

LOW ON PRECIOUS METALS ARTICLES
(**"Official Gazette of RS", No. 47/21**)

I GENERAL PROVISIONS

Article 1.

This law regulates the requirements for the degree of fineness of precious metal articles, means of soldering, coatings of other precious metals, requirements for parts of precious metal articles, regulates the conditions and manner of assessing the conformity of precious metal articles and recognition of foreign marks, payment of fees for actions taken and acts issued in the procedure of conformity assessment, ie testing and marking of precious metal articles, regulation of purchase of used precious metal articles, regulation of supervision in the field of precious metals articles, as well as other issues of importance for placing precious metals articles on the market.

Article 2.

The provisions of this law shall not apply to:

- 1) precious metal articles for export;
- 2) precious metal articles which are coated with enamel, precious stones, pearls or other non-metallic material;
- 3) precious metal articles that are produced or temporarily imported as samples for exhibitions and fairs at which trade is not performed;
- 4) other metal items coated with precious metals;
- 5) older precious metal articles that have scientific, historical or cultural value, and for the butt-end fountain pens chains of the precious stone, pearl or any other article in which the mass of precious metal is insignificant;
- 6) investment gold in terms of the law governing value added tax, as well as investment silver, platinum and palladium;
- 7) articles or parts of articles used for medical, dental, veterinary, scientific or industrial purposes.

Article 3.

Certain terms used in this law have the following meaning:

- 1) *precious metals* are platinum, gold, palladium and silver;
- 2) *alloys of precious metals* is a solid homogeneous mixture comprising at least one precious metal and one or more other metals;
- 3) *fineness* is mass of the precious metal contained in the overall mass of the alloy, expressed in parts per thousand;
- 4) *fineness mark* is the numerical value corresponding to prescribed degree of fineness;
- 5) *degree of fineness* of the minimum mass of the precious metals contained in total mass of an alloy, expressed in parts per thousand;
- 6) *national mark* is the mark of the degree of fineness which certifies compliance of precious metal articles with the prescribed requirements, and also confirms that the precious metal articles are produced in fineness equal to or greater than prescribed for that degree of fineness, and the less of the following degrees of fineness;
- 7) *the precious metal articles* are jewelry, and any other precious metal article or

alloys, which contain all the necessary parts to make it complete;

8) *mixed article* is the article which components are made of different precious metals, their alloys, other metals or other materials, as well as article whose integral parts are made of a one precious metal of different fineness;

9) *precious metal coat* is a layer of precious metal that is applied to the article or its parts, chemical, electrochemical, mechanical or other process;

10) *means for soldering* are alloy of precious metals that can be used only as a binder;

11) *semi-finished product* is a lever, casting, granules and other forms made of precious metal or its alloy intended for the manufacture of the finished product;

12) *economic entity* is a company or other legal entity, ie an entrepreneur registered in the Republic of Serbia in accordance with the law governing the registration of economic entities, which places precious metals articles on the market;

13) *manufacturer* is a economic entity registered in the Republic of Serbia in accordance with the law governing the registration of economic entities and to which the Directorate for Measures and Precious Metals has issued a decision on the manufacturer's mark;

14) *the purchaser* is a economic entity registered in the Republic of Serbia in accordance with the law governing the registration of economic entities and which is registered in the Directorate for Measures and Precious Metals as a purchaser of precious metals articles and their parts;

15) *importer* is a economic entity registered in the Republic of Serbia in accordance with the law governing the registration of economic entities, which imports precious metals articles and to which the Directorate for Measures and Precious Metals issued a decision on the importer's mark;

16) *representative* is a economic entity registered in the Republic of Serbia in accordance with the law governing the registration of economic entities, which represents the manufacturer who authorized him to take actions on his behalf from the authority to place precious metals articles on the market of the Republic of Serbia and to and to which the Directorate for Measures and Precious Metals issued a decision on the representative's mark;

17) *mark of manufacturer* is mark that manufacturer marks the precious metal articles, in accordance with this Law;

18) *the importer's mark* is a mark by which the importer marks precious metals articles, in accordance with this law;

19) *the representative's mark* is the sign by which the representative marks of precious metals articles, in accordance with this law;

20) *labeling of precious metal articles* is impressing of mark of manufacturer, importer or representative, and the corresponding fineness mark;

21) *testing of precious metal articles* is evaluation of compliance of precious metals articles with the prescribed requirements;

22) *marking* of precious metals articles is the marking of precious metals articles with a state mark or international mark in accordance with a ratified international agreement to which the Republic of Serbia is a signatory;

23) *placing on the market* of articles of precious metals is the first delivery of precious metals articles on the market of the Republic of Serbia;

24) *the register of purchasers* is a public register kept in written and electronic form by the Directorate for Measures and Precious Metals and published on its website;

Other terms used in this law, and not defined in paragraph 1 of this article, have the meaning defined by the laws governing technical requirements for products and conformity assessment and standardization.

Article 4.

Precious metal article can be placed on the market if complies with prescribed requirements, if its compliance is assessed according to the prescribed procedure, marked in accordance with this law, or accompanied by the prescribed documentation.

Article 5.

The Directorate for Measures and Precious Metals (hereinafter: the Directorate) performs the following tasks in the field of precious metals:

- 1) determines mark manufacturer, importer or representative;
- 2) keeps records of mark of manufacturer, importer or representative;
- 3) performs testing and marking of precious metal;
- 4) performs testing of precious metals and their alloys;
- 5) performs surveillance in the area of precious metal articles;
- 6) cooperate with other competent inspection bodies and provides technical assistance in the field of precious metal articles;
- 7) prepares technical basis for the drafting of legal acts for precious metal articles;
- 8) decides on administrative procedures in the field of precious metal articles;
- 9) represents the Republic of Serbia in international and regional organizations and the cooperation in the area of precious metal articles;
- 10) performs other tasks related to precious metal articles, in accordance with the law;

Directorate issues the journal in which it publishes the decisions enacted, in accordance with the law.

II TECHNICAL REQUIREMENTS FOR PRECIOUS METALS ARTICLES

Article 6.

The most precious of all precious metals is platinum, then gold, and palladium, and silver.

Precious metal articles (hereinafter: articles) placed on the market must meet the technical requirements for one of the following degrees of fineness:

1) Platinum articles:

- I degree of fineness of 950 thousandths parts (950/1000);
- II degree of fineness of 900 thousandths parts (900/1000);
- III degree of fineness of 850 thousandths parts (850/1000);

2) gold articles:

- I degree of fineness of 950 thousandths parts (950/1000);
- II degree of fineness of 840 thousandths parts (840/1000);
- III degree of fineness of 750 thousandths parts (750/1000);
- IV degree of fineness of 585 thousandths parts (585/1000);

3) articles of palladium:

- I degree of fineness of 950 thousandths parts (950/1000);
- II degree of fineness of 500 thousandths parts (500/1000);

4) Items of silver:

I degree of fineness of 950 thousandths parts (950/1000);

II degree of fineness of 925 thousandths parts (925/1000);

III degree of fineness of 800 thousandths parts (800/1000).

Articles, in addition to the prescribed level of fineness, can also have **999 thousandths parts (999/1000).**

Notwithstanding the provisions of paragraph 2 item 2) of this Article, articles of gold (gold coins, commemorative plaques, etc.) can have a fineness **900 thousandths parts (900/1000).**

Articles made of an alloy of precious metal whose fineness is lower than the minimum degree of fineness referred to in paragraph 2 of this Article shall not be considered precious metal articles in the sense of this Law.

Articles, in addition to the requirements of the degree of fineness, shall also meet the requirements related to the degree of fineness by means of soldering, coating of other precious metal, parts of non-precious metals and non-metallic parts if the article contains it as well as other requirements for its processing.

Minister in charge of precious metals articles (hereinafter: the Minister) shall prescribe requirements specified in paragraph 6 of this article.

Article 7.

Articles that have a fineness greater than the fineness prescribed for a certain degree in Article 6 of this Law, and less than the next higher degree, are considered articles that have a fineness of that lower degree, without negative deviations.

Article 8.

Articles which components are made of different precious metal alloys which have unclear boundaries or differences, will have fineness mark of the precious metal that is an integral part of the alloy and the least precious.

Articles which integral parts are made of the same precious metal alloys but different degrees of fineness which have unclear boundaries or differences, will be marked with fineness mark of integral part of the lowest degree of fineness.

On articles which components are made of different precious metal alloys, which have clear boundaries, marking with fineness mark is required on the part made of precious metal alloys, which is the least precious, while other components of article do not need to be marked, but if they are marked, they shall be marked with fineness mark of precious metal alloys this part is made.

Articles consist of parts of precious metals and parts of other materials shall bear fineness mark on part made of precious metal, and parts of non-precious metals, which are integral part of the articles, must be marked with METAL, MET or M, depending on its size.

III. MANUFACTURER, IMPORTER, REPRESENTATIVE AND PURCHASER

Article 9.

The manufacturer is required to label manufactured articles with mark of manufacturer and fineness mark.

In addition to the manufacturer's mark and the fineness mark, the manufacturer of the article may also mark the article with a mark that is protected in accordance with the regulations governing trademarks, of which he shall attach proof to the Directorate.

Fineness mark referred to in paragraph 1 this article has the numerical value that corresponds to a degree of fineness prescribed in Article 6 this law.

Manufacturer is not allowed to label the articles with other signs or labels besides mark of manufacturer and fineness mark determined in accordance with this law, and with mark from the paragraph 2 this article.

The Minister shall prescribe the content, form and dimensions of the mark of manufacturer, importer or representative and the fineness mark, the way articles are labeled, equipment and layout of work rooms manufacturers must have, as well as content and form of application for a mark of manufacturer.

Article 10.

The mark of manufacturer shall be determined by decision issue by Directorate on request of the manufacturer.

The mark of manufacturer shall be registered with the Directorate.

After obtaining the decision referred to in paragraph 1 of this Article, the manufacturer is obliged to submit to the Directorate the matrix of the manufacturer's mark and the manufacturer's mark for the purpose of taking an imprint.

The mark of manufacturer shall be registered with the Directorate.

The manufacturer is obliged to inform the Directorate about all changes related to the data from the manufacturer's trademark register kept by the Directorate in accordance with this law, as well as about the suspension of business, within 30 days from the change or suspension of activities.

An appeal against the decision referred to in paragraphs 1 of this Article may be lodged with the Ministry within a period of 15 days, from the day of delivery of the decision, with proof of administrative fee paid.

The decision of the Minister is final and an administrative dispute can be initiated against him.

Article 11.

The decision on determining the manufacturer's mark is revoked by the decision of the Directorate if:

- 1) it is determined that the manufacturer of the article no longer meets the prescribed requirements;**
- 2) the manufacturer or the responsible person at the manufacturer has committed the criminal offense of falsifying mark for marking articles for which is finally convicted;**
- 3) the manufacturer of the article permanently ceases to perform the registered activity or temporarily for more than six months from the day of the temporary cessation of the activity.**

An appeal against the decision referred to in paragraphs 1 of this Article may be lodged with the Ministry within a period of 15 days, from the day of delivery of the decision, with proof of administrative fee paid.

The appeal shall not postpone its execution.

The decision of the Minister is final and an administrative dispute can be initiated against him.

The manufacturer's mark for which the decision on the manufacturer's mark has been revoked may not be used.

The manufacturer whose decision was revoked for the reasons referred to in paragraph 1, item 1) and 2) of this Article, may not submit a new request for determining the manufacturer's mark within six months from the date of receipt of the decision to

revoke the decision on the manufacturer's mark.

The manufacturer is obliged to submit the manufacturer's mark referred to in paragraph 5 of this Article to the Directorate for destruction within 15 days from the day of receipt of the decision on revocation of the decision on the manufacturer's mark.

Article 12.

The Directorate may issue a decision on the mark of manufacturer and members of the Association of Applied Artists who produce works of art, according the conditions and in the manner according to which the decision is issued to the manufacturers.

The application for the decision referred to paragraph 1 of this Article shall be submitted with proof of administrative fee paid.

The provisions of this Act relating to manufacturers also apply to persons referred to paragraph 1 of this article.

Article 13.

Importer or representative, prior to placing articles on the market, is obliged to marking the articles of foreign manufacturers with its own mark, importers or representative mark.

If the articles specified in paragraph 1 of this Article do not have mark of fineness or that mark does not correspond to numerical values of the degree of fineness in terms of Article 6 this law, the importer or representative is required to mark these articles with fineness mark in accordance with this law.

An imported article bearing a unique identification mark need not be marked with the importer's or agent's mark, nor with a fineness mark.

Article 14.

The provisions of Articles 8 to 12 of this Law pursuant shall also be applied to importers or representatives.

Article 15.

Before placing articles on the market, the manufacturer, importer or representative shall submit the article to the testing and marking, to determine its compliance with the prescribed requirements.

The importer or representative is obliged to submit to the Directorate, together with the request for testing and marking of imported articles, the customs declaration of the article related to the customs procedure for release of goods for free circulation.

An imported item that has a unique identification mark does not have to be stamped, but such an item is issued a certificate of confirmation of the degree of fineness after examination, which contains information about the importer or representative in addition to the fineness mark.

An economic entity shall place on the market only articles of precious metals that comply with the prescribed requirements.

In case of doubt in the degree of fineness of the case, the interested person may request from the Directorate an extraordinary testing of the fineness of the precious metal article and the issuance of a report on the performed testing. The costs of the extraordinary examination of the degree of fineness shall be borne by the applicant.

The Minister shall prescribe in detail the types, shapes, appearance and manner of making state mark.

Article 16.

For articles made of platinum, gold and palladium weighing up to 1 g and articles

made of silver weighing up to 3 g, as well as parts or incomplete articles, there is no obligation to test and sealing, and for items made of platinum, gold and palladium weighing up to 0,5 g and silver objects weighing up to 1 g, there is no obligation to mark.

Article 17.

Testing and marking of articles is performed by the Directorate.

The Minister shall prescribe the manner of testing and marking articles, testing of precious metals and their alloys, the content and form of application for testing and marking of articles, the form of reports on results of precious metals and their alloys testing, as well as testing and marking equipment, the list of articles marked and place where national mark is impressed.

Article 18.

For the testing and marking of precious metals articles, written request that contains type, number and weight of precious metals articles, an alloy of precious metal from which the precious metals articles is produced, as well as its fineness, should be submitted.

When the Directorate determines with testing that the article is in compliance with the fineness mark, and meet other prescribed requirements will mark that article.

When the Directorate determines with testing that the article is not in compliance with the fineness mark, or other prescribed requirements are not satisfied, it will issue decision of refusing the request for marking that article.

The Directorate shall make the articles referred to in paragraph 3 of this Article unsuitable for placing on the market.

When the Directorate cannot determine with certainty whether the article meets the prescribed requirements, it will testing the article in a manner that may require its damage or destruction with the consent of the applicant.

If the applicant does not consent to testing of the article in a way that may lead to damage or destruction of the article, the Directorate will issue a decision rejecting the request.

If during the supervision of precious metal articles it is determined that the applicant referred to in paragraph 6 of this Article, to whom the Directorate issued a decision on the manufacturer's mark, or a decision on the mark of the importer or representative, placed on the market items that do not meet the requirements of this law, The Directorate will make a decision to repeal that decision.

Against the decision from par. 3, 6 and 7 of this Article, the producer may lodged an appeal to the Minister within 15 days from the day of delivery of the decision, accompanied by proof of payment of the republican administrative fee.

The decision of the Minister is final and an administrative dispute can be initiated against him.

Article 19.

Precious metals articles are tested and marking in offices of the Directorate or authorized body.

Exceptionally from the provision of paragraph 1 of this article, precious metals articles can be, at the request of the manufacturer, importer, or representative, testing and marking in their offices if the prescribed conditions for the proper working rooms and equipment for testing and marking are fulfilled.

Directorate shall issue a decision for determining the compliance with the conditions specified in paragraph 2 of this Article.

With request for determining the compliance with the conditions from paragraphs 2 of this Article, proof of administrative fee paid should be submitted.

An appeal against the decision referred to in paragraphs 3 of this Article may be lodged with the Ministry within a period of 15 days, from the day of delivery of the decision, with proof of administrative fee paid.

The decision of the Minister is final and an administrative dispute can be initiated against him.

The Minister shall prescribe the conditions to be met by working rooms and equipment for testing and marking of the precious metals articles.

Article 20.

After marking, precious metals articles should not be added parts of precious or other metals as well as other materials that cannot be seen or recognized.

If the marked precious metals article is amended or revised so that it can change the degree of fineness, it must be re-submitted for testing and marking.

It is prohibited to transfer the mark from one to another article.

Article 21.

The obligation of marking articles as specified in Article 15 this law does not apply to manufacturer that has the required documents for the precious metals article.

For article for which has the required documentation manufacturer referred to in paragraph 1 of this Article is obliged to obtain a proof of degree of fineness and composition an alloys of precious metals used for the production of the precious metals article, from Directorate.

Manufacturer referred to in paragraph 1 of this Article, confirm the compliance of precious metal articles with the prescribed requirements with marking of precious metal articles by mark of manufacturer and fineness mark.

The manufacturer is obliged to keep permanently the prescribed documents referred to in paragraph 1 of this Article, and to have register about articles produced from alloys for which he obtained the proof of degree of fineness.

The compliance of precious metal articles referred to in paragraph 1 of this Article, could be also determine by testing and marking of that article.

The Minister shall prescribe the manner of determining compliance with the prescribed requirements on the base, as well as content of these documents.

Article 22.

The purchase of used items or their parts from precious metals can be done only by the purchaser, at the purchase place, which must be marked with a board (sticker), with the following data from the register of purchasers:

- 1) ordinal number from the register of purchasers;
- 2) business name of the purchaser, address of the registered office and registration number;
- 3) the number of the purchaser place with address.

When purchasing items or their parts, the purchaser is obliged to issue a document-purchase sheet on the purchase of articles made of precious metals, which contains the following information:

- 1) the business name of the purchaser, the address of the registered office, the number of the purchaser place and the registration number;
- 2) name and surname, place of residence, address and personal identification number (or registration number from the identity card or passport) of the person who sold the precious metal article;

- 3) a type of precious metal article;
- 4) the type of precious metal and the degree of fineness;
- 5) the mass of the purchased article expressed in grams;
- 6) the amount paid in dinars for the purchased article;
- 7) the signature of the purchaser and the signature of the person who sold the precious metal article.

Copies of issued documents - purchase sheets on the purchase of articles made of precious metals and their parts, must be kept at the purchaser site in accordance with accounting regulations.

The purchaser is obliged to keep records of the performed turnover at the purchase place in accordance with the regulations governing the records of turnover in trade.

Article 23.

The Directorate keeps records of marks of manufacturers, importers and representatives, which contain: business name of the manufacturer, importer or representative and address of its headquarters, addresses of organizational units outside the headquarters, identification number, information on the manufacturer's mark or importer's mark and information on how manufacturers, importers or representatives prove the compliance of the article with the prescribed requirements.

The Directorate keeps a register of purchasers, which contains: ordinal number, business name and address of the purchaser's headquarters, identification number, address of purchase places, number of purchase place, telephone number, ie e-mail address.

Registration of purchasers is made at the request of the person requesting entry in that register.

The applicant may start to purchase on the day of registration in the register of purchasers.

The decision on registration in the register of purchasers is made by the Directorate.

An appeal against the decision referred to in paragraphs 5 of this Article may be lodged with the Ministry within a period of 15 days, from the day of delivery of the decision, with proof of administrative fee paid.

The decision of the Minister is final and an administrative dispute can be initiated against him.

The purchaser is obliged to inform the Directorate about all changes in the data from the register of purchasers within seven days from the date of the change or cessation of activities.

The purchaser shall be deleted from the register of purchasers by a decision on personal request or ex officio in case of deletion of the purchaser from the register in accordance with the law governing the registration of business entities.

IV. VALIDITY AND RECOGNITION OF FOREIGN MARKS

Article 24.

Foreign marks are valid in the Republic of Serbia if they are issued in accordance with confirmed international agreements to which the Republic of Serbia is a signatory.

The Minister may admit the validity of foreign marks on articles, if they are issued under conditions that ensure compliance with the requirements prescribed in the Republic of Serbia for these articles.

The Minister shall prescribe in detail the manner of recognition of foreign trademarks referred to in paragraph 2 of this Article.

Article 25.

Presumed is that an article which is lawfully placed on the market of a Member State of the European Union or the Republic of Turkey or which is manufactured and lawfully placed on the market of a state party to the Agreement on the European Economic Area and which is duly marked or sealed in that state, meets the requirements for placing on the market in the Republic of Serbia.

To assess the fulfillment of the requirements referred to in paragraph 1 of this Article, Regulation (EU) no. 2019/515 of the European Parliament and of the Council of 19 March 2019 on the mutual recognition of goods lawfully placed on the market in another Member State and repealing Regulation (EC) No 1782/2003 764/2008, is applied.

V. TAXES

Article 26.

For testing and marking of articles, performing chemical analyzes of precious metals, alloys and articles, testing of equipment used for testing precious metal articles, determining the fulfillment of requirements for making a decision on the mark of a manufacturer, importer or representative, determining the fulfillment of requirements for making a decision on testing and marking of articles in the business places of the manufacturer or importer, as well as for the performance of other activities related to the examination and marking of articles, which is carried out by the Directorate in accordance with this law, taxes are paid.

The taxes referred to in paragraph 1 of this article is the same for both domestic and foreign entities.

The taxes referred to in paragraph 1 of this Article shall be paid to the appropriate account for the payment of public revenues of the budget of the Republic of Serbia.

VI. BUSINESS AND SALES PLACE

Article 27.

In the sales place of the manufacturer, importer, representative or other economic entity, there may be only articles in accordance with the provisions of this law, which must be grouped, and that part of the sales place marked with an inscription on the type and degree of fineness of precious metal.

In other parts of the business places that are located at the same address as the sales place, you can find articles that are marked in accordance with the provisions of this law, but are not sealed.

The articles referred to in paragraph 2 of this Article must be sorted by type, number and weight of articles, alloys of precious metal from which the article is made, as well as its fineness.

Products made of other metals that are kept in the sales place together with the articles, must be specially grouped, and that part of the sales place marked with the inscription that these products are not made of precious metal.

Article 28.

In sales place, in visible place, must be kept:

- 1) pictures of national marks;
- 2) magnifying glass through which the labels and marks prescribed by this law can clearly be seen and distinguished, and must be made available to interested persons;
- 3) notice that articles made of platinum, gold and palladium weighing up to 1 g and articles made of silver weighing up to 3 g do not have to be sealed but only marked;
- 4) notice that articles of platinum, gold and palladium weighing up to 0.5 g and articles of silver weighing up to 1 g need not be sealed or marked.

Manufacturers, importers or representatives shall keep decision of the mark of manufacturer, importer or representative in a visible place in sales place.

The purchasers shall keep the decision on entry in the register of purchasers issued by the Directorate in a visible place in all their purchase places.

VII. SUPERVISION

Article 29.

Supervision of application of law and regulations related to the articles shall be performed by the Ministry competent for articles of precious metals.

Supervision over the trade and purchase of articles of precious metals is performed by market inspectors in accordance with this Law, as well as regulations governing trade records in trade and market surveillance.

The Directorate supervises articles made of precious metals, which includes supervision over:

- 1) articles placed on the market, in terms of compliance with the prescribed requirements;
- 2) maintenance of the prescribed requirements for the economic entities who has obtained decision on the mark of manufacturer, importer or representative;
- 3) maintenance of the prescribed requirements in the business places of the manufacturer, importer or representative of the article, in accordance with Article 19 paragraph 2 of this Law.

The Directorate shall perform the supervision referred to in paragraph 3 of this Article, in accordance with the regulations governing market and inspection supervision.

Article 30.

Supervision referred to in Article 29, paragraph 3 of this Law shall be performed by the Directorate through inspectors, ie persons authorized to supervise of precious metals articles.

The inspector referred to in paragraph 1 of this Article may be a person who meets the conditions prescribed by the law governing inspection supervision.

The inspector referred to in paragraph 1 of this Article must have an official identification card in accordance with the law governing inspection supervision.

The official identification card ceases to be valid if it is:

- 1) the holder of the official identification card has lost his employment with the Directorate for Measures and Precious Metals;
- 2) holder of official identification card assigned to a position that does not include jobs for which the possession of official identification card is prescribed;
- 3) the death of the holder of the official identification card occurred;
- 4) replacement of official identification card.

Article 31.

While performing supervision over precious metals articles, the inspector, ie the person authorized to perform supervision over articles has the right and duty to:

1) enters the places where the articles are manufactured and marked, in order to verify compliance with the prescribed requirements in respect of equipment and work room;

2) enters all places both the business and sales places of manufacturers, importers, representatives and economic entities, in which articles are placed on the market, in order to verify compliance of articles with the prescribed requirements, as well as compliance with Article 27 and Article 28 par. 1 and 2 of this law;

3) enters the places of the manufacturer, importer or representative where they perform testing and marking of articles in accordance with Article 19 Paragraph 2 of this law, in order to verify compliance with the prescribed requirements;

4) inspect, in order that the documentation of importance for supervision be inspected within a certain period of time, which he could not obtain ex officio, and take written and oral statements regarding the data he needs to compile the report on the performed supervision and make record.

If the inspector or the person authorized to perform supervision determines that the prescribed conditions referred to in paragraph 1, item 2) of this Article are not met, he shall order the elimination of irregularities and deficiencies within a period not exceeding 30 days, enter it in the record and submit a misdemeanor proceedings.

If the inspector or the person authorized to perform supervision determines that the prescribed conditions referred to in paragraph 1, item 1) and 3) of this Article are not met, shall order the elimination of irregularities and deficiencies within a period which may not be longer than 30 days and shall enter it in the record.

If the deficiencies referred to in paragraph 3 of this Article relating to paragraph 1, item 1) of this Article are not eliminated within the specified period, the Directorate shall issue a decision revoking the decision on the manufacturer's mark.

If the deficiencies referred to in paragraph 2 of this article relating to paragraph 1 point 2) of this Article are not eliminated within a specified period, the Directorate shall issue a decision on the withdrawal of articles from the market.

If the deficiencies referred to in paragraph 3 of this article relating to paragraph 1 point 3) of this article are not eliminated within a specified period, the Directorate shall issue a decision on the cancellation of the decision issued in accordance with article 19 Paragraph 3 of this law. .

An appeal against decisions referred to in paragraph 4, 5 and 6 of this article may be lodged with the Ministry within the period of 15 days from the day of delivery of the decision, with which the proof of paid republican administrative fee is attached.

The appeal shall not restrain the execution of the decision.

Minister's Decision on appeal is final and administrative dispute can be initiated against it.

Article 32.

Provisions of Article 31 of this Law shall apply mutatis mutandis to manufacturers referred to in Article 21 of this Law.

While performing supervision, the person authorized to perform supervision on articles is entitled and obligated to check whether the manufacturer from Article 21 of this law meets the requirements of that article.

In case the manufacturer referred to in Article 21 of this Law commits more than two violations in terms of non-compliance with the requirements of Article 21 of this

Law, ie the provisions of Article 15 of this Law, the Directorate shall issue a decision ordering the manufacturer to confirm by examination and marking in the premises of the Directorate.

An appeal against the decision referred to in paragraphs 5 of this Article may be lodged with the Ministry within a period of 15 days, from the day of delivery of the decision, with proof of administrative fee paid.

The appeal shall not restrain the execution of the decision.

The decision of the Minister is final and an administrative dispute can be initiated against him.

Article 33.

If the inspector or the person authorized to supervise the items during the supervision of the item placed on the market cannot determine with certainty whether the item meets the prescribed requirements, it shall order the manufacturer, importer, agent or other economic entity to submit the item to the Directorate for examination.

The costs of examining the articles referred to in paragraph 1 of this Article shall be borne by the Directorate if it is determined that the articles meets the prescribed requirements.

The Minister shall prescribe the manner of handling articles within the supervision of articles referred to in paragraph 1 of this Article and the methods of examination used in the supervision of those articles.

VIII. PENALTY PROVISIONS

Article 34.

A fine of 100,000 to 2,000,000 dinars will be imposed on a legal entity for a misdemeanor if:

- 1) place on the market articles that do not meet the requirements regarding the degree of fineness referred to in Article 6 of this Law;
- 2) parts of base metal are not marked with the appropriate mark (article 8);
- 3) the manufacturer of articles of precious metals has not marked the article with its manufacturer's mark, ie the article has not been marked with a fineness mark in accordance with this Law, if the article does not have a fineness mark or has a fineness mark that does not correspond to the numerical value of fineness in terms of Article 6. Of this Law, or that object marked with other signs or markings that are not in accordance with this law (article 9);
- 4) the manufacturer does not inform the Directorate about all changes related to the data from the register of manufacturer's signs kept by the Directorate in accordance with this law, as well as about the suspension of business, within 30 days from the date of change or cessation of activities (article 10. paragraph 5);
- 5) uses the manufacturer's mark, the importer's or representative mark for which a decision has been made to revoke the decision on the manufacturer's mark, the importer's or representative mark and if that mark is not submitted to the Directorate for destruction (articles 11 and 14);
- 6) the importer or representative established in the Republic of Serbia places on the market an article which he has not marked with his assigned mark, ie if he has not marked the article with a fineness mark in accordance with this Law, if that article does not have a fineness mark or has a fineness mark that does not correspond to in terms of Article 6 of this Law, except for an imported article that has a unique identification mark (article 13);
- 7) If place on the market article that are not compliant with the prescribed requirements, or that are not marked, or it is not accompanied by a certificate confirming

the degree of fineness (article 15);

8) if transfer sealed mark to the other article or, after the completion of the marking, add to article other parts of pressure metal or other metal, as well as other materials that cannot be seen or recognized (article 20);

9) if prior to placing on the market do not submit for re-testing and marking of precious metal articles that were modified or processed (Article 20 paragraph 2);

10) place on the market items that are not accompanied by the prescribed documentation (Article 21);

11) if perform activities contrary to this Law (Article 22 and Article 23, paragraph 4 and 8);

12) in parts of business places outside the sales area, which are located at the same address as the sales area, keep articles that are not sealed, but are not marked and sorted in accordance with the provisions of this law (Article 27, paragraph 2 and 3);

13) if the articles or other metals articles exposed to sales area are not clearly labeled (Article 27, paragraph 4);

14) if a manufacturer, importer, or representative in its sales area in a prominent place not holding images of state marks, the decision of the mark of manufacturer, mark of the importer or representative, as well as magnifying glass or do not make magnifying glass available to interested parties (Article 28, paragraph 1 and 2);

15) the purchaser does not keep the decision on entry in the register of purchasers in all its redemption places in a visible place (Article 28, paragraph 3);

16) if disable authorized person to perform supervision (Article 31 and 32);

17) if place on the market or otherwise dispose articles for which the decision on withdrawal of articles from the market is issued (Article 31, paragraph 5);

18) does not submit the article to the Directorate for examination (Article 33, paragraph 1).

For the offenses referred to in paragraph 1 of this Article, the responsible person in the legal entity shall be fined from 10,000 to 150,000 dinars.

An entrepreneur shall be fined from 50,000 to 500,000 dinars for the offenses referred to in paragraph 1 of this Article.

IX TRANSITIONAL AND FINAL PROVISIONS

Article 35.

By-laws prescribed by this Law shall be issued within one years after the effective date of this Law.

Until the issue of the bylaws prescribed by this Law, regulations issued on the basis of the Law on Control of precious metals articles ("Official Gazette" no. 36/11 and 15/16), shall be applied, if not in collision with this Law.

Article 36.

Articles that have been tested and marked prior to entry into force of this Law are not subject to re-testing or re-marking.

Decisions on the mark of manufacturers, importers and representatives issued before the date of entry into force of this Law shall be valid until the expiration of the validity of the decision.

Article 37.

Economic entities that have the manufacturer's mark on the day this law enters into force may continue to purchase used items and their parts, if they submit a request

for entry in the register of purchasers within 180 days from the day this law enters into force.

Article 38.

On the day this law enters into force, the Law on Control of Precious Metal Objects ("Official Gazette of RS", No. 36/11 and 15/16), the Rulebook on the manner of performing control and the degree of fineness of gold semi-finished products for dental prosthetic objects. "Official Gazette of the FRY", No. 8/95), Rulebook on conditions and manner of authorizing economic entities and other legal entities to perform testing and marking of precious metals, as well as testing of precious metals and their alloys ("Official Gazette of RS", No. 116/13) and the Rulebook on the form and content of the official identity card of a person authorized to supervise precious metal objects ("Official Gazette of the RS", No. 35/13) ceases to be valid.

Article 39.

This Law shall enter into force eight days after its publication in "Official Gazette of the Republic of Serbia", except for Article 25 of this Law, which shall apply on the day of accession of the Republic of Serbia to the European Union.