



AMCHAM SERBIA
A LEADER IN CHANGE

YEAR 2015 | REVIEW

IMPRESSIVE YEAR!

NETWORKING &
PROMOTION:
CONNECT FOR **ACTIVE**
BUSINESS GROWTH

IMPROVING BUSINESS
ENVIRONMENT:
LEAD **BOLD** CHANGE BY
MAGNIFYING YOUR VOICE

EXCELLING PROFESSIONAL
DEVELOPMENT:
INSPIRE YOUR **CONFIDENT**
PROFESSIONAL EXCELLENCE



ABC OF AMCHAM SERBIA

CONNECT FOR **ACTIVE** BUSINESS GROWTH

LEAD **BOLD** CHANGE BY MAGNIFYING YOUR VOICE

INSPIRE YOUR **CONFIDENT** PROFESSIONAL EXCELLENCE



Dear Fellow Members,

It is my privilege to address you as AmCham Serbia President looking back at 2015, which was in many ways a year of change. As the AmCham Board and the Executive Office bid farewell to their respective leaderships and welcomed new ones, our committees, forums and programs achieved significant improvements.

To my mind, an organization like AmCham is a key leverage tool for the business community to clearly articulate, prioritize and pursue its goals with regard to achieving a better business climate. Thus, it is the strength of our advocacy and the goals we achieve on this front against which I measure our success as business leaders. Achievements in 2015 are evident - our diligent committees have succeeded in taking big steps toward: systemic regulation of oversight over the grey economy, reducing the administrative burden and costs for construction permits and land ownership, improving liquidity in the economy through strengthening the regulatory position of creditors in enforcement proceedings. This is to name just a few among over 30 regulations for which AmCham has been advocating.

Besides all that, with our 195 member strong community, 27 new members and a record membership retention

rate of 92%, AmCham is a proven platform for member networking and business development. We have created custom-made and targeted peer to peer networking formats and are constantly finding innovative ways to link businesses and foster growth.

Finally, we are particularly proud of our growing portfolio of educational activities. While our prestigious AmChamps education program has become even stronger developing its outreach and diversity of activities, we have developed impressive curricula for professional development of various management levels, setting high standards in fostering and improving talents.

Thank you all for your active participation in the engagement with key decision makers and for actively advocating for our common priorities. Thank you for sharing your best experiences, cutting edge knowledge and investing your time and good will in improving the future of business in Serbia.

Thank you for choosing AmCham as your business hub; let us together remain the leaders in change in 2016!

Sincerely yours,

Zoran Petrović



AmCham is a key leverage tool for the business community to clearly articulate, prioritize and pursue its goals with regard to achieving a better business climate.

Dear AmCham members,

AmCham Serbia is a strong voice of U.S. business interests and a leader in improving the business environment in Serbia. Since arriving to Serbia in August 2015, I have had the pleasure to attend many AmCham events focused on improving Serbia's business climate, developing the business acumen of future leaders, training in ethical and good US business practices and maintaining a dialogue with the Serbian government to encourage reforms necessary for a globally competitive economy.

U.S. companies are making a significant contribution to the Serbian economy through job creation, good corporate governance and a strong commitment to socially responsible practices. Our commitment to further improving trade relations remains strong. Visits to the U.S. by Prime Minister Vučić are among the most notable parts of that commitment to U.S.-Serbia economic relations.

AmCham plans to do even more in 2016, highlighted for the first time in history the United States will be featured as the Partner Country at Hannover Messe, April 25-29, 2016. Hannover Fair is the

top trade-promotion priority of Secretary of Commerce Penny Pritzker, which will include the participation of President Barack Obama. We greatly appreciate Amcham's support in making this a successful event. We are offering many benefits for companies attending the show and we think this event provides the greatest opportunities.

As we review success of 2015, I would like to recognize AmCham Serbia's Board of Governors, Committees and staff for leading the change for the better in Serbia. I believe the reforms necessary for Serbia to develop a robust and competitive economy will facilitate integration into the global marketplace and ease the path to the European Union. Every day, AmCham Serbia's many platforms, programs and projects bring us closer to that goal.

ROBERT DUNN
COMMERCIAL COUNSELOR,
U.S. EMBASSY, BELGRADE

AmCham Serbia is a strong voice of U.S. business interests and a leader in improving the business environment in Serbia.



THE MOST ACTIVE, BOLD AND CONFIDENT BUSINESS COMMUNITY IN SERBIA IN 2015!

AmCham Serbia is the country's leading international business hub composed of **195+** companies united by their will to improve the Serbian business environment and to be part of AN **ACTIVE, BOLD AND CONFIDENT** influential community. Ranging from small companies to global corporations, our membership includes US, internationally and locally owned enterprises that have collectively invested over **€14 billion** and employ over **100,000 people** in the country.

AmCham Serbia is a non-profit, non-governmental and non-political association and **100% member-funded**.

It is an Active, Bold and Confident organization that never stops evolving to serve its members and their interests and needs. We do it through:

- **Actively partnering with decision makers** with the goal to improve the business environment and to deliver critical business information to our members;
- **Facilitating connections and networking** through promoting best business practices and values;
- **Providing professional development platforms** to enable our members to excel.

By doing what we do, we promote the best American business values of competition, transparency and free enterprise.

Members always come first!



COMMITTED TO ACTIVELY, BOLDLY AND CONFIDENTLY LEADING CHANGE!

Amcham's Board of Governors provided expert and strategic guidance to the Executive team throughout 2015 and played a pivotal role in further market-positioning AmCham as the leading international business community in Serbia.

The Board's guidance proved to be of key importance for Active, Bold and Confident performance in 2015.

President*:

Zoran Petrović

Raiffeisen Bank

First Vice President:

Miloš Đurković

HP Enterprise

Second Vice President:

Vladan Živanović

NCR

Secretary Treasurer:

Igor Lončarević

KPMG

Untitled Governor:

Boris Vujičić

Trizma

Untitled Governor:

Željko Vujinović

Microsoft

Untitled Governor:**

Mikkel Noesgaard

Telenor

Untitled Governor:

Miša Lukić

Leo Burnett

Untitled Governor:

Jelena Pavlović

Philip Morris

International Services



*Until June, the position of President was held by Stacey Kennedy, Philip Morris International

**Until June, the position of Untitled Governor representing Telenor was held by Goran Vasić

EXTENDED “FAMILY” OUTREACH

AmCham Serbia is a member of the **115-strong AmChams** community worldwide and particularly proud to be part of the **AmChams in Europe network**, comprised of **45 Chambers** in **43 countries** with **16,438 member companies** with **4.2 million employees**. This is an influential network, accredited by the largest business association in the world — **the 3-million member-strong US Chamber of Commerce** in Washington, DC.

In 2015, we reached out to our neighboring colleagues in the region of South Eastern Europe to create a more focused strategic regional cooperation network (NEW SEE project) as per the demands of our members to provide **more opportunities** for them and to **extend our community** for the **benefit of our member** companies.

We organized a regional Combating Grey Economy conference and plan to further institutionalize the regional network in 2016.



[About Us](#) | [New Site Platform](#) | [New Site Report](#) | [Contact](#) | [Search](#)

NEW SEE REGION - NEW INVESTMENT HOT SPOT

1 Region | **2015+ and** | **Population** **4.2 million** | **2 New spots**

NEW SEE: Southeastern Europe is a part of Europe with over 60 million people and 17 members, linked not only geographically, but also by the fact that they share a common market through deepening regional integration.

NEW SEE is an initiative of American Chambers of Commerce (AmCham) from the region, which have joined forces to better cooperate between the individual members and encourage new investments to this part of the world.

NEW SEE is a region with unique investment opportunities:

- Great geo-economic potential, rich with natural resources and committed human capital potential;
- Provides the regions and directly supports the access to local and international markets;
- Provides the regions with unique clusters that provide competitive edge;
- 20% of the SEE's GDP growth since 2000 has been due to the EU accession (2004 and 2007);
- 20% of the SEE's GDP growth since 2000 has been due to the EU accession (2004 and 2007).

Please see more information about NEW SEE on [NEW SEE website](#).



2015 – STRENGTH IN UNIQUELY STRONG COMMUNITY

There is no strong community without emotions. Emotions set apart the good from the exceptional. AmCham Serbia in 2015 was all about friendship, trust, boldness, confidence, love, togetherness, respect, appreciation, closeness, pride, pleasure and happiness.

And all for and because of **love and respect for our members** through:

100+
events to share **togetherness**

3,000+
participants for **trust**

27
new members for **pride**

400+
experts on 7 Committees, 2 Groups,
1 Forum for **boldness**

1,500+
media mentions for **impact**

3,000+
meetings for **appreciation**

350,000+
exchanged emails for **closeness**



FOCUS ON AN ACTIVE, BOLD AND CONFIDENT DIGITAL FOOTPRINT

AmCham@WWW

18,000+ people browsed the site
 130,000+ page views
 52% new visitors
 54% returning visitors

We launched a Serbian version of the web site in January 2016 and further improved performance of our web site experience throughout 2015!

AmCham@Twitter

More than 700 tweets reached 1,400+ of our twitter followers.
 Our tweets earned over 240,000 impressions throughout 2015,
 which on average equaled around 650 impressions per day.

AmCham@LinkedIn

450 followers in 2015, an increase of 30% compared to 2014

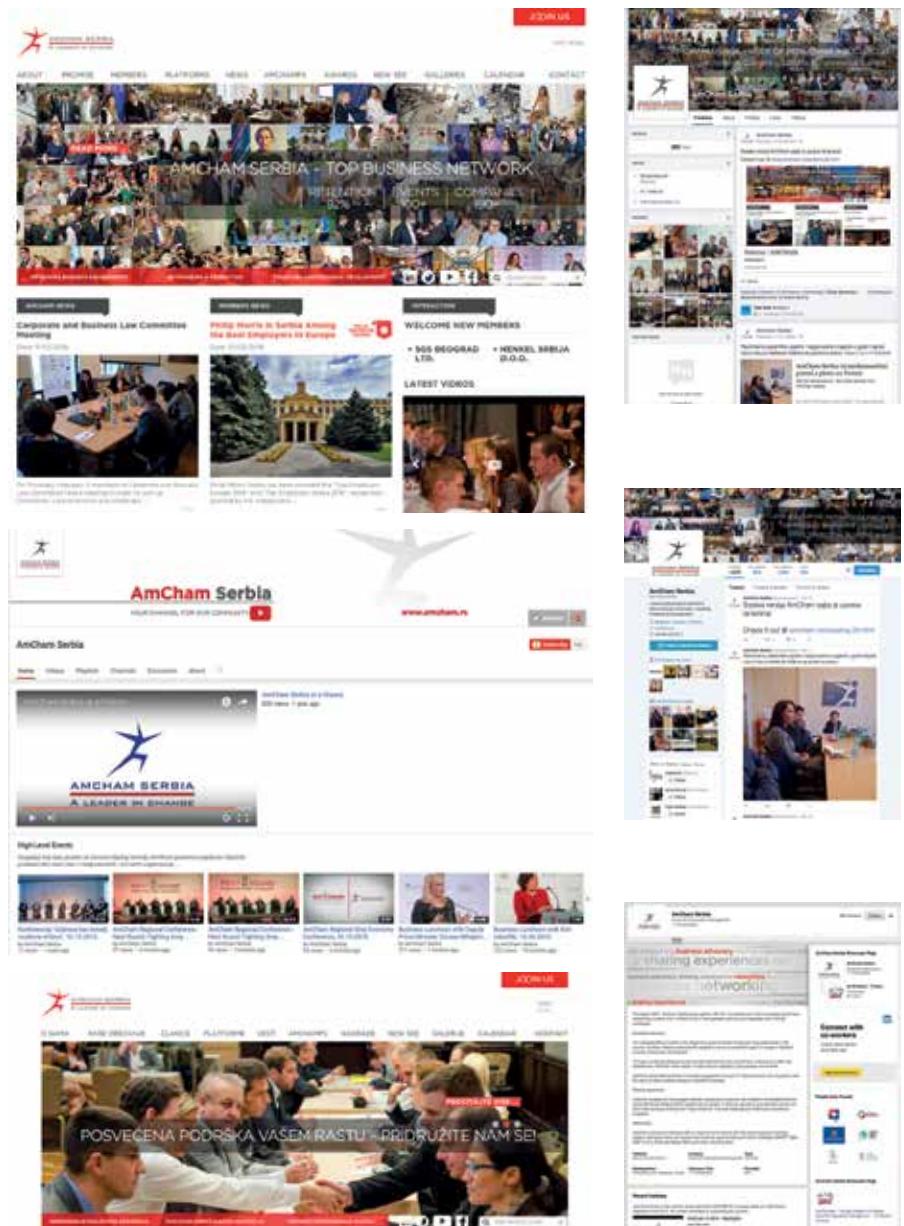
AmCham@YouTube

65 videos, 110,000+ views, 166,000+ minutes watched

AmCham@Facebook

Launched AmCham Serbia's Facebook page in January 2016
 and have already gained more than 200 followers, reaching
 more than 9,000 Facebook users.

In 2015, our AmChamps Facebook page gained **700+** likes, with
400,000+ people being exposed to **250+** of our posts.





OUR POLICY TEAM DEDICATED MORE THAN
800+ HOURS IN 2015 TO IMPROVING BUSINESS
ENVIRONMENT, SUPPORTED BY MORE THAN 400
EXPERTS FROM OUR MEMBERSHIP ENGAGED IN
OUR 7 COMMITTEES.

BOLD
IMPROVING
BUSINESS
ENVIRONMENT

BOLD PERFORMANCE ON TOP PRIORITIES IN 2015

As a result of AmCham's improving business environment survey conducted at the end of 2014, four overall policy battlefields were chosen by the members as priorities for AmCham in 2015. Out of these four top priorities, significant results have been achieved in the three areas, namely:

A big step in a systematic approach to **combating the grey economy** through adoption of the **Law on Inspection Oversight** with key AmCham suggestions and the first results of its implementation.

Establishing an effective regulatory framework for efficient and transparent construction permits and conversion through implementation of the **Law on**

Planning and Construction and adoption of the **Law on Conversion** in line with AmCham comments and membership interests.

Initial steps have been achieved in the **reform of Public Administration** through introduction of **e-Government services** and through a joint study by AmCham and the Ministry of Health on the **direction of health care efficiency reform** and the possibilities for **synergy between the public and private sectors**.

The only area with no significant progress for the second year in a row was fiscal and parafiscal predictability and improving unification in the implementation of tax regulation.



BUSINESS AND CORPORATE LAW COMMITTEE

A more effective regulatory framework for efficient collection of claims was achieved through amendments to the **Law on Enforcement and Security** in line with AmCham suggestions aimed at expediting enforcement procedures and providing improved legal remedies.

The Business and Corporate Law Committee further focused on **improvement of the Law on Investments**, especially in regard to precising expropriation and ensuring that the legal basis for expropriation is not extended beyond property rights on real estate.

In the previous period the Committee also worked on **improving the text of the Law**

LEADERSHIP

Nataša Lalović Marić, Chairperson

Partner, Wolf Theiss Law Office

Dragan Lupšić, Vice Chairperson

Legal Director, Coca-Cola HBC

on Advertising, which has led to a large number of its provisions being adopted as a clear response to the concerns expressed by AmCham members during the public discussion.

A round table discussion on **Amendments to the Law on Public Procurement** recommended the improvement of mechanisms and the capacity that the Law provides to the supervisory authorities.

The Committee has been active during the drafting of the **Model Law on Personal Data Protection** by the Commissioner as well as the public debate on the Draft Law in the second half of 2015, when it conducted several consultations with the members of the working group.



FINANCE AND TAX COMMITTEE

A joint initiative of the Finance and Tax Committee and the Foreign Investors Council advocated and succeeded in annulling the negative effects of the amendment to the Decree regulating the compensation of business travel expenses for civil servants used as the basis for untaxable portion of per diems and business travel expenses in the private sector at the end of 2015.

In the end of 2015 the **Draft Law on Local Self-Government Financing** was published, **adopting AmCham's key requirements** with regard to the abolishing of two local parafiscal levies, a business name display fee and an environmental fee.

Significant progress was made with regard to addressing the problem of banks' NPLs considering that the

Committee provided, in cooperation with IMF, constructive suggestions concerning relevant tax laws and the **Law on Enforcement and Security** that were adopted at the end of 2015.

The greatest accomplishment was definitely made by the **adoption of the Rulebook for Electronic Tax Filing** which led to Serbia making a huge jump forward in the World Bank's Doing Business list with regard to the paying taxes criterion.

The Committee was also advocating for the Law on Compensations for the use of public goods in order to make an inventory of fees for the use of public goods, their levels and an alteration mechanism as well as to effectively decrease peaks and arbitrariness in imposing local levies and charges.

LEADERSHIP

Zoran Petrović, Chairperson

Deputy Chairman of Managing Board, Raiffeisen Bank

Igor Lončarević, Vice Chairperson

Partner, KPMG



COMBATING GREY ECONOMY COMMITTEE

Regulatory improvements: Roof Law on Inspections Oversight, the key regulatory engagement of the Committee in 2015 was adopted with 80% of AmCham priority suggestions featured, while its implementation has already started to achieve first results.

After the Law on Inspection Oversight was adopted, the Committee shifted its focus onto supporting the effective implementation of the Law. In the middle of 2015, AmCham took part in a **Working Group for Illicit Trade** within the Tax Administration.

In October 2015, a regional conference, **Next Round in Fighting Grey Economy**, was organized and attended by all relevant public authorities, the private sector, and international and local experts in the field. The goal was to make assessment of the results that were achieved and to point out the importance of the next steps: ensure more effective court proceedings, continue and improve cross-country cooperation and ensure better coordination among all responsible bodies within Serbia.

LEADERSHIP

Ivan Milić, Chairperson

Director Corporate Affairs RS & ME, Philip Morris Services

Slobodan Doklešić, Vice Chairperson

Partner, DBP Law Office



HEALTH CARE COMMITTEE

A joint study by AmCham and the Ministry of Health on the possibilities for **synergies between the public and private sectors** aimed at **improvement of health care efficiency** was conducted in 2015. The main goals of the Study included efficient control of income and expenditures, analysis of public health cost effectiveness in view of the existing system of private healthcare service providers, the identification of alternative solutions to income increase, and the assessment of the existing regulatory framework and potential changes aimed at improvement of the Serbian Health Care system.

In addition to working to find the best solution to health-care system reform, the Committee continued its regular activities related to the improvement of medicine-related legislation.

Moreover, after the general legislation on public procurements was amended, the Committee focused on improving its implementation of public procurement processes by organizing, with relevant institutions, a round table which pointed out the challenges in its interpretation and application.

LEADERSHIP

Miloš Andrović, Chairperson

Associate, Stanković & Partners Law Office
Jasmina Pavlović, served as Chairperson until August 2015
Country Manager, Pfizer



ICT COMMITTEE

In late 2015, AmCham organized, in cooperation with the Ministry of Public Administration and Local Self Government, a **Conference to mark e-Government day**. The conference evaluated efforts made in the development of e-Government, considered the potential for improving the quality and scope of e-Services, primarily to suit the needs of the business sector but also provided recommendations for their institutional strengthening.

In August 2015 the US Embassy, Diplo Foundation and AmCham organized an informal meeting to discuss the **Draft Law on Information Security** with representatives of the Ministry of Defense, Ministry of Interior, the National Bank of Serbia

and representatives of the ICT companies. The final version of the Law on Information Security that was adopted in early 2016 included the key joint suggestions including the establishment of a specific and independent public body enabling lawful involvement of various sectors in coordination and strategic planning with regard to digital policies and information security.

Through its cooperation with ICT Hub and SEE ICT/Startit, the ICT Committee has strived to provide support to the development of IT entrepreneurship by offering its own experts who assume the role of mentors for startups, providing practical advice and support in their business development.

LEADERSHIP

Željko Tomić, Chairperson

Director, OSA Računarski inženjerинг

Boris Vujičić, Vice Chairperson

Chairman of the Board and Co-Founder, Trizma



LABOR REGULATIONS COMMITTEE

After the Labor Law was adopted, the Labor Regulations Committee continued to **monitor the Labor Law implementation process**.

AmCham's contribution to the implementation of the adopted laws was continued through a **Briefing Session on Mobbing and the Protection of Whistleblowers** aimed at improving compliance and discussing implementation issues and court practices.

Following active participation in **advocating for amendments to the Law on Employment of Foreigners**, the Committee organized a Roundtable with representatives of the competent Ministry and the National Employment Service at which the new procedures on employment of foreigners were discussed, thus easing compliance, especially important in the first months of the implementation of the new system.



LEADERSHIP

Dragica Pilipović Chaffey, Chairperson

Vice President of Corporate Affairs and Member of Managing Board, United Group (SBB)

Jovana Tomić, Vice Chairperson

Lawyer, Živković Samardžić Law Office

REAL ESTATE COMMITTEE

After the adoption of the **Law on Planning and Construction** in December 2014, AmCham, together with the Ministry of Construction, Transport and Infrastructure, organized a presentation about the most important novelties, a simulation of the required permitting procedure and a comparative overview of the procedures implemented by the former rules and the new rules.

In cooperation with the Ministry of Construction, Transport and Infrastructure, NALED and the USAID BEP, AmCham's Real Estate Committee organized in late 2015 a **Conference on Integrated Procedure and Planning Documents** with

the goal to summarize the first results arising from the practical implementation of the new construction permitting procedure and the identification of further steps to be taken with regard to planning and construction.

The issue of conversion was resolved through the adoption of the **Law on the Conversion of Right-to-Use Land into Ownership Right**. The new Law that was adopted in July 2015 provided for the conversion for a fee, as well as for the conversion without fee for the part of the land which is in regular use, namely in which the buildings were erected, as well as traffic facilities, silos, auxiliary facilities, etc.

LEADERSHIP

Đorđe Nikolić, Chairperson

Partner, NKO Law Office

Vladimir Pavlović, Vice Chairperson

Metro Cash & Carry



MAGNIFY YOUR VOICE

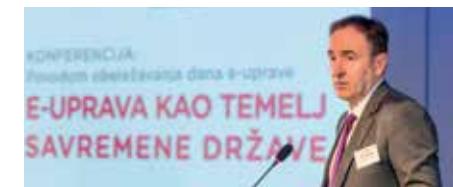
Events to facilitate improving business environment

Business Luncheons & Breakfasts

Featuring keynote speakers and Government officials, these working events provide a high-level platform for influencing and networking and cover key issues facing the Serbian market and our members. We hosted Deputy Prime Minister and Minister of State Administration and Local Self Government Kori Udovički and Deputy Prime Minister and Minister of Construction, Transport and Infrastructure Zorana Mihajlović during 2015.

Briefing Sessions, Roundtables, Conferences

These are perfect formats for getting critical and useful business information on newly adopted regulations and their implementation in everyday business. We hosted 8 events on topics ranging from public procurement, transfer pricing, mobbing and whistleblower protection, employment of foreigners, information security and much more. We organized 3 large scale conferences, such as Next Round in Fighting the Grey Economy, Construction Permits: Unified Procedure and Planning Documentation and Development of e-Government as a Foundation of a Modern State.





OUR TEAM INVESTED MORE THAN 700 WORKING HOURS IN CREATING A WIDE RANGE OF TAILOR-MADE NETWORKING AND BRAND-BUILDING ACTIVITIES, FROM HIGH-LEVEL EVENTS TO ONE-ON-ONE MEETINGS BETWEEN OUR MEMBERS AND FURTHER DEVELOPING THE ONLINE PLATFORM TO ALLOW MORE DIRECT PEER-TO-PEER CONTACTS.

**ACTIVE
NETWORKING
& PROMOTION**

OUR POWER IS OUR COMMUNITY!

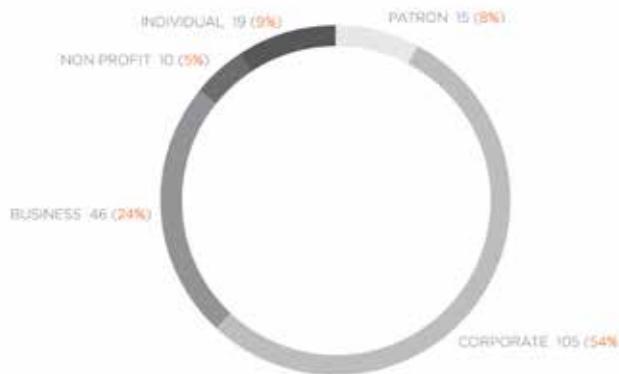
In 2015, AmCham welcomed 27 new members for a total of 195 by year end with a historic record — **92% retention rate!**

In order to strengthen and intensify the interaction between each member and the AmCham Board of Governors, AmCham organized Key-Account meetings in 2015.

We also held more than 60 bilateral meetings and collected feedback from 79 members through a Satisfaction survey in late 2015!

We continued to develop CRM platform during 2015 to secure more efficient means of communication with our members.

MEMBERSHIP BY CATEGORY:



MEMBERSHIP BY INDUSTRY (end of 2015):

Agriculture	6	3%
Consulting & Accounting	8	4%
Distribution & Logistics	8	4%
Education	5	3%
Energy	6	3%
Financial Services	17	9%
FMCG & Services	26	13%
Health Care & Pharmaceutical	17	9%
HR, Recruiting and Executive Search	1	1%
ICT	26	13%
Legal	20	10%
Manufacturing & Production	10	5%
Marketing & PR	11	6%
Media & Entertainment	5	3%
NGO/NPO	7	4%
Real-Estate	13	7%
Security	2	1%
Travel & Hospitality	7	4%

ACTIVELY CONNECT FOR BUSINESS GROWTH

Events to facilitate networking and promotion

Business Speed Meeting

Relaxing and enjoyable business-development opportunities with B2B contacts. We hosted a Business Speed Meeting with the Italian Confidustria and the DSW – German Chamber of Commerce.

Cocktail Parties

An after-work networking format aimed at building the community through spending off-time together. We hosted three cocktail parties for our members and partners -an After-Hours Cocktail Party with Belgrade Waterfront, Magnet za Ljubav with MK Group and a Farewell Party for Maja Piščević.

Family Events

An informal format aimed at providing business development opportunities and B2B contacts while enjoying fun time with the family. We hosted two child-centered events to celebrate Halloween and the New Year Holidays.

Executive Assistants Network

Behind every member company is a great assistant, and to honor them, the first in a series of workshops designed exclusively for Executive & Personal Assistants and Office Managers was organized in 2015 to provide tips and tricks to avoid stress.



PROCUREMENT GROUP

Initiated to create a unique networking, information and **knowledge-transfer platform** for Procurement executives from the membership and to enable increased interaction. More than 30 engaged and dedicated procurement professionals met three times in 2015 to share their experiences, knowledge and best practices.

Colleagues from varied industry sectors had the opportunity to discuss topics such as Supplier Management, Outsourcing and Vendor-Risk management, and also to get fresh ideas on how to improve their efficiency, as well as the position of the Procurement department within the company.



MARKETING AND COMMUNICATIONS GROUP

Initiated at the request of the membership in 2014 to facilitate and provide a platform for marketing and communications professionals from member companies to **network, exchange ideas, examine cases and experiences, and discuss various outreach models.**

In 2015 the group met three times, exploring various topics and taking the opportunity to learn more and discuss: *Serbian 'Digital Moms'* — key findings of a locally conducted survey on the 'Truth About Moms' by I&F McCann; *Strategic and Applied*

Marketing 2020: From Trends to Brands — a presentation by the Coca-Cola marketing team related to the influence of major macro-forces, people trends, and business trends, addressing a company's most valuable assets and brand construction with the incorporation of a social & cultural component, along with a pre-existing emotional and functional level; *Creating Content for a New Sales Context* — a presentation and workshop on content marketing and the new role of companies as media houses provided by Represent Communications.





MORE THAN 700 HOURS OF EXECUTIVE
TEAM WERE DEDICATED TO PROVIDING
PROFESSIONAL DEVELOPMENT FORMATS AIMED
AT EXCELLING OUR MEMBERS' KEY TALENTS
THROUGHOUT 2015.

CONFIDENT
EXCELLING
PROFESSIONAL
DEVELOPMENT

AMCHAMPS – DEVELOPING TOMORROW'S LEADERS

In 2014, AmChamps was launched as an exclusive, annual, educational program to boost leadership potentials in young managers and to help in bridging the gap in the Serbian educational system by connecting the business sector with academia.

In 2015, AmChamps educational activities continued to evolve by:

- **Producing a new generation of AmChampions:**

* AmChamps Class of 2015 included 40 new participants — 20 prospective young managers from member companies and 20 exceptional, final-year students from 10 university faculties

* An exclusive curriculum — 24 events (business lectures, soft skills workshops, extracurricular activities – networking, media-house visiting, team building outside Belgrade)

* Leading business professionals — 9 top managers as lecturers and 7 HR professionals as trainers

* Valuable prizes – Scholarships to Cotrugli Business School, internships at member companies for students, career development sessions, foreign language and professional skills courses

- **A growing, strong AmChamps Alumni club** with the aim of further promoting the program & nurturing the AmChamps network by organizing annual activities related to education, networking and CSR opportunities.

- **Creating an AmChamps Summer School** as a two-week intensive sub-program that enables students to brush up on skills and competencies that are becoming important in the modern market.

The Summer School provides an opportunity for students to learn from AmChamps Alumni.

- **Extending the reach of AmChamps @ University of Belgrade** – top managers from member companies engage with students from the University of Belgrade and offer them first-hand experience.

The program was supported by **our valued partners** – Cotrugli Business School, MK Group, Delta Holding, Telenor, as well as Gi Group, Berlitz, the Centre for Career Development and the Ministry of Youth and Sports.



HR FORUM – COMMITTED TO INSPIRE AND EMPOWER TALENTS TO EXCEL

Recognizing the promotion of educational and professional development initiatives as one of its essential roles, the HR Forum decided to focus its 2015 activities on four main fields – organization of **soft-skills workshops for both AmCham members and the external audience**, improving everyday activities of HR professionals through **sharing experiences panels** and hosting **meetings with business leaders** on HR topics. Pursuing this goal, the Forum proposed a plan of professional development events for AmCham members, further developed cooperation with Petnica Science Center aimed at equipping their teaching assistants-students with modern business skills, chose topics for joint focused discussions

and organized briefings with top managers. This ambitious agenda resulted in the organization of **20 professional development events**:

8 workshops for AmCham members
(storytelling, emotionally intelligent feedback, change management, etc.)

6 workshops for Petnica students
(project management, mentoring, communications, etc.)

4 sharing experiences sessions
(flexible working time, mobility, generation Y, etc.)

2 meet the businesses
(challenges business leaders to identify with HR and how HR can become a true business partner).

LEADERSHIP

Marina Rakić, Chairperson

CEE HR Partner Sales&Distribution, SEE HR Partner Delivery organization, IBM

Jelena Marković, Vice Chairperson

HR Manager, Telenor



INSPIRE YOUR PROFESSIONAL EXCELLENCE

Events to facilitate excelling professional development

Workshops, Lectures & Seminars

Aimed at the entire membership's staff and held throughout the year, hand-tailored programs for key talents aimed at excelling leadership skills. In 2015, we organized a series of workshops on various topics with some including graphic recording/capturing ideas, business continuity management, emotionally intelligent feedback, etc. We also hosted a lecture on negotiations by the global bestselling author Stuart Diamond, together with Direct Media and Samizdat.

By the end of 2015, we launched a brand new series of AmCham and Sheffield Insight with Sheffield University.

SMART Talk

A laid-back, informal format that provides outside-the-box, inspirational stories of successful individuals from all parts of society and hosted Nikola Đurićko, Uroš Petrović, Aleksandar Saša Đorđević, Dragan Bjelogrlić and US Ambassador Micheal Kirby.



LEAD THE CHANGE!

Leader in Change Awards

In 2014 AmCham established annual Leader in Change awards to recognize outstanding core values and principles among member companies and their leadership, based on spearheading change and promoting best business practices that contribute to the overall progress of Serbian society.

The laureates for 2015 were:

THE Leader in Change

Telenor

BUSINESS AMBASSADOR Leader in Change

Ove Fredheim of Telenor

WOMAN Leader in Change

Stanka Pejanović of Gorenje

YOUNG and INNOVATIVE Leader in Change

Marko Kovačević of Trizma

CSR Leader in Change

NIS

HERO – Special Leader in Change Award

Bojana Mirosavljević (Zoina mama)



ON BUDGET, ON TIME, ON SCOPE



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INDEPENDENT PRACTITIONER'S REVIEW REPORT

TO THE MANAGEMENT OF THE AMERICAN CHAMBER OF COMMERCE IN SERBIA

We have reviewed the accompanying balance sheet of the American Chamber of Commerce in Serbia (hereinafter referred to as "the Association") as of 31 December 2015 and the income statement and related Notes for the year then ended (hereinafter the "financial statements").

Management's Responsibility for the Financial Statements

Management is responsible for the preparation of these financial statements in accordance with the accounting regulations prevailing in the Republic of Serbia, based on the Law on Accounting ("Official Gazette of the Republic of Serbia", no. 62/2013) and accounting policies described in Note 2 and 3, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

Practitioner's Responsibility

Our responsibility is to express a conclusion on the accompanying financial statements. We conducted our review in accordance with the International Standard on Review Engagements (ISRE) 2400 (Revised), "Engagements to Review Historical Financial Statements". ISRE 2400 (Revised) requires us to conclude whether anything has come to our attention that causes us to believe that the financial statements, taken as a whole, are not prepared in all material respects in accordance with the applicable financial reporting framework. This Standard also requires us to comply with relevant ethical requirements.

A review of financial statements in accordance with ISRE 2400 (Revised) is a limited assurance engagement. The practitioner performs procedures, primarily consisting of making inquiries of management and others within the entity, as appropriate, and applying analytical procedures, and evaluates evidence obtained.

The procedures performed in a review are substantially less than those performed in an audit conducted in accordance with International Standards on Auditing. Accordingly, we do not express an audit opinion on these financial statements.

Conclusion

Based on our review, nothing has come to our attention that causes us to believe that the financial statements of the Association are not prepared, in all material respects, in accordance with the accounting regulations prevailing in the Republic of Serbia, based on the Law on Accounting and accounting policies described in Note 2 and 3.

Emphasis of Matter

We draw attention to the Note 2 to the financial statements. The accounting framework used in preparing these financial statements does not comply with all requirements of International Financial Reporting Framework. Our conclusion is not modified in respect of this matter.

Belgrade, 19 February 2016

For and on behalf of
IBDO d.o.o., Belgrade

Daniela Krstić
Certified Auditor



2007. d.o.o. Beograd - Nastavak broja 02/2017/200 - PB 10/2017/200
Podaci o d.o.o. 2007. 449/2017/200 75 kod Finansijske komisije u d.o.o. Beograd
IBDO d.o.o. Beograd, profesionalna d.o.o. i međunarodna članica IBDO International Limited (verzija 34.09.2015.)
nastavak je u skladu sa Vladičkim Urednikom i dešava se međunarodnoj IBDO mreži članica.
IBDO je član ICAC-a (International Council of Accountants).
IBDO je član IFAC-a (International Federation of Accountants).
IBDO je član IIA-a (Institute of Internal Auditors).
IBDO je član AICPA-a (American Institute of Certified Public Accountants).
IBDO je član ECA-a (European Committee of Accountants).
IBDO je član FRC-a (Financial Reporting Council).
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IBDO je član IIA-a (Institute of Internal Auditors).
IBDO je član ECA-a (European Committee of Accountants).
IBDO je član FRC-a (Financial Reporting Council).

INCOME STATEMENT For the year ended 31 December 2015 (Expressed in 000 RSD)

	Note	2015	2014
OPERATING INCOME			
Income from the sale of goods, products and services	5	7,155	7,448
Income from membership fees	5	61,306	56,691
		68,461	64,139
OPERATING EXPENSES			
Costs of materials	6	(483)	(546)
Wages, salaries and other personnel expenses	7	(34,377)	(29,282)
Production services	8	(9,490)	(9,300)
Depreciation and amortization	9	(604)	(559)
Donations		(54)	(348)
Other non-material expenses	10	(23,484)	(17,882)
		(68,492)	(57,917)
OPERATING PROFIT			
		31	6,222
FINANCE INCOME/(EXPENSES)			
Financial income		2,302	2,781
Financial expenses		(70)	(1)
		2,232	2,780
OTHER INCOME/(EXPENSES)			
Other income		6	12
Other expenses		(1,733)	(1,497)
		(1,727)	(1,485)
PROFIT BEFORE INCOME TAX			
Income tax expense		-	-
Deferred tax income		-	-
Deferred tax expenses		-	-
PROFIT FOR THE YEAR			
		474	7,518

Igor Lončarević
Secretary Treasurer

YOUR AMCHAM TEAM!

Vera Nikolić Dimić

Executive Director

Amalija Pavić

Deputy Executive Director

Jelena Radulović

Advisor for Strategy, Program Development and Communications

Tina Kostić

Membership and Finance Manager

Milica Samardžić

Regulatory Affairs and Education Manager

Branislav Valent

Events and Outreach Officer

Ana Milić

Regulatory Affairs and Communications Coordinator

Anita Karadžić

Office Manager

We work full time to serve
our members and help them grow.





ABC OF AMCHAM SERBIA

CONNECT FOR **ACTIVE** BUSINESS GROWTH

LEAD **BOLD** CHANGE BY MAGNIFYING YOUR VOICE

INSPIRE YOUR **CONFIDENT** PROFESSIONAL EXCELLENCE



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ACTIVE. BOLD. CONFIDENT.



ADVOCACY IMPACT

COMMITTEES REPORT ON ACTIVITIES IN 2014-2016
AND RECOMMENDATIONS FOR 2016-2018

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TWO YEARS OF EXPERTISE, DETERMINATION AND IMPACT

The American Chamber of Commerce in Serbia is very proud of the efforts made by the committees through which we work continuously to improve the business climate in Serbia. Looking back at the road we have travelled since AmCham was established in 2001, Serbia has become a more secure and more predictable place to do business and invest, largely thanks to the diligent work and expertise of AmCham member companies. We could not have done it without excellent co-operation we have with our partner associations, primarily NALED, the Foreign Investors Council, the USAID Business Enabling Project, the World Bank, the IMF, and many others. The job is not yet finished, but this is an opportunity to look back at the last

two-years of diligent work of seven AmCham committees and recognize their accomplishments, of which we are really proud.

Over the past two years, a good, or a very good, result has been achieved in four of the five priority areas defined by AmCham member companies at the beginning of 2014 as critical for improving the business climate.

In a survey conducted at the end of 2013, amendments to the Labor Law were the top priority for almost all AmCham member companies. We are very proud of the Labor Regulation Committee's unwavering engagement. **Amendments to the Labor Law, adopted in mid-2014**

and largely consistent with the Labor Regulation Committee's suggestions, have significantly improved labor legislation and ensured its flexibility, adjusting it to the businesses' needs; on the other hand, oversight of non-registered workers has been improved, leading to a gradual decrease in unfair competition for law-abiding employers.

For two years in a row, AmCham member companies responding to the annual advocacy survey identified the grey economy, and unfair competition stemming from it, as an increasingly serious and even dominant issue affecting everyday doing business. This is another area in which we are proud of our accomplishments, although the job is far from done. At the level of the overall public administration system, the umbrella **Law on Inspection**

Oversight was adopted. In line with the suggestions of the Combating Grey Economy Committee, this law provides an effective mechanism for better coordination of inspectorates, introduces clear powers and responsibilities with regard to non-registered business entities, and sets the focus on risk assessment-based planning and the performance of inspection oversight. At the level of individual inspectorates, significant results are already evident in an increased number of reports, as well as in joint actions, with the primary emphasis being on

suppressing the grey economy in the area of excise goods. This more intensive activity by inspectorates, along with their better coordination, should definitely be continued, and the new focus of activity for the Combating Grey Economy Committee will inevitably be to create an environment conducive to a more efficient judicial process.

One of the most commonly identified administrative problems encountered by investors in the past decade, the problem of an inefficient construction permitting procedure and, generally, difficulties in establishing clear ownership rights over the land, has been appropriately addressed over the past two years, with the first results already visible. With regard to a more efficient construction permitting procedure, **significant improvements have been made by the adoption of amendments to the Law on Planning and Construction** in accordance with recommendations provided by the Real Estate Committee, and in particular by introducing electronic construction permits at the beginning of 2016. Moreover, **the predictability of land ownership rights was further improved by the new Law on the Conversion of Right to Use Land into Ownership Right**, which provided a clear and predictable framework that, in most cases, does not produce any significant extra burden.

Considerable progress has been made in improving the regulatory framework for **lowering the level of illiquidity in the business sector through the adoption of the Law on Insolvency and the Law on Enforcement and Security**, in accordance with recommendations provided by the Business and Corporate Law Committee, particularly in view of strengthening the position of creditors in the claim collection process and preventing the abuse of bankruptcy and enforcement processes. Also, important steps have been taken to solve the problem of the pile-up of NPLs in the banking system, so as to remove restriction on potential credit growth and allow for additional liquidity for businesses.

Even though AmCham member companies identified the predictability of the tax and non-tax burden on businesses as a significant problem, the least progress has been made in this regard. Despite massive efforts by representatives of both the AmCham Finance and Tax Committee and other business associations and partner international organizations, no significant progress has been made in the implementation of tax legislation by the Tax Administration with regard to improving the predictability of amendments to tax legislation, the structure and level of parafiscal charges and the manner in which

they are introduced. The start of the two-year mandate of AmCham's committees was marked with assessment that changes to tax legislation are unpredictable, most importantly due to the sudden amendment of the Law on Corporate Tax at the very end of 2013, which abolished certain tax incentives based on which corporate budgets had already been adopted, with no public discussion and contrary to the adopted Fiscal strategy.

The situation did not improve, and two years later, at the end of 2015, amendments to a large number of tax laws were again adopted without public discussion and in urgent procedure, among which was an additional excise product. This imposed both a major financial and a major administrative burden on companies having little or no time to adjust. Despite announcements that the reform of parafiscal charges that commenced in 2012 would be concluded in 2014, by the end of 2015 the Draft Law on Fees for the Use of Public Assets had not yet been completed, although the adoption of this legislation had already been announced in the 2012 Law on the Budget System. Finally, the reform of the Tax Administration, aimed at ensuring its consistency, complying with the opinions of the Ministry of Finance (which in the meantime has become a legal obligation), planning risk assessment-based inspections,

etc. has commenced, but is still unfinished. We therefore expect to see the results of this reform in the upcoming period, once the Law on Inspection Oversight has been fully implemented.

At the end of 2014, AmCham member companies defined yet another reform priority — the state administration, and in particular two key aspects: improvement of e-Government to generally relieve the administrative burden on the business sector and reform of the healthcare system to create a financially sustainable system that meets the needs of the insured, i.e. citizens. In the course of 2015, the **Strategy for the Development of E-government** was adopted, providing guidelines for necessary amendments to legislation and giving priority to the development of e-Services to ease the administrative burden on the business sector. The implementation of the strategy in accordance with the action plan, and the establishment of interoperability, electronic registers and databases, should be the focus of the ICT Committee's activities in this regard, so that businesses can see the effects of its practical implementation.

Healthcare system reform, primarily in view of sustainable financing, but also in view of improving the services guaranteed to the insured within existing budget allocations,

is certainly the only critical reform that has not even been started since 2000. For this reason, **the Healthcare Committee, together with the Ministry of Health, has initiated and finalized an extensive macro and microeconomic study**, conducted in 2015, which identifies the existing inefficiencies in the public healthcare system, possible solutions through the synergy of private and public sectors, the positive effects of including modern therapy, and all of this within existing budget constraints. Some of the study's recommendations have already been put into practice since the beginning of 2016, with a call being made to private facilities through the National Health Insurance Fund in connection with two types of healthcare service for which there were waiting lists. However, these steps are just beginnings in the serious reform that needs to be undertaken.

A long stretch of this road is already behind us, but there is still a fair distance to travel. The American Chamber of Commerce in Serbia will remain devoted to its mission to be a leader in change for the better, above all in regard to improving Serbia's business environment, and thus creating a level playing field and equal opportunities for all, making the Serbian business climate globally competitive.

AMCHAM WORKING GROUPS GUIDELINES

AmCham advocacy activities are aimed at improving business environment, supporting the economic reforms and implementing best business practices. They are structured and executed through the work of committees, task forces and ad-hoc working groups.

Committees are more permanent working groups set up to pursue long-term initiatives or issues of common interest. Each committee shall adopt a mission statement, policy brief and agree on two-year agenda specifying short-and mid-term goals. Committee is led by the Steering Committee, Chair and Vice Chair, initially appointed by AmCham Board for the period of two years, which are afterwards chosen by the group itself. Chair is responsible for representing the group in the media and at the meetings with the Government Officials as well as for management of all aspects of its work, while Vice Chair is proactively engaged during elections and performance of the committee's annual agenda.

Task forces are temporary working groups set up by the representatives of interested AmCham

members to pursue short term initiatives or issues of common interest. Each task force has a set of short-term goals and two-year long action plan. They should be developed by task force Manager, who as a group's lead is in charge for managing structural aspects of work, internal communication and delegating responsibilities within a group. Task force may become a more formal advocacy structure, a committee, subject to approval by the AmCham Board of Governors, upon review of the task force accomplishments in a period not longer than two years.

Ad-hoc working groups are created in cases when there is a need to tackle a specific regulatory issue, such as amendments to a particular law, by-law or regulatory practice, and upon the expressed interest of at least five AmCham member companies. Such group usually lasts until resolution of a specific issue.

There are two types of the working groups' membership: general and associated. The first one is reserved for the representatives of AmCham companies (with voting rights), while the other is available to the representatives of companies and organizations as well as individuals outside of AmCham (without voting rights), upon invitation.

BUSINESS AND CORPORATE LAW COMMITTEE

CHAIRPERSON: Nataša Lalović Marić, *Wolf Theiss*

VICE CHAIRPERSON: Dragan Lupšić, *Coca Cola Hellenic*

THE COMMITTEE'S MISSION:

The Business and Corporate Law Committee strives to contribute to the further development of corporate law and good business practice in Serbia, promoting more effective and consistent implementation of enacted laws. The committee's key areas of interest in the past two years have included the improvement of market liquidity through better regulatory protection of creditors, more efficient collection of claims, improvement of the legal framework for investment, public-private partnerships, and personal data protection.

THE COMMITTEE'S MEMBERS:

ATLAS CENTAR	KINSTELLAR
AVIONICS & TELECOMMUNICATION SERVICES	KPMG
AVON COSMETICS	LALIN LAW
BALL PACKAGING EUROPE	L'OREAL BALKAN
BANCA INTESA	METRO CASH & CARRY
BDK ADVOKATI	MIKIJEV, JANKOVIĆ & BOGDANOVIĆ
BELGRADE OPEN SCHOOL	MK GROUP
BOJOVIĆ & PARTNERS	MOJI BRENDÖVI
BRITISH AMERICAN TOBACCO	MORAVČEVIĆ, VOJNOVIĆ & PARTNERI
CBS INTERNATIONAL	NAFTNA INDUSTRJA SRBIJE
COCA COLA COMPANY	NAUMOVIC & PARTNERI
COCA COLA HELLENIC	NELT
CONTINENTAL WIND SERBIA	OSA RAČUNARSKI INŽENJERING
CROWE HORWATH	PHILIP MORRIS SERVICES
DELHAIZE	RAIFFEISEN BANK
DELOITTE	SBB
DELTA HOLDING	SEKULOVIĆ LAW OFFICE
DUFRY	SERBIAN BUSINESS SYSTEMS
EKI TRANSFERS	SIEMENS
EOS MATRIX	SOCIETE GENERALE BANK
ERSTE BANK	ŠTAMPA SISTEM
EUROBANK	TAG MEDIA
EXECUTIVE GROUP	TELENOR
HEMOFARM	TRS EUROPE
HYP ALPE ADRIA BANK	VICTORIA GROUP
JANKOVIĆ, POPOVIĆ & MITIĆ	VIP MOBILE
JOHNSON & JOHNSON	VOJVODANSKA BANKA
JT INTERNATIONAL	WIENER STADTISCHE OSIGURANJE
KARANOVIĆ & NIKOLIĆ	WOLF THEISS
	ŽIVKOVIĆ & SAMARDŽIĆ LAW OFFICE

THE COMMITTEE'S FOCUS 2014-2016:

- More efficient collection of claims within bankruptcy and enforcement proceedings through the improvement of factoring possibilities and the mitigation of tax barriers to writing off bad debts in the business sector, through amendments to the Law on Insolvency and the Law on Enforcement and Security
- Overseeing amendments to the Law on Investments, the Law on Advertising and the Law on Public Procurement
- Advocating the enactment of a new law or amendments to the current Law on Personal Data Protection

THE COMMITTEE'S GREATEST ACCOMPLISHMENTS:

MORE EFFECTIVE REGULATORY FRAMEWORK FOR THE EFFICIENT COLLECTION OF CLAIMS

Amendments to the Law on Insolvency incorporate a large number of the Business and Corporate Law Committee's recommendations as a response to AmCham members' concern about the growth of illiquidity in the business sector. Long-awaited changes to bankruptcy regulations have lessened their negative effects on liquid operators and created conditions for a more intensive crediting activity, especially through:

- Specifying the grounds and obligations of the insolvency debtor's responsible persons with regard to initiating insolvency proceedings
- Ensuring that creditors' rights are protected in the event of reorganization, to prevent their rights being reduced without their explicit consent

- More specific regulation of the profession, duties, and rights of insolvency administrators

Amendments to the Law on Enforcement and Security contain considerably improved solutions compared to those previously provided within the Draft Law, primarily through:

- Reinstating provisions which secure efficient proceedings by judges
- Resolving collision between enforcement and extrajudicial settlement proceedings on immovable property - in case that several creditors conduct proceedings on the same immovable property priority is given to the already commenced settlement procedure (the previously proposed solution was to give priority to enforcement proceedings)
- Regulating legal remedies – elaborating provisions for legal remedies, introducing an objection and appeal procedure aimed at unifying judicial practice
- Detailing enforcement proceedings on immovable property - in order to provide greater protection of creditors' rights and prevent abuse of proceedings

CONSISTENT EFFORTS AT IMPROVING IMPLEMENTATION OF THE LAW ON INSOLVENCY, THE COMPANY LAW AND THE LAW ON PLEDGES ON MOVABLE ITEMS

In cooperation with the Supreme Court of Cassation, the Bankruptcy Supervision Agency and a group of professors from the Faculty of Law, a round table was organized to **discuss practical aspects of the Law on Insolvency**, in order to ensure better and more consistent implementation of the Law, and in particular its most recent amendments.

In 2014, the committee also worked on **improving implementation of the Company Law and the Law on Pledges on Movable Items**, organizing a round table attended by representatives of the Business Register Agency line registers and clearing up ambiguities encountered in its application.

IMPROVEMENT OF THE LAW ON INVESTMENTS AND THE LAW ON ADVERTISING

The committee had an active role in providing comments on the **Draft Law on Investments** through a number of text iterations during the public discussion and the process of proposing amendments within the Economic Caucus. All the committee's proposals were incorporated into the new Law on Investments, and the greatest improvement was made by:

- Formulating the subject of expropriation in a more precise manner and ensuring that the legal basis for expropriation is not extended beyond the property rights on real estate, in accordance with the Law on Expropriation, thus excluding any previous mention of the expropriation of business
- Allowing the protection of rights in front of foreign arbitration tribunals

In the period, the committee also worked on improving the text of the **Law on Advertising**, which has led to a large number of its provisions being adopted as a clear response to concerns expressed by AmCham members during the public discussion.

Amendments to the Law on Public Procurement were adopted in mid-2015 in an emergency procedure and without any public debate, which

unjustifiably omitted any consultation with the private sector. **A Round table discussion on Amendments to the Law on Public Procurement** recommended that the mechanisms and capacity which the law provides to the supervisory authorities be improved, while as a positive aspect the new law provisions effectively relieved bidders from excessive administrative burden.

For the two past years, AmCham has been committed to changing **the Law on Personal Data Protection**, taking into account the obstacles that the existing law presents, especially to multinational companies. The committee was active during the drafting of the Model Law on Personal Data Protection by the Commissioner as well as in the public debate on the draft law in the second half of 2015, when it conducted several consultations with members of the working group. Despite these efforts, the Law has not yet entered Government procedure, and the committee's activities in the upcoming period will continue to focus on monitoring the process of amendments to the law and harmonizing its provisions with EU regulations.

FOCUS IN THE UPCOMING PERIOD 2016-2018:

The committee will continue to work on:

- Improving the Law on Personal Data Protection and harmonizing with relevant EU legislation
- Improving the proposed amendments to the Law on Insolvency
- Improving the proposed amendments to the Law on Public Procurement
- More efficient and consistent implementation of legislation

WIDE ANGLE

Nataša Lalović Marić, Wolf Theiss

At the end of 2013, in an informal conversation with the then President of AmCham, I suggested that a specific committee be set up within this reputable institution which gathers together this country's leading businesses, to address issues of corporate law and, through a practical approach and action out in the field, to help improve Serbia's business environment. I believed that setting up such a specialized committee was important since, as a lawyer and thus an (in)direct participant in a large number of transactions in Serbia and the region, I am repeatedly witness to the majority of problems which members of the business community face in their business activities, and which are quite often the consequence of legislation which is inadequately developed and inconsistent with the specific characteristics of our legal system and economy, as well as a lack of, or inadequate, practical implementation.

The need to establish this group was recognized, and the committee started operating at the beginning of 2014. The committee's many activities, in line with the times in which we live, sometimes differed from those initially planned, but were always intensive and effective. We listened to the needs of our member companies and did our best to make our agenda and activities suit their needs.

We are proud of our contribution to the process of amending the Law on Insolvency and adopting the Law on Enforcement and Security and the Law on Investments. We initiated a dialogue on amendments to the Law on Personal Data Protection, worked on improving the Law on Advertising, and took part in efforts to overcome PPP related challenges. We organized a large number of seminars with representatives of relevant institutions, aiming to better inform our members about the practical implementation of laws.

Finally, I would like to say a big thank you to Miloš Đurković for showing understanding of the need to set up yet another committee to address 'lackluster' legal issues, as well as issues of vital importance! A big thank you also goes to Amalija Pavić, who shouldered the largest burden in setting up our committee and, together with us, dealt with all the challenges we were facing, encouraging us to be better and more efficient. Finally, we owe a big thank you to all the committee's members, particularly the representatives of Raiffeisen Bank, our colleagues from KN, JPM, BDK, and MJB, and the representatives of the business community for their selfless contribution to the committee's activities, for making it possible, two years later, to be proud of what we have done and what we have accomplished!

HEALTHCARE COMMITTEE

ACTING CHAIRPERSON: Miloš Andrović, *Stanković & Partners Law Office*

CHAIRPERSON FROM THE BEGINNING OF 2014 TO AUGUST 2016:

Jasmina Pavlović, *Pfizer*

THE COMMITTEE'S MISSION:

The Healthcare Committee advocates the improvement of the efficacy of the healthcare system through cooperation between the private and public sectors, improving and enhancing the transparency of legislation, as well as its adequate application, harmonization of domestic legislation with relevant EU legislation, and the creation of a clear, fair, and competitive market entry environment.

THE COMMITTEE'S MEMBERS:

ABBVIE BIOPHARMACEUTICALS

BDK ADVOKATI

BEL MEDIC GENERAL HOSPITAL

BELGRADE OPEN SCHOOL

BIOTEC INTERNATIONAL

BOJOVIĆ & PARTNERS

CROWE HORWATH

DELOITTE

ELI LILLY

ERNST & YOUNG

EXECUTIVE GROUP

GE HOLDINGS

GLAXOSMITHKLINE

HEMOFARM

JOHNSON & JOHNSON

KARANOVIĆ & NIKOLIĆ

KINSTELLAR

KPMG

MAKLER

MEDIGROUP SEE

MEDTRONIC

MERCK SHARP & DOHME

MORAVČEVIĆ, VOJNOVIĆ & PARTNERI

NAFTNA INDUSTRija SRBIJE

NAUMOVIĆ & PARTNERI

NOVO NORDISK PHARMA

PFIZER

SIEMENS

STANKOVIĆ & PARTNERS

UNIQA NEŽIVOTNO OSIGURANJE

WEST PHARMACEUTICAL SERVICES

WIENER STADTISCHE OSIGURANJE

THE COMMITTEE'S FOCUS 2014-2016:

- Developing a joint study by AmCham and the Ministry of Health aimed at identifying the direction of reform of healthcare financing and the possibilities for synergy between the public and private sectors
- Improving the regulatory framework to increase predictability and transparency, as well as harmonizing the regulations with relevant EU legislation

THE COMMITTEE'S GREATEST ACCOMPLISHMENTS:

JOINT STUDY BY AMCHAM AND THE MINISTRY OF HEALTH ON THE POSSIBILITIES FOR SYNERGY BETWEEN THE PUBLIC AND PRIVATE SECTORS AIMED AT IMPROVING HEALTHCARE EFFICIENCY

Recognizing both the existing pressures on the healthcare budget and the obstacles in the business environment facing companies which deal in pharmaceuticals, medical devices, health insurance and service providers, members of the committee initiated an extensive study aimed at identifying possible ways to improve the efficacy of healthcare services within the existing budget. Since the Ministry of Health was willing to take part in this joint project, the key activity for the Healthcare Committee in the past year was the **development of a joint study by AmCham and the Ministry of Health aimed at identifying the direction of reform of healthcare system financing and the possibilities for synergy between the public and private sectors**, as well as supporting the relevant authorities in further operationalization of the study's recommendations.

The main goals of the study include efficient control of income and expenditure, analysis of public health cost effectiveness in view of the existing system of private healthcare service providers, identification of alternative solutions for income increase, and assessment of the existing regulatory framework and potential changes aimed at improving the Serbian healthcare system.

IMPROVEMENT OF THE REGULATORY FRAMEWORK

In addition to working on finding the best solution for reform of the healthcare system, the committee continued its **regular activities related to improving medicines related legislation**.

Moreover, after amendments were made to general legislation on public procurement, the committee focused on **improving the implementation of the public procurement processes introduced by the amendments** by organizing a round table with relevant institutions which identified the challenges to its interpretation and implementation.

FOCUS IN THE UPCOMING PERIOD 2016-2018:

The Healthcare Committee should continue its dialogue with relevant stakeholders concerning:

- Further implementation of the study's key recommendations
- Harmonization of legislation with the suggested solutions, particularly the Law on Healthcare, the Law on Health Insurance, the Law on Medicines, and the Law on Medical Devices

WIDE ANGLE

Miloš Andrović, Stanković & Partners

The AmCham Healthcare Committee (HCC) is composed of leading market players in the production and circulation of medicines, medical devices and equipment, as well as providers of private healthcare and health insurance.

In communication with the public authorities and other organizations, the HCC pursues its main goal: to help member companies ensure legal and business predictability and foster continuous dialogue with regard to the creation, improvement, and implementation of healthcare in Serbia. The HCC's goals are therefore both general in nature, being shared with business operators in other economic and industrial sectors, and specific, as the effect of cooperation between HCC Members and the public authorities and organizations is of direct interest to the entire population of Serbia.

The HCC recognizes the administrative and financial limitations which healthcare policy actors in Serbia face from year to year, and has accordingly supported the development of a macroeconomic and microeconomic study of Serbia's healthcare system aimed at reorganizing the healthcare system and establishing a new basis for further development. The study found that the healthcare system as it currently

functions is unsustainable with regard to the continual increase in cost, the manner in which funds are collected and spent funds, and the significant ageing of Serbia's population.

Over many years, the HCC has made efforts to put in place a clear legal and business framework for its members, and, in cooperation with the Ministry of Health, has succeeded in making some progress. However, were it not for the cooperation and involvement of the National Healthcare Insurance Fund, these steps would not have the capacity to contribute to a more efficient and cost-effective healthcare system, i.e. to ensure further continuous investment by HCC members into Serbia's healthcare. Financial and economic pressure on budget funds and budgetary allocations in the healthcare sector over the previous three and half years have certainly had inestimable consequences for attracting investment from HCC members in the healthcare system.

HCC Members believe that, as part of wider overall reform of policy in Serbia, the healthcare system will be subject in the near future to deeper analysis by the executive and legislative branches of government. A clearer message concerning further development and improvement will be offered, which will make it possible for all HCC members to adjust their future business plans.

FINANCE AND TAX COMMITTEE

CHAIRPERSON: Zoran Petrović, Raiffeisen Bank

VICE CHAIRPERSON: Igor Lončarević, KPMG

THE COMMITTEE'S MISSION:

The Finance and Tax Committee strives to contribute to harmonization and the creation of an environment conducive to the implementation of finance and tax related legislation, in order to help create a transparent and effective regulatory framework, in accordance with international standards and modern business practice. The committee's focus in the period just ending was to improve the predictability of the tax/non-tax burden on businesses through long-term planning for tax law amendments and by reducing the likelihood of the introduction of, or increases in, parafiscal charges, at either central or local level.

THE COMMITTEE'S MEMBERS:

ADVOAKATSKA KANCELARIJA PARIVODIC	EUROBANK
ADVOAKATSKA KANCELARIJA VUKOVIĆ & PARTNERS	EXECUTIVE GROUP
AIGO BUSINESS SYSTEMS	FIRST DATA
AIRPORT CITY	FONDACIJA ANA I VLADE DIVAC
ALLIANCE ONE TOBACCO	G4S SECURE SOLUTIONS
APATINSKA PIVARA APATIN	GLAXOSMITHKLINE
ATLAS CENTAR	HARRISONS
ATLAS GROUP	HEMOFARM
AVON COSMETICS	HEWLETT PACKARD
BALL PACKAGING EUROPE	HONEYWELL
BANCA INTESA	HYPOT ALPE ADRIA BANK
BDK ADVOKATI	I & F MCCANN GRUPA
BDO	IBM
BEL MEDIC GENERAL HOSPITAL	JANKOVIĆ, POPOVIĆ & MITIĆ
BELGRADE OPEN SCHOOL	JT INTERNATIONAL
BOJOVIĆ & PARTNERS	KARANOVIĆ & NIKOLIĆ
CBS INTERNATIONAL	KOMERCIJALNA BANKA
CITIBANK	KPMG
COCA COLA HELLENIC	LEO BURNETT
COMMUNIS	L'OREAL BALKAN
CROWE HORWATH	LUKA BEOGRAD
CROWNE PLAZA	LUNA/TBWA
DELHAIZE	MEDIGROUP SEE
DELOITTE	MEDTRONIC
DELTA HOLDING	MERCATOR-S
DHL	MERCK SHARP & DOHME
DINERS CLUB INTERNATIONAL	METRO CASH & CARRY
DIRECT MEDIA	MICROSOFT SOFTWARE
DUFRY	MIKIJEV, JANKOVIĆ & BOGDANOVIC
EATON	MK GROUP
EMBASSY TECHZONES	MOJI BRENDVI
EOS MATRIX	MORAVČEVIĆ, VOJNOVIĆ & PARTNERI
ERNST & YOUNG	NAFTNA INDUSTRIJA SRBIJE
ERSTE BANK	NAUMOVIĆ & PARTNERI
	NELT

NEW MOMENT NEW IDEAS COMPANY
NOVO NORDISK PHARMA DOO
BEograd
ORION TELEKOM
PFIZER
PHILIP MORRIS SERVICES
PRICEWATERHOUSECOOPERS
RAIFFEISEN BANK
REPRESENT COMMUNICATIONS
SEKULOVIĆ LAW OFFICE
SERBIAN BUSINESS SYSTEMS
SGS BEograd
SIEMENS
SMALL ENTERPRISE ASSISTANCE FUNDS
SOCIETE GENERALE BANK
ŠTIMPA SISTEM
TEKNOXGROUP SRBIJA
TELEGROUP
TELENOR
TELESIGN
TITAN CEMENTARA
TMF SERVICES
TRIZMA
TRS EUROPE
TURNER SOUTHEAST EUROPE
UNICREDIT BANK
UNIQA NEŽIVOTNO OSIGURANJE
VICTORIA GROUP
VIP MOBILE
VODA VRNACI
VOJVODANSKA BANKA
VREME
WEST PHARMACEUTICAL SERVICES
WIENER STADTISCHE OSIGURANJE
WOLF THEISS

THE COMMITTEE'S FOCUS 2014-2016:

- Improving the predictability of the tax and non-tax burden (completing parafiscal reforms, primarily through the enactment of a single Law on Compensations for the Use of Public Assets, which will list all fees and determine their levels and mechanisms for changing those levels)
- Improving liquidity in the financial system by protecting creditors (amendments to the Law on Insolvency and the Law on Enforcement, impact assessment of implementation of the Law on Payment Deadlines) and lowering the NPL level in the banking sector
- Improving Tax Administration procedures, particularly by ensuring the uniformity of procedures and practices across different organizational units and improving the complaints procedure

THE COMMITTEE'S GREATEST ACCOMPLISHMENTS:

IMPROVING THE PREDICTABILITY OF THE TAX AND NON-TAX BURDEN

According to a survey presented at AmCham's conference at the end of 2014, 75% of AmCham members said that better predictability of tax policy and better implementation of tax legislation was the critical reform that the Government needed to implement in 2015. 57% of member companies said that the current predictability of tax policy and the consistency of its implementation was either poor or very poor. Thus, this was the most important reform of the business environment in the opinion of AmCham member companies. However, despite significant efforts by the Finance and Tax Committee, this reform had few tangible results. There can be no doubt that this is the

case because almost all amendments made to the relevant tax laws in 2015 were adopted using urgent procedures, without public discussion.

One such amendment, which was not made publicly known before being adopted, was the amendment to the **Decree regulating the compensation of business travel expenses for civil servants**, also used as the basis for the untaxable portion of per diems and business travel expenses in the private sector, which resulted in a significant increase in business travel costs for the entire private sector. The negative effects of the amendment to this decree subsisted until the end of 2015, when they were annulled by amendments to the Law on Personal Income Tax, made on the joint initiative of the Finance and Tax Committee and the Foreign Investors Council.

Despite huge efforts, starting back in 2012, to create a transparent and efficient regulatory framework for local fees and compensations, no significant advances have been made. The **Draft Law on Compensations for the Use of Public Assets** underwent initial public discussion by the end of 2013. It was then withdrawn to undergo further work, but it is still not in its final adoption phase. At the end of 2015, the **Draft Law on Local Self-Government Financing** was published, adopting AmCham's key suggestions with regard to the abolishment of two local parafiscal levies, the business name display fee – a local fee charged for displaying a company's name at its place of business, and the environmental fee – a fee charged for environmental protection purposes.

Finally, despite opposition from AmCham, the Foreign Investors Council, and NALED, in late 2015 the Law on the Chambers of Commerce was adopted without public discussion. This law introduced **yet another parafiscal levy** – mandatory membership fee in the

Serbian Chamber of Commerce – that will be payable from 2017 at a rate and according to a methodology to be subsequently defined by the General Assembly of this association.

PARTIAL IMPROVEMENTS TO THE REGULATORY FRAMEWORK FOR THE LIQUIDITY OF BUSINESSES

With regard to improving the liquidity of businesses, the Finance and Tax Committee began an impact assessment for the **Law on Payment Deadlines** with the aim of introducing more discipline in payment, starting with the public sector. The assessment showed that the mechanism for overseeing the implementation of this law was inadequate, and that its existence, apart from the initial cost for businesses of adapting to it, had no significant impact on the liquidity situation.

The private sector's solution for the problem of uncollectible claims, offered through the committee's comments on the **Law on Factoring**, was to remove the existing legislative barriers stopping banks selling claims to factoring companies. However, the amendments to this law have not yet been adopted.

The greatest progress was made with regard to addressing the problem of NPLs, with the committee, in cooperation with the IMF, providing constructive suggestions concerning the relevant tax laws and the **Law on Enforcement and Security**, which were adopted at the end of 2015.

IMPROVEMENT TO THE PRACTICE OF THE TAX ADMINISTRATION THROUGH ELECTRONIC TAX FILING, WHILE UNIFORMITY OF PRACTICE AND THE PREDICTABILITY OF THE TAX LAWS REMAINS ARGUABLE

Despite the Tax Administration's openness, and the IMF's cooperation, there have been no visible results of the committee's efforts to improve Tax Administration practice in regard to ensuring uniformity of practice across affiliates, enhancing the predictability of practice (compliance with opinions, given that they are already legally binding) and complying with statutory deadlines for the issue of certificates.

The greatest accomplishment was certainly the **adoption of the Rulebook for Electronic Tax Filing**, which led to Serbia taking a huge leap forward in the World Bank's "Doing Business" list with regard to tax collection.

With regard to the implementation of legislation, in 2015 the committee organized a **Round table with representatives of the Tax Administration about practical implementation of the Rulebook for Transfer Pricing**, with the aim of clarifying the most frequently encountered obstacles in the first year of implementation, while also dealing with expectations for the development of this area, one that is new for the Tax Administration.

FOCUS IN THE UPCOMING PERIOD 2016-2018:

In the upcoming period the committee will continue:

- Advocating mandatory public discussion for financial legislation
- Finalizing the reform of parafiscal charges
- Ensuring uniformity of Tax Administration practice
- Harmonizing Tax Administration practices with the Law on Inspections Oversight

WIDE ANGLE

Igor Lončarević, KPMG

For the past three years, the member companies of the American Chamber of Commerce in Serbia have identified the need for better predictability and transparency in the tax system as one of their key priorities for improving the business environment. With this in mind, the committee devoted its activities to advocating the timely announcement of any changes to tax policy; the holding of public discussions on any amendments to tax legislation, as is already required by law; and consistency in the implementation of announced measures.

Looking back at the past two years, we can conclude that progress has been made with the Draft Law on Local Self Government Financing, an initiative of the committee, which abolished two major parafiscal charges (the fee for displaying company names and the environmental fee). Along with the adoption of the Rulebook for Electronic Tax Filing, this has led to a great improvement in Serbia's ranking in the World Bank's Doing Business list with regard to tax collection.

On the other hand, despite continual dialogue between the committee and the Ministry of Finance, the Tax Administration, and other relevant authorities, no more important steps have

been taken to improve the relevant regulatory framework. Even though the adoption of the Law on Compensations for the Use of Public Assets has been announced several times since 2013, this law, intended to increase the transparency of charges, is still not in progress. The continuous urgent and non-transparent adoption of amendments to tax regulations has repeatedly deprived the business community of the opportunity to voice its opinion. Furthermore, the announced reform to the tax administration, although apparently in progress, has still not yielded any results in standardizing interpretation across different affiliates. Moreover, the committee's efforts to establish a structured approach to dialogue between the private sector and the tax administration were interrupted several times due to changes in the leadership of this body.

At the end of our two-year mandate, I would like to express gratitude to all the members of the Finance and Tax Committee who, with their comments and suggestions, have worked diligently to shape proposals for the establishment of a better tax system, from the perspective of both taxpayers and the tax administration. I would also like to thank our partner institutions, primarily the IMF, NALED, and USAID BEP, for our numerous joint initiatives and for the continuation of cooperation to improve the macroeconomic and fiscal stability of Serbia.

LABOR REGULATION COMMITTEE

CHAIRPERSON: Dragica Pilipović Chaffey, SBB

VICE CHAIRPERSON: Jovana Tomić, Živković Samardžić Law Office

THE COMMITTEE'S MISSION:

The findings of the survey conducted among AmCham member companies at the end of 2013 again confirmed that labor legislation reform is the priority, and is the only reform measure which directly affects the employment rate. The mission of the Labor Regulation Committee is to improve labor legislation and monitor the challenges to its implementation, with the aim of increasing Serbia's competitiveness as an investment destination as well as facilitating economic growth and sustainable increase of employment.

THE COMMITTEE'S MEMBERS:

ADVOAKTSKA KANCELARIJA VUKOVIĆ & PARTNERS	G4S SECURE SOLUTIONS
APATINSKA PIVARA	GI GROUP HR SOLUTIONS
AVON COSMETICS	HARVARD CLUB OF SERBIA
BALKANS REAL ESTATE	HEMOFARM
BALL PACKAGING EUROPE	HEWLETT PACKARD
BANCA INTESA	HYPOL ALPE ADRIA BANK
BDK ADVOKATI	IBM
BDO	JANKOVIĆ, POPOVIĆ & MITIĆ
BEL MEDIC GENERAL HOSPITAL	JOHNSON & JOHNSON
BELGRADE OPEN SCHOOL	JT INTERNATIONAL
BOJOVIĆ & PARTNERS	KARANOVĆ & NIKOLIĆ
CBS INTERNATIONAL	KINSTELLAR
COCA COLA HELLENIC	KOMERCIJALNA BANKA
CROWE HORWATH	KPMG
CROWNE PLAZA	LALIN LAW
DBP ADVOKATI	LEO BURNETT
DELHAIZE	L'ORÉAL BALKAN
DELTA HOLDING	MERCK SHARP & DOHME
DHL	METRO CASH & CARRY
DINERS CLUB INTERNATIONAL	MICROSOFT SOFTWARE
DUFRY	MIKJELJ, JANKOVIĆ & BOGDANOVIĆ
EOS MATRIX	MK GROUP
ERNST & YOUNG	MOJI BRENDOVÍ
ERSTE BANK	MONDElez
EUROBANK	MORAVČEVIĆ, VOJNOVIĆ & PARTNERI
EXECUTIVE GROUP	NAFTNA INDUSTRIJA SRBIJE

NAUMOVIĆ & PARTNERI ADVOKATI
NELT
ORION TELEKOM
PHILIP MORRIS SERVICES
PMI SERBIA CHAPTER
PRICEWATERHOUSECOOPERS
RAIFFEISEN BANK
S&T
SBB
SCHNEIDER ELECTRIC
SEKULOVIĆ LAW OFFICE
SERBIAN BUSINESS SYSTEMS
SIEMENS
SOCIETE GENERALE BANK
ŠTIMPA SISTEM
STAR IMPORT
TELEGROUP
TELESIGN
TITAN CEMENTARA
TMF SERVICES
UNIQA NEŽIVOTNO OSIGURANJE
VICTORIA GROUP
VIP MOBILE
VOJVODANSKA BANKA
WIENER STADTISCHE OSIGURANJE
ŽIVKOVIĆ & SAMARDŽIĆ LAW OFFICE

THE COMMITTEE'S FOCUS 2014-2016:

- Improving labor legislation through amendments to the Labor Law, by cutting unnecessary paperwork, providing for easier entry to and exit from the labor market through more flexible employment, sanctioning underperforming employees, and creating a predictable system of social negotiations
- Watching over the implementation of labor legislation
- Addressing any problems in the implementation of the Law on the Employment of Foreigners

THE COMMITTEE'S GREATEST ACCOMPLISHMENTS:

SIGNIFICANTLY IMPROVED LABOR LEGISLATION WITH ADOPTED AMENDMENTS TO THE LABOR LAW

Due to the problems identified and the measures proposed, the Labor Regulation Committee focused on developing job creation incentives by improving labor legislation in order to make it compatible with the economic situation, facilitate efficient oversight of implementation (diminish abuse and the grey economy), and enhance predictability as a key precondition for further investment and a long-term rise in employment. There is no doubt that the greatest accomplishment of the committee was the adoption in mid-2014 of a new **Labor Law which resolved most open issues in this area and made major progress in labor legislation**. After more than 25 meetings with representatives of the Ministry of Labour, Employment, Veteran and

Social Affairs, members of working groups, trade unions, and business associations – 70% of the Law Committee's comments were incorporated into the final text of the Labor Law, the most important among which relate to:

- The disbursement of severance pay to the employee only for the duration of his service with the employer with whom his employment terminates
- Extending the maximum duration of a fixed-term contract of employment to 36 months
- More flexible employment, as well as the sanctioning of underperforming employees – by increasing the number of reasons for the termination of contract (including the abuse of sick leave), and introducing disciplinary measures (15 days suspension plus 20% salary reduction)

Furthermore, AmCham took part in amending the **Law on Employment of Foreigners**, most importantly by making suggestions which make it easier for employers to employ non-residents.



SUCCESSFULLY MONITORING THE IMPLEMENTATION OF LABOR REGULATION

After the Labor Law was adopted, the Labor Regulation Committee continued to monitor the implementation of the Labor Law, including by organizing a **seminar attended by the representatives of the Ministry of Labour, Employment, Veteran and Social Affairs**, who took part in its drafting, with the aim of clarifying a number of provisions and harmonizing it with common practice.

AmCham's contribution to the implementation of the adopted laws and increasing compliance

of companies was continued through a **Briefing Session on Mobbing and the Protection of Whistleblowers**, and through a **roundtable with representatives of the competent Ministry and the National Employment Service on implementing previously amended rules for employment of foreign nationals**. The goal of these implementation seminars was to obtain the competent institutions' answers to AmCham member companies' numerous questions about the practical implementation of labor regulation.

FOCUS IN THE UPCOMING PERIOD 2016-2018:

In the coming period the committee will certainly:

- Monitor the implementation of labor legislation and insist on consistent implementation and uniformity of interpretation
- Monitor amendments to legislation which concern the functioning of social dialogue

WIDE ANGLE

Jovana Tomić,
Živković Samardžić Law Office

The Labor Regulations Committee was established with the aim of improving labor legislation, learning more about current practice, and clarifying ambiguities in the current implementation of labor legislation. Amending the Labor Law was certainly the top priority for the committee, and AmCham member companies showed great enthusiasm and desire to use their long-term experience to contribute to the amendment of this law. Committee members pointed out the challenges they encounter in practice and, thanks to their suggestions and their active participation at meetings, the text adopted for the Labor Law included 70% of the proposals made by the committee. After the law was adopted, the committee took part in its implementation, organizing a seminar with the participation of the competent authorities who had taken part in developing the law, so that ambiguities with regard to the application of its numerous provisions

could be dispelled. In 2015, the committee closely followed the adoption process for the Law on the Employment of Foreigners and the Law on the Protection of Whistleblowers, organizing relevant seminars with the representatives of competent ministries, with the aim of aligning these legal texts with actual practice.

The plan for the upcoming period is to organize a seminar about the Law on Requirements for Seconding Employees Abroad on a Temporary Basis. Moreover, the committee will recommend that the Law on Labor-Related Records should be amended and will implement other activities aimed at modernizing legislation, creating legal certainty, and ensuring consistency of practice.

For all that we have managed to do, as Vice Chair of the Labor Regulations Committee, I owe a huge thank you to all members of the committee for devoting their time and offering their help in such a generous manner, and in particular to AmCham representatives for being so well-organized and patient.

REAL ESTATE COMMITTEE

CHAIRPERSON: Đorđe Nikolić, NKO Partners

VICE CHAIRPERSON: Vladimir Pavlović, Metro Cash & Carry

THE COMMITTEE'S MISSION:

The Real Estate Committee strives to be a constructive partner to Serbian Government and other state institutions in improving overall real estate regulatory framework, aimed at diminishing obstacles for both green and brown field investments, facilitating further development of planning, construction, design and other real estate sectors as well as ensuring better enforcement of adopted regulations in practice.

THE COMMITTEE'S MEMBERS:

ADVOVATSKA KANCELARIJA PARIVODIC	EMBASSY TECHZONES	NAUMOVIC & PARTNERI
ADVOVATSKA KANCELARIJA VUKOVIĆ & PARTNERS	ERNST & YOUNG	NKO PARTNERS
AGRI BUSINESS PARTNER	ERSTE BANK	NOVASTON
AIRPORT CITY	EUROBANK	ORION TELEKOM
APATINSKA PIVARA	EXECUTIVE GROUP	OSA RAČUNARSKI INŽENJERING
ATLAS CENTAR	HARRISONS	PHILIP MORRIS SERVICES
ATLAS GROUP	HEMOFARM	PWG LAW OFFICE
BALKANS REAL ESTATE	HONEYWELL	RAIFFEISEN BANK
BANCA INTESA	HYPOT ALPE ADRIA BANK	RIO SAVA EXPLORATION
BOK ADVOKATI	IKEA	SBB
BELGRADE OPEN SCHOOL	IMO PROPERTY INVESTMENTS	SCHNEIDER ELECTRIC
BELGRADE WATERFRONT	INSTITUT IMS	SEKULOVIC LAW OFFICE
BEONALIZA	JANKOVIC, POPOVIC & MITIC	SIEMENS
BOJOVIC & PARTNERS	JONES LANG LASALLE	SIKA
BOYDEN GROUP	JT INTERNATIONAL	SOCIETE GENERALE BANK
BRITISH AMERICAN TOBACCO	KARANOVIĆ & NIKOLIC	TEKNOXGROUP SRBIJA
CBS INTERNATIONAL	KINSTELLAR	TELENOR
COCA COLA HELLENIC	KOMERCIJALNA BANKA	TRS EUROPE
COLLIERS	LALIN LAW	TURNER SOUTHEAST EUROPE
CONTINENTAL WIND SERBIA	LUKA BEOGRAD	UNIQA NEŽIVOTNO OSIGURANJE
CRE INTERNATIONAL	M & V INVESTMENTS	VICTORIA GROUP
CROWE HORWATH	MERCATOR-S	VIP MOBILE
DBP ADVOKATI	METRO CASH & CARRY	VODA VRNJCI
DELHAIZE	MIKIJELJ, JANKOVIC & BOGDANOVIC	VOJVODANSKA BANKA
DELOITTE	MK GROUP	WIENER STADTISCHE OSIGURANJE
DELTA HOLDING	MOJI BRENDOVIC	WOLF THEISS
	MORAVCEVIC, VOJNOVIC & PARTNERI	ŽIVKOVIC & SAMARDZIĆ LAW OFFICE
	NAFTNA INDUSTRIJA SRBIJE	

THE COMMITTEE'S FOCUS 2014-2016:

- Creating an efficient and predictable framework for construction permitting by amending the Law on Planning and Construction, clearly defining the ownership of land, and reforming the compensation for development of construction land
- Harmonization of sector-specific laws with the Law on Planning and Construction
- Resolving the issue of conversion of the right to use land into ownership right

THE COMMITTEE'S GREATEST ACCOMPLISHMENTS:



SETTING UP A MORE EFFICIENT AND PREDICTABLE FRAMEWORK FOR OBTAINING CONSTRUCTION PERMIT

The Real Estate Committee took an active part in the public discussion surrounding the adoption of the **Law on Planning and Construction** in 2014. The committee's suggestions helped ensure that the final text of the law is in conformity with the main requirements of the business community, with the aim of further developing the construction industry and establishing a better business climate. AmCham's key suggestions related to:

- Addressing the complicated matter of ownership rights over land – limiting the conversion process with compensation to the least possible number of cases and abolishing the right to long-term lease as a specific category of right over land
- Reform of the compensation for construction land development

Most of AmCham's suggestions were incorporated into the final version of the law, while the conversion of the right to use land into the ownership right was left to be regulated in a specific law.

With the aim of informing its member companies about the latest amendments to the law, AmCham, together with the Ministry of Construction, Transport and Infrastructure, organized a **round table about the most important amendments to the Law on Planning and Construction**, a simulation of the required permitting procedure, and a comparative overview of the procedures implemented by the former and the new rules.

A year later, the Ministry of Construction, Transport, and Infrastructure, NALED, USAID BEP and AmCham organized a **Conference on Integrated Procedure and Planning Documents** with the goal of summarizing the first results of the practical implementation of the new construction permitting procedure and the identification of further steps to be taken with regard to planning and construction.

ISSUE OF CONVERSION RESOLVED THROUGH THE LAW ON THE CONVERSION OF RIGHT TO USE LAND INTO OWNERSHIP RIGHT

In 2015, committee actively worked to provide comments and support to the adoption of the proposed **Law on the Conversion of Right to Use Land into Ownership Right** as one of the last outstanding important issues presenting an obstacle to the promotion of new investments in the upcoming period. Following the **Business**

Luncheon with the Deputy Prime Minister of the Government of Serbia and Minister of Construction, Transport and Infrastructure, Ms. Zorana Mihajlović, many meetings with the representatives of the relevant Ministry, Delegation of the European Union, and the IMF, AmCham, in cooperation with the Foreign Investors Council and NALED, issued recommendations for an alternative solution, satisfactory for both the private and public sectors.

The new Law adopted in July 2015 provided for conversion without compensation, for any part of land serving for regular use of objects, including elements located around objects (infrastructure, traffic roads etc.). In addition, Law provides opportunity for recognition of costs for acquiring right to use land in specific cases, such as if it relates to undeveloped land or when it is determined that there existed acquiring costs at the time of acquisition.

FOCUS IN THE UPCOMING PERIOD 2016-2018:

Taking into account the multi-layered effects of the construction industry, and its implications for the creation of a more favorable business environment, in the upcoming period the committee will continue to be a constructive partner for the Government of the Republic of Serbia. By defining an action plan in cooperation with partner institutions and the competent Ministry, it will attempt to resolve the outstanding key issues.

The key recommendations for the upcoming period are:

- Changes in the bylaws on the Law on Planning and Construction, as a result of the first implementation results
- Enacting new and amending existing legislation governing the construction of infrastructural, primarily line, projects
- Harmonizing sector-specific laws (the Law on Fire Protection and the Law on Public Procurement), with the planning documentation requirements
- Regular consultations between the public and private sectors in the field of planning documentation

WIDE ANGLE

Đorđe Nikolić, NKO Partners

We start 2016 full of enthusiasm, following the initiation and implementation over the past two years of key reforms which strengthen Serbia's competitiveness with regard to the development of the construction industry. The acceleration of the pace of reform with regard to issues of construction licensing and conversion was the result of work by the Ministry of Construction, Transportation and Infrastructure over the past two years. However, it was also the result of the synergy of expertise between business associations, particularly AmCham, NALED and FIC, with exceptional and continuous support from donors, primarily USAID through its Business Enabling Project.

The amendments made to the Law on Planning and Construction are certainly the greatest accomplishment of the Real Estate Committee. Through continuous dialogue between the private sector and the competent ministry, the committee managed to prevent amendments to this law from being adopted prior to the due preparation of bylaws regulating the licensing procedure. A legal vacuum was thus avoided, and suitable preparations for implementation were enabled. Furthermore, the Law on Conversion of the Right to Use Land into Ownership Right was adopted. Since the committee's main suggestions were reflected in

this law, this longstanding barrier to the development of the construction industry was finally removed.

A true assessment of the suitability of these solutions will surely come from their practical implementation and the experience of business operators, but the committee's focus in the upcoming period will be on implementation, primarily with regard to planning documents and the integrated procedure. The general conclusion of the conference which we organized in late 2015 in cooperation with partner institutions and the competent Ministry was that the integrated procedure functions in practice, and has accelerated the construction licensing procedure, although some problems are still encountered in practice which need to be resolved by amending certain regulations and taking suitable action.

The committee's good performance indicators are primarily the result of engagement by AmCham member companies, whose comments contributed significantly to improvements made to the initial drafts of sector-specific laws. We owe special thanks to the Ministry of Construction, Transport and Infrastructure for their openness to continuous dialogue, both about the need to amend the legislation and about how to interpret and implement it. This was an excellent example of synergy between the public and private sectors.

ICT COMMITTEE

CHAIRPERSON: Željko Tomić, OSA Računarski Inženjering

VICE CHAIRPERSON: Boris Vujičić, Trizma

THE COMMITTEE'S MISSION:

Recognizing IT as an excellent development opportunity for Serbia and appreciating the fast multiplicative effects of this sector, the ICT Committee strives to contribute to the further development of the information society in Serbia in order to promote Serbia as an attractive investment destination and a source of talent, to help the Government develop IT entrepreneurship and e-Government optimization and consolidation.

THE COMMITTEE'S MEMBERS:

ALGOTECH	ORACLE
AUDATEX	ORION TELEKOM
BDK ADVOKATI	OSA RAČUNARSKI INŽENJERING
CISCO SRBIJA	S&T
DEKEL	SAMSUNG
DELL	SBB
DELOITTE	SERBIAN BUSINESS SYSTEMS
DELTA HOLDING	SIEMENS
ENEL PS	SITEL SBA
FIRST DATA	STARTIT
GROUNDLINK	TELEGROUP
HEWLETT PACKARD	TELEKOM
IBM	TELENOR
ICT HUB	TELESIGN
INTEL	TRIZMA
JOKSOVIĆ, STOJANOVIĆ & PARTNERS	VICTORIA GROUP
MICROSOFT SOFTWARE	VIP MOBILE
NCR	VMWARE
OMNICOM SOLUTIONS	

THE COMMITTEE'S FOCUS 2014-2016:

- Creating an environment conducive to the implementation of e-Government, contributing to the optimization of processes and the reduction of the operational costs of public administration
- Completing the legislation governing e-business and information security
- Establishing liaison between the private sector and educational institutions with the aim of improving and modernizing the curricula
- Promoting entrepreneurship in the ICT sector through cooperation with SEE ICT/Startit & ICT Hub

THE COMMITTEE'S GREATEST ACCOMPLISHMENTS:

ESTABLISHING COOPERATION WITH STATE AUTHORITIES AIMED AT PROMOTING AND IMPLEMENTING E-GOVERNMENT

In late 2015, in cooperation with the Ministry of Public Administration and Local Self Government and the Directorate for e-Government, AmCham organized a **Conference to mark e-Government Day**, to evaluate the efforts made to develop e-Government, and consider the potential for improving the quality and scope of e-Services, primarily to suit the needs of the business sector but also provide recommendations for their institutional strengthening. Participants agreed that the development of e-Government should be a priority in the development of the public sector, because it increases the transparency of institutions, optimizing their operations and reducing costs and bureaucracy, which provides

an opportunity for a number of public-private partnerships and has a positive impact not only on the state, but also on the economy and citizens.

PARTICIPATION IN THE REGULATORY PROCESS RELATED TO E-GOVERNMENT AND INFORMATION SECURITY DEVELOPMENTS

In 2014 the ICT Committee worked actively to provide suggestions for a **Draft strategy for the development of e-Government in the Republic of Serbia for the period 2015-2018**, focused on establishing mechanisms for better coordination and communication between state authorities in this area.

In mid-2015, the American Embassy, the Diplo Foundation and AmCham organized an informal meeting to discuss the **Draft Law on Information Security**. The discussion took place with the participation of the representatives of the Ministry of Defense, the Ministry of Interior, the National Bank of Serbia, and representatives of companies active in the information technology and telecommunications sectors. The final version of the Law on Information Security adopted in early 2016 featured joint key suggestions, including the establishment of a specific and independent public body to gather representatives of the private sector, experts in the field, and representatives of the competent ministries, thus enabling involvement of different sectors in the coordination and strategic planning of digital and information security policies. Furthermore, it was specified that inspection oversight would be conducted in accordance with the law governing inspection oversight.

ESTABLISHING COOPERATION WITH EDUCATIONAL INSTITUTIONS WITH THE AIM OF IMPROVING AND MODERNIZING CURRICULA

The Round Table with the Ministry of Education offered an excellent opportunity for the promotion of further cooperation between business sector and educational institutions. It was organized by the committee at the end of 2014 **with the aim of improving and modernizing the curricula of technical faculties**. The examples of joint accomplishments with regard to improvements in the teaching of theory and providing for practical teaching were presented on this occasion. Also, an agreement was reached between the private and public sectors concerning the next steps to be taken towards the establishment of a platform for knowledge innovation.

ESTABLISHING INSTITUTIONALIZED COLLABORATION IN ORDER TO PROMOTE ENTREPRENEURSHIP IN THE ICT SECTOR THROUGH COOPERATION WITH SEE ICT/STARTIT & ICT HUB

Through its **cooperation with the ICT Hub and SEE ICT/Startit**, the ICT Committee strives to provide support to the development of IT entrepreneurship by offering its own experts, who assume the role of mentors for startups, providing practical advice and support for their business development. In 2014, AmCham signed a Memorandum of Understanding with the ICT Hub, with the aim of establishing a strategic partnership and introducing mentoring support for the organization's educational activities.

FOCUS IN THE UPCOMING PERIOD 2016-2018:

In the upcoming period, the committee will focus on:

- Further development of e-Government in practice in accordance with the strategy and promoting better coordination of the competent authorities
- Improvement of legislation in the field of electronic commerce and information security that would enable more thorough development of e-Government
- Providing institutional support for startups and general entrepreneurship in the ICT field
- Linking the educational system with the private sector, with the aim of finding systemic solutions for the lack of adequate staff

WIDE ANGLE

Željko Tomić,
OSA Računarski inženjeri

AmCham members include both globally leading international companies and local ICT businesses. While this greatly helped the operation of the ICT Committee, it also had a negative side. On the positive side, we had the most relevant companies and the strongest market players behind us, businesses which have considerable negotiation capacity and huge influence in society. On the other hand, a measure of reservation could be seen from some ICT member companies with regard to the coordination of activities aimed at the implementation of joint action and the creation of more favorable market conditions for all market participants. The latter has somewhat hampered and slowed the operation of the committee recently. In the upcoming period we recommend a coordinated approach, with all interested companies gathering together around common goals.

Regrettably, the response of AmCham member companies within the ICT sector to the activities of the committee did not meet expectations. The requested opinions were not provided and concrete initiatives for overcoming challenges were lacking. In the upcoming period, more focus should be placed on increasing members' proactivity. There

is no doubt that the committee's role is to show how important the ICT industry is for developing Serbia's economy, and it can realize its full potential only by coordinating its members' efforts to resolve challenges, and by focusing on concrete initiatives.

Despite this, in this period the ICT Committee has established a large number of constructive contacts with all relevant public authorities and organizations, as well as starting many activities that are listed in this report. In the upcoming period, the committee should focus more on improving the efficiency of administration by optimizing public procurement processes in public ICT institutions, supporting entrepreneurship and the start-up ecosystem, implementing changes to the education system, and promoting equal opportunities for everybody, regardless of their position or connections.

I wish to express my gratitude first of all to Boris Vujičić, Vice Chair of the committee, for the extraordinary cooperation and understanding he has shown in this period. Thanks also goes to Milica Samardžić from the AmCham Executive Office, since without her the operation of the committee would have been simply impossible. Finally, thank you goes to Stefan Lazarević of NCR for the constructive contribution he gave as a member of the subgroup for strategy.

COMBATING GREY ECONOMY COMMITTEE

CHAIRPERSON: Ivan Milić, Philip Morris International Services

VICE CHAIRPERSON: Slobodan Doklestić, DBP Advokatska kancelarija

THE COMMITTEE'S MISSION:

The key priorities for improvement of the business climate defined by American Chamber of Commerce member companies include the systematic and sustainable reduction of the grey economy and the improvement of cooperation between the public and private sectors in combating illicit trade. The grey sector accounts for around 30% of the domestic economy, which translates into a EUR 370 million loss to the state budget. Recognizing the problem of the grey economy, AmCham set up the Combating Grey Economy Committee in order to help establish an efficient legal framework and institutional mechanisms, and thus facilitate effective oversight of the trade in goods and services and sanction the grey economy, suppress corrupt practices, and ensure level playing field.

THE COMMITTEE'S MEMBERS:

ALLIANCE ONE TOBACCO
APATINSKA PIVARA
BDK ADVOKATI
BELGRADE OPEN SCHOOL
BRITISH AMERICAN TOBACCO
CISCO SRBIJA
COCA COLA HELLENIC
CROWE HORWATH
DELTA HOLDING
EXECUTIVE GROUP
HARRISONS
JANKOVIĆ, POPOVIĆ & MITIĆ
JT INTERNATIONAL
KARANOVIĆ & NIKOLIĆ
L'OREAL BALKAN
MERCATOR-S
METRO CASH & CARRY
MICROSOFT SOFTWARE

MIKIJEV JANKOVIĆ & BOGDANOVIĆ
MOJI BRENDovi
MONDELEZ
MORAVČEVIĆ, VOJNOVIĆ & PARTNERI
MULTIMEDIA RECORDS
NAFTNA INDUSTRJA SRBIJE
NAUMOVIC & PARTNERI
NELT
OSA RAČUNARSKI INŽENJERING
PHILIP MORRIS SERVICES
PRICEWATERHOUSECOOPERS
SGS BEograd
ŠTIMPA SISTEM
UNILEVER BEOGRAD
VICTORIA GROUP
WRIGLEY
ŽIVKOVIĆ & SAMARDŽIĆ LAW OFFICE

THE COMMITTEE'S FOCUS 2014-2016:

- Reform of inspections by adopting the Law on Inspection Oversight and implementing acts that ensure effective coordination of inspections, the establishment of a risk analysis and performance assessment system (adoption of the Coordinating Commission's Rulebook, Risk Assessment Rulebook)
- Build the capacity of the inspections for effective implementation of the law, primarily by sharing expertise and best practice
- Monitor the implementation of the umbrella law and sector-specific laws through key inspections

THE COMMITTEE'S GREATEST ACCOMPLISHMENTS:

REFORM OF INSPECTIONS THROUGH THE ADOPTION OF THE LAW ON INSPECTION OVERSIGHT AND EFFICIENT COORDINATION OF INSPECTIONS

The pinnacle of the Combating Grey Economy Committee's efforts over the last two years was the adoption of the 'umbrella' **Law on Inspection Oversight**. AmCham participated in the creation of this law from its conception through to the draft stage, and finished by proposing amendments within the Economic Caucus.

The provisions of this Law were critical for:

- Improving previously inadequate coordination between different inspections
- Establishing competences of all inspections over unregistered entities
- Setting the risk assessment principle as the

umbrella principle for the implementation of inspection oversight

- Introducing a single framework for all inspections, and accountability for malpractice

BUILDING THE CAPACITY OF THE INSPECTIONS FOR EFFICIENT IMPLEMENTATION OF THE LAW

After the Law on Inspection Oversight was adopted, the committee shifted its focus to supporting effective implementation of the law. In mid-2015, **AmCham took part in the Working Group for Illicit Trade** chaired by the Tax Administration. This Working Group gathered together representatives of all inspections in an attempt to establish constructive cooperation with the aim of identifying gaps in their responsibilities, scheduling different inspections, collecting critical information from the competent public authorities as important resources for the inspectors, and applying additional instruments to improve their joint efforts.

In October 2015, a regional conference entitled **“Next Round in Fighting the Grey Economy”** was organized, attended by all the relevant public authorities, the private sector, and international and local experts in the field. The goal was to assess the results that had been achieved so far, and point out the importance of the next steps: to ensure more effective court proceedings, to continue and improve cross border cooperation, and to ensure better coordination among all responsible bodies. It was highlighted at this conference that various inspectorates had already achieved significant

results since the Law on Inspection Oversight had begun to be applied, and that the number of relevant reports had grown considerably. However, it was pointed out that the courts and prosecutor offices, being inefficient, had not kept pace with this trend, which should be remedied in the following period.

FOCUS IN THE UPCOMING PERIOD 2016-2018:

Taking into consideration the conclusions of the annual regional conference, the committee will focus its activities on:

- Developing coordination between oversight authorities, prosecutor offices and the courts, with the aim of increasing the effectiveness of the entire process
- Providing support to raising the capacity of the inspectorate in view of the effective implementation of the Law on Inspection Oversight

WIDE ANGLE

Ivan Miletić,
Philip Morris International Services

Following the identification of the business community's key problems in AmCham's annual survey of its member companies, the Combating Grey Economy Committee worked diligently to identify its priorities in order to efficiently distribute its resources and focus its efforts on improving the business environment.

Emphasis was placed on developing and improving the Law on Inspection Oversight after we realized that this piece of legislation was the main obstacle to our efforts to ensure improved consistency and coordination among the bodies implementing the law in practice. The law adopted included most of our recommendations, so our focus in the second half of the year was on the first steps in implementing stricter inspections and more coordinated work by inspections. Although it is not perfect, the implementation of the law in its entirety is very important, and the committee will therefore continue to work alongside the authorities to precisely define how this process should be implemented.

Representatives of the committee were invited to join the Working Group for Illicit Trade, whose efforts have already started to yield concrete results with regard to implementation of the law.

We strongly believe that our endeavors within this working group will contribute to a more constructive search for ways to identify key risks and focus the efforts of inspectorates on eliminating them, as well as filling in gaps in the responsibilities of the various inspectorates.

One of the main conclusions of the Regional Conference on Fighting the Grey Economy was a bottleneck identified in the work of the prosecutor offices and courts. We have had meetings about these issues with representatives of the U.S. Embassy's Department of Justice to provide the competent authorities with suitable training and specialization related to combating the grey economy.

Finally, let me thank those people without whose unrelenting support nothing of this would have been possible. As well as the magnificent AmCham team, and particularly Amalija Pavić, I owe special thanks to Slobodan Doklestić, the Vice Chair of the committee, as well as Goran Pekež and Vlada Tipsarević of JTI, Olivera Papić of Centro Štampa and Marko Milanković of Nelt, who played key roles in coordinating our work with that of NALED and the Government of Serbia. Also, a huge thank you goes to our colleagues from USAID BEP and the U.S. Embassy for their support and guidance. Finally, many thanks go to all active members of the committee for sustaining their efforts in a battle which is now entering its third year.

REPORT 2014-2016 | ADVOCACY IMPACT

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ADVOCACY IMPACT

IZVEŠTAJ ODBORA O AKTIVNOSTIMA 2014-2016 I
PREPORUKE ZA 2016-2018

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DVE GODINE EKSPERTIZE, ISTRAJNOSTI I UTICAJA

Američka privredna komora je veoma ponosna na rad svojih Odbora kroz koje kontinuirano radimo na unapređenju poslovnog ambijenta u Srbiji. Gledajući put koji smo prešli od osnivanja AmCham-a 2001. godine, Srbija je umnogome, dobrom delom i zahvaljujući predanom radu i ekspertizi AmCham članova, postala sigurnije i predvidivije mesto za poslovanje i investiranje. Tu moramo da prepoznamo i odličnu saradnju sa partnerskim asocijacijama, a pre svega sa NALED-om, Savetom stranih investitora, USAID-ovim Projektom za bolje uslove poslovanja, Svetskom bankom, MMF-om i mnogim drugim. Posao još uvek

nije završen, ali ovo je prilika da se osvrnemo na prethodne dve godine rada sedam Odbora Američke privredne komore, sagledamo fokus aktivnosti i prepoznamo uspehe zbog kojih smo ponosni.

Od pet ključnih prioriteta za poboljšanje poslovne klime koje je članstvo AmCham-a definisalo početkom 2014. godine i koji su bili na agendi AmCham-ovih Odbora, dobar a ponegde i veoma dobar rezultat je ostvaren u okviru četiri oblasti u toku ove dve godine.

U istraživanju rađenom krajem 2013. godine, izmene Zakona o radu bile

su na vrhu liste prioriteta skoro svih članica AmCham-a, i tu smo veoma ponosni na dosledno angažovanje Odbora za radno pravo. **Izmene Zakona o radu, usvojene sredinom 2014. godine**, koje su velikom većinom bile u skladu sa sugestijama Odbora za radno pravo, značajno su unapredile i učinile fleksibilnjom regulativu radnih odnosa i prilagodile je potrebama privrede, dok je sa druge strane pojačan nadzor nad neregistrovanim radnicima. To je dovelo do postepenog smanjenja nelojalne konkurenциje poslodavaca koji ove propise ne poštuju.

Problem sive ekonomije i nelojalne konkurenциje su članice AmCham-a dve godine zaredom u istraživanju evidentirale kao rastući i veliki problem u poslovanju. I tu smo ponosni na postignuto, iako posao nije ni blizu završenog. Na nivou celog sistema državne uprave, **donet je krovni Zakon o inspekcijskom nadzoru**, koji prema sugestijama Odbora za borbu protiv sive ekonomije, predviđa efikasan mehanizam za bolju koordinaciju inspekcijskih službi, svima uvodi jasnu nadležnost nad neregistrovanim subjektima, i fokusira planiranje i obavljanje inspekcijskog nadzora na osnovu

analize rizika. Na nivou pojedinačnih inspekcija već su vidljivi značajni rezultati koji se ogledaju u povećanom broju prijava, zajedničkim akcijama, fokusu posebno na smanjenje sive ekonomije u domenu akcizne robe. Pojačane aktivnosti inspekcija i njihovu bolju koordinaciju svakako treba nastaviti, a kao novo težište aktivnosti Odbora za borbu protiv sive ekonomije nameće se i ostvarivanje preduslova za efikasnije procesuiranje od strane pravosuđa.

Jedan od najšire prepoznatih administrativnih problema koje investitori imaju u poslednjoj deceniji – problem neefikasnog dobijanja građevinskih dozvola i generalno poteškoće u uspostavljanju jasnih vlasničkih odnosa na zemljištu, adekvatno je adresiran u poslednje dve godine i prvi rezultati se već vide. U oblasti efikasnijeg dobijanja građevinskih dozvola **značajna poboljšanja su ostvarena usvajanjem izmena Zakona o planiranju i izgradnji** u skladu sa sugestijama Odbora za nepokretnosti, a posebno otpočinjanjem izdavanja elektronskih građevinskih dozvola početkom 2016. godine. Takođe, predvidivost vlasničkih odnosa na zemljištu dodatno je unapređena **novim Zakonom**.

o pretvaranju prava korišćenja u pravo svojine, takozvanom konverzijom, dajući jasan i predvidiv okvir koji u najvećem broju slučajeva ne prouzrokuje veliki dodatni namet.

Što se tiče unapređenja regulatornog okvira za smanjenje nelikvidnosti u privredi, značajni pomaci učinjeni su **usvajanjem Izmena Zakona o stečaju i Zakona o izvršenju i obezbeđenju** u skladu sa preporukama Odbora za korporativno i privredno pravo, posebno sa aspekta osnaživanja položaja poverilaca u naplati potraživanja i sprečavanja zloupotreba u procesu stečaja i izvršenja. Takođe, napravljeni su i značajni koraci na rešavanju problema nagomilanih nenaplativih kredita u bankarskom sistemu, koji utiču na bolju kreditnu ponudu i bolji obim likvidnih sredstava u privredi.

Iako je predvidivost poreskog i neporeskog opterećenja za privredu evidentiran kao veliki problem od strane članica AmCham-a, u toj oblasti postignuto je najmanje progresa. U domenu unapređenja predvidivosti izmena poreskih zakona, nivoa i načina određivanja neporeskih nameta i primene poreskih zakona od strane Poreske uprave, uprkos značajnom zalađanju predstavnika Odbora za finansije i poreze AmCham-a, ali i

predstavnika drugih poslovnih asocijacija i partnerskih međunarodnih organizacija, nije napravljen značajan pomak. Posmatrani period od dve godine je počeo ocenom članova AmCham-a da su izmene poreskih zakona nepredvidive i to zbog iznenadnih izmena Zakona o porezu na dobit preduzeća neposredno pred kraj 2013. godine, u kojima su bez javne rasprave i suprotno usvojenoj Fiskalnoj strategiji ukinuti određeni poreski podsticaji na osnovu kojih su kompanijski budžeti već bili usvojeni. Situacija se nije poboljšala ni dve godine kasnije, imajući u vidu da su krajem 2015. usvojene izmene značajnog broja poreskih zakona bez javne rasprave, među kojima je, između ostalog uveden i dodatni akcizni proizvod, što je prouzrokovalo značajan i finansijski administrativni teret proizvođačima. Reforma parafiskalnih nameta koja je započela 2012. i pored najava da će se završiti u 2014. godini, do kraja 2015. nije proizvela ni Nacrt Zakona o naknadama za korišćenje javnih dobara, koji je inače predviđen još u Zakonu o budžetskom sistemu iz 2012. Konačno, reforma prakse Poreske uprave u smislu ujednačavanja postupanja, poštovanja mišljenja Ministarstva finansija (što je u međuvremenu postala i zakonska obaveza), planiranja kontrola prema analizi rizika i slično, je započeta, ali

ne i završena, te pozitivne rezultate ove reforme očekujemo u narednom periodu, posle pune implementacije Zakona o inspekcijskom nadzoru.

AmCham članice su krajem 2014. definisale još jedan od reformskih prioriteta, a to je reforma državne uprave, i to posebno u dva ključna aspekta: unapređenje eUprave radi generalnog administrativnog rasterećenja privrede i reforma sistema zdravstva radi postizanja finansijski održivog sistema koji zadovoljava potrebe osiguranika, odnosno građana. **U toku 2015. doneta je Strategija razvoja eUprave**, koja daje smernice za neophodne izmene regulative, ali i prioritet razvoju eUsluga koje će smanjiti administrativni teret privredi. Primena Strategije prema akcionom planu, kao i uspostavljanje interoperabilnosti, elektronskih registara i baza podataka, trebalo bi da bude u fokusu narednih aktivnosti Odbora za informaciono-komunikacione tehnologije u ovom domenu, kako bi privreda videla značajnije praktične efekte u ovoj oblasti.

Reforma sistema zdravstva, prevashodno sa aspektom održivosti finansiranja, ali i unapređenja zagaranovane usluge osiguranicima u okviru postojećih izdvajanja, svakako predstavlja jedinu bitnu

reformu koja nije započeta od 2000. godine. **Odbor za zdravstvo je iz tog razloga zajedno sa Ministarstvom zdravlja pokrenuo i završio opsežnu makro i mikroekonomsku studiju koja je sprovedena u toku 2015. godine**, a koja ukazuje na postojeće neefikasnosti u državnom zdravstvu, na moguća rešenja kroz sinergiju privatnog i javnog sektora, pozitivne efekte uključivanja modernih terapija, a sve to u okviru postojećih budžetskih ograničenja. Određene preporuke ove studije već su pretočene u praksi početkom 2016. godine, u vidu otvaranja poziva privatnim ustanovama za dve vrste zdravstvenih usluga preko Republičkog fonda za zdravstveno osiguranje za koje postoje liste čekanja. Ipak, ovi koraci predstavljaju samo početak sveobuhvatne reforme zdravstvenog sistema koja mora da bude sprovedena u narednom periodu.

Dobar deo smo već prošli, ali veliki deo puta je još pred nama. Američka privredna komora ostaje posvećena svojoj misiji da predvodi promenu na bolje, a pre svega u domenu poslovnog ambijenta Srbije i time stvoriti i jednake uslove za sve i učini privredno okruženje konkurenčnim na globalnom nivou.

SMERNICE ZA RAD AMCHAM RADNIH GRUPA

AmCham sprovodi niz aktivnosti usmerenih ka poboljšanju regulatornog okvira, koje imaju za cilj unapređenje poslovnog okruženja, pružanje podrške ekonomskim reformama i implementaciju najboljih poslovnih praksi. Ove delatnosti su strukturisane i realizovane kroz rad odbora, fokusiranih grupa i ad-hoc radnih grupa.

Odbori su stalne radne grupe obrazovane sa ciljem realizacije dugoročnih inicijativa ili pitanja od zajedničkog interesa. Svaki odbor usvaja izjavu o svojoj misiji, obrazloženje glavnih prioriteta sa predlozima rešenja i dvogodišnju agendu sa kratkoročnim i srednjoročnim ciljevima. Rukovodstvo odbora se sastoji od Predsednika i Potpredsednika koje prвobитно imenuje Upravni odbor Američke privredne komore u Srbiji na period od dve godine, a koji nakon ovog početnog perioda biraju članovi radne grupe. Zaduženja predsednika odbora su da predstavlja grupu u medijima i na sastancima sa predstavnicima države, kao i da upravlja svim aspektima delovanja odbora, dok je potpredsednik odbora aktivno uključen u periodu izbora i sprovođenja godišnje agende odbora.

Fokusirane grupe su privremena radna tela osnovana od strane predstavnika zainteresovanih članova AmCham-a sa ciljem realizacije kratkoročnih inicijativa ili pitanja od zajedničkog interesa. Svaka fokusirana grupa definiše set kratkoročnih ciljeva i dvogodišnji akcioni plan, koji su razvijeni od strane njenog menadžera. Menadžer je zadužen za upravljanje strukturalnim aspektima rada, internom komunikacijom i delegiranjem zadataka unutar grupe. Fokusirana grupa može postati formalnija struktura, Odbor, uz saglasnost Upravnog odbora AmCham-a, nakon razmatranja dostiguća grupe u periodu ne dužem od dve godine.

Ad-hoc radne grupe se formiraju u slučajevima kada postoji potreba bavljenja specifičnim regulatornim pitanjem, kao što su izmene posebnog zakona, podzakonskog akta ili regulatorne prakse, nakon iskazane zainteresovanosti najmanje pet kompanija članica AmCham-a. Takva grupa obično postoji do trenutka rešavanja tog određenog pitanja.

Postoje dve vrste članstva u okviru radnih grupa: opšte i pridruženo. Prva je rezervisana za predstavnike kompanija članica AmCham-a (koje imaju pravo glasa), a druga je dostupna predstavnicima kompanija i organizacija, kao i pojedinaca van AmCham-a (bez prava glasa).

ODBOR ZA KORPORATIVNO I PRIVREDNO PRAVO

PREDSEDNIK ODBORA: Nataša Lalović Marić, *Wolf Theiss*

POTPREDSEDNIK ODBORA: Dragan Lupšić, *Coca Cola Hellenic*

MISIJA ODBORA:

Odbor za korporativno i privredno pravo nastoji da doprinese razvoju privrednog prava i dobre poslovne prakse u Srbiji, uz zalaganje za efikasniji i konzistentniji način sprovođenja usvojenih zakona. Ključne oblasti delovanja Odbora u poslednje dve godine odnosile su se na unapređenje likvidnosti na tržištu kroz bolju regulatornu zaštitu poverilaca, efikasniju naplatu potraživanja, poboljšanje pravnog okvira za investiranje, javno-privatna partnerstva i zaštitu podataka o ličnosti.

ČLANICE ODBORA:

ATLAS CENTAR
AVIONICS & TELECOMMUNICATION SERVICES
AVON COSMETICS
BALL PACKAGING EUROPE
BANCA INTESA
BDK ADVOKATI
BELGRADE OPEN SCHOOL
BOJOVIĆ & PARTNERS
BRITISH AMERICAN TOBACCO
CBS INTERNATIONAL
COCA COLA COMPANY
COCA COLA HELLENIC
CONTINENTAL WIND SERBIA
CROWE HORWATH
DELHAIZE
DELOITTE
DELTA HOLDING
DUFRY
EKI TRANSFERS
EOS MATRIX
ERSTE BANK
EUROBANK
EXECUTIVE GROUP
HEMOFARM
HYPO ALPE ADRIA BANK
JANKOVIĆ, POPOVIĆ & MITIĆ
JOHNSON & JOHNSON
JT INTERNATIONAL
KARANOVIĆ & NIKOLIĆ

KINSTELLAR
KPMG
LALIN LAW
L'OREAL BALKAN
METRO CASH & CARRY
MIKIJEV, JANKOVIĆ & BOGDANOVIĆ
MK GROUP
MOJI BRENDÖV
MORAVČEVIĆ, VOJNOVIĆ & PARTNERI
NAFTNA INDUSTRija SRBIJE
NAUMOVIC & PARTNERI
NELT
OSA RAČUNARSKI INŽENJERING
PHILIP MORRIS SERVICES
RAIFFEISEN BANK
SBB
SEKULoviĆ LAW OFFICE
SERBIAN BUSINESS SYSTEMS
SIEMENS
SOCIETE GENERALE BANK
ŠTAMPA SISTEM
TAG MEDIA
TELENOR
TRS EUROPE
VICTORIA GROUP
VIP MOBILE
VOJVODANSKA BANKA
WIENER STADTISCHE OSIGURANJE
WOLF THEISS
ŽIVKOVIĆ & SAMARDŽIĆ LAW OFFICE

FOKUS ODBORA 2014-2016:

- Efikasnija naplata potraživanja u stečajnom i izvršnom postupku, uz unapređenje mogućnosti za otkup potraživanja (faktoring) i smanjivanje poreskih prepreka za otpis nenaplativih potraživanja u privredi, kroz izmene Zakona o stečaju i Zakona o izvršenju i obezbeđenju
- Praćenje amandmana na Zakon o ulaganjima, Zakon o oglašavanju i Zakon o javnim nabavkama
- Zalaganje za novi ili izmenu postojećeg Zakona o zaštiti podataka o ličnosti

NAJVEĆI USPESI ODBORA:



POSTIGNUT EFIKASNIJI REGULATORNI OKVIR ZA NAPLATU POTRAŽIVANJA

Izmenama i dopunama Zakona o stečaju obuhvaćen je veliki broj preporuka Odbora za korporativno i privredno pravo koje su predstavljale odgovor na bojazan AmCham članova vezano za rastuću nelikvidnost u privredi. Dugo očekivanim promenama u stečajno-pravnoj regulativi smanjeni su negativni efekti na likvidne subjekte i postavljeni preduslovi za povećanje kreditne aktivnosti, i to kroz:

- Preciziranje osnova i obaveza odgovornih lica stečajnog dužnika za pokretanje stečaja
- Obezbeđivanje zaštite prava poverilaca u slučaju reorganizacije, kako njihova prava ne bi bila umanjena bez davanja izričite saglasnosti
- Preciznije regulisanje profesije, dužnosti i prava stečajnog upravnika

Izmenama Zakona o izvršenju i obezbeđenju značajno su unapređena rešenja predviđena

Nacrtom zakona o kojima je diskutovano tokom javne rasprave, a posebno vezano za:

- Načelo hitnosti i rokove – nepostupanje sudije u roku predstavlja disciplinsku povredu/prekršaj sudije odnosno neodlučivanje po prigovoru/žalbi u roku se uzima u obzir u postupku za zaštitu prava suđenja u razumnom roku
- Koliziju izvršnog i vanskudskog postupka namirenja na nepokretnosti - prednost je data započetom postupku namirenja ukoliko različiti poverioci istovremeno vode postupke na istoj nepokretnosti (ranije predloženo rešenje je bilo da prednost ima izvršni postupak)
- Pravne lekove - unapređene su odredbe koje regulišu pravne lekove i uvedeni su prigovor i žalba, taksativno navedeni razlozi, a sve u cilju ujednačavanja sudske prakse
- Zakup nepokretnosti - izmene su usmerene na izbegavanje moguće zloupotrebe kojima su se dužnici koristili u praksi

DOSLEDAN RAD NA UNAPREĐENJU IMPLEMENTACIJE ZAKONA O STEČAJU, ZAKONA O PRIVREDNIM DRUŠTVIMA, ZAKONA O ZALOŽNOM PRAVU

U saradnji sa Vrhovnim kasacionim sudom, Agencijom za licenciranje stečajnih upravnika i profesorima Pravnog fakulteta, organizovan je i **okrugli sto o praktičnim aspektima primene Zakona o stečaju** sa ciljem bolje i doslednije implementacije ovog Zakona.

Tokom 2014. godine, Odbor je takođe radio na **po-boljšanju implementacije Zakona o privrednim društvima i Zakona o založnom pravu na pokretnim stvarima**, organizujući i okrugli sto kome

su prisustvovali predstavnici resornih registara Agencije za privredne registre kako bi pojasnili nedoumice koje nastaju u primeni.

UNAPREĐEN ZAKON O ULAGANJIMA I ZAKON O OGLAŠAVANJU

Odbor je aktivno učestvovao u davanju komentara na **Nacrt zakona o ulaganjima**, kroz brojne iteracije teksta prilikom javne rasprave i proces davanja amandmana u okviru Ekonomskog konsusa. Svi predlozi Odbora usvojeni su u okviru novog Zakona o ulaganjima, a najveći napredak postignut je kroz:

- Preciznije formulisanje predmeta eksproprijacije i ograničenje mogućnosti eksproprijacije isključivo nad nepokretnostima i to samo po osnovu Zakona o eksproprijaciji, umesto pretходно predviđene eksproprijacija biznisa
- Omogućavanje zaštite prava i pred stranim arbitražnim sudovima

Tokom prethodnog perioda, Odbor je radio i na unapređenju teksta **Zakona o oglašavanju**, što je dovelo do toga da veliki broj odredbi i formulacija u finalnom tekstu zakona predstavlja jasan odgovor na izražene nedoumice AmCham članova tokom javne rasprave.

Izmene Zakona o javnim nabavkama usvojene su polovinom 2015. godine po hitnom postupku i bez otvaranja javne rasprave, čime je neopravданo izostavljen proces konsultacija sa privatnim sektorom. **Na okrugлом stolu o izmenama Zakona o javnim nabavkama** preporučeno je unapređenje mehanizama i kapaciteta koje zakon daje nadzornim organima, dok je kao pozitivna

strana navedeno smanjenje administracije za učešće u postupku.

UNAPREĐENJE ZAKONA O ZAŠТИ PODATAKA O LIČNOSTI

AmCham se zalaže za izmenu **Zakona o zaštiti podataka o ličnosti** već pune dve godine, imajući u vidu prepreke koje postojeći zakon nameće pogotovo multinacionalnim kompanijama. Odbor je bio aktivan i prilikom izrade Modela zakona o zaštiti podataka o ličnosti od strane Poverenika i otvaranja javne rasprave o Nacrtu ovog zakona u drugoj polovini 2015. godine, kada je obavljeno nekoliko konsultacija sa članovima radne grupe. Pored svih zaloganja, Zakon još uvek nije ušao u Vladinu proceduru, pa će aktivnosti Odbora i u narednom periodu biti usmerene na praćenje procesa izmena ovog zakona i usklađivanje njegovih odredbi sa regulativom EU.

FOKUS U PERIODU 2016-2018:

Odbor će raditi na:

- Unapređenju Zakona o zaštiti podataka o ličnosti i usaglašavanju sa EU regulativom u ovoj oblasti
- Unapređenju predloga izmena Zakona o stečaju
- Unapređenju predloga izmena Zakona o javnim nabavkama
- Efikasnijoj i doslednoj implementaciji zakonskih rešenja

OBJEKTIV

Nataša Lalović Marić, Wolf Theiss

Krajem 2013. godine, u neformalnom razgovoru sa tadašnjim predsednikom AmCham-a, predložila sam da se u okviru ove reprezentativne institucije, koja okuplja najveće privrednike u našoj zemlji, formira zaseban odbor, koji će se baviti pitanjima privrednog prava, te koji će svojim praktičnim pristupom, i delovanjem na terenu, doprineti poboljšanju poslovnog ambijenta u našoj zemlji. Smatrala sam formiranje ovakvog specijalizovanog odbora važnim, imajući u vidu da sam kao advokat, te (ne)posredan učesnik u brojnim transakcijama u Srbiji i regionu, stalni svedok najrazličitijih problema sa kojima se učesnici privrednog života susreću u svom poslovanju, a koji su neretko posledica nedovoljno razvijene zakonske regulative, neu-skladenosti iste sa specifičnostima našeg pravnog sistema i privrede, te odsustva ili pak neodgovarajuće implementacije iste u praksi.

Potreba za formiranjem ovog specijalizovanog Odbora za korporativno i privredno pravo je prepoznata, te je isti počeo sa radom već početkom 2014. godine. Aktivnosti Odbora su, u skladu sa vremenom u kome živimo, bile mnogobrojne, ponekad različite od inicijalno planiranih, ali svakako intenzivne i delotvorne. Osluškivali

smo potrebe članova, te pokušavali da našu agendu i angažman podrđimo njihovim potrebama.

Ponosni smo na doprinos koji smo dali u postupku izmena Zakona o stečaju, te donošenja Zakona o izvršenju i obezbeđenju i Zakona o ulaganjima. Inicirali smo dijalog u vezi izmena Zakona o zaštiti podataka o ličnosti, radili na unapređenju Zakona o oglašavanju, te bili angažovani i na polju pre-vazilaženja problema na terenu JPP-a. Organizovali smo brojne seminare sa predstavnicima relevantnih institucija u cilju edukacije članstva o načinima primene zakona u praksi.

Na kraju, veliko hvala Milošu Đurkoviću - što je imao sluha za potrebu formiranja još jednog odbora, koji će se baviti "svoparnim" pravnim pitanjima - ali i pitanjima koja život znače! Amaliji Pavić - što je povukla najveći teret prilikom formiranja našeg Odbora, te, zajedno sa nama, prolazila kroz sve izazove sa kojima smo se susretali i davala nam dodatni podstrek da budemo bolji i efikasniji. Na kraju, zahvalnost dugujemo i svim članovima Odbora - a naročito predstavnicima Raiffeisen Banke, kolegama iz KN-a, JPM-a, BDK-a i MJB-a, kao i predstavnicima iz privrede, za nesebičan doprinos radu Odbora, jer su učinili da, nakon 2 godine, možemo da budemo ponosni na minuli rad i postignute rezultate!

ODBOR ZA ZDRAVSTVO

V.D. PREDSEDNIK ODBORA: Miloš Andrović, Stanković & Partners Law Office
PREDSEDNIK ODBORA OD POČETKA 2014. DO AVGUSTA 2016. GODINE:
 Jasmina Pavlović, Pfizer

MISIJA ODBORA:

Odbor za zdravstvo se zalaže za unapređenje efikasnosti zdravstvenog sistema kroz saradnju privatnog i javnog sektora, unapređenje i poboljšanje transparentnosti propisa i njihove adekvatne primene, harmonizaciju domaće regulative sa EU propisima i stvaranje jasnih, fer i jednakih uslova za ulazak na tržište.

ČLANICE ODBORA:

ABBVIE BIOPHARMACEUTICALS	KINSTELLAR
BDK ADVOKATI	KPMG
BEL MEDIC GENERAL HOSPITAL	MAKLER
BELGRADE OPEN SCHOOL	MEDIGROUP SEE
BIOTEC INTERNATIONAL	MEDTRONIC
BOJOVIĆ & PARTNERS	MERCK SHARP & DOHME
CROWE HORWATH	MORAVČEVIĆ, VOJNOVIĆ & PARTNERI
DELOITTE	NAFTNA INDUSTRija SRBIJE
ELI LILLY	NAUMOVIĆ & PARTNERI
ERNST & YOUNG	NOVO NORDISK PHARMA
EXECUTIVE GROUP	PFIZER
GE HOLDINGS	SIEMENS
GLAXOSMITHKLINE	STANKOVIC & PARTNERS
HEMOFARM	UNIQA NEŽIVOTNO OSIGURANJE
JOHNSON & JOHNSON	WEST PHARMACEUTICAL SERVICES
KARANOVIĆ & NIKOLIĆ	WIENER STADTISCHE OSIGURANJE

FOKUS ODBORA 2014-2016:

- Izrada zajedničke studije AmCham-a i Ministarstva zdravlja o prvcima reforme finansiranja zdravstva i mogućnostima za sinergiju javnog i privatnog sektora
- Poboljšanje regulatornog okvira u pravcu unapređenja predvidivosti i transparentnosti, te harmonizacije regulative sa regulativom EU

NAJVEĆI USPESI ODBORA:



URAĐENA ZAJEDNIČKA STUDIJA AMCHAM –
 MINISTARSTVO ZDRAVLJA O MOGUĆNOSTIMA
 SINERGIJE JAVNOG I PRIVATNOG SISTEMA
 RADI UNAPREĐENJA EFIKASNOSTI U
 ZDRAVSTVU

Prepoznajući postojeće pritiske na zdravstveni budžet sa jedne strane, kao i otežane uslove poslovanja za firme u oblasti farmacije, medicinskih sredstava, zdravstvenog osiguranja i pružalaca uslova sa druge, članice Odbora su inicirale sprovođenje jedne opsežne studije koja za cilj ima ukazivanje na moguće pravce poboljšanja efikasnosti zdravstvene usluge, u okviru postojećeg budžeta. Ministarstvo zdravlja je prihvatiло ulazak u zajednički projekat, te je ključna tema Odbora za zdravstvo u prethodnom periodu bila **izrada zajedničke studije AmCham-a i Ministarstva zdravlja o prvcima reforme finansiranja zdravstva i mogućnostima za sinergiju javnog i privatnog sektora**, kao i pružanje podrške nadležnim organima prilikom dalje operacionalizacije preporuka studije.

Glavni ciljevi studije su efikasnija kontrola prihoda i rashoda, analiza troškovne efikasnosti javnog

zdravstva u odnosu na postojeći sistem privatnih pružalaca zdravstvenih usluga, identifikacija alternativnih rešenja za povećanje prihoda, kao i procesna postojećeg regulatornog okvira i potencijalnih izmena u cilju unapređenja sistema zdravstvene zaštite u Srbiji.

POBOLJŠANJE REGULATORNOG OKVIRA

Paralelno sa naporima na iznalaženju najboljeg rešenja za reformu zdravstvenog sistema, Odbor je nastavio sa **redovnim aktivnostima na unapređenju regulative iz oblasti lekova**.

Takođe, po izmenama opšte regulative javnih nabavki, Odbor se fokusirao na **poboljšanja implementacije izmena zakona o javnim nabavkama** organizujući okrugli sto sa nadležnim institucijama na kome je ukazano na probleme u interpretaciji i primeni.

FOKUS U PERIODU 2016-2018:

Odbor će nastaviti dijalog sa relevantnim učesnicima u procesu, po pitanju:

- Implementacija preporuka iz studije
- Usaglašavanja regulative sa usvojenim rešenjima, a posebno Zakona o zdravstvenoj zaštiti, Zakona o zdravstvenom osiguranju, Zakona o lekovima i Zakona o medicinskim sredstvima

OBJEKTIV

Miloš Andrović, Stanković & Partners

Odbor za zdravstvo AmCham-a (HCC) čine najznačajniji učesnici na tržištu proizvodnje i prometa lekova, medicinskih sredstava, opreme, privatni pružaoci zdravstvenih usluga i zdravstvenog osiguranja.

Osnovni cilj HCC jeste podrška članicama da u komunikaciji sa državnim organima i organizacijama obezbede pravnu i poslovnu predvidljivost, stalni dijalog na planu kreiranja, unapređenja i implementacije zdravstvene politike u Srbiji. Ciljevi HCC su stoga kako opšti i zajednički sa kompanijama iz drugih privrednih i industrijskih sektora, tako i specifični imajući u vidu da je efekat saradnje članica HCC i državnih organa i organizacija od direktnog interesa i za sve građane Srbije.

HCC prepoznaje administrativna i finansijska ograničenja sa kojima se nosioci zdravstvene politike u Srbiji suočavaju svake godine i u tom smislu je podržao izradu makroekonomskih i mikroekonomskih studija zdravstvenog sistema u Srbiji, sa ciljem reorganizacije zdravstvene sistema i uspostavljanja drugačijih osnova daljeg razvoja. Studija je utvrdila neodrživost postojećeg

funkcionisanja zdravstvenog sistema, a u okvirima stalnog povećanja troškova, načina naplate i trošenja sredstava i značajnog starenja populacije u Srbiji.

HCC je u dugogodišnjem nastojanju da obezbedi jasne pravne i poslovne okvire svojim članicama, uspeo da u saradnji sa Ministarstvom zdravlja učini određene pozitivne promene koje u odsustvu saradnje i učešća Republičkog fonda za zdravstveno osiguranje nisu mogle doprineti efikasnijem i ekonomičnjem funkcionisanju zdravstvenog sistema. Finansijski i ekonomski pritisak na budžetska sredstva i budžetska izdvajanja u sektoru zdravstva svakako su u prethodnih tri i više godina imale nesagleđive posledice i na atraktivnost ulaganja članica HCC u zdravstveni sistem, posledica čega je i značajno smanjen broj zaposlenih u farmaceutskoj i celoj zdravstvenoj industriji.

Članice HCC veruju da će i zdravstveni sistem, u sveobuhvatnoj reformi drugih politika u državi, u najskorije vreme biti predmet dublje analize izvršne i zakonodavne vlasti te obezbediti jasniju poruku daljeg razvoja i unapređenja koja će omogućiti i svim članicama HCC usklađivanje svojih poslovnih planova za ubuduće.

ODBOR ZA FINANSIJE I POREZE

PREDSEDNIK ODBORA: Zoran Petrović, Raiffeisen Bank

POTPREDSEDNIK ODBORA: Igor Lončarević, KPMG

MISIJA ODBORA:

Odbor za finansije i poreze nastoji da pomogne usklađivanje i stvaranje uslova za ujednačenu primenu finansijske i poreske regulative kako bi se došlo do transparentnog i efikasnog regulatornog okvira, u skladu sa međunarodnim standardima i savremenim uslovima poslovanja. U fokusu Odbora u prethodnom periodu bilo je unapređenje predvidivosti poreskog/neporeskog opterećenja za privredu, kroz dugoročno planiranje izmene poreskih zakona i kroz ograničavanje uvođenja i povećanja nivoa parafiskalnih nameta bilo na centralnom ili lokalnom nivou.

ČLANICE ODBORA:

ADVOATSKA KANCELARIJA PARIVODIC	EUROBANK EXECUTIVE GROUP FIRST DATA FONDACIJA ANA I VLADE DIVAC G4S SECURE SOLUTIONS GLAXOSMITHKLINE HARRISONS HEMOFARM HEWLETT PACKARD HONEYWELL HYPO ALPE ADRIA BANK I & F MCCANN GRUPA IBM JANKOVIĆ, POPOVIĆ & MITIĆ JT INTERNATIONAL KARANoviĆ & NIKOLiĆ KOMERCIJALNA BANKA KPMG LEO BURNETT L'OREAL BALKAN LUKA BEOGRAD LUNA/TBWA MEDIGROUP SEE MEDTRONIC MERCATOR-S MERCK SHARP & DOHME METRO CASH & CARRY MICROSOFT SOFTWARE MIKIJELJ, JANKOViĆ & BOGDANOViĆ MK GROUP MOJI BRENDovi MORAVČEViĆ, VOJVODOViĆ & PARTNERi NAFTNA INDUSTRIJA SRBIJE NAUMOViĆ & PARTNERi NELT	NEW MOMENT NEW IDEAS COMPANY NOVO NORDISK PHARMA DOO BEOGRAD ORION TELEKOM PFIZER PHILIP MORRIS SERVICES PRICEWATERHOUSECOOPERS RAIFFEISEN BANK REPRESENT COMMUNICATIONS SEKULoviĆ LAW OFFICE SERBIAN BUSINESS SYSTEMS SGS BEOGRAD SIEMENS SMALL ENTERPRISE ASSISTANCE FUNDS SOCIETE GENERALE BANK ŠTIMPA SISTEM TEKNOGROUP SRBIJA TELEGROUP TELENOR TELESIGN TITAN CEMENTARA TMF SERVICES TRIZMA TRS EUROPE TURNER SOUTHEAST EUROPE UNICREDIT BANK UNIQA NEŽIVOTNO OSIGURANJE VICTORIA GROUP VIP MOBILE VODA VRNRi VOJVODANSKA BANKA VREME WEST PHARMACEUTICAL SERVICES WIENER STADTISCHE OSIGURANJE WOLF THEISS
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FOKUS ODBORA 2014-2016:

- Unapređenje predvidivosti poreskih i neporeskih nameta (završetak parafiskalne reforme pre svega kroz usvajanje jedinstvenog Zakona o naknadama za korišćenje javnih dobara koji bi trebalo da izlista sve naknade, odredi njihove iznose i mehanizme za izmenu tih iznosa)
- Unapređenje likvidnosti u finansijskom sistemu kroz zaštitu poverilaca (izmene Zakona o stečaju, Zakona o izvršenju i obezbeđenju, procena efekata sproveđenja Zakona o rokovima plaćanja) i smanjivanje nivoa nenaplativih kredita u bankarskom sektoru
- Unapređenje postupanja Poreske uprave, sa naglaskom na ujednačavanje postupaka i prakse različitih organizacionih jedinica i unapređenje žalbene procedure

NAJVEĆI USPESI ODBORA:

UNAPREĐENJE PREDVIDIVOSTI PORESKIH I NEPORESKIH NAMETA

Prema rezultatima ankete sprovedene krajem 2014. godine, čak 75% članica AmCham-a je izrazilo mišljenje da je povećanje predvidivosti poreske politike i implementacije poreskih zakona najbitnija reforma koju Vlada treba da sproveđe u 2015. godini, a 57% članica AmCham-a je loše ili jako loše ocenilo sadašnju predvidivost poreske politike i ujednačenost njenog sproveđenja. Time je ova reforma postala i najbitnija reforma poslovnog okruženja za AmCham članstvo, koja je uprkos značajnim naporima Odbora za finansije i poreze, ostala bez oplipljivih rezultata. Ovakvoj oceni svakako doprinosi činjenica da su

gotovo sve izmene resornih zakona u prethodnoj godini donete po hitnom postupku i bez javne rasprave.

Jedna od takvih nenajavljenih izmena bila je i izmena **Uredbe koja reguliše naknadu troškova na službenom putu državnih službenika**, koja se koristi i kao osnova za neoporezivi deo dnevica i troškova za službena putovanja privatnog sektora, i koja je značajno povećala troškove za službene puteve celom privatnom sektoru. Negativni efekti izmene ove Uredbe su trajali sve do kraja 2015. godine, kada je zajedničkom inicijativom Odbora za finansije i poreze i Saveta stranih investitora izmenjen Zakon o porezu na dohodak građana čime su prethodne izmene anulirane.

Uprkos velikim naporima za kreiranjem transparentnog i efikasnog regulatornog okvira u oblasti lokalnih taksi i naknada, započetim još 2012. godine - nije napravljen veliki napredak. **Nacrt zakona o naknadama za korišćenje javnih dobara** je bio na inicijalnoj javnoj raspravi još krajem 2013. godine, nakon čega je povučen i dorađivan, ali još uvek ušao u finalnu fazu usvajanja. Krajem 2015. objavljen je **Nacrt zakona o finansiranju lokalne samouprave**, koji ispunjava ključne zahteve AmCham-a vezano za ukidanje dva lokalna parafiskalna nameta, firmarine - lokalne komunalne takse za isticanje firme na poslovnom prostoru i ekološke takse - naknade za životnu sredinu.

Konačno, uprkos protivljenju AmCham-a, Saveta stranih investitora i NALED-a, krajem 2015. godine je bez javne rasprave usvojen i Zakon o privrednim komorama, koji uvodi **dodatni parafiskalni namet - obaveznu članarinu u Privrednoj komori Srbije**, čija će naplata početi od 2017.

godine u iznosu i po metodologiji koju će naknadno odrediti Skupština te asocijacije.

DELIMIČNO POBOLJŠAN REGULATORNI OKVIR ZA POVEĆANJE LIKVIDNOSTI U PRIVREDI

Odbor za finansije i poreze uradio je analizu procesne efekata **Zakona o rokovima plaćanja**, sa ciljem uvođenja veće discipline plaćanja, počev od države. Analiza je utvrdila da mehanizmi nadzora nad sprovođenjem ovog zakona nisu adekvatni, te da njegovo postojanje, pored inicijalnih troškova prilagođavanja privrede, ne utiče značajno na stanje likvidnosti.

Rešenja privatnog sektora na problem nenaplativih potraživanja data su i kroz komentare Odbora na **Zakon o faktoringu** kroz uklanjanje postojećih zakonskih prepreka za prodaju potraživanja faktoring kompanijama od strane banaka. I u ovom slučaju, izmene zakona još uvek nisu usvojene.

U domenu rešavanja problema nenaplativih kredita se najdalje odmaklo, imajući u vidu da je Odbor u saradnji sa MMF-om davao konstruktivne sugestije na relevantne poreske zakone, kao i na **Zakon o izvršenju i obezbeđenju**, koji su krajem 2015. godine usvojeni.

UNAPREĐENO POSTUPANJE PORESKE UPRAVE KROZ PODNOŠENJE PORESKE PRIJAVE ELEKTRONSKIM PUTEM, I DALJE SPORNO UJEDNAČAVANJE PRIMENE I POVEĆANJE PREDVIDIVOSTI PORESKIH ZAKONA

I pored otvorenosti Poreske uprave koja se u poslednjih godinu dana strukturno transformiše i uspostavljene saradnje sa MMF-om, napori Odbora

na unapređenju postupanja Poreske uprave, u cilju ujednačavanja postupanja po podružnicama, unapređenja predvidivosti postupanja (poštovanje inače zakonom obavezujućih mišljenja), poštovanja zakonskih rokova za izdavanje potvrda – još uvek nisu dali vidljive rezultate.

Najveći uspeh je svakako donošenje Pravilnika o podnošenju poreske prijave elektronskim putem, što je dovelo do velikog skoka Srbije na listi Svetske banke o uslovima poslovanja u oblasti naplate poreza.

U domenu implementacije regulative, Odbor je početkom 2015. godine organizovao **okrugli sto sa predstvincima Poreske uprave o praktičnoj implementaciji Pravilnika o transfernim cenama**, sa ciljem razjašnjenja najčešćih prepreka u prvoj godini primene, ali i razvojnim očekivanjima postupanja u ovoj novoj oblasti za Poresku upravu.

FOKUS U PERIODU 2016-2018:

Odbor će nastaviti da radi na:

- Zagovaranju obavezne javne rasprave za finansijske zakone
- Završetku reforme parafiskala
- Ujednačavanju postupanja Poreske Uprave
- Usaglašavanju postupanja Poreske Uprave sa Zakonom o inspekcijskom nadzoru

OBJEKTIV

Igor Lončarević, KPMG

Članice Američke privredne komore u Srbiji već treću godinu zaredom kao ključne prioritete unapređenja poslovnog okruženja navode stvaranje veće predvidljivosti i transparentnosti poreskog sistema. Shodno tome, Odbor je posvetio svoje aktivnosti zagovaranju blagovremenih najava izmena poreske politike, obavljanju inače zakonom obaveznih javnih rasprava o izmenama poreskih zakona i konzistentnosti u sprovođenju najavljenih mera.

Osvrtom na prethodne dve godine, možemo zaključiti da je izvestan napredak ostvaren u okviru nacrtca Zakona o finansiranju lokalne samouprave, kojim su na inicijativu Odbora ukinuta dva najvažnija parafiskalna nameta (firmarina i ekološka taksa), kao i donošenjem Pravilnika o podnošenju poreske prijave elektronskim putem, što je dovelo do velikog skoka Srbije na listi Svetske banke o uslovima poslovanja u oblasti naplate poreza.

Sa druge strane, uprkos stalnom dijalogu Odbora sa Ministarstvom finansija, Poreskom upravom i ostalim resornim organima, nije napravljen veliki napredak u unapređenju regulatornog okvira u ovoj oblasti. Iako je usvajanje Zakona o naknadama za korišćenje javnih dobara najavljivano više

puta od 2013. godine, ovaj zakon koji bi trebalo da poveća transparentnost nameta, još uvek nije ušao u proceduru. Kontinuirano netransparentno donošenje izmena poreskih propisa često je ostavljalo privredu bez mogućnosti glasa, i pored nameravanih pozitivnih efekata na budžet uvodilo dodatne troškove kompanijama koje nisu mogle biti dovoljno brzo pripremljene na implementaciju. Dodatno, najavljeni reformi poreske administracije, iako evidentno u toku, još uvek nije dala rezultat u ujednačavanju tumačenja u različitim filijalama, primeni obavezujućih mišljenja Ministarstva finansija od strane Poreske uprave. Takođe, napori Odbora ka uspostavljanju strukturisanog pristupa dijalogu privatnog sektora i Poreske uprave su nekoliko puta prekidani promenom rukovodstva ovog tela.

Na kraju dvogodišnjeg mandata, želim da izrazim zahvalnost svim članovima Odbora za finansije i poreze koji su svojim komentarima i sugestijama predano radili na oblikovanju predloga za uspostavljanje boljeg poreskog sistema kako sa stanovišta poreskih obveznika, tako i sa stanovišta Poreske uprave. Pored toga, zahvaljujem se i partnerskim institucijama, pre svega MMF-u, NALED-u i USAID BEP-u na brojnim zajedničkim inicijativama i nastavku saradnje na unapređenju makroekonomski i fiskalne stabilnosti u Srbiji.

ODBOR ZA RADNO PRAVO

PREDSEDNIK ODBORA: Dragica Pilipović Chaffey, SBB

POTPREDSEDNIK ODBORA: Jovana Tomić, Živković Samardžić Law Office

MISIJA ODBORA:

Rezultatima istraživanja koje je sprovedeno krajem 2013. godine u kompanijama članicama AmCham-a, iznova je potvrđeno da je reforma radnog zakonodavstva apsolutni prioritet i jedina reformska mera sa neposrednim uticajem na povećanje stope zaposlenosti. Misija Odbora za radno pravo je da poboljša radnu regulativu i prati probleme u njenoj primeni, kako bi se povećala konkurentnost Srbije kao investicione destinacije, a uz to olakšao ekonomski razvoj i održivo povećanje zaposlenosti.

ČLANICE ODBORA:

ADVOKATSKA KANCELARIJA VUKOVIĆ & PARTNERS
APATINSKA PIVARA
AVON COSMETICS
BALKANS REAL ESTATE
BALL PACKAGING EUROPE
BANCA INTESA
BDK ADVOVATI
BDO
BEL MEDIC GENERAL HOSPITAL
BELGRADE OPEN SCHOOL
BOJOVIĆ & PARTNERS
CBS INTERNATIONAL
COCA COLA HELLENIC
CROWE HORWATH
CROWNE PLAZA
DBP ADVOVATI
DELHAIZE
DELTA HOLDING
DHL
DINERS CLUB INTERNATIONAL
DUFRY
EOS MATRIX
ERNST & YOUNG
ERSTE BANK
EUROBANK
EXECUTIVE GROUP

G4S SECURE SOLUTIONS
GI GROUP HR SOLUTIONS
HARVARD CLUB OF SERBIA
HEMOFARM
HEWLETT PACKARD
HYPO ALPE ADRIA BANK
IBM
JANKOVIĆ, POPOVIĆ & MITIĆ
JOHNSON & JOHNSON
JT INTERNATIONAL
KARANOVIĆ & NIKOLIĆ
KINSTELLAR
KOMERCIJALNA BANKA
KPMG
LALIN LAW
LEO BURNETT
L'ORÉAL BALKAN
MERCK SHARP & DOHME
METRO CASH & CARRY
MICROSOFT SOFTWARE
MIKJELJ, JANKOVIĆ & BOGDANOVIĆ
MK GROUP
MOJI BRENDOVİ
MONDELEZ
MORAVČEVIĆ, VOJNOVIĆ & PARTNERI
NAFTNA INDUSTRJA SRBIJE

NAUMOVIĆ & PARTNERI ADVOVATI
NELT
ORION TELEKOM
PHILIP MORRIS SERVICES
PMI SERBIA CHAPTER
PRICEWATERHOUSECOOPERS
RAIFFEISEN BANK
S&T
SBB
SCHNEIDER ELECTRIC
SEKULOVIĆ LAW OFFICE
SERBIAN BUSINESS SYSTEMS
SIEMENS
SOCIETE GENERALE BANK
ŠTAMPA SISTEM
STAR IMPORT
TELEGROUP
TELESIGN
TITAN CEMENTARA
TMF SERVICES
UNIQA NEŽIVOTNO OSIGURANJE
VICTORIA GROUP
VIP MOBILE
VOJVODANSKA BANKA
WIENER STADTISCHE OSIGURANJE
ŽIVKOVIĆ & SAMARDŽIĆ LAW OFFICE

FOKUS ODBORA 2014-2016:

- Unapređenje regulative radnih odnosa kroz izmene Zakona o radu, smanjivanjem nepotrebne administracije, omogućavanjem jednostavnijeg ulaska i izlaska na/sa tržista rada kroz fleksibilnije zapošljavanje i sankcionisanje nesavesnih radnika i stvaranjem predvidivog sistema socijalnog pregovaranja
- Praćenje implementacije zakona iz oblasti radnog prava
- Rešavanje problema u implementaciji Zakona o zapošljavanju stranaca

NAJVEĆI USPESI ODBORA:



BITNO UNAPREĐENA RADNA REGULATIVA USVAJANJEM IZMENA ZAKONA O RADU

Identifikovani problemi i predložene mere usmjerile su fokus Odbora za radno pravo na kreiranje podsticaja zapošljavanju kroz unapređenje regulative radnih odnosa koja bi bila u skladu sa stanjem u privredi, omogućila efikasnu kontrolu primene (smanjenje zloupotreba i sive ekonomije) i povećala predvidivost kao ključni preduvjet za dalje investicije i dugoročno povećanje zaposlenosti. Nesumnjivo najveći uspeh Odbora svakako je bilo usvajanje novog **Zakona o radu sredinom 2014. godine, kojim je rešena većina spornih pitanja u ovoj oblasti i ostvaren značajan napredak u radnoj regulativi**. Nakon više od 25 sastanaka sa predstavnicima Ministarstva za rad, zapošljavanje, socijalna i boračka pitanja, članovima radnih grupa, sindikatima i poslovnim asocijacijama - 70% komentara Odbora je ušlo u finalni tekst Zakona o radu, a najvažnije izmene i

unapređenja odnosili su se na:

- Pitanje reprezentativnosti u okviru proširenog dejstva kolektivnog ugovora
- Isplata otpremnine zaposlenom samo za godine rada provedene kod poslodavca kod koga mu prestaje radni odnos
- Maksimalno trajanje ugovora na određeno vreme produženo na 36 meseci
- Fleksibilnije zapošljavanje, ali i sankcionisanje nesavesnih radnika – kroz povećanje broja razloga za raskid ugovora (uključujući i zloupotrebu bolovanja), kao i uvođenjem disciplinskih mera (15 dana suspenzije i 20% umanjenja plate)

Dodatno, AmCham je učestvovao i u izmenama i dopunama **Zakona o zapošljavanju stranaca**, pre svega u sugestijama koje će poslodavcima olakšati zapošljavanje nerezidenata.

USPEŠNO PRAĆENJE PRIMENE ZAKONA IZ OBLASTI RADNOG PRAVA

 Nakon usvajanja Zakona o radu, Odbor za radno pravo nastavio je da prati proces implementacije Zakona o radu između ostalog i kroz organizaciju **seminara kome su prisustvovali predstavnici Ministarstva za rad, zapošljavanje, socijalna i borčka pitanja** koji su učestvovali u njegovom kreiranju, a koji je za cilj imao razjašnjenje pojedinih odredbi i usaglašavanje sa postojećom praksom.

Doprinos procesu implementacije usvojenih Zakona dat je kroz organizovanje **seminara o mobingu i zaštiti uzbunjivača, kao i kroz sastanak sa predstvincima resornog Ministarstva i Nacionalne službe za zapošljavanje na temu**

zapošljavanja stranaca. Cilj ovih implementacionih seminara bio je pružanje odgovora nadležnih institucija na brojna pitanja AmCham članova vezana za primenu radnog prava u praksi.

FOKUS U PERIODU 2016-2018:

Fokus Odbora će u narednom periodu biti na:

- Praćenju primene regulative iz oblasti rada i insistiraju na doslednoj primeni zakonskih rešenja i ujednačenosti tumačenja
- Praćenju izmena regulative koja se tiče funkcionalisanja socijalnog dijaloga

OBJEKTIV

**Jovana Tomić,
Živković Samardžić Law Office**

Odbor za radno pravo osnovan je sa ciljem da unapredi radno pravnu regulativu, približi praksu i razjasni nedoumice koje su postojale u primeni radno pravnih propisa. Izmena Zakona o radu bila je absolutni prioritet Odbora gde su članovi AmCham-a pokazali veliki entuzijazam i želju da svojim dugogodišnjim iskustvom doprinesu izmeni zakona. Učesnici Odbora su ukazali na sve probleme sa kojima se susreću u praksi i zahvaljujući njihovim predlozima i aktivnim učešćem na sastancima, usvojen je Zakon o radu sa 70% predloga od strane Odbora. Nakon donošenja Zakona Odbor je učestovao i u implementaciji, organizovan je seminar uz prisustvo nadležnih organa koji su učestvovali u donošenju Zakona, gde je razjašnjena sporna primena mnogih odredbi. Tokom 2015. godine, Odbor je

pratio donošenje Zakona o zapošljavanju stranaca i Zakona o zaštiti uzbunjivača i na tu temu su organizovani seminari sa predstavnicima resornih ministarstva, a koji su za cilj imali usaglašavanje sa postojećom praksom.

U narednom periodu planiran je seminar o Zakonu o uslovima za upućivanje zaposlenih na privremeni rad u inostranstvo, Odbor će predložiti izmenu Zakona o evidencijama u oblasti rada, a planirane su i druge aktivnosti sa ciljem modernizacije radno pravnih propisa, stvaranja pravne sigurnosti i ujednačene sudske prakse.

Za sve uspehe koje smo postigli, kao potpredsednik Odbora za radno pravo, veliku zahvalnost dugujem svim članovima Odbora na uloženom vremenu i nesobičnoj pomoći, a posebno predstavnicima AmCham-a na dobroj organizaciji i strpljenju.

ODBOR ZA NEPOKRETNOSTI

PREDSEDNIK ODBORA: Đorđe Nikolić, NKO Partners

POTPREDSEDNIK ODBORA: Vladimir Pavlović, Metro Cash & Carry

MISIJA ODBORA:

Odbor za nepokretnosti nastoji da bude konstruktivni partner Vladi Srbije i drugim nadležnim institucijama u poboljšanju celokupnog regulatornog okvira iz oblasti planiranja i izgradnje i stvaranju uslova za bolju primenu usvojenih propisa u praksi, sa ciljem daljeg razvoja građevinske industrije, uklanjanju prepreka za greenfield i brownfield investicije i stvaranju povoljnijeg poslovog okruženja.

ČLANICE ODBORA:

ADVOKATSKA KANCELARIJA PARIVODIC

ADVOKATSKA KANCELARIJA VUKOVIĆ & PARTNERS

AGRI BUSINESS PARTNER

AIRPORT CITY

APATINSKA PIVARA

ATLAS CENTAR

ATLAS GROUP

BALKANS REAL ESTATE

BANCA INTESA

BOK ADVOKATI

BELGRADE OPEN SCHOOL

BELGRADE WATERFRONT

BEONALIZA

BOJOVIĆ & PARTNERS

BOYDEN GROUP

BRITISH AMERICAN TOBACCO

CBS INTERNATIONAL

COCA COLA HELLENIC

COLLIERS

CONTINENTAL WIND SERBIA

CRE INTERNATIONAL

CROWE HORWATH

DBP ADVOKATI

DELHAIZE

DELOITTE

DELTA HOLDING

EMBASSY TECHZONES

ERNST & YOUNG

ERSTE BANK

EUROBANK

EXECUTIVE GROUP

HARRISONS

HEMOFARM

HONEYWELL

HYPOT ALPE ADRIA BANK

IKEA

IMO PROPERTY INVESTMENTS

INSTITUT IMS

JANKOVIĆ, POPOVIĆ & MITIĆ

JONES LANG LASALLE

JT INTERNATIONAL

KARANOVIĆ & NIKOLIĆ

KINSTELLAR

KOMERCIJALNA BANKA

LALIN LAW

LUKA BEOGRAD

M & V INVESTMENTS

MERCATOR-S

METRO CASH & CARRY

MIKIJEV, JANKOVIĆ & BOGDANOVIC

MK GROUP

MOJI BRENDovi

MORAVČEVIĆ, VOJNOVIĆ & PARTNERI

NAFTNA INDUSTRIJA SRBIJE

NAUMOVIĆ & PARTNERI

NKO PARTNERS

NOVASTON

ORION TELEKOM

OSA RAČUNARSKI INŽENJERING

PHILIP MORRIS SERVICES

PWG LAW OFFICE

RAIFFEISEN BANK

RIO SAVA EXPLORATION

SBB

SCHNEIDER ELECTRIC

SEKULOVIĆ LAW OFFICE

SIEMENS

SIKA

SOCIETE GENERALE BANK

TEKNOXGROUP SRBIJA

TELENO

TRS EUROPE

TURNER SOUTHEAST EUROPE

UNIQA NEŽIVOTNO OSIGURANJE

VICTORIA GROUP

VIP MOBILE

VODA VRNJC

VOJVODANSKA BANKA

WIENER STADTISCHE OSIGURANJE

WOLF THEISS

ŽIVKOVIĆ & SAMARDŽIĆ LAW OFFICE

FOKUS ODBORA 2014-2016:

- Uspostavljanje efikasnog i predvidivog okvira za dobijanje građevinskih dozvola kroz izmene Zakona o planiranju i izgradnji, jasno definisanje vlasničkih odnosa na zemljištu i reforma naknade za uređenje građevinskog zemljišta
- Praćenje usklađivanja i implementacije sektorskih zakona sa Zakonom o planiranju i izgradnji
- Rešavanje pitanja pretvaranja prava korišćenja u pravo svojine na građevinskom zemljištu

NAJVEĆI USPESI ODBORA:

USPOSTAVLJEN EFIKASNIJI I PREDVIDIV OKVIR ZA DOBIJANJE GRAĐEVINSKIH DOZVOLA

Tokom procesa donošenja **Zakona o planiranju i izgradnji** u 2014. godini, Odbor za nepokretnosti je aktivno učestvovao u javnoj raspravi i svojim sugestijama doprineo da finalni **tekst Zakona bude u skladu sa osnovnim zahtevima privrede**, a u cilju razvoja građevinske industrije i uspostavljanja bolje poslovne klime. Osnovne sugestije AmCham-a odnosile su se pre svega na:

- Rešavanje komplikovanih vlasničkih odnosa na zemljištu - ograničavanje postupka konverzije uz naknadu na što manji broj slučajeva i uklanjanje prava dugoročnog zakupa kao posebne kategorije prava na zemljištu
- Reformu naknade za uređenje građevinskog zemljišta

Najveći broj sugestija AmCham-a je usvojen u finalnoj verziji Zakona, dok je rešavanje pitanja konverzije prava korišćenja u pravo svojine na

zemljištu ostavljeno da bude regulisano posebnim zakonom.

Kako bi svojim članovima približili poslednje izmene Zakona, AmCham je u saradnji sa Ministarstvom građevinarstva, saobraćaja i infrastrukture organizovao **prezentaciju o najvažnijim izmenama Zakona o planiranju i izgradnji**, simulaciju procesa pribavljanja potrebnih dozvola i uporedni prikaz procedure po stariim i novim pravilima.

Godinu dana kasnije, u saradnji sa nadležnim Ministarstvom građevinarstva saobraćaja i infrastrukture, NALED-om i USAID BEP-om, AmCham je organizovao **Konferenciju o objedinjenoj proceduri i planskoj dokumentaciji**, sa ciljem sumiranja prvih rezultata primene nove procedure izdavanja građevinskih dozvola u praksi i identifikovanja daljih koraka u oblasti planiranja i izgradnje.

REŠENO PITANJE KONVERZIJE KROZ USVAJANJE ZAKONA O PRETVARANJU PRAVA KORIŠĆENJA U PRAVO SVOJINE NA GRAĐEVINSKOM ZEMLJIŠTU UZ NAKNADU

Tokom 2015. godine, Odbor je aktivno radio na davanju komentara i podrške usvajanju predloga **Zakona o pretvaranju prava korišćenja u pravo svojine na građevinskom zemljištu uz naknadu**, kao jednom od poslednjih, velikih, nerašenih pitanja koji su prepreka podsticanju novih investicija u narednom periodu. Nakon **poslovnog ručka** koji je polovinom 2015. godine održan **sa potpredsednikom Vlade i Ministarkom građevinarstva, saobraćaja i infrastrukture, Zoranom Mihajlović**, mnogobrojnim sastancima sa predstavnicima resornog Ministarstva, Delegacije

Evropske unije, Kancelarijom MMF-a, AmCham je u saradnji sa Savetom stranih investitora i NALED-om uputio preporuke koje su predstavljale alternativno rešenje koje bi zadovoljilo i privatni i javni sektor.

Novi zakon usvojen u julu 2015. godine, predvideo je naknadu za konverziju, ali i besplatnu konverziju za onaj deo zemljišta koji služi redovnoj upotrebi, odnosno na kojem su izgrađeni objekti, kao i za saobraćajnice, silose, pomoćne objekte... U slučaju da je nosilac prava korišćenja imao troškove pribavljanja prava korišćenja, naknada za konverziju se umanjuje, ukoliko se takvi troškovi dokažu u sudskom postupku.

FOKUS U PERIODU 2016-2018:

Imajući u vidu višestruki efekat građevinske industrije i posledice na stvaranje povoljnijeg poslovnog okruženja, Odbor će u narednom periodu nastaviti da bude konstruktivan partner Vladi Republike Srbije, a kroz definisanje akcionog plana u saradnji sa partnerskim institucijama i nadležnim Ministarstvom će pokušati da adresira i reši ključna preostala pitanja.

Ključne preporuke za naredni period su:

- Izmene podzakonskih akata na Zakon o planiranju i izgradnji, kao rezultat prvih problema koji su se pojavili u praksi
- Donošenje nove i izmene postojeće regulative kojom se uređuje izgradnja infrastrukturnih, a pre svega linijskih projekata
- Usklađivanje sektorskih zakona (pre svega Zakona o protiv-požarnoj zaštiti i Zakona o javnim nabavkama) sa potrebama izrade planske dokumentacije
- Češće redovne konsultacije javnog i privatnog sektora iz oblasti planiranja i planske dokumentacije

OBJEKTIV

Đorđe Nikolić, NKO Partners

U 2016. godinu ulazimo sa puno optimizma nakon što su u prethodne dve godine pokrenute i realizovane bitne reforme za jačanje konkurentnosti Srbije u domenu razvoja građevinske industrije. Ubrzanje reformskog tempa u oblasti dobijanja građevinskih dozvola i rešavanja pitanja konverzije u prethodne dve godine bilo je rezultat rada Ministarstva građevinarstva, saobraćaja i infrastrukture, ali i udruživanja ekspertize poslovnih asocijacija, posebno AmCham-a, NALED-a i FIC-a, uz izuzetnu i kontinuiranu podršku donatora, pre svih USAID-a kroz Projekat za bolje uslove poslovanja.

Najznačajniji uspeh Odbora za nepokretnosti su svakako usvojene izmene Zakona o planiranju i izgradnji, koje su usvojene sa velikim brojem preporuka naših članova, kao prvi korak ka efikasnijim procedurama dobijanja građevinskih dozvola. Kroz kontinuirani dijalog privatnog sektora sa resornim Ministarstvom, Odbor je uspeo da predupredi usvajanje izmena ovog zakona bez prethodno pripremljenih podzakonskih akata koji detaljnije uređuju proceduru izdavanja dozvola, čime je sprečeno postojanje pravnog vakuma i omogućena adekvatna priprema za implementaciju. Dodatno, usvojen je

i Zakon o pretvaranju prava korišćenja u pravo svojine na građevinskom zemljištu koji je reflektovao osnovne sugestije Odbora, čime je ova višegodišnja prepreka razvoju građevinske industrije konačno otklonjena.

Svakako, pravu ocenu adekvatnosti ovih rešenja daće praksa njihove primene i iskustva kompanija, pa je fokus Odbora u narednom periodu stavljen na implementaciju, pre svega u oblasti planske dokumentacije i obedinjene procedure. Opšti zaključak konferencije koju smo organizovali krajem 2015. godine u saradnji sa partnerskim institucijama i nadležnim Ministarstvom, bio je da objedinjena procedura funkcioniše u praksi i da je pojednostavila i ubrzala proces izdavanja građevinskih dozvola, ali da i dalje postoje određeni problemi u praksi koji treba da se rešavaju izmenom određenih propisa i preduzimanjem drugih odgovarajućih radnji.

Dosadašnji dobri pokazatelji rada Odbora rezultat su zalaganja članova AmCham-a koji su svojim komentarima značajno uticali na unapređenje inicijalnih nacrtta sektorskih zakona. Posebnu zahvalnost dugujemo Ministarstvu građevinarstva, saobraćaja i infrastrukture na otvorenosti za stalni dijalog o potrebi izmene regulative, tumačenja i načina primene propisa, kao odličan primer sinergije javnog i privatnog sektora.

ODBOR ZA INFORMACIONO-KOMUNIKACIONE TEHNOLOGIJE

PREDSEDNIK ODBORA: Željko Tomić, OSA Računarski Inženjeriing

POTPREDSEDNIK ODBORA: Boris Vujičić, Trizma

MISIJA ODBORA:

Prepoznujući informacione tehnologije kao izrazitu razvojnu šansu Srbije i brze višestruke efekte ovog sektora, Odbor za informaciono-komunikacione tehnologije nastoji da svoj doprinos daljem razvoju informacionog društva u Srbiji, kako bi promovisao Srbiju kao atraktivnu investicionu destinaciju i izvor talenata, pomogao razvoju IT preduzetništva i optimizaciji i konsolidaciji eUprave od strane države.

ČLANICE ODBORA:

ALGOTECH
AUDATEX
BDK ADVOKATI
CISCO SRBIJA
DEKEL
DELL
DELOITTE
DELTA HOLDING
ENEL PS
FIRST DATA
GROUNDLINK
HEWLETT PACKARD
IBM
ICT HUB
INTEL
JOKSOVIĆ, STOJANOVIĆ & PARTNERS
MICROSOFT SOFTWARE
NCR
OMNICOM SOLUTIONS

ORACLE
ORION TELEKOM
OSA RAČUNARSKI INŽENJERING
S&T
SAMSUNG
SBB
SERBIAN BUSINESS SYSTEMS
SIEMENS
SITEL SBA
STARTIT
TELEGROUP
TELEKOM
TELENOR
TELESIGN
TRIZMA
VICTORIA GROUP
VIP MOBILE
VMWARE

FOKUS ODBORA 2014-2016:

- Stvaranje uslova za punu implementaciju eUprave, čime se optimizuju procesi i smanjuju operativni troškovi državne administracije
- Zaokruživanje regulative koja uređuje elektronsko poslovanje i informaciona bezbednost
- Povezivanje privatnog sektora sa obrazovnim institucijama sa ciljem unapređenja i osavremenjavanja nastave
- Promovisanje preduzetništva u informaciono-komunikacionom sektoru kroz saradnju sa SEE ICT/Startit-om & ICT Hub-om

NAJVEĆI USPESI ODBORA:



USPOSTAVLJENA SARADNJA SA DRŽAVnim ORGANIMA U CILJU PROMOCIJE I IMPLEMENTACIJE EUPRAVE

Krajem 2015. godine, Ministarstvo državne uprave i lokalne samouprave, Direkcija za elektronsku upravu i AmCham zajednički su organizovali **Konferenciju povodom obeležavanja dana eUprave** koja je imala za cilj da predstavi trenutno stanje eUprave u Srbiji, razmotri potencijale za unapređenje kvaliteta i obima eServisa, prvenstveno u skladu sa potrebama privrede, ali i iznedri preporuke za institucionalno osnaživanje i jačanje elektronske uprave. Učesnici su se složili da razvoj elektronske uprave treba bude jedan od prioriteta u razvoju javnog sektora, jer povećava transparentnost institucija i optimizuje njihov rad, smanjujući troškove i birokratiju, čime se otvara mogućnost za brojna javno-privatna partnerstva i, osim na državu, ima pozitivan uticaj i na privredu i građane.



UČESTVOVANJE U REGULATORNIM PROCESIMA U PRAVCU RAZVOJA EUPRAVE I INFORMACIONE BEZBEDNOSTI

U 2014. godini, Odbor za informaciono-komunikacione tehnologije je dao sugestije za unapređenje **Nacrta strategije razvoja eUprave u Republici Srbiji za period 2015-2018**, koje su se pre svega odnosile na uvođenje mehanizma za efikasniju i bolju koordinaciju i komunikaciju državnih organa u pogledu razvoja eUprave i eServisa.

Polovinom 2015. godine, Američka ambasada, DIPLO Fondacija i AmCham organizovali su zatvoreni, neformalni sastanak na temu **Nacrta zakona o informacionoj bezbednosti**. U raspravi su učestvovali i predstavnici Ministarstva odbrane, MUP-a, Narodne banke Srbije, kao i predstavnici kompanija iz oblasti informacionih tehnologija i telekomunikacija. Konačna verzija Zakona o informacionoj bezbednosti usvojena je početkom 2016. godine, obuhvatajući neke od ključnih sugestija sa ovog skupa, među kojima je i preporuka da Telo za koordinaciju poslova informacione bezbednosti okupi predstavnike privatnog sektora i stručnjake iz predmetne oblasti, kao i predstavnike nadležnih ministarstva, kako bi se zakonski osiguralo učešće različitih sektora u koordinaciji i strateškom planiranju u oblasti digitalnih politika i informacione bezbednosti, kao i propisivanje da će se inspekcijski nadzor obavljati u skladu sa Zakonom o inspekcijskom nadzoru.



USPOSTAVLJENA SARADNJA SA OBRAZOVnim INSTITUCIJAMA SA CILJEM UNAPREĐENJA I OSAVREMENJAVANJA NASTAVE

Odlična prilika za pospešivanje dalje saradnje između poslovnog sektora i obrazovnih institucija, bio je **Okrugli sto sa Ministarstvom prosvete** koji je Odbor organizovao krajem 2014. godine **sa ciljem unapređenja i osavremenjivanja nastave na tehničkim fakultetima**. Na ovom događaju su prezentovani primeri zajedničkih uspeha u unapređenju akademске i obezbeđivanju praktične nastave, a postignut je i dogovor između privatnog i javnog sektora povodom narednih koraka ka uspostavljanju platforme za inovaciju znanja.



USPOSTAVLJENA INSTITUCIONALNA SARADNJA NA PROMOCIJI PREDUZETNIŠTVA SA SEE ICT/STARTIT-OM & ICT HUB-OM

Kroz **saradnju sa ICT Hub-om i SEE ICT/Startit-om**, Odbor za informaciono-komunikacione tehnologije nastoji da pruži podsticaj razvoju IT preduzetništva kroz ustupanje svojih eksperata koji preuzimaju ulogu mentora startup-ovima, pružajući im praktične savete i podršku prilikom razvoja poslovanja. Tokom 2014. godine, AmCham je potpisao Memorandum o razumevanju sa ICT Hub-om sa ciljem uspostavljanja strateškog partnerstva i uspostavljanja mentorske podrške edukativnim aktivnostima ove organizacije.

FOKUS U PERIODU 2016-2018:

Preporuke za naredni period odnose se na:

- Dalji razvoj eUprave u praksi u skladu sa Strategijom razvoja i promovisanje bolje koordinacije nadležnih službi
- Rad na daljem unapređenju zakonske regulative u domenu elektronskog poslovanja i informacione bezbednosti kojom bi se omogućio temeljniji razvoj eUprave
- Obezbeđivanje institucionalne podrške za podršku startup-ovima i generalno preduzetništvu u domenu ICT-a
- Povezivanje sistema prosvete sa privatnim sektorom radi pronalaženja sistemskih rešenja za nedostatak adekvatnih kadrova

OBJEKTIV

Željko Tomić,
OSA Računarski inženjeri

AmCham ima članove iz ICT sektora koji predstavljaju najveće svetske, internacionalne i domaće ICT kompanije. To je sa jedne strane bilo veoma pozitivno za rad Odbora za informaciono-komunikacione tehnologije, ali je sa druge strane imalo i svoje nedostatke. Pozitivno, jer smo iza sebe imali najrelevantnije kompanije sa velikom snagom na tržištu, velikim pregovaračkim potencijalom i velikim uticajem u društvu. Sa druge strane, postojala je doza uzdržanosti nekih ICT članova u koordinaciji aktivnosti u cilju ostvarivanja zajedničkih akcija i stvaranju povoljnijih uslova za poslovanje svih učesnika na tržištu, što je donekle otežavalo i usporavalo rad Odbora u proteklom periodu. U narednom periodu preporučujemo koordiniran pristup svih zainteresovanih firmi i okupljanje oko zajedničkih ciljeva.

Odziv kompanija, članica AmCham-a koje pripadaju ICT sektoru, na aktivnosti Odbora je, nažalost, bio ispod očekivanog. Izostala su tražena mišljenja, nedostajale su konkretne inicijative za rešavanje izazova. U narednom periodu treba se posvetiti povećanju

proaktivnosti članova. Odbor ima neospornu ulogu u promociji značaja ICT industrije za razvoj srpske ekonomije, a može ostvariti svoj pun kapacitet samo kroz koordinaciju rešavanja izazova svih svojih članova i kroz fokus na konkretnе inicijative.

Sa druge strane, Odbor je u proteklom periodu ostvario veliki broj konstruktivnih kontakata sa svim relevantnim državnim organima i organizacijama i pokrenuo niz aktivnosti koje su navedene u ovom izveštaju. Ono na šta bi Odbor trebalo više da se fokusira u narednom periodu, jeste efikasnija administracija kroz optimizaciju procesa javnih nabavki državnih institucija u oblasti ICT-a, pružanje podrške preduzetništvu i razvoju startup ekosistema, promene u sistemu obrazovanja i promociju jednakih šansi za sve, nezavisno od pozicija i kontakata.

Želim da izrazim svoju zahvalnost, pre svega Borisu Vujičiću, potpredsedniku Odbora, na izuzetnoj saradnji i razumevanju u radu Odbora u proteklom periodu, a zatim Milici Samardžić iz izvršne kancelarije AmCham-a bez koje, prosto, rad Odbora ne bi bio moguć, kao i Stefanu Lazareviću na njegovom konstruktivnom doprinosu kao članu podgrupe za strategiju.

ODBOR ZA BORBU PROTIV SIVE EKONOMIJE

PREDSEDNIK ODBORA: Ivan Miletić, Philip Morris International Services

POTPREDSEDNIK ODBORA: Slobodan Doklešić, DBP Advokatska kancelarija

MISIJA ODBORA:

Članovi Američke privredne komore u ključne prioritete za poboljšanje poslovne klime ubrajaju sistemsko i održivo smanjenje nivoa sive ekonomije i unapređenje odnosa javnog i privatnog sektora u borbi protiv nelegalne trgovine. Procenjuje se da približno 30% domaće ekonomije pripada sivom sektoru i godišnji budžet je zbog toga na gubitku od 370 miliona evra. Prepoznajući problem sive ekonomije, AmCham je oformio Odbor za borbu protiv sive ekonomije, u cilju uspostavljanja efikasnog pravnog okvira i institucionalnih mehanizama kojima bi se omogućila efikasna kontrola prometa robe i usluga, čime bi se sankcionisala siva ekonomija, smanjila korupcija i uspostavili jednaki uslovi na tržištu.

ČLANICE ODBORA:

ALLIANCE ONE TOBACCO

APATINSKA PIVARA

BDK ADVOKATI

BELGRADE OPEN SCHOOL

BRITISH AMERICAN TOBACCO

CISCO SRBIJA

COCA COLA HELLENIC

CROWE HORWATH

DELTA HOLDING

EXECUTIVE GROUP

HARRISONS

JANKOVIĆ, POPOVIĆ & MITIĆ

JT INTERNATIONAL

KARANOVIĆ & NIKOLIĆ

L'OREAL BALKAN

MERCATOR-S

METRO CASH & CARRY

MICROSOFT SOFTWARE

MIKIJELJ, JANKOVIĆ & BOGDANOVIĆ

MOJI BRENDÖVÍ

MONDELEZ

MORAVČEVIĆ, VOJNOVIĆ & PARTNERI

MULTIMEDIA RECORDS

NAPRTNA INDUSTRJA SRBIJE

NAUMOVICIĆ & PARTNERI

NELT

OSA RAČUNARSKI INŽENJERING

PHILIP MORRIS SERVICES

PRICEWATERHOUSECOOPERS

SGS BEograd

ŠTAMPA SISTEM

UNILEVER BEOGRAD

VICTORIA GROUP

WRIGLEY

ŽIVKOVIĆ & SAMARDŽIĆ LAW OFFICE

FOKUS ODBORA 2014-2016:

- Reforma inspekcijskih službi kroz usvajanje Zakona o inspekcijskom nadzoru i donošenje implementacionih propisa koji osiguravaju efikasnu koordinaciju inspekcijskih službi, uspostavljanje sistema analize rizika i ocenjivanja uspešnosti inspekcija (donošenje Pravilnika o radu Koordinacione komisije, Pravilnika o proceni rizika)
- Unapređenje kapaciteta inspekcija za efikasnu primenu zakona, prvenstveno kroz podelu ekspertize i najboljih praksi
- Praćenje sprovođenja krovnog i resornih zakona od strane ključnih inspekcija

NAJVEĆI USPESI ODBORA:

REFORMA INSPEKCIJSKIH SLUŽBI KROZ USVAJANJE ZAKONA O INSPEKCIJSKOM NADZORU I EFIKASNU KOORDINACIJU INSPEKCIJSKIH SLUŽBI

Svakako, najveći uspeh Odbora za borbu protiv sive ekonomije u prethodne dve godine predstavlja donošenje „krovnog“ **Zakona o inspekcijskom nadzoru**, u čijem kreiranju je AmCham učestvovao od samog početnog koncepta, preko nacrtta, do podnošenja amandmana u okviru Ekonomskog kokusa Narodne skupštine.

Odredbe ovog zakona bile su ključne za:

- Unapređenje inače nedovoljne koordinacije raznih inspekcijskih službi i neusklađenost njihovih nadležnosti
- Uspostavljanje nadležnosti svih inspekcija na

- neregistrovanim subjektima
- Postavljanje principa analize rizika kao krovnog principa za sprovođenje inspekcijskog nadzora
- Uvođenje jedinstvenog okvira za postupanje svih inspekcijskih službi, kao i odgovornosti za neadekvatno postupanje



UNAPREĐEN KAPACITET INSPEKCIJA ZA EFIKASNU PRIMENU ZAKONA

Nakon usvajanja Zakona o inspekcijskom nadzoru aktivnosti Odbora okrenute su ka pružanju podrške uspešnoj implementaciji Zakona. Polovinom 2015. godine, **AmCham je uzeo učešće u Radnoj grupi za nezakonitu trgovinu** u okviru Poreske uprave, koja je okupila predstavnike svih inspekcija u pokušaju konstruktivne saradnje sa ciljem identifikacije praznina u nadležnosti inspekcija, zakazivanja različitih inspekcijskih kontrola, prikupljanja ključnih informacija od nadležnih državnih organa kao važnih resursa za inspektore i primenom dodatnih alata za poboljšanje njihovog zajedničkog rada.

U oktobru 2015. godine, organizovana je regionalna konferencija „**Sledeća runda u borbi protiv sive ekonomije**“ koja je okupila sve relevantne državne organe, privatni sektor kao i međunarodne i domaće stručnjake iz ove oblasti, kako bi se ocenili postignuti rezultati i ukazalo na važnost daljih koraka: obezbeđivanje efikasnijeg sudskog procesa, nastavak i unapređenje prekogranične saradnje i bolja koordinacija svih nadležnih organa. Na konferenciji je utvrđeno da su različite inspekcije već zabeležile

značajne rezultate od početka primene Zakona o inspekcijskom nadzoru, te da je broj prijava značajno povećan, ali je takođe identifikovano da efikasnost tužilaštva i sudstva ne prati linearno ovaj trend.

FOKUS U PERIODU 2016-2018:

Imajući u vidu zaključke godišnje regionalne konferencije održane 2015. godine, aktivnosti Odbora će se fokusirati na:

- Razvoj koordinacije kontrolnih organa, tužilaštva i sudova u cilju povećanja efikasnosti celog procesa
- Pružanju podrške podizanju kapaciteta inspekcijskih službi za efikasnu primenu Zakona o inspekcijskom nadzoru

OBJEKTIV

Ivan Miletić,
Philip Morris International Services

Nakon identifikovanja ključnih problema privrede kroz tradicionalno istraživanje koje AmCham sprovodi na svojim članicama, Odbor za borbu protiv sive ekonomije je naporno radio na identifikovanju prioriteta, kako bi efikasno rasporedio svoje resurse i fokusirao svoje napore za unapređenje poslovnog okruženja.

Fokus je bio na izradi i unapređenju Zakona o inspekcijskom nadzoru, nakon što smo uvideli da je ovaj zakonski akt ključni kamen spoticanja u našim naporima da osiguramo bolju usklađenost i koordinaciju inspekcija na terenu. Zakon je usvojen sa većinom naših preporuka, pa je u drugom delu godine fokus stavljen na početne korake u implementaciji strožijih kontrola i usklađeniji rad inspekcija. Iako Zakon o inspekcijskom nadzoru nije savršen, njegova implementacija u celosti je izuzetno važna i zato će Odbor nastaviti da radi sa vlastima na preciznom definisanju toga kako ovaj proces treba da bude izведен.

U drugoj polovini godine, predstavnici Odbora su pozvani da se pridruže Radnoj grupi za nelegalnu trgovinu u okviru Poreske uprave, čiji je rad već počeo da daje konkretnе rezultate u domenu implementacije zakona.

Uvereni smo da će naši napor u okviru ove Radne grupe doprineti konstruktivnijem pronalaženju načina da se identifikuju ključni rizici i fokusiraju naporinspekcija na njihovo eliminiranje, ali i popune praznine u nadležnosti različitih inspekcija.

Kao jedan od najvažnijih zaključaka Regionalne konferencije o borbi protiv sive ekonomije identifikован je usko grlo u radu tužilaštva i sudstva. U cilju rešavanja ovog pitanja, održali smo sastanke sa predstavnicima Odeljenja za pravosuđe u okviru Ambasade SAD-a, sa ciljem obezbeđivanja adekvatne obuke i specijalizacije za nadležne organe u domenu sive ekonomije.

Na kraju, dozvolite mi da se zahvalim ljudima bez čije neumorne podrške ništa od ovoga ne bi bilo moguće. Pored izuzetnog AmCham tima, pre svega Amalije Pavić, posebnu zahvalnost dugujem Slobodanu Doklestiću, potpredsedniku Odbora, kao i Goranu Pekezu, Vladi Tipsareviću, Oliveri Papić i Marku Milankoviću koji su imali ključnu ulogu u koordinaciji našeg rada sa radom NALED-a i Vlade Srbije. Takođe, veliko hvala i kolegama iz USAID BEP-a i Ambasade SAD-a na pruženoj podršći i smernicama u radu. I na kraju, kako ova bitka ulazi u svoju treću godinu, želim da iskažem veliku zahvalnost svim aktivnim članovima Odbora za svoj kontinuirani angažman i predanost.

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WWW.AMCHAM.RS