

REGULATION

ON THE MANNER OF PROVIDING INFORMATION AND NOTIFICATION OF TECHNICAL REGULATIONS, CONFORMITY ASSESSMENT AND STANDARDS (*"Official Gazette of RS ", No. 45/2010*)

I GENERAL PROVISIONS

Article 1

This Regulation sets out the notification procedure for technical regulations, standards and conformity assessment procedures in accordance with ratified international agreements (hereinafter referred to as: international agreement) signed by the Republic of Serbia and rules of the European Union (hereinafter referred to as: EU).

Article 2

Provisions of this Regulation shall apply to technical regulations, conformity assessment procedures and standards for industrial and agricultural products, including fish products, except for those which pertain primarily to protection of workers when products are used,, provided that they do not affect the products.

Provisions of Articles 15 to 28 of this Regulation shall apply to technical regulations for Information Society services, with the exception of technical regulations containing rules regarding:

- 1) Radio broadcast services;
- 2) Television broadcasting services;
- 3) Telecommunication services;
- 4) Financial services, specified in the indicative list in Annex 3 to this Regulation – Indicative List of Financial Services, printed with this Regulation and its integral part.

Television broadcasting services referred to in Paragraph 2 (2) of this Article is the broadcasting of television programmes intended for the public, including the exchange of TV programmes between broadcasters for the purpose of public transmission, except for providing information upon individual request, such as telecopying, electronic databases and other similar services.

Telecommunication services referred to in Paragraph 2 (3) of this Article are services which, entirely or partially, consist of broadcast and directing of signal through telecommunication networks, in accordance with end users' requirements and telecommunication process requirements, with the exception of radio and television broadcast.

II NOTIFICATION

1. Communication of the Ministry on draft technical regulation

Article 3

The competent ministry, or an organization responsible for drafting technical regulations (hereinafter referred to as: competent body) shall communicate the draft technical regulation to the Ministry of Economy and Regional Development (hereinafter referred to as: Ministry) at the moment when the regulation is ready to be sent for review to competent bodies, accompanied by a communication containing in particular:

- 1) Data on competent body (telephone and fax number, e-mail and contact details of responsible person);
- 2) Title of draft technical regulation;
- 3) Legal ground for adopting the draft technical regulation;
- 4) Type or name of product and other data for detailed identification of product being regulated by the draft technical regulation;
- 5) Reasons for adopting the technical regulation;
- 6) Data on standards or technical specifications that the draft technical regulation refers to, or that shall constitute the basis for its drafting;
- 7) Short summary of draft technical regulation;
- 8) Anticipated date of adopting and enforcement of technical regulation;
- 9) Title of regulation which the draft regulation proposes to cease to apply;
- 10) Data on international standards for products that the draft technical regulation refers to, which shall not constitute the basis for its drafting, as well as reasons for not using that standards;
- 11) Evaluation of whether the draft technical regulation shall notify in accordance with any specific international agreement signed by the Republic of Serbia;
- 12) Information on whether the text of the technical regulation is available in any foreign language.

The competent body communicates data referred to in paragraph 1 of this Article in electronic form using internet portal of the Ministry.

Provisions of paragraphs 1 and 2 of this Article are applicable to technical regulations adopted under urgent circumstances, and the competent body is obliged to give reasons for the urgency in the communication referred to in paragraph 1 of this Article.

Article 4

Data contained in the communication referred to in Article 3 of this Regulation shall be entered in the register of draft technical regulations by the Ministry, in accordance with the regulation prescribing the content and manner of keeping the registers pertaining to technical regulations.

The Ministry shall review the draft technical regulation and the communication referred to in Article 3 of this Regulation and in collaboration with the competent body makes decision on necessity for its notification in accordance with the provisions of this Regulation.

Article 5

The competent body shall again communicate the draft technical regulation to the Ministry if the previously communicated text has been significantly altered the scope of application; shortened the deadlines originally envisaged, or concerning additional or more restrictive specifications or requirements.

Article 6

The competent body shall, without postponing, communicate to the Ministry the published text of the technical regulation, and shall involve the communication referred to in Article 3 (3) of this Regulation, if the regulation was adopted under urgent circumstances.

2. Notification under provisions of international agreements on technical barriers to trade

2.1. Technical regulations and conformity assessment procedures

Article 7

The Ministry shall, in accordance with provisions of the International agreement, notify the competent international body of the draft technical regulation, on the basis of the received communication referred to in Article 3 of this Regulation, by submission of data as stipulated by provisions of these agreements.

If stipulated in the international agreement, the Ministry shall, at the request of signatories of the international agreement, communicate the text or summary of the draft technical regulation and, where possible, indicate parts of the draft technical regulation which significantly deviate from corresponding international standards.

If the international agreement stipulates obligations of communicating the draft technical regulation in a foreign language, the competent body of the Ministry shall communicate the text of the draft technical regulation in English language.

Article 8

The Ministry shall give communication to the competent body that the notification procedure has been initiated and shall inform the body of the prescribed deadline for submission of comments in accordance with the relevant international agreement, which may be extended at the request of signatories of that agreement.

The competent body shall delay adopting of draft technical regulation up to expiry of deadline referred to in Paragraph 1 of this Article.

Article 9

The Ministry shall communicate comments on draft technical regulation to the competent body, as well as requests for additional information, received from signatories of the international agreement in writing.,.

The competent body shall, in the shortest time possible, communicate the Ministry the additional information and draft contents of reply to comments in both English and Serbian language.

Reply to comments which have been communicated to the signatory of the international agreement shall contain a declaration stating whether comments shall be accepted fully or partially, and the reply shall contain reasons for partial acceptance or rejection thereof.

The Ministry, in collaboration with the competent body, shall conduct negotiations with the signatory of the international agreement which provisions have not been accepted.

Article 10

In case of urgency, when safety, life and public health, environment or national security are under threat, or when this threat is imminent, the Ministry shall not be obliged to communicate the draft technical regulation to the competent international body in the manner stipulated in Article 7 of this Regulation, but shall, however, be obliged to act as follows:

- 1) Upon adopting the technical regulation and receipt of communication referred to in Article 3 of this Regulation, without postponing, communicate to the competent international body data regarding contents of the technical regulation, objective to be achieved by its adoption, products to which the technical regulation pertains, and reasons for urgency;
- 2) communicate the text of the technical regulation to the signatory of the international agreement, upon request;
- 3) Allow a reasonable time period, without discrimination, to every signatory of the international agreement, for communication of written comments and to review those comments with the purpose of providing a reply.

Provision referred to in Article 7 (3) and 9 of this Regulation shall also be applied to technical regulation adopted in case of urgency.

Article 11

Provisions of Articles 3 to 10 of this Regulation shall also be applied in case of significant amendments to technical regulation, including change of product to which the technical regulation pertains.

Article 12

Provisions of Articles 3 to 11 of this Regulation shall also be applied to notification of conformity assessment procedures.

2.2 Standards

Article 13

The Institute for Standardization of Serbia (hereinafter referred to as: Institute) shall publish a programme for adopting standards at least once every six months, notify international organizations for standardization, and fulfill all other obligations in accordance with the Code of Good Practice for the Preparation, Adoption and Application of Standards, enclosed as Annex 3 to the WTO Agreement on Technical Barriers to Trade.

3. Notification under the EU rules

Article 14

Certain terms used in this Section shall have the following meanings:

1) "Technical regulation" shall mean a regulation containing technical specifications and other requirements or rules on services, including the relevant administrative provisions whose observance is mandatory, *de jure* (legally) or *de facto* (actually), in the case of placement on the market, provision of services, establishment of a service provider or use, as well as acts, other regulations or administrative provisions, except for those prohibiting the manufacture, import, placement on the market or use of a product, the use of services or the establishment of a service provider, except for regulations provided for in Article 15 of this Regulation. *De facto* technical regulations include:

- (1) acts, regulations or administrative provisions that refer either to technical specifications, other requirements or rules on services, or to professional codes or codes of good practice which further refer to technical specifications, other requirements or rules on services, compliance with such technical specifications, other requirements or rules on services confers a presumption of conformity with the obligations imposed by the aforementioned acts, other regulations or administrative provisions;
- (2) voluntary agreements to which the state is a contracting party and which provide, in the public interest, compliance with technical specifications, other requirements or rules on services, excluding public procurement tender specifications;
- (3) technical specifications, other requirements or rules on services that are linked to fiscal or financial measures affecting the consumption of products or services

by encouraging compliance with such technical specifications or other requirements or rules on services, excluding technical specifications or other requirements or rules on services which are linked to national social security systems,

2) “Draft technical regulation” shall mean the text formulated with the aim of adopting as technical regulation, in a preparatory stage whereby amendments to the text may still be made;

3) “Document on technical specification” (hereinafter referred to as: technical specification) shall mean a specification contained in a document which lays down the characteristics required of a product, such as levels of quality, performance, safety or dimensions, including the requirements applicable to the product with regard to the name under which the product is sold, terminology, symbols, testing and testing methods, packaging, marking or labelling, and conformity assessment procedures. Technical specification shall also include production methods and processes used in respect of agricultural products, products intended for human or animal consumption, and medicinal products, as well as production methods and processes relating to other products when these have an impact on their characteristics;

4) “Other requirement” shall mean a requirement other than technical specification which is imposed on a product for the purpose of protecting, in particular, consumers or the environment and which affects its life cycle after it has been placed on the market, such as conditions for use, recycling, reuse or disposal, where such conditions may significantly influence the composition or nature of the product or its trade;

5) “Service” shall mean any Information Society service, i.e. any service regularly provided for reimbursement, at a distance, by electronic means and at the individual request of a recipient of services. The term Services as stipulated in Article 14 (1), Point 5 shall have the following meanings:

(1) “At a distance”: shall mean that the service is provided without the parties being physically present at the same time,

(2) “By electronic means”: shall mean that the service is sent initially and received at its destination by means of electronic equipment (including digital compression) and data storage, and initially transmitted, conveyed or received by wire, radio or by optical or other electromagnetic means,

(3) “At the individual request of a recipient of services” : shall mean that the service is provided through the transmission of data upon individual request. A list of services not covered by this definition is given in Annex 2 – List of services not covered by Point 5 of Article 14, printed with this Regulation and its integral part;

6) “Rule on services” shall mean a general requirement regarding commencement and pursuit of services within the meaning of Point 1 of this Paragraph, and in particular provisions on service providers, services and recipients of services. For the purposes of this definition, the rule:

(1) applies to Information Society services where, with regard to its statement of reasons and its operative part, the specific aim and object of all or some of its

individual provisions is to regulate such services in an explicit and targeted manner,

(2) does not apply to Information Society services if the Society affects such services only indirectly or accidentally;

7) “Standard” shall mean a technical specification which is approved by a recognised standardization body for repeated or continuous application and with which compliance is not compulsory, and may be:

(1) International standard: standard adopted by an International Standards Body and made available to the public,

(2) European standard: standard adopted by a European Standards Body and made available to the public,

(3) National standard: Standard adopted by a national standards body and made available to the public;

8) “Standards programme” shall mean a work programme of a recognised standards body listing the subjects on which standardization activity is being carried out;

9) “Draft standard” shall mean a document containing the text of technical specifications concerning a given subject which is being considered for adoption in accordance with the national standardization procedure, as that document stands after preparatory work and as circulated for public comment or review;

10) “National Standards Bodies” are organizations which can become members of European Standards Organisations such as:

(1) European Committee for Standardisation (CEN);

(2) European Committee for Electrotechnical Standardisation (CENELEC);

(3) European Telecommunications Standards Institute (ETSI);

11) “national standards body” is a body stated in Annex 1 – National Standards Bodies, printed with this Regulation and its integral part.

3.1. Technical regulations

Article 15

The provisions of Articles 15 to 28 of this Regulation shall not apply to draft technical regulations with which the competent bodies:

1) Harmonize these regulations with binding Community acts;

2) Fulfill obligations in accordance with international agreements;

3) Adopt measures to implement safeguard clauses provided for in binding Community acts;

- 4) Adopt measures in line with the binding Community acts on general product safety;
- 5) Implement judgments of the European Court of Justice;
- 6) Amend a technical regulation in line with a request from the European Commission (hereinafter referred to as: Commission) due to barriers to the free movement of goods or, in the case of rules on services, to barriers to the free movement of services or the freedom to establish service providers.

Article 16

The Ministry shall communicate the draft technical regulation to the Commission by submitting its text and reasons for its adoption.

The Ministry shall also communicate to the Commission the text of provisions of valid regulations which are connected to the draft technical regulation, if this is necessary for the assessment of its effects.

Data communicated to the Commission referred to in this Article are not confidential, except at reasonable request of the competent body.

The Ministry shall communicate the draft technical regulation again to the Commission if previously communicated text has been significantly altered in regard to the scope of application; shortened deadlines originally envisaged, or in regard to any additional or more restrictive specifications or requirements.

Article 17

The Ministry shall not communicate to the Commission the text of the draft technical regulation if it contains only a transposition of the full text of an international or European standard, but is obliged to communicate data on the standard concerned.

Article 18

Where a draft technical regulation, on the grounds of public health or consumer or environmental protection, limits placement on the market or the use of a chemical substance, preparation or product, the Ministry shall also communicate to the Commission available relevant data referring to these chemical substances, preparations or products and existing substitutes.

In addition to the information referred to in Paragraph 1 of this Article, the Ministry shall also communicate the Commission about information on the anticipated effects of the draft technical regulation on public health and consumer and environmental protection, along with relevant risk analyses carried out in accordance with the general principles of risk evaluation of these chemical substances, preparations or products, as stipulated in regulations relating to evaluating and controlling the risk of existing or new chemical substances.

Article 19

The competent body is obligated to state in the draft technical regulation that all requirements of this Regulation, i.e. requirements stipulated in EU Directives 98/34/EC and 98/48/EC are fully complied with.

If the draft technical regulation must be communicated to the Commission in the draft stage on the basis of some other Community act, the competent body may perform notification on the basis of that act, provided that it states that such notification also represents notification within the meaning of the directive referred to in Paragraph 1 of this Article.

Article 20

The Ministry shall communicate to the competent body that the notification procedure has been initiated, indicating the date when the Commission received the notification referred to in Article 16 of this Regulation (hereinafter referred to as: notification), the prescribed deadline for postponing the adoption of draft technical regulation and obligations of the competent body arising out from potential comments or detailed opinion delivered by the Commission or Member States..

Article 21

The competent body shall postpone for three months the adoption of draft technical regulation from the day of receipt by the Commission of the notification, unless this Regulation stipulates otherwise.

The competent body shall postpone for four months the adoption of draft technical regulation if it is an voluntary agreement referred to in second subparagraph of Article 14 (1), Point 1 of this Regulation.

Article 22

The comments made by the Commission or any of the member states concerning the draft technical regulation, shall be taken into account by the competent body in the subsequent preparation of the technical regulation to the greatest possible extent.

Received comments referred to in Paragraph 1 of this Article shall not extend standstill period referred to in Article 21 of this Regulation.

Article 23

If the Commission or any of the EU member states delivers, within three months of the day of receipt by the Commission of the notification, their detailed opinion that the draft technical regulation creates obstacles to the free movement of goods within the internal market, the competent body shall postpone the adoption of the draft technical regulation for six months from this date.

Provisions referred to in paragraph 1 of this Article shall not apply to rules on services.

If the Commission or any of the EU member states submit, within three months of the day of receipt notification by the Commission, their detailed opinion that the draft technical

regulation creates obstacles to the free movement of services or to the freedom to establish a service provider in the internal market, the competent body shall postpone adoption of the draft technical regulation for four months from this date.

The Ministry, in collaboration with the competent body, shall communicate the Commission of activities that the competent body is undertaking based on the detailed opinion received, and state the reasons for not taking the detailed opinion into account.

Article 24

The competent body shall postpone the adoption of the draft technical regulation for 12 months from the day of receipt by the Commission of the notification if, within three months of that day, the Commission announces its intention of proposing or adopting a directive, regulation or decision in the same area, or that a draft of such act has already been presented to the EU Council.

Provisions referred to in Paragraph 1 of this Article shall not apply to rules on services.

The competent body shall postpone the adoption of the draft technical regulation for 18 months from the day of receipt by the Commission of the notification if the EU Council adopts a common position on submitted draft directive, regulation or decision, within the standstill period referred to in Paragraph 1 of this Article.

Article 25

The obligation of delay of adoption of technical regulation referred to in Article 24 of this Regulation shall cease:

- 1) When the Commission has informed the Ministry that it no longer intends to propose or adopt a binding act from Article 24 (1) of this Regulation;
- 2) When the Commission has informed the Ministry of the withdrawal of its draft for a binding Community act;
- 3) When the Commission or the Council have adopted a binding Community act.

Article 26

The Ministry shall, without postponing, communicate the text of the published technical regulation to the Commission.

The provision referred to in Paragraph 1 of this Article shall apply to technical regulations containing rules for investment services in the area of securities on regulated markets, or rules for other markets or bodies performing accounting or mediating activities for these markets, and for which there is no notification obligation under this Regulation.

Article 27

Provisions of Articles 21, 23 and 24 of this Regulation shall not apply in case of urgency caused by:

- 1) Serious and unforeseeable circumstances relating to the protection of public health or safety, the protection of animals or the preservation of plants, in technical regulations containing rules on services, and in public policy, notably the protection of minors, where the competent body is obliged to prepare technical regulations in a very short time period, without any consultations being possible prior to its adoption, or
- 2) Serious circumstances relating to the protection of the security and integrity of the financial system, notably the protection of depositors, investors and insured persons, where the competent body is obliged to adopt and implement regulations on financial services immediately.

The Ministry shall state reasons for urgency when adopting technical regulation under urgent circumstances.

Article 28

Provisions of Articles 21, 23, 24 and 27 of this Regulation shall not apply to draft technical regulations:

- 1) That prohibits manufacture, insofar as they do not impede the free movement of good;
- 2) That contains rules on services relating to fiscal or financial measures referred to in third subparagraph of Article 14 (1), Point 1 of this Regulation.

Provisions of Article 24 of this Regulation shall not be applied to voluntary agreements referred to in second subparagraph of Article 14 (1), Point 1 of this Regulation.

3.2. Standards

Article 29

The Institute shall communicate the Commission, organizations for standardization referred to in article 14, (1), Point 10 of this Regulation and standardization bodies under Annex 1 to this Regulation, printed with this Regulation and its integral part, that it has included in its standards programme the preparation of a new or amendment of an existing standard, unless it is an identical or equivalent transposition of international or European standard.

The communication referred to in Paragraph 1 of this Article shall indicate in particular whether the draft standard will transpose an international standard without being its equivalent, or will be a new original Serbian standard or an amended existing Serbian standard.

The Institute shall not adopt and publish standard which has not been notified in accordance with Paragraphs 1 and 2 of this Article.

Article 30

The Institute shall, at the request of the Commission, communicate the standards programme.

The Institute shall, at the request of the Commission or organizations and bodies for standardization, communicate draft standards and inform them of all activities performed concerning received comments on draft standards.

Article 31

The Institute shall, at the request of the standardization body referred to in Annex 1 to this Regulation – national standards bodies, printed with this Regulation and its integral part, enable involvement of that bodies in the activities of the Institute concerning preparation of subjects from the standards programme referred to in Article 29 of this Regulation.

The Institute shall also enable the subject from the standards programme to be discussed at the European level, in accordance with rules of European Standards Bodies and shall not perform any activities which may prejudice the final decision on that subject.

Article 32

The Institute shall not, during preparation of a European standard or after its approval by European Standards Bodies referred to in Article 14, Paragraph (1), Point 19 of this Regulation, take any actions which could prejudice the harmonization intended, or shall not publish any new or amended Serbian standard which is not fully in line with an existing European standard.

Provisions of Paragraph 1 of this Article shall not apply to activities which the Institute performs at the request of the competent body, with the aim of adopting and publishing standards or technical specifications which the draft technical regulation shall refer to.

Draft technical regulation referred to in Paragraph 2 of this Article shall be communicated to the Commission in accordance with Article 1 of this Regulation.

Article 33

The competent body shall not prepare or adopt any technical regulations which refer to standards which have not notified in accordance with provisions of this Regulation, except in cases defined in Article 32 (2) of this Regulation.

4. Foreign notifications

4.1. Technical regulations and conformity assessment procedures

Article 34

Notifications of foreign technical regulations which the Ministry receives from signatories of international agreements, or Member States of the EU, shall be communicated to the competent body.

If the draft technical regulation which is the subject of notification is in the competence of several competent bodies, the Ministry shall communicate such draft technical regulation to each of them, appointing at the same time one to coordinate activities on communicating common position from competent bodies.

The Ministry shall publish the text of regulation on the web page immediately upon receipt of the notification referred to in paragraph 1 of this Article.

The competent body, upon written request, communicates to stakeholders additional information on the notification referred to in Article 1 of this Article.

Article 35

If data from the notification referred to in Article 34 of this Regulation (hereinafter referred to as: foreign notification) are marked as confidential, the competent body may seek expert advice from persons or entities outside the government administration only if necessary measures for ensuring the protection of confidentiality have been taken.

Article 36

If a stakeholder deems that the draft technical regulation which is the subject of notification presents a obstacles to the free movement of goods or services, or a barrier to the freedom to establish service providers, it shall communicate comments and suggestions to the competent body.

If the competent body deems that the draft technical regulation the foreign notification refers to presents a obstacle referred to in paragraph 1 of this Article, it shall inform the Ministry by communicating substantiated comments in writing, proposes amendments of the draft technical regulation or requests that the Ministry calls for postponing the adoption (for instance, by providing a detailed opinion).

The Ministry shall review comments by competent bodies and comments and proposals from stakeholders referred to in paragraph 1 of this Article, and in collaboration with them, decides on the content and form of potential comments, or detailed opinions, and communicates them to the signatory of the international agreement or EU member state.

Article 37

Any comments or detailed opinions regarding notified technical regulations referred to in third subparagraph of Article 14 (1), Point 1 of this Regulation, shall concern only those aspects that might cause obstacles to trade or the free movement of services or the freedom to establish service providers, but not the fiscal or financial aspects of these regulations.

Detailed opinions regarding notified technical regulations containing rules on services shall not apply to any cultural policy measures, particularly in the audio-visual area, which

member states of the EU adopt in accordance with their legislation, due to their linguistic diversity, their specific national and regional characteristics, and their cultural heritage.

Article 38

If the signatory of the international agreement rejects the received comments, the Ministry may, in accordance with the rules of the international agreement, request postponing the adoption of the draft technical regulation and start of negotiations with the aim of adopting a technical regulation which will not present a obstacles to free movement of goods.

Negotiations referred to in paragraph 1 of this Article shall be conducted by the Ministry in collaboration with the competent body which shall, at the request of the Ministry, communicate information required for negotiations within 8 days upon receipt of such request.

Article 39

Provisions of Articles 34 to 38 of this Regulation shall apply to foreign notifications of conformity assessment procedures.

4.2. Standards

Article 40

The Institute shall, on its web page, publish communication on whether a foreign standards body has included in its standards programme the preparation of a new or amendment of an existing standard which is not an identical or equivalent transposition of international or European standard.

Stakeholders may require the Institute to provide texts of draft standards from the standards programme of foreign standards bodies.

The Institute, on the basis of review of communication referred to in paragraph 1 of this Article and request from the stakeholders referred to in paragraph 2 of this Article, decides whether to request from foreign standards body text of any draft standard from the standards programme.

The Institute, on the basis of review of prepared draft standard and comments from stakeholders on such standard, shall communicate comments to foreign standards body as needed .

III PROVIDING INFORMATION

1. Technical regulations and conformity assessment procedures

Article 41

The Ministry shall, under the same conditions which apply to domestic stakeholders, provide replies to reasonable requests from signatories of international agreements, or Member

States of the EU or other stakeholders from those states, as well as provide documentation pertaining to:

- 1) Valid technical regulations and draft technical regulations in the Republic of Serbia;
- 2) Valid conformity assessment procedures, as well as draft ones;
- 3) Participation of competent bodies or economic operators in Republic of Serbia in bilateral or multilateral agreements on conformity assessment, including reasonable information on rules of such agreements.

The Ministry shall, at request, provide other available information on technical regulations and conformity assessment procedures.

The Ministry shall refuse to provide information which may endanger the safety of the Republic of Serbia.

Documentation referred to in paragraph 1 of this Article shall be provided in written or electronic form.

Costs for providing documentation referred to in paragraph 1 of this Article shall be paid as per actual costs for services rendered and shall be identical for domestic and foreign stakeholders, except for delivery costs.

2. Standards

Article 42

The Institute shall, under the same conditions which apply to domestic stakeholders, reply to reasonable requests from signatories of international agreements, or EU member states or other stakeholders from those states, as well as make available documentation pertaining to existing standards and draft standards in the Republic of Serbia.

The Institute shall, at request, provide information on where communications regarding notified standards are published, in accordance with international agreements as well as other available information pertaining to standardization.

Costs for providing documentation referred to in paragraph 1 of this Article shall be paid as per actual costs for services rendered and shall be identical for domestic and foreign stakeholders, except for delivery costs.

IV CONFORMITY WITH EU REGULATIONS

Article 43

This Regulation is in conformity with all principles and requirements of the European Parliament and Council Directive 98/34/EC dated 22 June 1998 and the European Parliament and Council Directive 98/48/EC dated 20 July 1998, which lay down procedures

for the provision of information in the field of technical standards and regulations and the rules on Information Society services.

V TRANSITIONAL AND FINAL PROVISIONS

Article 44

Provisions of Article 14 to 33 of this Regulation shall apply as from the day of accession of the Republic of Serbia to the European Union.

Provisions of Articles 34 to 40 of this Regulation regarding notifications of Member States of the European Union, shall apply as from the day of accession of the Republic of Serbia to the European Union.

Article 45

Regulation on providing information with regard to technical regulations, standards and conformity assessment shall be repealed with effect from the date of entry into force of this Regulation ("Official Gazette of the republic of Serbia", No. 126/07).

Article 46

This Regulation shall entry into force on the eight day following its publication in the Official Gazette of the Republic of Serbia.

Annex 1

NACIONAL STANDARDS BODIES

1. Kingdom of Belgium IBN/BIN Institut belge de normalisation Belgisch Instituut voor Normalisatie CEB/BEC Comité électrotechnique belge
2. Republic of Bulgaria BIS Blijgarskijat institut za standartizacija
3. Czech Republic ČNI Český normalizační institut
4. Kingdom of Denmark DS Dansk Standard NTA Telestyrelsen, National Telecom Agency
5. Federal Republic of Germany DIN

Deutsches Institut für Normung e.V.
DKE
Deutsche Elektrotechnische Kommission im DIN und VDE
6. Republic of Estonia
EVS
Eesti Standardikeskus
7. Republika Grčka
ELOT
Ellinikos organismos tytopoiisis A.E.
8. Kingdom of Spain
AENOR
Asociación Española de Normalización y Certificación
9. French Republic
AFNOR
Association française de normalisation
UTE
Union technique de l'électricité - Bureau de normalisation auprès de l'AFNOR
10. Ireland
NSAI
National Standards Authority of Ireland
ETCI
Electrotechnical Council of Ireland
11. Italian Republic
UNI
Ente nazionale italiano di unificazione
CEI
Comitato elettrotecnico italiano
12. Republic of Cyprus
CYS
Kypriakos organismos tytopoiisis
13. Republic of Latvia
LVS
Latvijas standarti
14. Republic of Lithuania
LSD
Lietuvos Standartizacijos Departamentas
15. Grand Duchy of Luxemburg
ITM
Inspection du travail et des mines
SEE
Service de l'énergie de l'État
16. Republic of Hungary
MSZT
Magyar Szabványügyi Testület
17. Republic of Malta
MSA
Malta Standardization Authority
18. Kingdom of Holland
NNI
Nederlands Normalisatie-instituut
NEC
Nederlands Elektrotechnisch Comité
19. Republic of Austria
ONI
Österreichisches Normungsinstitut

ÖVE
Österreichischer Verband für Elektrotechnik
20. Republic of Poland
PKN
Polski Komitet Normalizacyjny
21. Portuguese Republic
IPQ
Instituto Português da Qualidade
22. Romania
ASRO
Asociația de Standardizare din România
23. Republic of Slovenia
SIST
Slovenski inštitut za standardizacijo
24. Slovak Republic
SUTN
Slovenský ústav technickej normalizácie
25. Republic of Finland
SFS
Suomen Standardisoimisliitto SFS ry
Finlands Standardiseringsförbund SFS rf
THK/TFC
Telehallintokeskus
Teleförvaltningscentralen
SESKO
Suomen Sähkiteknilinen Standardisoimisyhdistys SESKO ry
Finlands Elektrotekniska Standardiseringsförening SESKO rf
26. Kingdom of Sweden
SIS
Standardiseringsen i Sverige
SEK
Svenska elektriska kommissionen
ITS
Informationstekniska standardiseringsen
27. United Kingdom of Great Britain and Northern Ireland
BSI
British Standards Institution
BEC
British Electrotechnical Committee

Annex 2

INDICATIVE LIST OF SERVICES NOT COVERED BY ARTICLE 14 Point 5 OF THIS REGULATION

1. Services not provided “at a distance”:

Services provided in the physical presence of the provider and recipient, even if they involve the use of electronic devices:

- a) medical examinations or treatment at a health centre using electronic equipment where the patient is physically present;
- (b) consultation of an electronic catalogue in a shop where the customer is on site;

(c) plane ticket reservations at a travel agency by means of a network of computers and with the physical presence of the customer;

(d) electronic games made available in a video arcade where the customer is physically present.

2. Services not provided "by electronic means"

- Services having material content even though they are provided via electronic devices:

(a) automatic cash or ticket dispensing machines (banknotes, rail tickets);

(b) access to road networks, car parks, etc. where a charge is made for use, even if there are electronic devices at the entrance/exit controlling access and/or ensuring correct payment is made.

- Offline services: distribution of CD-ROMs or software on diskettes

- Services not provided via electronic processing/inventory systems:

(a) voice telephony services;

(b) telefax/telex services;

(c) services provided via voice telephony or fax;

(d) consultation with a doctor by telephone/telefax;

(e) consultation with a lawyer by telephone/telefax;

(f) direct purchasing via telephone/telefax.

3. Services not provided "at the individual request of a recipient of services"

Services provided by transmitting data without individual request for simultaneous reception by an unlimited number of individual receivers (point to multi-point transmission):

(a) television broadcast services (including Near-Video-On-Demand services) covered by Article 2 (3) of this Regulation;

(b) radio broadcast services;

(c) teletext (via television signal).

Annex 3 **INDICATIVE LIST OF FINANCIAL SERVICES**

1. Investment services,

2. Insurance and reinsurance operations
3. Banking services,
4. Operations relating to pension funds
5. Services relating to dealings in futures and options

These services include, in particular:

(a) investment services specified in the regulation transposing annex to Directive 93/22/EEZ;
services of collective investment undertakings;

(b) services covered by activities subject to mutual recognition, specified in the regulation transposing annex to Directive 89/646/EEZ;

(c) insurance and reinsurance activities specified in regulations transposing:

- Annex to Directive 79/267/EEC

- Directive 64/225/EEC

- Directive 92/49/EEC and 92/96/EEC