

THE
POLICY for
BUSSINES
IN SERBIA
2020



AMCHAM SERBIA

A LEADER IN CHANGE



POLICY FOR BUSINESS IN 2020

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Every day, companies doing business in Serbia, whether they are U.S. international or local, startups or multinational companies, roll up their sleeves and make an effort to invest more, generate more revenues, contribute more to the community and hire more people. And, every day, here at AmCham Serbia, we roll up our sleeves to support them. AmCham Serbia is the country's leading independent business hub composed of 200+ companies united by their will to improve the Serbian business environment for all. Our members have collectively invested over €14 billion and generated €12.3 billion. They collectively employ over 95,000 people directly and 130,000 indirectly in the country.

Our mission is to help businesses of every size and sector drive a vibrant, growing economy that creates opportunities and supports jobs for our citizens. To make this happen, AmCham member companies rely on the right policies. **In this booklet you'll find an overview of our policy priorities for 2020.**

It may be an election year, but there is no excuse for inaction when it comes to improving the business environment. We hope you will join us in this mission!

AmCham Policy Team

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BUSINESS AND CORPORATE LAW

- Support **judicial efficiency and the rule of law**, crucial for continued business growth and new investments.
- Further digitalization of the judiciary through the introduction of electronic tools for case handling and communication with parties, use of eCourt application in litigation and enforcement proceedings, etc;
- Call for the improvement in the number of judicial staff responsible for expediting the cases, as well as creating an adequate incentive system for judges, to reward efficiency and quality in case handling.
- Invite for higher uniformity of case law through electronic publication and searchability of court verdicts, as well as provision of adequate reasoning for supporting verdicts.
- Urge for functional specialization of judicial councils (e.g. in the Administrative Court, based on the model of Commercial Appellate Court) and continual professional education of judges (especially in areas requiring specific knowledge such as tax issues, protection of competition, etc.).
- Monitor the efficient, transparent and consistent implementation of the relevant legal framework in the area of **corporate and commercial legislation** and champion legislative changes that promote economic growth and opportunities (e.g. personal data protection, enforcement and security, bankruptcy, protection of competition, company law, etc.)

SUPPORT MODERN
CORPORATE REGULATORY
FRAMEWORK AS WELL
AS EFFICIENT AND
INDEPENDENT JUDICIARY

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COMBATING GREY ECONOMY

- Assist capacity building, coordination and empowerment of supervisory authorities relevant for addressing **illicit trade and intellectual property rights (IPR) infringements on the internet**.
- Urge for the increase in the **capacity of inspections** committed to fighting illicit trade on the internet (especially in the case of Market Inspection, Postal Inspection and Inspection for Medicines and Medical Devices).
- Work with the Government to **remove legislative impediments** blocking proper implementation of existing laws in the area of illicit trade and IPR protection.
- Connect and engage businesses and enforcement bodies in a joint effort to **disrupt criminal networks that traffic in illegal, counterfeit and pirated goods**.
- Call for **appropriate prosecution of misdemeanors and criminal offences** related to illicit trade.

INCREASE EFFECTIVENESS
IN FIGHTING AGAINST
SHADOW ECONOMY ON
AND OFF THE INTERNET,
VITAL TO ENABLING LEVEL
PLAYING FIELD, CREATING
JOBS AND ADVANCING
ECONOMIC GROWTH

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DIGITAL ECONOMY

- Work with the Commissioner for **Personal Data Protection** on ensuring the proper implementation of the newly enacted legislation, based on the EU privacy principles.
- Advocate for regulatory action to streamline and reduce regulatory barriers to **electronic communications and the introduction of new technologies**.
- Advance operational collaboration between national cybersecurity bodies and business entities to proactively engage against **cyberattacks**.
- Work with private and public-sector leaders to educate the public, media, business community and policymakers on the benefits of **digital transformation** across industries.
- Improve education and awareness of **blockchain technology**.

PROMOTE THE ROLE
OF TECHNOLOGY IN
OUR ECONOMY AND
ADVOCATE FOR POLICY
SOLUTIONS CONDUCIVE TO
INNOVATION

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ENVIRONMENT

- Continue to support legislation designed to bring **improvements to the existing packaging waste management system** and limit the potential hazards created by the sudden and insufficiently managed introduction of the deposit scheme system.
- Advocate for the establishment of the extended **producer responsibility (EPR) scheme for special waste streams.**
- Continue to work with the Government in bringing more **predictability, transparency and accountability to environmental taxation** (e.g. charge for environmental improvement and protection, special waste streams charge, etc.).
- Champion legislative solutions that enable and support **distribution of food surplus.**
- Engage members in **innovative and environmentally responsible projects**, thus helping reduce the overall ecological footprint.

PROMOTE SMART
ENVIRONMENTAL
REGULATION AND
LEVERAGE THE BUSINESS
COMMUNITY'S DRIVE
FOR REDUCING THE
ENVIRONMENTAL
FOOTPRINT

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ENERGY

- Support the adoption of clean energy policies and **the raise in the share of renewables** in gross final energy consumption.
- Facilitate the **construction of new energy infrastructure**, by advocating for the regulatory framework that ensures transparency, accessibility, predictability and consistency, while also guaranteeing safe and environmentally responsible projects.
- Encourage the development of **energy efficiency** projects in the public and private sector, through the much needed adoption of the Energy Supply Contracting model, as well as a more efficient and widespread implementation of the Energy Performance Contracting model.
- Raise awareness about the necessity of the development of legislative framework and accompanying infrastructure for the **use of electric vehicles** in Serbia.

FOSTER ENERGY
REGULATION AIMED AT
POWERING SUSTAINABLE
ECONOMIC GROWTH AND
HELP KEEP SERBIA SECURE,
PROSPEROUS AND CLEAN

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HEALTH CARE

- Advocate for an **accelerated access to innovative medicines and health technologies** that would improve the population's life expectancy and productivity and reduce a growing gap in access to innovation compared to EU countries.
- Encourage **synergy between the public and private health care sectors** that should result in better access and quality of services provided to patients, without additional investments.
- Continue to streamline higher procedural **efficiency and transparency in the process of registration**, renewal of registration, as well as amendments to the registration of medicines and medical devices.
- Deliver the initiative for **regulating internet pharmacies** as a modern mean of safe and accessible selling of medicines and medical devices on the internet.
- Call for the **optimization of public procurement processes in health care** based on MEAT (most economically advantageous tender) as default award criteria, to assure best value for money, maximize competition and provide high quality services.

EXPAND ACCESS TO AND IMPROVE THE QUALITY OF HEALTH CARE SERVICES FOR CITIZENS

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LABOR REGULATIONS

- Promote **workplace policies that enhance, not inhibit, economic growth and job creation** (especially through improvements within the umbrella Labor Law, but also more specific Staff Leasing Law, Law on Health and Safety at Work, Law on Employment of Foreigners, Law on Foreigners, etc.).
- Monitor the implementation of the recently adopted **Staff Leasing Law**, primarily regulation of the salary of a staff leased worker in cases where there is no comparative employee at the same job.
- Remove unnecessary administrative burden for companies, by pushing for the changes of the Law on Personal Income Tax and relevant Opinion issued by the Ministry of Finance, rendering **compensation of the transportation costs to-from work** as benefit (subject to contributions and taxes), if not „properly“ documented.
- Advocate for the possibility of **employers keeping employment related records in their digital form.**
- Promoting policies recognizing flexible employment forms, especially **internships for students and young people** seeking relevant work experience.
- Enhancing the ability of businesses to **find, hire, and retain qualified employees** – the top challenge identified in AmCham's 7th Lap Time Survey: Investors' Satisfaction and Confidence.
- Support **innovation in higher education** while properly evaluating the performance of educational institutions.

CRAFT SOUND LABOR AND
EMPLOYMENT POLICIES
THAT ENABLE BUSINESSES
TO CREATE NEW JOBS, HIRE,
RETAIN TALENTS AND GROW

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REAL ESTATE

- Monitor the implementation of and advocate for the necessary improvements of the relevant **real estate legislation**, especially with regards to cadastre procedures, permitting the conversion of the right of use of land into ownership, restitution and public-private partnerships.
- Support reform in the **Real Estate Cadastre procedures**, that would scale back inconsistent implementation and interpretation of regulations by cadastral outposts, as well as match the data entered in the cadastre with the actual situation on the ground.
- Resolve practical issues noted within **Public Notary procedures**, through the exchange of information at regular briefings with the Public Notary Chamber.

DEVELOP THE REAL ESTATE
INDUSTRY AND CREATE
CONDITIONS FOR AN
INVESTMENT-FRIENDLY
BUSINESS ENVIRONMENT

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TAX AND FINANCE

- Advocate for the essential change of the **foreign exchange** regulatory framework, by reducing administrative burden, increasing predictability and transparency.
- Promote innovative ways of **digital payments**, essential and non-restrictive access to services provided by foreign electronic money and payment institutions from third countries to the business community and citizens, in line with EU directives.
- Advocate for **transparency and predictability** in the adoption and application of tax regulations.
- Ask for modification and precision of the principle **“substance above form”**.
- Urge for higher predictability and continuity in **tax audits** and the respect of the rights of taxpayers.
- Encourage further systematization of **parafiscal charges**, including the institutionalization of a parafiscal charges register.

INCREASE PREDICTABILITY
AND EFFICIENCY OF
TAXATION, REDUCE BURDEN
OF FINANCIAL REGULATIONS
AND FOSTER NOVEL
PAYMENT METHODS

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TRADE FACILITATION

- Provide assistance in improving the procedures applicable for import and export of **food and agricultural products**, allowing for more efficient and effective controls based on the risk assessment principle.
- Facilitate foreign trade of **industrial products** (including cosmetics, general products, medicines, medical devices, chemicals, machinery and various types of technical equipment), by ensuring that technical regulations, standards, and conformity assessment procedures are enacted and implemented without constituting unnecessary obstacles to trade.
- Provide private sector feedback and facilitate the implementation of simplified and electronic procedures in the work of the **Customs Administration**.
- Support the removal of existing non-trade barriers to retain the benefits of **free trade in the CEFTA region**.

REDUCE ADMINISTRATIVE
BARRIERS AND EXPEDITE
MOVEMENT OF GOODS
ACROSS NATIONAL
BORDERS.

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