintaining psychological and physical fitness (Article 199 of the Law);

2. Aerodromes (conditions on which an airport may be used for international commercial air transport, with the consent of the minister in charge of transport (Article 107 of the Law);

3. Air navigation service providers (procedure for rendering the air traffic control services (Article 46 of the Law), procedure for the provision of flight information services, with the consent of the ministry in charge of defence (Article 49 of the Law), the use of the phraseology while providing flight information services , with the consent of the ministry in charge of defence (Article 50 of the Law), the procedure for the provision of alerting services (Article 51 of the Law), aeronautical meteorological services and the manner of preparing and obtaining meteorological information, manner of dispatching meteorological information and the provision of meteorological information to the users of such services (Article 55 of the Law), manner of providing information on meteorological services required (Article 58 of the Law), modality of aeronautical information service provision, including the requirements

related to the quality management system (Article 59 of the Law), contents and the form of the elements of the Integrated Aeronautical Information Package, type of information entered into Integrated Aeronautical Information Package, sources of information, manner of collecting, submitting and publishing of information, (Article 60 of the Law), search and rescue service provision (Article 61 of the Law), type of information recorded or kept in some other way, manner of keeping information and the period for which records and information shall be kept (Article 71 of the Law).

The Directorate is responsible for passing the regulations concerning:

1. Aeronautical products (classification of aircrafts per category, type and purpose (Article 136 of the Law), categories of aircraft to be entered on aircraft records (Article 138 of the Law), common and registration marks and the manner prescribed for using such marks as well as nationality marks (Article 145 of the Law), contents and the method of keeping the aircraft records (Article 146 of the Law), documents and books that have to be on board while aircraft is in flight (Article 147 of the Law), conditions of designing and producing aircraft products, parts, appliances (Article 152 of the Law), technical regulations on airworthiness (Article 153 of the Law), requirements that aircraft must meet in order to obtain continuing airworthiness (Article 157 of the Law), conditions and manner of the operation of a test flight (Article 166 of the Law), conditions under which certificate of airworthiness and airworthiness review certificate shall be issued, varied, suspended or revoked, restrictions entered on the certificate of airworthiness, the method of conducting initial and periodical aircraft inspections, charges payable for the periodical inspections, contents of the aircraft maintenance programme, the manner in which a maintenance programme is applied, a method of identifying the minimum equipment list and configuration deviation list, and conditions under which a ferry flight permit is issued (Article 167 of the Law), airworthiness of other aeronautical products (Article 168 of the Law)

2. Personnel (requirements for obtaining a licence which aviation personnel whose tasks directly affect air transport safety must fulfil (Article 172 of the Law), procedure for qualification assessment of aviation personnel (Article 173 of the Law), detailed classification of personnel whose tasks indirectly affect air transport safety and conditions for issuance, variation, suspension or revocation of the certificate of competence and the form of the certificate of competence (Article 175 of the Law), requirements for issuance of a licence and entering ratings therein, period of validity of the licence and authorization entered therein, conditions under which the licence and authorization shall be varied, suspended or revoked; the conditions under which ratings entered in a licence shall be suspended or revoked and forms of licence and authorisation (Article 177 of the Law), contents and the manner of keeping the Aviation Personnel Register and Aviation Personnel Records (Article 178 of the Law), conditions under which the certificate of competence for aviation personnel training may be issued, varied, suspended and revoked, period of validity of the certificate and the form of such certificate (Article 179 of the Law), conditions under which medical fitness is examined, the procedure of medical examination, time period for medical examination to be undertaken as well as the classes and forms of medical certificates (Article 188 of the Law), conditions for issuance, alteration, suspension or revocation of an authorization for examination of medical fitness, period of validity and the form of such authorization (Article 191 of the Law);

3. Organisations (contents and the manner of records keeping of aeronautical-technical organizations (Article 149 of the Law), conditions for the issuance of an approval for aeronautical-technical activities and conditions for alteration, suspension and revocation of

the approval for aeronautical-technical activities and the form of such approval (Article 150 of the Law);

4. Aerodromes (conditions on which airfields and terrains are used in air transport (Article 102 of the Law), safety conditions, conditions concerning purpose, reference code, category, capacity and infrastructure and other conditions an airport must fulfil in order to obtain an aerodrome certificate (Article 105 of the Law); contents and the manner of keeping of the Aerodromes Register (Article 106 of the Law), conditions under which an airport is operated (Article 108 of the Law), categorization of aerodromes and conditions under which an aerodrome certificate may be granted, varied, suspended or revoked (Article 109 of the Law); special conditions to enable safe air transport, that investor shall fulfil when preparing planning and technical documentation for the construction of an airport (Article 110 of the Law); conditions for positioning facilities, installations and devices outside an aerodrome perimeter, which, due to the emission or reflection of radio waves, may affect the safety of air transport (Article 115 of the Law; maintenance, inspection and marking of airport facilities (Article 118 of the Law); duties of an aerodrome operator to provide rescue and fire-fighting services and medical emergency service (airport services), or medical and fire-fighting protection (Article 126 of the Law); conditions specifying individual services within ground handling, and determine the types of ground-handling services that have to be provided on a general purpose aerodrome (Article 127 of the Law); organizational, financial, technical, technological, and personnel conditions that have to be fulfilled for granting an authorization for providing ground handling services and the conditions for variation, suspension or revocation of authorization, period of validity of the authorization to be issued, and the form of the authorization (Article 129 of the Law); services of self-handling subject to the issuance of an authorization and the conditions for variation, suspension or revocation of authorization for self-handling, period of validity of the authorization to be issued, and the form of the authorization (Article 130 of the Law), determining services where the number of providers may be limited, conditions under which certain services may be exempted from self-handling, conditions under which the number of providers may be limited, norms and procedures used for the selection of providers of services (Article 132 of the Law), conditions under which the number of air carriers authorized to provide self-handling services may be limited (Article 132 of the Law), manner of establishing the committee of air carriers using airport services and the manner of its operations (Article 133 of the Law);

5. Air navigation service providers (the manner of submission of flight plan and of issuance of approvals prior to submission of flight plan (Article 24 of the Law), manner of preparation and the form of navigation procedure (Article 41 of the Law), the standard phraseology in English language used when providing air traffic control services and the phraseology in Serbian language used when providing air traffic control services to a national aircraft operating in accordance with the rules for operational air traffic (Article 48 of the Law), type and form of observed data, manner and period prescribed for their keeping, manner of their overtaking for processing and putting climatology tables at the disposal to users of services (Article 57 of the Law), conditions for issuance, variation, suspension or revocation of the certificate for air navigation service provision and the form of the certificate (Article 66).

Pursuant to Article 265 of the Air Transport Law, the Directorate, apart from other regulations for which it is authorised, is particularly authorised to pass the regulations in the field of aviation contained in the Annex I to the ECAA Agreement.

On the basis of Article 235 paragraph 3 of the Air Transport Law, the regulation of the Directorate exceptionally may refer to international acts and regulations, international

standards and recommended practices which are in such a case directly applicable. In that case the regulation of the Directorate must contain the information on the form in which international acts and regulations, international standards and recommended practice referred to are available (Internet or other appropriate way).

63) Which body is responsible for their oversight and for enforcing aviation safety requirements?

The audit is in the competence of the Directorate, while the Ministry responsible for transport is competent for the inspection, (Article 243, paragraph 1 of the Air Transport Law). At the moment, transitional period is running in which the Directorate, on the basis of the act of the Minister responsible for transport affairs, de facto carries out inspection, until the Ministry takes over the inspection, in accordance with the Law.

64) What is the legislation in force on accident investigation and mandatory accident and incident reporting?

Investigation of accidents and serious incidents is regulated by Articles 204-217 of the Air Transport Law and the Regulation on Investigation of Aircraft Accidents and Serious Incidents (Official Gazette of RS, No. 71/09 and 1/10 of 12 January 2010).

Occurrence reporting is regulated by Article 17 of the Air Transport Law and the following:

- Regulation on Safety Related Occurrence Reporting in the Civil Aviation and Investigating Safety Endangering (Official Gazette of RS, No. 16/09, 20/09-corrigendum and 14/10 of 17 March 2010);

- Regulation on Adoption of Particular Legal Acts of the European Community on Occurrence Reporting in Civil Aviation (Official Gazette of RS, No. 14/10 of 17 March 2010) (this Regulation transposes Directive 2003/42/EC of the European Parliament and of the Council of 13 June 2003 on occurrence reporting in civil aviation; Commission Regulation (EC) No 1330/2007 of 24 September 2007 laying down implementing rules for the dissemination to interested parties of information on civil aviation occurrences referred to in Article 7(2) of Directive 2003/42/EC of the European Parliament and of the Council; Commission Regulation (EC) No 1321/2007 of 12 November 2007 laying down implementing rules for the integration into a central repository of information on civil aviation occurrences exchanged in accordance with Directive 2003/42/EC of the European Parliament and of the Council).

a) Are the data available on air misses (almost collisions), which have occurred during the last ten years?

Accident Investigation and Risks Analysis Department within the Directorate is in the possession of statistical data for the years 2007, 2008 and 2009.

b) Is there a specialised administration that coordinates investigation procedures, monitors reports and data?

Yes there is; the Accident Investigation and Risks Analysis Department within the Civil Aviation Directorate performs these tasks

c) What rules are in force to ensure the confidentiality of information processed during occurrence reporting, incident and accident investigation by persons involved in the design, production, maintenance, operation and training in safety?

Pursuant to Article 17 (2) of the Air Transport Law, the Directorate shall, inter alia, ensure protection of personal data of a person submitting the occurrence report.

Article 8 (2) of the Regulation on Safety Related Occurrence Reporting in the Civil Aviation and Investigating Safety Endangering prescribes that a reporter who wants to protect his personal and any other data that could reveal his identity, may submit an occurrence report directly to the Directorate annotated as "confidential", that a competent person in the Directorate entrusted with the processing of occurrence report will personally cooperate with the reporter for the purpose of conducting procedures and data processing, that the Directorate shall not reveal the identity of the reporter unless he was involved in the occurrence which falls under offence or penalty law.

In addition, Article 9 (2) of the same Regulation prescribes that any person who voluntarily report the occurrence shall be subject to protection of the personal details or other data which might reveal the identity of the reporter.

Article 15 (2) of the said Regulation prescribes that data disidentification and removal of personal or other data which could reveal the identity of those involved in the occurrence or the identity of third parties shall be applied in the Final Report on Occurrence .

Article 18 (1-2) of this Regulation prescribes that the Directorate shall establish and maintain the database for recording and storing of all occurrence information contained in occurrence reports in accordance with Annex 1 thereof, as well as data on accidents and serious incidents. No personal details pertaining to the reporter or technical details which might reveal his identity or the identity of persons involved in the occurrence or the identity of third parties shall be entered in the database.

Article 19 of the Regulation on Safety Related Occurrence Reporting in the Civil Aviation and Investigating Safety Endangering prescribes that only persons in the Directorate entrusted with investigating occurrence notifications and reports shall have access to the database, as well as other persons directly entrusted by the Director General of the Directorate.

d) When is an independent accident investigation body expected to be established?

Accident Investigation and Risks Analysis Department is independent from other offices within the Civil Aviation Directorate. An independent body for accident investigation shall be established in the course of 2011 through the amendments to the Air Transport Law.

e) Is cooperation with other countries considered in this area?

The Directorate cooperates with other countries at all levels during the processing of occurrences, accidents and serious incidents and accidents in accordance with EU and ICAO regulations. The Accident Investigation and Risks Analysis Department enters the data on accidents, serious incidents and accidents and safety related occurrences into a single database ECCAIRS used by all EU states.

65) Are there measures to monitor and limit noise and emissions levels around airports (i.e. noise zoning, land-use rules) and to contain or reduce air pollution resulting from air transport activities? Is there a progressive phase-out programme for Chapter 2 aircraft?

The Air Transport Law lays down that aviation entities shall be obliged to take measures for protection of environment against the aircraft noise and other noise related external factors, that result from the operation or provision of services in civil aviation (Article 200 of the Law).

An aerodrome operator shall be obliged to ensure the implementation of environment protection measures when airport is in use, in accordance with the Air Transport Law and the regulations that govern the environment protection (Article 201 of the Law).

In accordance with ICAO Balanced Approach to Noise management around Airports, the operational procedures for noise reduction (STAR and SID) have been defined and published in the AIP.

Restrictions on using the land in the vicinity of the airports are defined in Detailed Town-planning Scheme of the Ministry of Environment and Spatial Planning.

Public Enterprise “Nikola Tesla” Belgrade developed the Plan and Programme for Environment Management in 2009.

These acts make a basis for the Strategy of Noise Management around airports.

According to the Law on Environmental Noise Protection (Official Gazette of RS No 36/09 and 88/10 of 23 November 2010), the Minister of Environment and Spatial Planning enacted the Rulebook on Methodology for Determining the Acoustic Zones (Official Gazette of RS, No 72/10 of 8 October 2010) laying down the detailed methodology for determining the acoustic zones.

For the time being, there is no permanent monitoring of noise around airports in accordance with ICAO Standards and Recommended Practice. Progressive programmes for reduction of noise and air pollution caused by aircraft are not applied.

66) Is the Flight Information Region of Serbia already recognised by ICAO?

FIR Belgrade is recognised and verified by ICAO (ICAO FIR List - Beograd FIR/UIR - LYBA) and entered into the ICAO DOC 7754, European Region Air Navigation Plan.

67) Please provide information on the name, legislative and regulatory status and ownership of the organisation responsible for provision of Air Navigation services (ANSPs)? What is the number of employees? Which entity is in charge of the designation and certification of the ANSPs. Are the designation and certification carried out following the applicable Single European Sky *acquis*? Is there a National Supervisory Authority in air traffic management effectively established? When and by which legal instrument?

Serbia and Montenegro Air Traffic Services Agency Ltd. (SMATSA) is a limited liability company and the common provider of air navigation services in Serbia and Montenegro, established by the virtue of the Agreement on the Establishment of Serbia and Montenegro Air Traffic Services Agency Ltd. which was concluded on 31 October 2003.

Serbia and Montenegro Air Traffic Services Agency, as a provider of air navigation services, is entirely separated from the Directorate, i.e. the regulatory body.

Serbia and Montenegro Air Traffic Services Agency operates in accordance with the provisions of the Law on Companies whereby it was founded. Its founders are the Government of the Republic of Serbia, on behalf of Serbia and the Government of Montenegro, on behalf of Montenegro. Individual contributions in kind consisting of property of the Company are the assets situated on the territory of the founding states in the following proportion: 92% the State of Serbia and 8% the State of Montenegro.

Serbia and Montenegro Air Traffic Services Agency Ltd. had 832 employees in 2009.

Pursuant to Article 64 of the Air Transport Law, the Government shall designate an air navigation service provider in the airspace or a part of the airspace, whilst the Directorate shall, based on Article 65 thereof, issue a Certificate for provision of air navigation service to a service provider fulfilling the prescribed requirements.

Pursuant to Article 261 of the Air Transport Law, it shall be deemed that the Government, by the Agreement on the Establishment of Serbia and Montenegro Air Traffic Services Agency Ltd. has designated the Agency to provide all air navigation services in the territory of the Republic of Serbia.

Serbia and Montenegro Air Traffic Services Agency is certified for the provision of air navigation services based on the Regulation on Certification and Safety Oversight in ANS. The said Regulation fully implement the Commission Regulation (EC) No 2096/2005, and partially the Commission Regulation No 1315/2007.

The certificate has been issued on 16 April 2010 for a validity period of 48 months and applies to all air navigation services.

Up to the adoption of the Air Transport Law, the Directorate was designated as a National Supervisory Authority based on the Decision on Designation of the National Supervisory Authority of the Republic of Serbia in the Area of ATM (Official Gazette of RS, No 30/08 of 25 March 2008). By adopting the Air Transport Law, the Directorate has been designated as the National Supervisory Authority in air navigation of the Republic of Serbia, based on Article 234 (3) of the Law.

68) What are the rules regarding safety oversight, standards setting, investment planning, provision of services, service planning and revenue collection? How does the level of fees for over-flight compare with the level of fees charged for flights to or from domestic airports?

In addition to general provisions on audit and inspection, contained in Articles 243-257 of the Air Transport Law, safety oversight over the providers of services in air transport is further governed by the Regulation on Certification and Safety Oversight of Service Providers in ANS.

This Regulation, inter alia, lays down: the conditions to be fulfilled for the issuance of the Certificates for provision of air navigation services, certification procedure and continuous oversight of compliance with safety regulatory requirements.

The conditions for the issuance of the Certificate to an applicant pertain to the General requirements in Addendum 1 to the Regulation (comprising technical and operational competence and capacity, organisational structure, management and planning; safety and quality management; security; human resources; financial capacity, liability and insurance, quality of service; requirements for reporting), and Special requirements contained in

Addenda 2 to 5 to the Regulation, (depending on the types of air navigation services). Requirements in Addenda 1 to 5 of this Regulation are identical to common European requirements in Commission Regulation (EC) 2096/2005 of 20 December 2005, laying down, inter alia, requirements for the provision of air navigation services in accordance with certain ICAO Standards.

Aviation safety is covered in Articles 14 to 19 of the Air Transport Law; the Government passes National Civil Aviation Safety Programme, laying down the general principles, rules and activities for achieving and improving the acceptable level of safety in civil aviation, in accordance with Standards and Recommended Practice of the International Civil Aviation Organisation (Standards and Recommended Practices – SARPs, ICAO) (Article 15 of the Law). In the same part of the Law, it is stipulated that the Directorate shall perform the audit of the safety management system of the aviation entities (Article 16 of the Law) as well as of the introduced planned changes in functional system, which may influence safety of activities or of provision of services in civil aviation (Article 244 of the Law). Annual financial plans (including also investment related and other elements from which financial obligations stem, planned revenue and expenses) of the Directorate (in accordance with Article 237 point 2 of the Air Transport Law and Article 45 of the Law on Public Agencies (Official Gazette of RS, No. 18/05 and 81/05 of 23 September 2005) and the Serbian and Montenegrin Air Traffic Services Agency (in accordance with Article 10 paragraph 2 of the Agreement on the Establishment) have to be adopted by the Management Board of the respective institution and approved by the Government of the Republic of Serbia. Annual plans stem from five-years' strategic plan. A part of financial plan of both institutions, concerning expenses incurred by provision of air navigation services on a route, has to be approved at multilateral negotiations at a meeting of the EUROCONTROL Enlarged Committee for Route Charges.

The amount of the route charges unit for the Republic of Serbia for the use of air navigation services in the air space of the Republic of Serbia – Flight Information Region Belgrade (FIR Belgrade), is established in accordance with the Law on Ratification of the **Multilateral Agreement on Route Charges (Official Gazette of SM – International Agreements, No. 4/05 of 20 May 2005)** and the **Decision on the implementation of the route charges system and conditions of payment (Official Gazette of RS, No 75/07 of 10 August 2007)**, and is approved by the Decision of EUROCONTROL Enlarged Committee and published in the Official Gazette of RS as a Decision of the Management Board of the Directorate.

The amount of route charges is equivalent for the domestic and foreign users of air space, and the person charged is the person who has been the aircraft user at the time of the operation. In accordance with the Requirements for implementation of the route charges system, there are also exemptions from payment of route charges.

Total belonging assets in the form of route charges, are distributed as follows:

- funds for financing of regulatory and oversight body – civil aviation authority
- funds for financing the operations of air navigation service provider including investments in maintenance, renewal and improvement of the system,
- funds for financing programme of search and rescue, and
- funds belonging to EUROCONTROL charged for the provided services.

Serbia and Montenegro Air Traffic Services Agency Ltd, pursuant to the Decision on the amount of charges for provision of ATM terminal services (Official Gazette of RS, No. 91/06, 45/07 of 17 May 2007) charges terminal ATM services provided to all (both domestic and

foreign) aircraft taking off or landing at airports Belgrade (LYBE), Kraljevo (LYKV), Nis (LYNI), Vrsac (LYVR) and Batajnica (LYBT) in the Republic of Serbia.

Total belonging assets on the basis of terminal charges, are distributed as follows:

- funds for financing of regulatory and oversight body – civil aviation authority
- funds for financing the operation of air navigation service provider, including investments in maintenance, renewal and improvement of the system.

69) What are the rules for licensing of air traffic controllers? Has Serbia adopted and implemented the Air Traffic Controller License Directive 2006/23/EC? Has Serbia implemented the flexible use of airspace concept, and which entity is responsible for it? Has Serbia undertaken steps to participate in any initiative conducive to establish a functional airspace block?

Pursuant to Article 172 of the Air Transport Law, aviation personnel whose activities directly affect air transport safety, also including the air traffic controllers, shall be properly licensed with corresponding ratings of the license holder. The Directorate shall issue a licence to a person who is professionally qualified and who meets the requirements relating to age and other prescribed requirements.

Detailed requirements for issuing licences to air traffic controllers are prescribed by the following regulations:

- Regulation on ATC Personnel Licences and Training Centres-aligned with the ICAO Annex I to the Chicago Convention, Directive 2006/23/EC and ESARR 5;
- Regulation on Language Proficiency Expert Level 6 Endorsement into Pilot's or ATCO's licence;
- Regulation on Medical Fitness of the ATC personnel, which is aligned with the EUROCONTROL Document "Requirements for European Class 3 Medical Certification of Air Traffic Controllers.

Directive 2006/23/EC has been applied, as mentioned above, through the Regulation on ATC Personnel Licensing and Training Centres.

Air Transport Law prescribes that the Government shall in detail lay down the concept of the flexible use of airspace (Article 31 of the Law); define the national policy of airspace management (Article 32 of the Law); designate the air navigation service provider which will participate in airspace management at pre-tactical and tactical level (Article 32 of the Law).

For the purpose of airspace management at the strategic level, the Air Transport Law provides for the establishment of the National Aviation Committee (Article 33 of the Law). The pre-tactical airspace management operations shall be performed within the unit for civil-military coordination (Article 34(2) of the Law) established by the ministry in charge of defence affairs (Article 27 thereof), while the way of work of the unit for civil-military coordination prescribes the Minister in charge of defence affairs with the consent of the Minister in charge of transport affairs (Article 34 of the Law).

The tactical level of airspace management shall carry out an air navigation service provider based on the agreement with the ministry in charge of defence affairs (Article 35 of the Law) and in accordance with a regulation passed by the same Minister with the consent of the Minister in charge of transport affairs (Article 35 of the Law).

The concept of functional airspace management is applied to pre-tactical and tactical level, while the legal basis to strategic level is provided for by the new Law.

The Republic of Serbia has taken the initiative to establish a functional airspace block with Montenegro. Many operational elements that characterise the FAB already exist.

Aviation security

70) Which bodies are responsible for the coordination and monitoring of the implementation of aviation security measures? Please specify which responsibilities each body holds. Please explain how the body (bodies) responsible monitors the implementation and the enforcement of aviation security measures (e.g. national civil aviation security programme, national quality control programme).

In accordance with the Air Transport Law, the competent bodies in this field are the National Civil Aviation Security Committee, the Ministry responsible for air transport and the Directorate.

Article 222 of the Air Transport Law lays down that the Government shall establish the National Civil Aviation Security Committee in order to coordinate the activities of respective bodies and organisations enforcing civil aviation security measures and give recommendations of how to improve these.

The Directorate and the Ministry responsible for air transport are responsible for coordination and monitoring of the implementation of civil aviation security measures. The Ministry is competent for inspection, whereas audit is within the competence of the Directorate (Article 243 paragraph 1 of the Air Transport Law). At the moment, transitional period is running in which the Directorate, on the basis of the act of the Minister responsible for transport affairs, de facto carries out inspection, until the Ministry takes over the inspection in accordance with the Air Transport Law. In the Civil Aviation Security Programme of the Republic of Serbia (Government Conclusion RS strictly confidential 05 No.00-75/2004-2 of 4 June 2010) and the Civil Aviation Security Quality Control Programme No. 1/0-01-0002/2008-0010 of 13 October 2008, the competences of the Directorate for other quality control measures are defined (test and audit).

Pursuant to Article 247 of the Air Transport Law, the auditors prepare a written report on an audit containing state of facts and established, described and documented deficiencies that they submit to the Directorate and the entity that was the subject of their audit. Depending on the report's content, the Directorate may order the subject of the audit to propose corrective measures to rectify the deficiencies and timelines for undertaking such measures. The Directorate shall estimate corrective measures proposed by the subject of the audit and accept them if they are considered as adequate for rectification of the deficiencies, whereas the subject of the audit shall apply corrective measures accepted by the Directorate. Time limit for the entity - subject of the audit to undertake corrective measures is determined jointly by the Directorate and the subject of the audit. After the auditor's work is over, the final decision on the audit outcome is passed by the Director of the Directorate.

Article 252 of the Air Transport Law lays down the authorisation to aviation inspector, in case he/she observes the irregularities in the work of a subject of inspection, to pass a decision ordering such subject of inspection to eliminate the irregularities and to set the timeline before which the subject of inspection shall eliminate the irregularities concerned. The subject of inspection shall act upon the decision of aviation inspector. Responsible official in the entity - subject of inspection shall, within 48 hours of the expiry of the timeline set for elimination of irregularities, inform in writing the aviation inspector whether the irregularities concerned have been eliminated.

On the basis of Article 253 of the Air Transport Law, depending on the outcome of the inspection and the severity of direct safety and security endangering, aviation inspector is authorized to instantly pass a decision to a certain company, other legal person or entrepreneur by which he/she: 1) temporary prohibit the exercise of activities or provision of services; 2) temporary prohibit undertaking of actions that might present a risk for aviation safety and security, life and health of people, environment and property; 3) temporary restrict or temporary prohibit the use of aircraft, airports, facilities, premises, devices necessary for work, equipment, systems or appliances that don't meet the requirements prescribed for their use.

Aviation inspector is authorised to temporarily prohibit the work to aviation personnel, whose tasks directly influence the aviation security, on conditions specified in Article 184 of the Air Transport Law.

71) What is the current applicable legislation on civil aviation security? Please provide references to legislation, rules, and any other instruments that are applied.

- Air Transport Law;
- Regulation on common rules in the field of civil aviation security (Official Gazette of Republic of Serbia, No. 14/10 of 17 March 2010) (this Regulation transposes the Regulation of European Parliament and Council (EC) No 300/2008 of 11 March 2008 on common rules in the field of civil aviation security and repealing the Regulation (EC) No 2320/2002.);
- Regulation on amendments of common basic standards in the field of civil aviation security (Official Gazette of RS, No. 14/10 of 17 March 2010) (this Regulation transposes the Regulation of European Commission (EC) No 272/2009 of 2 April 2009 on amendments of common basic standards in the field of civil aviation security, from the Annex of the Regulation of European Parliament and Council (EC) No. 300/2008);
- Regulation on Establishment of a Definition of Critical Parts of Security Restricted Areas at Airports (Official Gazette of RS, No. 14/10 of 17 March 2010) (this Regulation transposes the Regulation of European Commission (EC) No 1138/2004 of 21 June 2004 introducing the common definition of critical parts of security restricted areas at airports);
- Regulation on Commission inspections in the field of civil aviation security (Official Gazette of the Republic of Serbia, No. 14/10 of 17 March 2010) (this Regulation transposes the Regulation of European Commission (EC) No 1486/2003 of 22 August 2003 on rules for inspection in the field of civil aviation security).
- Civil Aviation Security Programme of the Republic of Serbia;
- Civil Aviation Security Quality Control Programme;
- Civil Aviation Security Training Programme, No. 1/0-01-0002/2008-0009 of 13 October 2008;
- Regulation on Airport Security (Official Journal of SFRY, No. 73/87 and 2/93 of 15 January 1993).
- Regulations on areas, compartments, technical equipment and anti diversion check at the airports (Official Journal of the FRY, No. 13/00 of 24 March 2000);
- Regulation on the Ways of Handling and Returning of Cold and Fire Arms and Ammunitions Found During the Search of Persons and Things in Public Air Transport (Official Journal of the FRY, No. 13/00 of 24 March 2000).

a) Please specify if the mentioned legislation applies to all airports.

Yes, it applies to all airports for public air transport and general purpose airports.

b) To which type of airport does this legislation apply (e.g. civil/military airports, airports handling only certain types of traffic?)

The mentioned legislation applies to all airports open for public air transport.

c) Please provide the names, ICAO codes, and IATA codes of the airports to which the applicable legislation applies. If the applicable legislation does not apply to all airports, please specify which airports are not covered and why.

1. Airport Nikola Tesla, Belgrade ICAO code: LYBE, IATA code: BEG
2. Airport Konstantin Veliki Nis, ICAO code: LYNI, IATA code: INI

72) Is ECAC Doc No. 30 (PART II) in the field of aviation security fully applied and transposed into national legislation in Serbia? Please provide references to the applicable legislation and please specify the current level of application of ECAC Doc No. 30 (PART II) and indicate the timeframe for full application.

Yes. Recommendations of ECAC Document 30 are transposed into national legislation of the Republic of Serbia through the Civil Aviation Security Programme of the Republic of Serbia, Civil Aviation Security Quality Control Programme, and in Civil Aviation Security Training Programme and they are applied.

As regards these documents, see answer to question No. 51 a.

73) Please specify when and where ECAC last conducted an audit in Serbia and what it has covered.

Follow up Audit took place in November 2008. The Directorate and the civil aviation security measures implemented at the airport Nikola Tesla were the subject of the Audit.

74) Please explain how aviation security measures are financed.

Each entity implementing the security measures is responsible, within its competence, for financing the implementation of respective security measures.

Article 229 of the Air Transport Law stipulates that the expenses of fulfilling material and technical requirements for performing the security screening and the expenses of performing security screening are covered from security charge that departing passengers pay to the airport operator.

The amount of security charge is set by the airport operator, with prior consent of the Ministry responsible for transport affairs.

For the time being the security charge is payable only at the airport Nikola Tesla, Belgrade.

International organisations and conventions

75) Which international organisations in the field of aviation is your country member of (ICAO, ECAC, JAA, Eurocontrol)? On what date did your country adhere to these organisations? Can you indicate the date or intended date of joining the organisations your country is not member of?

The Republic of Serbia (as a successor of state union of Serbia and Montenegro and its predecessors) is a full member of all the mentioned international organisations.

Full membership with the International Civil Aviation Organisation was acquired on 13 January 2001.

We became the member state of European Civil Aviation Conference on 27 February 2002.

We became the member state of European Organisation for the Safety of Air Navigation (Eurocontrol) on 01 July 2005.

The Directorate was a full member of Joint Aviation Authorities (JAA) from 14 January 2006 till the closure of this organisation on 30 June 2009.

76) What is the timeline for the implementation of the ECAA Agreement? Is there an Action Plan developed and followed for this purpose? What actions have been taken to follow the recommendations in the ECAA Assessment Report of 2008?

The timeline for full implementation of ECAA Agreement has not been defined yet. Republic of Serbia is still in so-called First transitional period concerning the implementation of ECAA Agreement. The Directorate has, for the completion of the first transitional period, developed an Action Plan, concerning the requirements that are in its competence. While developing the Action Plan, we took into consideration the recommendations and findings stated in the Report of the ECAA Assessment Visit, paid by the European Commission experts in 2008. Successful realisation of the Action Plan resulted in passing the new Air Transport Law and a number of by-laws which transposed European civil aviation *acquis* into the legal framework of the Republic of Serbia.

77) When is the Convention for the Unification of Certain Rules for International Carriage by Air (Montreal, 28 May 1999) expected to be ratified?

Convention for the Unification of Certain Rules for International Carriage by Air (Montreal Convention) was ratified on 13 May 2009, and the Law on Ratification of the Convention for the Unification of Certain Rules for International Carriage by Air was published in Official Gazette of RS, No. 38/09 of 25 May 2009.

Social and consumer protection

78) What are the rules for safety and health protection in the air transport sector? What are the rules for the working time of mobile workers in air transport?

Basic regulation of the Republic of Serbia governing health protection at work is the Law on Safety and Health at Work (Official Gazette of RS, No. 101/05 of 21 November 2005).

Rules on working hours of mobile workers in civil aviation are defined by the Regulation on the organization of the working time of the Crew Members, aligned with the Council Directive 2000/79/EC, and with the Section Q in Annex III of the Council Regulation (EEC) No 3922/91 of 16 December 1991 on the harmonization of technical requirements and administrative procedures in the field of civil aviation, also containing appropriate provisions on health protection at work of crew members in civil aviation (Articles 31 and 32 of the Regulation).

79) Are there special consumer protection rules in the air transport sector, such as on package holidays? Are there rules establishing a right for compensation and assistance to passengers in the event of denied boarding, cancellation or long delays of flights? Are there any legislative or administrative rules protecting the rights of persons with disabilities and persons with reduced mobility when travelling by air? Are there specific national bodies in charge of the enforcement of the rights addressed in this question? As Serbia is a signatory to the Common Aviation Area, in how far has it already integrated Regulations 261/2004, 1107/06 and 2027/97 into national law?

There are no any special consumer protection regulations in the area of air transport, but general regime on uniformity of tourist travels in accordance with Articles 93-123 of the Law on Consumer Protection (Official Gazette of RS, No. 73/10 of 12 October 2010) is applied instead.

Passenger rights in the event of denied boarding, cancellation or long delay of flights are partially regulated by the Law on Obligations and Basics of Property Rights in Air Transport (Official Gazette of FRY, No. 12/98 and 15/98-corrigendum of 27 March 1998).

The Directorate passed the Regulation on Passengers' Rights in the Event of Denied Boarding, Cancellation and Long Delay of Flights (Official Gazette of RS, No 1/10 and 3/10 of 22 January 2010) transposing the Regulation (EC) No 261/2004 of the European Parliament and the Council establishing common rules of compensation and assistance to passengers in the event of denied boarding and or cancellation or long delay of flights, fulfilling thus the obligation of the Republic of Serbia resulting from the ratified international agreement (the ECAA Agreement).

The rules concerning the protection of rights of disabled persons and persons with reduced mobility when travelling by air have not yet been passed; therefore the Regulation No. 1107/06 has not yet been applied.

Specific national bodies for the enforcement of these rights have not yet been appointed.

Regulation No 2027/97 has been transposed into the national legislation by the Regulation on Air-carrier's Liability in Relation to Passengers and Baggage (Official Gazette of RS, No. 1/10 of 12 January 2010).

80) What are the rules on the liability of air carriers in the event of accidents?

The liability of air carriers in the event of accidents is regulated by the Montreal Convention, which was ratified by the Republic of Serbia through the Law on Ratification of the Convention for the Unification of Certain Rules for International Carriage by Air.

The liability of air carriers is also governed by the Law on Obligations and Basics of Property Rights in Air Transport.

The Directorate adopted the Regulation on air-carriers' liability in relation to passengers and baggage), taking over European Regulation 2027/97, fulfilling thus the obligation of Republic of Serbia stemming from the ratified international agreement (ECAA Agreement).

Administrative capacity

81) Please describe the bodies responsible for the administration of civil aviation in Serbia with their names, legislative and regulatory status and the relations between them? Please you indicate the number of persons employed each body? How is the training of the employees organised? How are these bodies financed?

Civil Aviation is in the jurisdiction of the Ministry of Infrastructure of the Republic of Serbia and the Directorate.

According to Article 232 of the Air Transport Law, the Ministry responsible for transport affairs deals with tasks of state administration concerning creation and administering the Government policy in the field of aviation inspection in civil aviation, supervision of the work of the Directorate when exercising the assigned public authorisations and other tasks entrusted to the Directorate by this Law and other laws.

According to Article 233 of the same Law, the Directorate was established as a public agency, founded by the Government on behalf of the Republic of Serbia, with public authorisation to carry out the tasks of state administration entrusted to it by this Law.

According to Article 234 of the Air Transport Law, the Directorate passes the regulation and first-instance acts when authorised to do so pursuant to this Law or other regulations, issues public documents when authorised for it pursuant to this Law, carries out the audit of aviation entities, participates in the work of international aviation organisations and institutions and their working bodies, cooperates with competent authorities of other countries and performs other tasks as set out in this Law or other regulations.

The Directorate is entrusted with the tasks of state administration for which it is authorised pursuant to this Law, which concern passing the regulations and first-instance administrative acts, issuance of public documents and record keeping.

An appeal against the administrative acts of first instance passed by the Directorate may be filed with the Minister in charge of transport affairs (Article 235 (4) of the Law).

In addition to the provisions of the Air Transport Law, mutual relation of the Ministry of Infrastructure and the Directorate, as a public agency, is also in general manner regulated by the Law on Public Agencies (Official Gazette of RS, No. 18/05 and 81/05 of 23 September 2005).

Article 44 of the Law on Public Agencies prescribes, inter alia, that the supervision of public agency activities (in this case-the Directorate) in terms of entrusted public administration affairs shall carry out the Ministry within the scope of which are the public agency affairs (the Ministry of Infrastructure). In accordance with Article 43 of the Law on Public Agencies, the Directorate shall provide an opinion by the Ministry of Infrastructure on constitutionality and legality of regulations prior to the publication thereof.

At the moment in the Air Transport Sector in the Ministry of Infrastructure there are four civil servants employed, which is in accordance with the Rulebook on internal organisational structure of jobs, passed on the basis of the Law on State Administration (Official Gazette of RS, No. 79/05 and 101/07 of 6 November 2007) of the Law on Civil Servants (Official Gazette of FRY, No. 79/2005, 81/2005, 83/2005, 64/2007, 67/2007, 116/2008 and 104/2009 of 16 December 2009).

With the objective to achieve functionality in enforcing the state policy in the field of civil aviation (security, safety, ATM, airports, legislation, training and oversight of aviation entities), the Ministry of Infrastructure established, by the Decision of the Minister,

commissions and working groups which are presided by the representatives of the Ministry of Infrastructure.

Professional qualification trainings and professional specialisation of employees of the Air Transport Sector of the Ministry of Infrastructure is effectuated through the programme of the Personnel Service and professional seminars, trainings and educational courses arranged within European projects.

The Directorate currently employs 131 person. Occupational trainings and education of the employees within the Directorate are organised based on the following acts:

- Rules on professional development and education of employees of the Civil Aviation Directorate of the Republic of Serbia, (No. 4/0-05-0038/2010-0001 of 24 December 2010)
- Employees Training Programme for the Civil Aviation Directorate of the Republic of Serbia (No. 4/0-05-0036/2009-0001 of 03 November 2009).

Ministry responsible for transport affairs is financed from the budget of the Republic of Serbia, whilst on the basis of Article 241 of the Air Transport Law, it is prescribed that the Civil Aviation Directorate of Republic of Serbia shall provide the funds for the tasks within its competence from: 1) charges prescribed by this Law payable to the Directorate; 2) part of charges payable in accordance with Multilateral Agreement **on** Route Charges or other ratified international agreements and the part of terminal charges, established on the basis of annual cost base for carrying out regulatory and oversight tasks; 3) charges for the improvement of air transport, payable by all departing passengers in commercial air transport through the aerodrome operator; 4) charges for the improvement of air transport, payable by aircraft operators, per departing tone of mail and cargo in air transport, through the airport operator; 5) other sources, in accordance with the Law.

G. Satellite navigation

82) Does your country intend to take part in the activities of the Galileo satellite navigation programme when operational?

Considering the complementary features of Galileo satellite navigation programme with so called GMDSS system, and that the Republic of Serbia is a contracting party to the SOLAS Convention (Chapter IV – GMDSS), the Republic of Serbia has the intention of taking part in Galileo satellite navigation programme and, by its technical rules for maritime vessel, envisage the obligation of technical equipage of maritime vessels which are to be entered into the Maritime vessels register, so as to enable the use of the services offered by said Galileo programme.

H. State aid

83) Are there any State aid individual measures or State aid scheme in force in the following transport sectors?

a) Air transport;

No.

b) Inland waterways;

No.

c) Maritime transport;

No.

d) Rail transport;

No.

e) Road transport:

No.

- Transport of freight,

- Transport of passengers (urban, suburban, regional, long distance)

f) Combined transport.¹

State aid concerning the intermodal (combined) transport is feasible based on the Law on State Subsidy Control ('Official Gazette of RS', number 51/09, dated 8 July 2009) and based on the Regulation on Rules for the Award of State Subsidy (Articles 91 and 92, respectively). 'Official Gazette of RS', number 13/10, dated 12.March 2010).

84) What is the existing legislation governing the granting of State aids? How and by whom is this legislation enforced?

The basis of the legal framework in the field of state aid control is the Law on State Aid Control, which was adopted in July 2009. while the beginning of its application was scheduled for January 1, 2010.

For the purpose of implementation of the Law, the Government adopted the Regulation on Rules for the Award of State Subsidy and the Regulation on the Manner and Procedure for Reporting the State Aid (*Official Gazette* No. 13/10 dated 12. March 2010). These two regulations came into force on 20 March 2010, whereby a legislative framework was established that allows the full implementation of the Law and establishing a system of state aid control that is consistent with EU rules in this field.

¹ As defined in Article 1 of the Council Directive 92/106/ECC of 7 December 1992, OJ N° L 368 of 17 December 1992.

Only upon adoption of the two mentioned regulations, the legal framework for state aid control has become operational, since the direct application of provisions of the Law would have created specific level of legal uncertainty and would have led to arbitrariness in work of the Commission for State Aid Control.

The Government took a decision on establishing the Commission for State Aid Control in December 2009 (*Official Gazette of RS* No.112/2009). The Commission commenced with its activities in March 2010 when the first constituent session was held. The Commission for State Aid Control accepted the legal opinion to assess the compliance of only those individual aids and scheme aids that were adopted after March 20, while other acts may figure in the Program of harmonization of the current state aids.

By the end of the year, the Ministry of Finance will adopt the Rulebook on methodology of drawing up the annual report on state aid in the Republic of Serbia laying down, inter alia, a time limit for submitting the data to the ministry, as well as a time limit for submitting the annual report.

Rules and criteria from the *acquis communautaire* in the field of state aid are transposed by the Law on state aid control and by-laws, by which obligations from the SAA and the Interim Agreement on Trade and Trade-Related Matters are met in this respect. By provision of Article 1(2) of the Rulebook on Rules for the Award of State Subsidy it is stipulated that grantor of state aid, and/or legislative proposal maker who represents the basis for granting the state aid, during the process of granting the state aid must also follow the rules contained in concluded international agreements pertaining to the state aid if those rules are not covered by this Rulebook.

85) Are there any public service obligations imposed on transport operators? In which transport sectors?

Republic of Serbia has a statutory duty of passenger and goods national transport by rail, in compliance with the Law on Rail Transport Contracts.

Chapter 14: Transport policy

I. BASIC TRENDS AND DATA OF THE TRANSPORT SECTOR

Basic data should be provided by completing the attached charts in Annex 1.

ANNEX 1.

BASIC TRENDS OF TRANSPORT DEMAND

A. Development of goods transport demand (tonne-km) 2002-2010*

Data for latest year available

(million tkm)	2002	2003	2004	2005	2006	2007	2008	2009	2010(est.)	National transport ₁₎	Inter- national traffic International ₁₎	Of which traffic With EU
Road	459	452	277	680	798	1161	1112	1185		418	767	...
Rail	2262	2591	3164	3482	4232	4551	4339	2967		399	2568	...
Pipeline	917	925	1039	1041	1112	1083	1104	927		142	785	...

*changes in time series should be indicated and explained if occurring.

₁₎ relates to 2009.

B. Development of passenger transport demand (passenger-km) 2002-2010*

(million pkm)	2002	2003	2004	2005	2006	2007	2008	2009	2010 (est.)
Private Car	-	-	-	-	-	-	-	-	
Bus	4086	3865	3676	4820	4515	4456	4719	4582	
Railways	953	809	821	713	684	687	583	521	
Air	1095	1275	1387	1218	1252	1395	1445	1123	

*changes in time series should be indicated and explained if occurring.

II. BASIC TRENDS AND MARKET STRUCTURE FOR EACH MODE OF TRANSPORT

A. 1. Road goods transport

	2003	2008	2009	2010 (est.)
Enterprises Number at 31/12	1450	14249	12489	
-private	1406	14237	12790	
- state-owned	44	12	59	
Employees Number at 31/12				
Total ¹ :	13574	10979	11081	
-private enterprises	...	...	...
-state-owned enterprises	...	...	...
-of which drivers	4546	4981	5421	
-private enterprises	...	...	...
-state-owned enterprises	...	...	...
Goods vehicle stock number at 31.12				
Total ² :	1831	1658	1807	

< 3,5t loading capacity	292	401	1202	
> 3.5t loading capacity	1539	1257	605	
Value created (by sector)				
Amount (national currency) ³	35223,8 mill. RSD 515,6 mill. EUR	87306,9 mill. RSD 985,4 mill. EUR		
% of GDP ³	3,2	3,8		
Energy consumption				
Tons (fuel)	11192	27925	31438	

¹ Number of enterprise employees relates to those statistically processed only.

² Relates to enterprises statistically processed only; division relates to vehicle loading capacity of up to 3.0 tons and over 3.0 tons, respectively.

³ Data provided are related to the overall inland transport.

A.2. Road passenger transport (interurban bus transport)

	2003	2008	2009	2010 (est.)
Number of enterprises at 31/12	382	679	690	
-private	365	673	666	
- state-owned	17	6	24	
Size of enterprise ¹ :				
-1 bus	-	3	2	
- 2-5 buses	-	16	20	
- 6-20 buses	-	41	44	
- > 20 buses	-	29	44	
Value created (by sector)				
Amount (national currency) ²	35223,8 mill. RSD 515,6 mill. EUR	87306,9 mill. RSD 985,4 mill. EUR		
% GDP ²	3,2	3,8		
Energy consumption				
Tons (fuel)	50018	57481	56889	

¹ Related to enterprises statistically processed only

² Data provided are related to the overall inland transport.

B. Rail transport (as applicable)

	2003	2008	2009	2010 (est.)
Number of enterprises at 31.12	3	10		
-private	2	9		
- state-owned	1	1	1	
Employees number at 31.12				
- transport services	27561	20131	19249	
- Supply industry				
Rolling stock Number at 31/12	13277	9263	10097	
Total:				
- Diesel locomotives	232	187	187	
- Electric locomotives	170	144	143	
- Steam locomotives	3	3	3	
- Electric railcars	82	77	77	
- Diesel railcars	45	40	40	

- Goods wagons	12077	8145	8980	
- Passenger railway vehicles ¹	795	784	784	
Rolling stock by age, number at 31.12				
< 2 years old	0	0	0	
3 – 5 years old	0	12	867	
6 – 15 years old	39	121	121	
15 - 30 years old	4353	3839	3841	
> 30 years old	8885	5291	5268	
Value created				
Amount (national currency) ²	35223,8 mill. RSD 515,6 mill. EUR	87306,9 mill. RSD 985,4 mill. EUR		
% of GDP ²	3,2	3,8		
Energy consumption				
Tons of fuel kwh	423 t of coal, D1,D2 12720 t 173333 Mwh	1060 t of coal, D1,D2 11307 t 201764 Mwh	618 t of coal, D1,D2 9587 t 162610 Mwh	

¹ Electric and diesel engine railcars included.

² Data provided are related to the overall inland transport.

C. Air transport

1. General data	2003	2008	2009	2010 (est.)
Carriers, number at 31.12				
Licensed air carriers **	2	7*	6*	6*
Energy consumption				
Tons (fuel)	68326	69232	61298	
Value created				
Amount	3263,6³ 47,8 mill. EUR	1031,4³ 11,6 mill. EUR		
% GDP	0,3	0,0		
Data by carrier				
Carrier (name) * _____		1) JAT Airways; 2) International CG-Aviogenex 3) Air Vega 4) Air Pink 5) Prince Aviation 6) Pelikan Airways 7) Government Avio-service	1) JAT Airways; 2) International CG-Aviogenex 3) Air Pink 4) Prince Aviation 5) Pelikan Airways 6) Government Avio-service	1) JAT Airways; 2) International CG-Aviogenex 3) Air Pink 4) Prince Aviation 5) Pelikan Airways 6) Government Avio-service

** Listed licensed air carriers are those who possess Air Operator Certificate.

Type of operation (scheduled, charter, freight) *		1) scheduled, charter and freight 2) charter and freight 3) charter 4) charter 5) charter 6) charter 7) charter	1) scheduled, charter and freight 2) charter and freight 3) charter 4) charter 5) charter 6) charter	1) scheduled, charter and freight 2) charter and freight 3) charter 4) charter 5) charter 6) charter
Main destination	Europe, Central Africa, Middle East	Europe, Central Africa, Middle East	Europe, Central Africa, Middle East	Europe, Central Africa, Middle East
Transport demand				
- Passengers domestic (in thousands)	255	-	-	
- Passengers international (in thousands)	934	1350	1054	
- Passengers scheduled (in thousands)	1034	1142	927	
- Passengers non-scheduled (in thousands)	155	208	127	
- Passenger-km scheduled (in millions)	1062	1153	1123	
- Passenger-km non-scheduled (in millions)	215	292	947	
- freight (ton-km) (in millions)	4393	3379	2484	
Ownership (state/private) *		1) State 2) State 3) Private 4) Private 5) Private 6) Private 7) State	1) State 2) State 3) Private 4) Private 5) Private 6) State	1) State 2) State 3) Private 4) Private 5) Private 6) State

Fleet number at 31.12				
Total: *		1) 14 2) 1 3) 1 4) 5 5) 10 6) 1 7) 2	1) 14 2) 1 3) 6 4) 7 5) 2 6) 2	1) 14 2) 1 3) 7 4) 8 5) 1 6) 2
- self-owned *				1) 12 2) 1 3) 3 4) 3 5) 0 6) 2
- leased *				1) 2 2) 0 3) 4 4) 5 5) 1 6) 0
Average age of planes *				1) 21 2) 23 3) 13 4) 12 5) 13 6) 24
Employees (number)	3930	1710	1274	1) 1282* 2) 85* 3) 20* 4) 50* 5) 10* 6) 20*

Financial results (profit/loss)	Profit	Profit	Profit	
	10598,0¹	13026,3¹	11933,7¹	
	155,1 mill. EUR	147,0 mill. EUR	124,5 mill. EUR	
	Loss	Loss	Loss	
	11122²	237056²	104765²	
	8896,3 thous. EUR	168293,7 thous. EUR	72906,1 thous. EUR	

¹ Revenue is expressed in millions of RSD.

² Expenses are expressed in thousands of USD.

³ Data provided are expressed in millions of RSD

* Source: Civil Aviation Directorate of the Republic of Serbia.

2. Airport data by airport Airport Nikola Tesla (Belgrade) and Konstantin Veliki (Niš)		2003				2008				2009			
		Passengers		Freight		Passengers		Freight		Passengers		Freight	
		Units	RKT	Tons	TKT	Units	RKT	Tons	TKT	Units	PKT	Tons	TKT
Commercial aviation													
Domestic	Scheduled	242983		400		-		-		-		-	
	Non-Scheduled	220558		30		371		-		130		-	
To/from EU airport	Scheduled												
	Non-Scheduled												
Other international destination	Scheduled	1173052		5852		2454615		6736		2248524		6925	
	Non-Scheduled	214262		250		239893		1655		152564		763	
Business/general aviation													

PKT = passengers-km transported

TKT = tonne-km transported

3.Capacity data by airport		2003		2008		2009	
		ASK	No. of flights	ASK	No. of flights	ASK	No. of flights
Airport			19416		21604		18585
Konstantin Veliki (Niš) and Nikola Tesla (Belgrade)							
Commercial aviation							
Domestic	Scheduled		3703		-		-
	Non-Scheduled		113		-		-
To/from EU airport	Scheduled						
	Non-Scheduled						
Other international destination	Scheduled		13502		19568		17209
	Non-Scheduled		1828		2036		1376
Business/general aviation							

ASK = Available Seat-km

ANNEX 2
LIST OF LEGISLATION - CHAPTER 14

ROADS AND TRAFFIC SAFETY

No	Full name	Short name by which the document is saved
1.	Law on Public Roads ("Official Gazette of RS", no. 101/05 and 123/07)	Law on Public Roads
2.	Regulation on Rest Periods and Driving Times of Motor Vehicle Drivers in International Carriage, and on Application of Digital Tachograph System ("Official Gazette of RS", no. 54/10)	Regulation on Rest and Driving Times of Drivers in International Carriage and Digital Tachographs
3.	Rulebook on Traffic Signalization ("Official Gazette of RS", no. 26/10)	Rulebook_Traffic_Signalization
4.	Law on Road Traffic Safety ("Official Gazette of RS", no. 41/09 and 53/10)	LawonRoadTrafficSafety_fin
5.	Strategy of Railway, road, Inland Waterway, Air and Itermodal Transport Development in the Republic of Serbia, 2008 -2015 ("Official Gazette of RS", no. 04/08)	STRATEGY

ROAD TRANSPORT

No	Full name	Short name by which the document is saved
1.	Law on International Road Transport ("Official Gazette of the FRY", no. 60/98, 5/99, 44/99, 74/99, 4/2000)	Law on International Road Transport
2.	Regulation on the Criteria and Method of Distribution of Foreign Licences for International Transport of Goods to Domestic Transport Undertakings ("Official Gazette of RS", no. 88/2005)	TEXT VERSION: Regulation on the Criteria and Method of Distribution of Foreign Licences for International Transport of Goods to Domestic Transport Undertakings

		CD VERSION: Regulation on Distribution of Foreign Licences for International Transport
3.	Law on Road Traffic Transport ("RS Official Gazette of RS", nos. 46/95, 66/2001, 61/2005, 91/2005, 62/2006)	Law on Road Traffic Transport

RAILWAY AND INTERMODAL TRANSPORT

No	Full name	Short name by which the document is saved
1.	Law on Railway ("Official Gazette of RS". no. 18/05)	Law on Railway
2.	The Railway Transport Safety Law ("Official Gazette of the FRY", no. 60/98, 36/99, "Official Gazette of RS". no. 101/2005)	The Railway Transport Safety Law
3.	Law on Carriage Contracts in Railway Traffic ("Official Gazette of FRY", no. 26/95)	Law on Carriage Contracts in Railway Traffic
4.	Law on the Transport of Dangerous Goods , ("Official Gazette of RS". no. 88/2010)	Law on the Transport of Dangerous Goods
5.	Regulation on the Elements Evaluation Methodology in Setting of Charges for Use of Railway Infrastructure and for Rail Transport Organisation and Regulation ('Official Gazette of RS', number 14/10 of 17 March 2010)	Regulation1
6.	Rulebook on the Conditions for Issuing and Content of Safety Certificates for the Railway Infrastructure Management Including Industrial Railway ("Official Gazette of RS", no. 39/2006)	TEXT VERSION: Rulebook on the Conditions for Issuing and Content of Safety Certificates for the Railway Infrastructure Management Including Industrial Railway CD VERSION: Rulebook- Railway Infrastructure Management
7.	Rulebook of the Requirements for Issuing and Content of Safety Certificates for the	TEXT VERSION: Rulebook of the Requirements for

	Transportation in Rail Transport ("Official Gazette of RS", no. 39/2006)	Issuing and Content of Safety Certificates for the Transportation in Rail Transport. CD VERSION: Rulebook for Transportation in Railway Transport
8.	Agreement on the establishment of a high performance railway network in South East Europe (Official Gazette of RS-International Treaties No. 102/07)	TEXT VERSION: Agreement on the establishment of a high performance railway network in South East Europe CD VERSION: Agreement- high performance railway network in SEE
9.	Protocol of 3 June 1999 for the Modification of the Convention concerning International Carriage by Rail (COTIF) of 9 May 1980 (Official Gazette of RS-International Treaties No. 102/07, 1/10)	COTIF
10.	European Agreement on Main International Railway Lines (AGC) ("Official Gazette of the SFRY- International Treaties", no. 11/89)	AGC_e
11.	EUROFIMA European Company for the financing of Railroad Rolling Stock ("Official Gazette of the FPRY- International Treaties", no. 1/57)	convention_e
12.	European Agreement on Important International Combined Transport Lines and Related Installations (AGTC) (Official Journal of SMN-International Treaties No. 7/05)	AGTCE
13.	Trans-European Railway (TER) Co-operation Trust Fund Agreement (Official Gazette of RS-International Treaties No. 1/10)	TRANS-EUROPEAN RAILWAY (TER)
14.	Agreement between the Council of Ministers of Serbia and Montenegro and the Government of Bulgaria on Border Controls and	SMG-Bulgaria

	Procedures for Railway Traffic (Official Journal of SMN- International Treaties No. 13/05)	
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INLAND WATERWAYS TRAFFIC

No	Full name	Short name by which the document is saved
1.	Law on Navigation and Ports on Inland Waters ("Official Gazette of RS", no. 73/10)	Law on Navigation and Ports on Inland Waters
2.	The Law on Sea and Inland Waterway Navigation (Official Gazette of FRY- nos. 12/98, 44/99, 74/99, 73/00 and "Official Gazette of RS", no. 85/5- another law and no. 101/10 another law)	Law on Maritime and Inland Navigation
3.	The Rulebook on the Syllabus of Professional Examinations and the Method of Passing Exams for Acquiring the Ranks of Members of the Crews of Inland Navigation Ships of the Yugoslav Merchant Navy ("Official Gazette of FRY", no. 20/98)	TEXT VERSION: Rulebook on Syllabus of Examinations and Exams for Ranks of Members of Crews of Inland Navigation Ships of Yugoslav Merchant Navy CD VERSION: Rulebook on Navigation Ships of Yugoslav Merchant Navy.
4.	Rulebook on the Ranks, the Requirements for the Acquisition of Ranks and Certificates of Competency of the Members of Crews of Inland Navigation Ships of the Merchant Navy of the Federal Republic of Yugoslavia ("Official Gazette of the SFRY", nos. 32/82, 30/83, 30/87 and "Official Gazette of FRY", no. 25/96)	TEXT VERSION: Rulebook on Ranks, Requirements for Acquisition of Ranks and Certificates of Competency of the Members of Crews of Inland Navigation Ships of Merchant Navy of Federal Republic of Yugoslavia CD VERSION: Rulebook of Crews on Inland Navigation Ships of FRY
5.	The book of Rules on Certificates of Competency of Crew members on board seagoing ships of the Federal	The Book of Rules_Seafarers Training&Certification

	Republic of Yugoslavia merchant marine and the conditions for their acquiring ("Official Gazette of RS", no. 67/99)	
6.	Amending The Code on Certificates of Competency of Crew members on board seagoing ships of the Federal Republic of Yugoslavia merchant marine and the conditions for their acquiring ("Official Gazette of RS", no. 71/00)	AmendingThe Book of Rules_Seafarers Training&Certification
7.	Regulations Regarding Medical Fitness of Crew Members on the Ships of the Yugoslav Merchant Navy ("Official Gazette of FRY", no. 25/96)	Regulation Regarding Medical of Crew Members on the Ship

AIR TRAFFIC

No	Full name	Short name by which the document is saved
1.	Air transport law ("Official Gazette of RS" No 73/10)	Air transport law
2.	Regulation on Pricing of intra-Community Air Services ("Official Gazette of RS", No 1/10)	Regulation on pricing of intra-Community air services
3.	Regulation on implementation of Technical Conditions with respect to airworthiness of aircraft, engine, propeller, and aircraft parts and appliances ("Official Gazette of RS", No. 93/09)	Regulation on implementation of Tec Conditions
4.	Regulation on safety related occurrence reporting in the civil aviation and investigating safety endangering ("Official Gazette of RS", No.16/09, 20/09-amendment, 14/10)	<p>TEXT VERSION:</p> <p>Regulation on Safety Related Occurrence Reporting in the Civil Aviation and Investigating Safety Endangering_2_pdf</p> <p>CD VERSION:</p> <p>Regulation on Civil Aviation and Investigating Safety</p>

5.	Regulation on Certification and Safety Oversight in ANS (“Official Gazette of RS”, No.16/09 and 20/09-amendment)	Regulation on Certification and Safety Oversight in ANS.1.pdf
6.	Regulation on Language Proficiency Expert Level 6 Endorsement into Pilot's or ATCO's Licence (“Official Gazette of RS”, No 14/10)	REGULATION ON LANGUAGE PROFICIENCY EXPERT LEVEL 6
7.	Regulation on ATC personnel licenses and Training Centers (“Official Gazette of RS”, No.16/09, 20/09-amendment and 93/09)	ESARR 5 -Reg on ATCOs Licensing and Training Providers
8.	Regulation of Medical Fitness of the ATC personnel (“Official Gazette of RS”, No.16/09 and 20/09-amendment)	Regulation on Class 3 Medical Certification of Air Traffic Controllers
9.	Regulation on the organization of the working time of the Crew Members (“Official Gazette of RS”, No. 101/08, 16/09, 93/09, 14/10)	REGULATION ON THE ORGANIZATION OF CREW MEMBERS DUTY TIME-consolidated version
10.	Regulation on Investigation of Aircraft Accidents and Serious Incidents (“Official Gazette of RS”, No.71/09)	<p>TEXT VERSION:</p> <p>REGULATION ON CIVIL AIRCRAFT ACCIDENTS AND SERIOUS INCIDENTS INVESTIGATION. pdf;</p> <p>CD VERSION:</p> <p>Regulation on Civil Aircraft Accidents.</p>
	Regulation amending regulation on civil aircraft Accidents and serious incidents investigation(“Official Gazette of RS”, No 1/10)	<p>TEXT VERSION:</p> <p>REGULATION AMENDING REGULATION ON CIVIL AIRCRAFT ACCIDENTS AND SERIOUS INCIDENTS INVESTIGATION.pdf</p> <p>CD VERSION:</p> <p>Regulation amending regulation on Civil Aircraft accidents.</p>

12.	Regulation on passenger rights in the event of denied boarding, cancellation and long delay of flights ("Official Gazette of RS", No 1/10, 3/10)	Regulation on passenger rights in the event of denied boarding and of cancellation or long delay of flights.pdf
13.	Regulation on air-carrier's liability in relation to passengers and baggage ("Official Gazette of RS", No 1/10)	odgovornost ap.pdf
14.	Regulation on access to the groundhandling market at airports ("Official Gazette of RS", No 14/10)	Regulation on access to the groundhandling market at airports.pdf
15.	Regulation on Adoption of particular legal acts of the European Community on occurrence reporting in civil aviation ("Official Gazette of RS", No 14/10)	<p>TEXT VERSION:</p> <p>Regulation on adoption of particular legal acts of the European Community on occurrence reporting in civil aviation.pdf</p> <p>CD VERSION:</p> <p>Regulation of adoption of legal acts in civil aviation.</p>
16.	Regulation on common rules in the field of civil aviation security ("Official Gazette of RS", No 14/10)	Reg on common rules in the field of civil aviation security
17.	Regulation on Commission inspections in the field of civil aviation security ("Official Gazette of RS", No 14/10)	REGULATION ON COMMISSION INSPECTIONS IN THE FIELD OF CIVIL AVIATION SECURITY.pdf
18.	Regulation on establishment of a definition of critical parts of security restricted areas at airports ("Official Gazette of RS", No 14/10)	<p>TEXT VERSION:</p> <p>REGULATION ON ESTABLISHMENT A DEFINITION OF CRITICAL PARTS OF SECURITY RESTRICTED AREAS AT AIRPORTS.pdf</p> <p>CD VERSION:</p> <p>Regulation- Definition of critical areas at airports.</p>
19.	Regulation on supplementing	Regulation on Supplementing the

	the common basic standards in the field of civil aviation security ("Official Gazette of RS", No 14/10)	Comm Bas Stand in the Fld of Civ Av Sec.pdf
20.	Regulation on common rules in the field of civil aviation and the competences of a European Aviation Safety Agency ("Official Gazette of RS" No 68/10)	<p>TEXT VERSION:</p> <p>REGULATION ON COMMON RULES IN THE FIELD OF CIVIL AVIATION AND THE COMPETENCES OF A EUROPEAN AVIATION SAFETY AGENCY</p> <p>CD VERSION:</p> <p>Regulation on common rules of European aviation safety agency.</p>
21.	Decision on implementation of conditions of application of the route charges system and conditions of payment ("Official Gazette of RS", No 75/07)	<p>TEXT VERSION:</p> <p>DECISION on implementation of conditions of application of the route charges system and conditions of payment</p> <p>CD VERSION:</p> <p>Decision on conditions of the route charges payment.</p>
22.	Regulation on issuance of the licence for the use of aerodrome ("Official gazette of RS", No.71/09)	Regulation on issuance of the licence for the use of aerodrome
23.	Regulation on requirements for development of the master minimum equipment lists and minimum equipment lists and procedures for their approval ("Official Gazette of RS", No.16/09, 20/09-amendment, 14/10)	<p>TEXT VERSION:</p> <p>REGULATION ON REQUIREMENTS FOR DEVELOPMENT OF THE MASTER MINIMUM EQUIPMENT LISTS AND MINIMUM EQUIPMENT LISTS AND PROCEDURES FOR THEIR APPROVAL</p> <p>CD VERSION:</p> <p>Regulation on req.for master minimum equipment lists.</p>
24.	Regulation on airport security ("Official Gazette SFRY", No. 73/87 and 2/93)	REGULATION ON AIRPORT SECURITY

25.	Regulations on space, premises, technical equipment and the Manner of performing anti diversion inspection at the airport (“Official Gazette FRY” No.13/00)	REGULATIONS ON SPACE, PREMISES, TECHNICAL EQUIPMENT AND THE MANNER OF PERFORMING ANTI DIVERSION INSPECTION AT THE AIRPORT
26.	Regulation on Conditions and Procedures for issuance of the Air operator Certificate (“Official Gazette of RS”, No 33/08, 39/09, 14/10)	Regulation on Conditions and Procedures for issuance of the AOC
27.	Regulation on Certification of Aircraft, Airworthiness and Certification of Production and Design Organiaztions (“Official Gazette of RS”, No 14/10)	TEXT VERSION: Regulation on Certification of Aircraft, Airworthiness and Certification of Production and Design Organiaztions CD VERSION: Regulation on certification of aircrafts, airworthiness and production and design.
28.	Regulation on the continuing airworthiness of aircraft and aeronautical products, parts and appliances, and on the approval of organizations and personnel involved in these tasks (“Official Gazette of RS”, No 14/10, 68/10)	TEXT VERSION: REGULATION ON THE CONTINUIN AIRWORTHINESS OF AIRCRAI AND AERONAUTICAL PRODUCT PARTS AND APPLIANCES, AND C THE APPROVAL C ORGANISATIONS AND PERSONNE INVOLVED IN THESE TASKS CD VERSION: Regulation on aircraft and aeronautic products,parts and appliances.
29.	Regulation on Licences and Training Centers for Helicopter Pilots (“Official Gazette of RS”, No. 101/08)	Regulation on Licences and Training Centers for Helicopter Pilots
30.	Regulation on establishing medical fitness of flight crews in civil aviation (“Official Gazette of RS”, No. 101/08)	Regulation on Medical Fitness of the Flight Personnel
31.	Regulation on Flight Engineers Licences and Training Centers	Regulation on Flight Engineers Licences and Training Centers

	("Official Gazette of RS", No.39/09)	
32.	Regulation on Flight Dispatchers ("Official Gazette of RS", No. 30/05)	Regulation on flight dispatchers
33.	REGULATION ON REQUIREMENTS TO BE MET BY A TRAINING CENTER FOR FLIGHT DISPATCHERS ("Official Gazette of RS", No. 37/05)	Regulation on requirements to be met by a training center for flight dispatchers
34.	Regulation on licenses for pilots paragliders and training centers ("Official Gazette of RS", No.71/09)	Regulation on licenses for pilot paragliders and training centers
35.	Regulation on Parachuting ("Official Gazette of RS", No. 77/07)	Regulation on parachuting
36.	Regulation on parachute training centers ("Official Gazette of RS", No. 77/07)	Regulation on parachute training centers
37.	Regulation on the method of hand over and return of cold weapons, firearms, ammunition, and hand searches of persons and cargo in commercial air transportation ("Official Gazette of the FR Y", No. 13/00)	REGULATION on the method of handover
38.	Decision on the Amount of Charges for provision of ATM Terminal Services ("Official Gazette of RS", No. 91/06, 45/07)	Terminal charges
39.	Rules on professional development and education of Employees of the Civil aviation directorate of Republic of Serbia (4/0-05-0038/2010-0001 од 24.12.2010)	Rules on Occupational Training and Development of Employees in the CAD

40.	Employees Training Programme for the Civil Aviation Directorate of the Republic of Serbia (No.4/0-05-0036/2009-0001, 03.11.2009)	Employees Training Programme for the CAD
41.	Regulation on flight crew licensing and training centres ("Official Gazette of the Republic of Serbia", No. 30/08)	REGULATION ON FLIGHT CREW LICENSING AND TRAINING CENTRES