

Z A K O N

O RATIFIKACIJI SPORAZUMA IZMEĐU VLADE REPUBLIKE SRBIJE I VLADE REPUBLIKE CRNE GORE I VLADE ISLAMSKE REPUBLIKE IRANA O UZAJAMNOJ POMOĆI I SARADNJI U CARINSKIM PITANJIMA

Član 1.

Ratifikuje se Sporazum između Vlade Republike Srbije i Vlade Republike Crne Gore i Vlade Islamske Republike Irana o uzajamnoj pomoći i saradnji u carinskim pitanjima, potpisan u Teheranu 1. juna 2005. godine, u originalu na srpskom, engleskom i persijskom jeziku.

Član 2.

Tekst Sporazuma između Vlade Republike Srbije i Vlade Republike Crne Gore i Vlade Islamske Republike Irana o uzajamnoj pomoći i saradnji u carinskim pitanjima u originalu na engleskom i srpskom jeziku glasi:

AGREEMENT

BETWEEN THE GOVERNMENT OF THE REPUBLIC OF SERBIA AND THE GOVERNMENT OF THE REPUBLIC OF MONTENEGRO AND THE GOVERNMENT OF THE ISLAMIC REPUBLIC OF IRAN ON MUTUAL ASSISTANCE AND CO-OPERATION IN CUSTOMS MATTERS

The Government of the Republic of Serbia and the Government of the Republic of Montenegro, on one side, and the Government of the Islamic Republic of Iran, on the other side hereinafter referred to as the Contracting Parties;

CONSIDERING that offences against customs legislation are prejudicial to their economic, commercial, fiscal, social, cultural, industrial and agricultural interests;

CONVINCED that action against customs offences can be made more effective by the close cooperation between their Customs Authorities based on clear legal provisions;

HAVING IN MIND the importance of accurate assessment of customs duties and other taxes collected at importation or exportation and of ensuring proper enforcement of measures of prohibitions, restrictions and controls;

CONSIDERING that traffic of narcotic drugs and psychotropic substances represents a danger for public health and society;

HAVING REGARD TO the Convention on psychotropic substances, 1971 and the United Nations Convention against the illicit traffic of narcotic drugs and psychotropic substances of 1988, including those listed in the Annex to the aforesaid Convention and following amendments;

HAVING REGARD TO obligations imposed under international Conventions already accepted by or applied to the Contracting Parties and having regard also to the Recommendation of the Customs Co-operation Council on Mutual Administrative Assistance of December 5, 1953;

Have agreed as follows:

DEFINITIONS

Article 1

For the purposes of this Agreement:

1. "Customs Authority", shall mean in the Republic of Serbia, Ministry of Finance the Customs Administration, in the Republic of Montenegro the Customs Administration, and in the Islamic Republic of Iran the Iran Customs Administration;
2. "customs legislation" shall mean such laws and other regulations enforceable by the Customs Authorities of the Contracting Parties with respect to:
 - the importation, exportation, transit and storage of goods and capitals, including means of payment;

- the collection, guarantee and refund of duties and taxes concerning the importation and exportation;
 - prohibition, restriction and control measures;
 - the fight against illicit traffic of narcotic drugs and psychotropic substances;
3. "requesting Customs Authority", shall mean the Customs Authority of a Contracting Party which requests assistance;
 4. "requested Customs Authority", shall mean the Customs Authority of a Contracting Party from which assistance is requested;
 5. "customs offence" shall mean any violation or attempted violation of customs legislation;
 6. "importation and exportation duties and taxes" shall mean importation and exportation duties and all other duties, taxes or levies collected upon importation and exportation;
 7. "controlled delivery" shall mean the method, providing for the exportation from, passing through or the importation into the territory of one Contracting Party of illegally consigned or suspected to be illegally consigned goods including narcotic drugs, psychotropic substances and precursors, or substances substituted for them, with knowledge or under control of the competent authorities of Contracting Parties, and for the purpose of identifying and detecting the persons committing the offences;
 8. "person" shall mean both natural and legal persons;
 9. "personal data" shall mean any data concerning an identified or identifiable natural person;
 10. "information" shall mean any data, whether or not processed or analysed, documents, reports, certified or authenticated copies thereof or other communications whether computerized or not;
 11. "narcotic drugs and psychotropic substances" shall mean all products listed in the United Nations Convention against the illicit traffic of narcotic drugs and psychotropic substances of 1988, including those referred to in the Annex to the aforesaid Convention and following amendments;
 12. "sensitive goods" shall mean weapons, missiles, explosives, nuclear materials, works of art of significant historical, cultural or archaeological value, goods that are subject to high rate of customs duties.

SCOPE OF THE AGREEMENT

Article 2

1. The Contracting Parties shall through their Customs Authorities afford each other administrative assistance under the terms set out in this Agreement, for the proper application of Customs legislation and for the prevention, investigation and repression of Customs offences.
2. All assistance under this Agreement by either Contracting Party shall be performed in accordance with its national legislation and within the limits of its Customs Authorities competence and available resources.
3. Mutual assistance under this Agreement shall not cover arrest of persons or the recovery of duties or taxes on importation and exportation and of pecuniary

penalties or other charges and shall not give rise to a right on the part of any private person to obtain, suppress or exclude any evidence or to impede the execution of a request.

4. Assistance as provided for in paragraph 1 shall be provided for use in all proceedings in the requesting Contracting Party, whether judicial, administrative or investigative and shall include, but not be limited to proceedings that facilitate the determination of tariff classification, customs value, the origin and other characteristics of the goods necessary to the enforcement of the Customs legislation and proceedings involving fines, penalties and liquidated joint debts and guarantees.

SCOPE OF ASSISTANCE

Article 3

1. The Customs Authorities shall provide each other, either on request or on their own initiative, with information and document, which help to ensure proper application of customs legislation and the prevention, investigation and repression of customs offence.
2. Either Customs Authority shall, in making inquiries on behalf of the other Customs Authority, act as if they were being made on its own account or upon request of another national authority.

Article 4

1. On request, the requested Customs Authority shall provide all information about the national customs legislation and procedures relevant to inquiries relating to a customs offence.
2. Either Customs Authority shall communicate, either on request or on its own initiative, any available information relating to:
 - 1) new customs legislation enforcement techniques that have proved their effectiveness;
 - 2) new trends, means or methods of committing customs offences;
 - 3) activities, which are or appear to be a violation of customs legislation within the territory of the other Contracting party;
 - 4) goods known or suspected to be subject to a violation of customs legislation;
 - 5) means of transport in respect of which there are reasonable grounds for believing that they have been, are, or may be used in violation of customs legislation.

INSTANCES OF ASSISTANCE

Article 5

1. On request, the requested Customs Authority shall in particular provide the requesting Authority with the following information:

- 1) whether goods are imported into the customs territory of the requesting Contracting Party have been lawfully exported from the customs territory of the requested Contracting Party specifying where appropriate, the customs procedure applied to the goods;
 - 2) whether goods which are exported from the customs territory of the requesting Contracting Party have been lawfully imported into the customs territory of the requested Contracting Party, specifying where appropriate, the customs procedure applied to the goods.
2. On request, the requested Customs Authority shall provide the requesting Customs Authority with information relative to instances where the latter has reasons to doubt the information supplied by the person concerned in the customs matter.

Article 6

On request, the requested Customs Authority shall provide information on, and maintain special surveillance over:

- 1) persons known to the requesting Customs Authority to have committed a customs offence or suspected of doing so, particularly those moving into and out of the customs territory of the requested Contracting Party,
- 2) goods either in transit or in storage notified by the requesting Customs Authority as giving rise to suspected illicit traffic into or out of the customs territory of the requesting Contracting Party,
- 3) means of transport suspected by the requesting Customs Authority of being used to commit customs offences in the customs territory of either Contracting Party,
- 4) places suspected by the requesting Customs Authority of being used to commit customs offences in the customs territory of either Contracting Party.

Article 7

1. The Customs Authorities shall provide each other, either on request or on their own initiative, with information on transactions, completed or planned, which constitutes a customs offence in the territory of one of the Contracting Parties.
2. In cases that could involve substantial damage to the economy, public health, public security or any other vital interest of one Contracting Party, the Customs Authority of the other Contracting Party shall, wherever possible, supply information on its own initiative.

Article 8

The Customs Authorities:

- 1) assist each other with respect to the execution of provisional measures and proceedings, including the seizing, placing under surveillance or forfeiture of property,
- 2) dispose of property, proceeds or instrumentalities forfeited as a result of the assistance provided for under this Agreement, in accordance with the

national legislation and other provisions of the Contracting Party in control of the property, proceeds or instrumentalities.

Article 9

1. The Customs Authorities shall, on their own initiative or upon request, provide each other with all relevant information on any action, intended or carried out, which constitute or may constitute an offence against the Customs legislation of a Party, concerning illicit traffic of:
 - 1) weapons, missiles, explosive and nuclear materials;
 - 2) works of art of significant historical, cultural or archaeological value;
 - 3) goods, which are subject to high rate of customs duties and taxes.
2. Information received under this Article might be transferred to the relevant governmental departments of the requesting Contracting Party. However, they shall not be transferred to third countries.

TECHNICAL ASSISTANCE

Article 10

The Customs Authorities, by mutual agreed programme, shall provide each other technical assistance, including:

- 1) information and experience exchange in the use of technical equipment for control;
- 2) training of Customs officials;
- 3) exchange of experts in customs matters;
- 4) exchange of specific scientific and technical information related to the effective application of customs legislation.

CONTROLLED DELIVERY

Article 11

The Contracting Parties may, by mutual arrangement, permit the movement of unlawful or suspected goods out of, through, or into their territories, with the knowledge and under the control of the competent authorities, with a view to investigating and combating customs offences. If granting such permission is not within the competence of the Customs Authority, that Authority shall endeavour to initiate co-operation with national authorities with such competence or shall transfer the case to such an authority.

DOCUMENTS AND INFORMATION

Article 12

1. Original documents shall be requested only in cases where certified copies would be insufficient and shall be returned as soon as possible; rights of the requested Customs Authority or of the third Parties relating thereto shall remain unaffected.
2. Any documents and information to be exchanged under this Agreement shall be accompanied by all relevant information for interpreting or utilizing them.

USE OF INFORMATION AND DOCUMENTS

Article 13

1. The information, communications and documents received in line with this Agreement may be used in civil, penal and administrative proceedings under the conditions established by the respective internal legislation only for the purpose of the present Agreement.
2. Such information, communications and documents may be disclosed to other competent authorities other than those provided for in this Agreement only if the Customs Authority that has supplied them grants express permission, and on condition that the national legislation of the receiving Customs Authority do not prohibit such communications.
3. The provisions under paragraph 2 of this Article do not apply to information concerning offences relating to narcotic drugs and psychotropic substances and sensitive goods mentioned in Article 9, paragraph 1, subparagraph 1) of this Agreement. Such information may be communicated only to other authorities directly involved in the combating of illicit drug trafficking.
4. The documents, communications and information may be replaced, whenever possible, by computerized information produced in any form for the same purpose.
5. The information, communications and documents available to the Customs Authority of the requesting Contracting Party, for the implementation of this Agreement, enjoy the same protection granted by the national laws of the aforesaid Contracting Party to documents and information of the same nature.

PERSONAL DATA PROTECTION

Article 14

Where personal data are exchanged under this Agreement, the Contracting Parties shall ensure a standard of data protection equivalent to the level of protection provided for in the legislation of the Contracting Party providing information or, at least, the level of protection resulting from the implementation of the principles contained in the Annex printed to this Agreement, which is its integral part.

COMMUNICATION OF REQUESTS

Article 15

1. Assistance under this Agreement shall be exchanged directly between the Customs Authorities.
2. Requests for assistance under this Agreement shall be made in writing and shall be accompanied by any documents deemed useful. When the circumstances so require, requests may also be made verbally. Such requests shall be promptly confirmed in writing. The information provided for in this Agreement may be replaced by computerized information produced in any form for the same purpose.
3. Requests made pursuant to paragraph 2 of this Article shall include the following details:
 - 1) the name of the requesting Customs Authority;
 - 2) the customs matter at issue, type of assistance requested, and reasons for the request;
 - 3) a brief description of the matter, the legal elements and the nature of the proceeding;
 - 4) the names and addresses of the parties concerned with the proceeding, if known;
 - 5) the measures requested.
4. Requests shall be submitted in the English language.
5. The request made by either Customs Authority to follow a certain procedure shall be complied with, subject to the national legislation and other provisions of the requested Contracting Party.
6. The documents and information referred to in this Agreement shall be communicated to the Office, which is specially designated for this purpose by each Customs Authority. A list of officials of this Office shall be furnished to the Customs Authority of the other Contracting Party.
7. The Customs Authorities shall take measures so that their officials responsible for the investigation and repression of customs offences maintain personal and direct relations with each other.

EXECUTION OF REQUESTS

Article 16

1. If the requested Customs Authority does not have the requested documents or information, it shall in accordance with its national legislation and other provisions, either:
 - 1) initiate enquires to obtain those documents or information, or
 - 2) promptly send the request to the appropriate agency, or
 - 3) indicate which relevant authorities are concerned.

2. Any inquiry under paragraph 1 of this Article, include the taking of statements from persons from whom information is sought in connection with a customs offence as well as those from experts.

Article 17

1. On written request, officials specially designated by the requesting Customs Authority may, in line with the national legislation of the requested Contracting Party, with the authorization of the requested Customs Authority and subject to conditions the latter may impose, for the purpose of investigating a customs offence:
 - 1) consult in the offices of the requested Customs Authority the documents, registers and any other relevant data to extract any information in respect of that customs offence,
 - 2) take copies of the documents, registers and any other data relevant to that customs offence,
 - 3) be present during an inquiry conducted by the requested Customs Authority in the customs territory of the requested Contracting Party and relevant to the requesting Customs Authority.
2. When officials of the requesting Customs Authority are present in the territory of the other Contracting Party, under the circumstances provided for in paragraph 1 of this Article, they must be able to furnish proof of their official capacity.
3. The officials of the requesting Customs Authority shall, while there, enjoy the same protection and assistance as that accorded to customs officials of the other Contracting Party, in accordance with the laws in force there, and be responsible for any offence they might commit.

EXPERTS

Article 18

1. Upon request of the Customs Authority of either Contracting Party, the Customs Authority of the other Contracting Party authorizes, whenever possible, its officials, to participate as experts in trials or administrative proceedings regarding customs offence prosecuted in the territory of the State of the requesting Contracting Party and to produce objects, deeds and other documents or certified copies of the latter, needed for the said proceedings. The writ of appearance shall state, in particular, be stated the lawsuit as well as the status in which the official is called to give information.
2. The Customs Authority of the Contracting Party accepting the request, states precisely, if required, in the issued authorization, the limits within which its own officials may give information.

COSTS

Article 19

1. The Customs Authorities shall waive all claims for reimbursement of costs incurred in the execution of this Agreement, except for expenses and allowances

for experts as well as translators and interpreters other than Government employees, which shall be borne by the requesting Customs Authority.

2. If expenses of a substantial and extraordinary nature are or will be required to execute the request, the Contracting Parties shall consult each other to determine the terms and conditions under which the request will be executed, as well as the manner in which the costs shall be borne.

IMPLEMENTATION OF THE AGREEMENT

Article 20

1. The implementing regulations of this Agreement are rendered directly by the Customs Authorities of the Contracting Parties.
2. Two Joint Commissions (Serbian-Iranian and Montenegrin-Iranian) shall be established, composed of the Heads of the Customs Authorities, according to Article 1 paragraph 1 subparagraph 1 of this Agreement, or of their representatives assisted by experts, that will meet whenever necessary, upon request from either Customs Authority, in order to supervise the progress of this Agreement as well as to find solutions to problems which might arise.
3. Problems for which no solutions are found shall be settled by mutual agreement between the Contracting Parties.
4. The Contracting Parties shall meet in order to review this Agreement upon request or after a period of five years from the date of its entry into force, unless they notify one another in writing that no such review is necessary.

TERRITORIAL APPLICABILITY

Article 21

This Agreement shall apply to the customs territories of Contracting Parties as defined in their national legislation.

EXEMPTIONS

Article 22

1. Where assistance under this Agreement would be to the detriment of the sovereignty, security, public order or other substantive interests of the requested Contracting Party, or would involve a violation of industrial, commercial or professional secret or would be inconsistent with its national legislation and other provisions, assistance may be refused or compliance may be made subject to the satisfaction of certain conditions or requirements.
2. If the Customs Authority requests assistance that it would not itself be able to provide, it shall draw attention to that fact in its request. Compliance with such a request shall be at the discretion of the requested Customs Authority.
3. Assistance may be postponed by the requested Customs Authority on the grounds that it will interfere with an ongoing investigation, prosecution or proceeding. In such a case the requested Customs Authority shall consult the

requesting Customs Authority to determine if assistance can be given subject to such terms or conditions as the requested Customs Authority may require.

4. Where assistance is denied or postponed, reasons for the denial or postponement shall be given.

ENTRY INTO FORCE AND TERMINATION

Article 23

This Agreement shall enter into force on the first day of the second month following the date when Contracting Parties have notified each other that all necessary national legal requirements for its entry into force have been fulfilled.

Article 24

1. This Agreement is intended to be of an unlimited duration, but either Contracting Party may terminate it at any time by written notice.
2. The termination shall take effect three months after the date when the other Contracting Party has received the notification from paragraph 1 of this Article.
3. The procedures in progress shall be completed, anyway, according to the provisions of this Agreement.

In witness whereof the undersigned Representatives, duly authorized thereto by their respective Governments, have signed this Agreement.

DONE AT Tehran on 11 Khordad, 1384 Solar Hijra, corresponding to 01, June 2005 in three originals, in the Serbian-ekavski pronunciation, Serbian-ijekavski pronunciation, English and Persian, all texts being equally authentic. In case of any divergences in interpretation of the provisions of the present Agreement, the English text shall prevail.

**For
the Government of the
Republic of Serbia**

**For
the Government of the
Islamic Republic of Iran**

**For
the Government of the
Republic of Montenegro**

ANNEX

PERSONAL DATA PROTECTION

1. Personal data undergoing automatic processing shall be:
 - 1) obtained and processed fairly and lawfully;
 - 2) stored for specified and legitimate purposes and not used in a way incompatible with those purposes;
 - 3) adequate, relevant and not excessive in relation to the purposes for which they are stored;
 - 4) accurate and, where necessary, kept up to date;
 - 5) preserved in a form, which permits identification of the data subjects for no longer than is required for the purpose for which those data are stored.
2. Personal data revealing racial origin, political opinions or religious or other beliefs, as well as personal data concerning health or sexual life, may not be processed automatically unless domestic legislation provides appropriate safeguards. The same shall apply to personal data relating to criminal convictions.
3. The Contracting Parties shall undertake appropriate security measures for the protection of personal data stored in automated data files against unauthorized destruction or accidental loss as well as against unauthorized access, alteration or dissemination.
4. Any person shall be enabled:
 - 1) to establish the existence of an automated personal data file, its main purposes, as well as the identity and habitual residence or principal place of business of the controller of the file;
 - 2) to obtain at reasonable intervals and without excessive delay or expense confirmation of whether personal data relating to him are stored in the automated data file as well as communication to him of such data in an intelligible form;
 - 3) to obtain, as the case may be, rectification or erasure of such data if they have been processed contrary to the provisions of domestic legislation giving effect to the basic principles set out under paragraphs 1 and 2 of this Annex;
 - 4) to have a remedy if a request for communication or, as the case may be, communication, rectification or erasure as referred to in subparagraphs 2) and 3) of this paragraph is not complied with.
- 5.1 No exception to the provisions under paragraphs 1, 2 and 4 of this Annex shall be allowed except within the limits defined in those paragraphs.
- 5.2 Derogation from the provisions under paragraphs 1, 2 and 4 of this Annex shall be allowed when such derogation is provided for by the law of the Contracting Party and constitutes a necessary measure in a democratic society in the interest of:
 - 1) protecting State security, public safety, the monetary interest of the State or the suppression of criminal offences;
 - 2) protecting the data subject or the rights and freedoms of others.

- 5.3 Restrictions on the exercise of the rights specified in paragraph 4, subparagraphs 2), 3) and 4) of this Annex, may be provided by law with respect to automated personal data files used for statistics or for scientific research purposes where there is obviously no risk of an infringement of the privacy of the data subjects.
6. Each Contracting Party undertakes to establish appropriate sanctions and remedies for violations of provisions of domestic legislation giving effect to the basic principles set out in this Annex.
7. None of the provisions of this Annex shall be interpreted as limiting or otherwise affecting the possibility for a Contracting Party to grant data subjects with a wider measure of protection than that stipulated in this Annex.
8. If Contracting Party finds out that inaccurate data have been communicated or data have been communicated which should not have been communicated or that lawfully communicated data are required at a later stage to be erased in accordance with the legislation of the communicating Contracting Party, the recipient Customs Authority shall be informed immediately thereof. It shall be obliged to correct such data or have them erased.
9. If the recipient Customs Authority has reason to believe that communicated data are inaccurate or should be erased, it shall inform the communicating Contracting Party.
10. The right of a person concerned to receive information about the personal data communicated shall be determined in accordance with the national legislation and procedures of the Contracting Party in whose territory the information is requested. Before any decision is taken on providing information, the communicating authority shall be given the opportunity of stating its position.
11. The Contracting Parties shall be liable, in accordance with their own legislation and procedures, for injury caused to a person through processing of data communicated in the Contracting Party concerned.

SPORAZUM

IZMEĐU VLADE ISLAMSKE REPUBLIKE IRANA I VLADE REPUBLIKE SRBIJE I VLADE REPUBLIKE CRNE GORE O UZAJAMNOJ POMOĆI I SARADNJI U CARINSKIM PITANJIMA

Vlada Islamske Republike Irana, s jedne strane i Vlada Republike Srbije i Vlada Republike Crne Gore, s druge strane (u daljem tekstu, "strane ugovornice"),

smatrajući da prekršaji carinskih propisa nanose štetu njihovim privrednim, trgovinskim, poreskim, društvenim, kulturnim, industrijskim i poljoprivrednim interesima,

uverene da radnje u sprečavanju prekršaja carinskih propisa mogu da budu efikasnije uz tešnju saradnju između njihovih carinskih organa, na osnovu jasnih pravnih odredaba,

imajući u vidu koliko je značajno tačno obračunavanje carinskih dažbina i drugih naknada koje se naplaćuju pri uvozu ili izvozu i obezbeđenje pravilne primene mera o zabranama, ograničenjima i kontroli,

smatrajući da promet opojnih droga i psihotropnih supstanci predstavlja opasnost po zdravlje ljudi i društvo,

imajući u vidu Konvenciju o psihotropnim supstancama iz 1971. godine, kao i Konvenciju Ujedinjenih nacija protiv nezakonitog prometa opojnih droga i psihotropnih supstanci iz 1988. godine, uključujući i onih navedenih u prilogu te konvencije, kao i njene naknadne izmene i dopune,

imajući u vidu obaveze koje proističu iz međunarodnih konvencija, koje su strane ugovornice već prihvatile ili ih već primenjuju i takođe, imajući u vidu Preporuku Saveta za carinsku saradnju o uzajamnoj administrativnoj pomoći, od 5. decembra 1953. godine,

saglasile su se o sledećem:

DEFINICIJE

Član 1.

U smislu ovoga sporazuma:

1. "carinski organ" je u Islamskoj Republici Iran - Iranska carinska uprava, a u Republici Srbiji, Ministarstvo finansija – Uprava carina, u Republici Crnoj Gori, Uprava carina,
2. "carinski propisi" su zakoni i drugi propisi koje primenjuju carinski ograni strana ugovornica, a odnose se na:
 - uvoz, izvoz, prevoz i skladištenje robe i kapitala, uključujući i sredstava plaćanja,
 - naplatu, garanciju i povraćaj dažbina i naknada vezano za uvoz i izvoz;

- mere zabrane, ograničenja i kontrole;
 - borbu protiv nezakonitog prometa opojnih droga i psihotropnih supstanci,
3. "carinski organ molilac" je carinski organ strane ugovornice koja zahteva pomoć,
 4. "zamoljeni carinski organ" je carinski organ strane ugovornice od koje se zahteva pomoć,
 5. "carinski prekršaj" je svaki prekršaj ili pokušaj prekršaja carinskih propisa,
 6. "uvozne i izvozne dažbine i naknade" su uvozne i izvozne dažbine i ostale naknade, takse ili porezi koji se naplaćuju prilikom uvoza ili izvoza,
 7. "kontrolisana isporuka" je metod kojim se dozvoljava izvoz iz, provoz preko ili uvoz na teritorije jedne strane ugovornice, robe za koju se zna ili se sumnja da je predmet nezakonitog prometa, uključujući i opojne droge, psihotropne supstance i prekursore ili supstance koje ih zamenjuju, sa znanjem ili pod kontrolom nadležnih organa strana ugovornica, s ciljem da se otkriju lica koja su počinila prekršaj,
 8. "lice" je fizičko lice i pravno lice,
 9. "lični podaci" su svi podaci koji se odnose na otkriveno fizičko lice ili na fizičko lice koje može da se identifikuje,
 10. "informacije" su svi podaci, bez obzira da li su obrađeni, odnosno analizirani ili ne, dokumenta, izveštaji, njihove overene ili verodostojne kopije ili druga obaveštenja, kompjuterizovana ili ne,
 11. "opojne droge i psihotropne supstance" su svi proizvodi navedeni u Konvenciji Ujedinjenih nacija protiv nezakonitog prometa opojnih droga i psihotropnih supstanci iz 1988. godine, uključujući i proizvode koji su navedeni u prilogu te konvencije i u njenim naknadnim izmenama i dopunama,
 12. "osetljiva roba" su oružje, projektili, eksplozivi, nuklearni materijal, predmeti umetnosti koji imaju izuzetnu istorijsku, kulturnu ili arheološku vrednost, roba koja je predmet visokih carinskih stopa.

DELOKRUG

Član 2.

1. U skladu sa odredbama ovog sporazuma, strane ugovornice će preko svojih carinskih organa uzajamno pružati administrativnu pomoć u obezbeđenju pravilne primene carinskih propisa i u sprečavanju, istraživanju i suzbijanju carinskih prekršaja.
2. Pomoć predviđenu ovim sporazumom svaka strana ugovornica će pružati u skladu sa svojim nacionalnim zakonodavstvom, a u okviru nadležnosti i mogućnosti sa kojima raspolaže njen carinski organ.
3. Uzajamna pomoć predviđena ovim sporazumom ne obuhvata hapšenje lica ili naplatu dažbina ili poreza prilikom uvoza i izvoza i novčanih kazni ili drugih naknada i ne daje pravo bilo kom privatnom licu da dobije, uskrati ili isključi neki dokaz ili da onemogući izvršenje po zahtevu.
4. Pomoć predviđena stavom 1. ovog člana, pružaće se u svim sudskim, upravnim ili istražnim postupcima koji se vode kod strane ugovornice molioca i obuhvatiće, ali se neće ograničavati na postupke koji mogu da olakšaju utvrđivanje tarifnog svrstavanja, carinske vrednosti, porekla i drugih karakteristika robe što je

neophodno za primenu carinskih propisa, kao i postupke koji uključuju novčane kazne, kazne i likvidirane zajedničke dugove i garancije.

OBLAST PRUŽANJA POMOĆI

Član 3.

1. Carinski organi, na zahtev ili samoinicijativno, dostaviće jedan drugom informacije i dokumenta, na osnovu kojih će se obezbediti propisna primena carinskih propisa i sprečavanje, istraživanje i suzbijanje carinskih prekršaja.
2. Svaki carinski organ će, prilikom sprovođenja istrage u ime drugog carinskog organa, postupati kao da radi u svoje ime ili na zahtev drugog nacionalnog organa.

Član 4.

1. Zamoljeni carinski organ, na zahtev, dostavlja informacije o nacionalnim carinskim propisima i postupcima koji se odnose na upite o carinskom prekršaju.
2. Carinski organi će, na zahtev ili samoinicijativno, dostavljati sve raspoložive informacije:
 - 1) o novim tehnikama u primeni carinskih propisa koje su se pokazale efikasnim;
 - 2) o novim trendovima, metodama ili sredstvima koja se koriste prilikom prekršaja carinskih propisa;
 - 3) o radnjama, koje predstavljaju ili bi mogle da predstavljaju prekršaj carinskih propisa na teritoriji druge strane ugovornice;
 - 4) o robi za koju se zna ili se sumnja da je predmet prekršaja carinskih propisa;
 - 5) o prevoznim sredstvima za koja postoji opravdana sumnja da su korišćena, da se koriste ili da se mogu koristiti kod prekršaja carinskih propisa.

OBLICI POMOĆI

Član 5.

1. Zamoljeni carinski organ, na zahtev, dostavlja carinskom organu molioću sledeće informacije:
 - 1) da li je roba koja je uvezena u carinsko područje strane ugovornice molioća, na propisan način izvezena iz carinskog područja zamoljene strane ugovornice, uz navođenje, po potrebi, koji je carinski postupak sproveden nad robom;
 - 2) da li je roba koja je izvezena iz carinskog područje strane ugovornice molioća, na propisan način uvezena u carinsko područje zamoljene strane ugovornice, uz navođenje, po potrebi, koji je carinski postupak sproveden nad robom.
2. Zamoljeni carinski organ dostavlja carinskom organu molioću na njegov zahtev informacije koje se odnose na slučajeve kada carinski organ molilac ima razloga

da sumnja u tačnost informacija koje je dostavilo lice zainteresovano za carinsko pitanje.

Član 6.

Zamoljeni carinski organ, na zahtev, dostavlja sledeće informacije i vrši poseban nadzor nad:

- 1) licima za koja carinski organ molilac zna ili sumnja da krše ili da su prekršila carinske propise, posebno nad licima koja ulaze u ili izlaze iz carinskog područja zamoljene strane ugovornice;
- 2) robom koja je u provozu ili je uskladištena, a za koju je carinski organ molilac dostavio obaveštenje da sumnja da je predmet nezakonitog prometa u ili iz carinskog područja strane ugovornice molioca;
- 3) prevoznim sredstvima za koja carinski organ molilac sumnja da se koriste prilikom prekršaja carinskih propisa u carinskom području bilo koje od strana ugovornica;
- 4) mestima za koja carinski organ molilac sumnja da se koriste prilikom prekršaja carinskih propisa u carinskom području bilo koje od strana ugovornica.

Član 7.

1. Carinski organi, na zahtev ili samoinicijativno, dostavljaju jedan drugom informacije o već izvršenim ili planiranim radnjama, koje predstavljaju carinski prekršaj na teritoriji jedne od strana ugovornica.
2. U slučajevima zbog kojih bi mogla da se nanese znatna šteta privredi, zdravlju ljudi, javnoj bezbednosti ili nekoj drugoj oblasti od vitalnog značaja za jednu stranu ugovornicu, carinski organ druge strane ugovornice, kada je to moguće, samoinicijativno dostavlja informacije.

Član 8.

Carinski organi:

- 1) uzajamno pružaju pomoć u sprovođenju privremenih mera i postupaka, uključujući i zaplenu, stavljanje pod nadzor ili oduzimanje imovine;
- 2) raspoložu imovinom, prihodima ili oduzetim predmetima koji su posledica pružene pomoći na osnovu ovog sporazuma, a u skladu sa nacionalnim zakonima i drugim propisima strane ugovornice, za kontrolu imovine, prihoda ili predmeta.

Član 9.

1. Carinski organi, samoinicijativno ili na zahtev, pružaće jedan drugom odgovarajuće informacije o svakoj akciji, planiranoj ili izvršenoj, kojom se krše ili mogu da se prekrše carinski propisi jedne strane ugovornice u vezi sa nezakonitim prometom:
 - 1) oružja, projektila, eksploziva i nuklearnih materijala;

- 2) predmeta umetnosti, koji imaju izuzetnu istorijsku, kulturnu ili arheološku vrednost;
 - 3) robe koja je predmet visokih carinskih i poreskih stopa.
2. Informacije dobijene u skladu sa ovim članom, mogu da se dostave odgovarajućim vladinim službama strane ugovornice molioca. Međutim, one ne smeju da se dostavljaju trećim zemljama.

TEHNIČKA POMOĆ

Član 10.

Carinski organi, na osnovu uzajamnog dogovora, pružaju tehničku pomoć koja obuhvata:

- 1) razmenu informacija i iskustava u korišćenju tehničkih sredstava kontrole;
- 2) obuku carinskih radnika;
- 3) razmenu poseta eksperata za carinska pitanja;
- 4) razmenu specifičnih naučnih i tehničkih podataka vezanih za efikasnu primenu carinskih propisa.

KONTROLISANA ISPORUKA

Član 11.

Strane ugovornice mogu, na osnovu uzajamnih aranžmana, da donesu odluku da se dozvoli ulaz u, prelaz preko ili izlaz iz njihovih teritorija, robe za koju se zna ili se sumnja da je predmet nezakonitog prometa, sa znanjem ili pod kontrolom nadležnih organa, a radi istraživanja i borbe protiv carinskih prekršaja. Ako carinski organ nije nadležan da donese takvu odluku, on će pokrenuti inicijativu za saradnju sa nacionalnim organima koji imaju takva ovlašćenja ili će ustupiti slučaj nekom od tih organa.

DOKUMENTA I INFORMACIJE

Član 12.

1. Originalna dokumenta mogu se zahtevati samo ako su zvanične kopije nedovoljne i moraju se što pre vratiti; prava zamoljenog carinskog organa ili trećih zainteresovanih strana ostaju nepromenjena.
2. Uz dokumenta i informacije koji se razmenjuju u skladu sa ovim sporazumom dostaviće se i sve informacije neophodne za njihovo tumačenje ili korišćenje.

KORIŠĆENJE INFORMACIJA I DOKUMENATA

Član 13.

1. Informacije, dokumenta i drugi podaci dobijeni u skladu sa ovim sporazumom mogu da se koriste u građanskim, krivičnim i upravnim postupcima, pod uslovima utvrđenim u skladu sa nacionalnim zakonodavstvom i samo u svrhe ovog sporazuma.
2. Informacije, dokumenta i drugi podaci mogu da se daju na uvid i drugim nadležnim organima koji nisu obuhvaćeni ovim sporazumom, samo ako carinski organ koji ih je dostavao da izričitu dozvolu, i pod uslovom da nacionalnim zakonodavstvom carinskog organa kome je upućen zahtev nije zabranjeno davanje tih obaveštenja.
3. Odredbe stava 2. ovog člana ne primenjuju se na informacije o prekršajima koji se odnose na opojne droge i psihotropne supstance, kao i na osetljivu robu koja se navodi u stavu 1. tačka 1) člana 9. ovog sporazuma. Takve informacije mogu da se dostavljaju samo drugim organima koji su neposredno uključeni u borbu protiv nezakonitog prometa droga.
4. Informacije, dokumenta i drugi podaci mogu se, kad god je to moguće, zameniti kompjuterizovanim informacijama koje se podnose u iste svrhe, u bilo kom obliku.
5. Informacije, dokumenta i drugi podaci koji su, radi sprovođenja ovog sporazuma, na raspolaganju carinskom organu strane ugovornice molioca, uživaju istu zaštitu koju te informacije i dokumenta uživaju u skladu sa nacionalnim zakonima navedene strane ugovornice.

ZAŠTITA LIČNIH PODATAKA

Član 14.

Kad se, u skladu sa ovim sporazumom, razmenjuju informacije o ličnim podacima, strane ugovornice će obezbediti standardnu zaštitu podataka, koja je na istom nivou zaštite, prema zakonodavstvu strane ugovornice koja daje informacije, ili, barem na istom nivou zaštite koja proističe iz primene načela koja su sadržana u Prilogu uz ovaj sporazum koji je odštampan uz njega i čini njegov sastavni deo.

DOSTAVLJANJE ZAHTEVA

Član 15.

1. Pomoć na osnovu ovog sporazuma ostvaruje se kroz neposrednu razmenu između carinskih organa.
2. Zahtevi za pružanje pomoći sačinjeni na osnovu ovog sporazuma, podnose se u pismenom obliku i uz njih se podnose i dokumenta neophodna za njihovo izvršenje. Ako je to potrebno, zbog posebnih okolnosti, mogu da se podnesu i usmeni zahtevi. Takvi zahtevi će odmah da se pismeno potvrde. Informacije koje se dostavljaju u skladu sa ovim sporazumom mogu se zameniti kompjuterizovanim informacijama koje se podnose u iste svrhe, u bilo kom obliku.
3. Zahtevi iz stava 2. ovog člana, sadrže sledeće podatke:
 - 1) naziv carinskog organa molioca;

- 2) o kom carinskom pitanju se radi, koja vrsta pomoći se zahteva i razlog za podnošenje zahteva;
 - 3) kratak opis slučaja, pravne akte i vrstu postupka;
 - 4) imena i adrese lica koja učestvuju u postupku, ako su poznati;
 - 5) koje se mere zahtevaju.
4. Zahtevi se podnose na engleskom jeziku.
 5. Zahtevu jednog od carinskih organa radi sprovođenja određenog postupka udovoljiće se, u skladu sa nacionalnim zakonodavstvom i drugim propisima zamoljene strane ugovornice.
 6. Dokumenta i informacije iz ovog sporazuma, dostavljajuće se službi, koju je za to posebno odredio svaki carinski organ. Spisak službenika ove službe dostaviće se carinskom organu druge strane ugovornice.
 7. Carinski organi preduzeće mere da njihovi službenici, koji su odgovorni za sprovođenje istrage i suzbijanje carinskih prekršaja, uzajamno lično i neposredno sarađuju.

POSTUPANJE PO ZAHTEVU

Član 16.

1. Ako zamoljeni carinski organ ne raspolaže traženim dokumentima ili informacijama, on će, u saglasnosti sa svojim nacionalnim zakonodavstvom i drugim propisima:
 - 1) pokrenuti postupak za pribavljanje tih dokumenata ili informacija, ili
 - 2) odmah proslediti zahtev odgovarajućoj službi, ili
 - 3) ukazati na odgovarajuće službe.
2. Postupak iz stava 1. ovog člana podrazumeva i uzimanje izjava od lica od kojih je zatražena informacija u vezi sa carinskim prekršajem, kao i od eksperata.

Član 17.

1. Na pismeni zahtev, posebno određeni službenici carinskog organa molioca mogu, u skladu sa nacionalnim zakonodavstvom zamoljene strane ugovornice, radi sprovođenja postupka u vezi sa carinskim prekršajem, uz odobrenje zamoljenog carinskog organa i u skladu sa uslovima koje on utvrdi:
 - 1) u prostorijama zamoljenog carinskog organa, da pregledaju dokumenta, registre i ostalu odgovarajuću dokumentaciju radi dobijanja bilo kakve informacije u vezi sa tim carinskim prekršajem,
 - 2) uzimati kopije dokumenata, registara i ostale dokumentacije u vezi sa tim carinskim prekršajem,
 - 3) da prisustvuju istrazi koju vodi zamoljeni carinski organ u carinskom području zamoljene strane ugovornice, a tiče se carinskog organa molioca.
2. Kad, u okolnostima navedenim u stavu 1. ovog člana, službenici carinskog organa molioca borave na teritoriji druge strane ugovornice, dužni su da pruže dokaz o svom ovlašćenju.

3. Službenici carinskog organa molioca, za vreme svoga boravka, uživaju isto pravo na zaštitu i pomoć kao carinski službenici druge strane ugovornice, u skladu sa propisima koji su tamo na snazi i odgovorni su za svaki prekršaj koji počine.

EKSPERTI

Član 18.

1. Na zahtev carinskog organa jedne strane ugovornice, carinski organ druge strane ugovornice može da ovlasti, kad god je to moguće, svoje službenike da se pojave u svojstvu eksperata na suđenjima ili u upravnim postupcima u vezi sa carinskim prekršajima zbog kojih se prekršajni postupak vodi na teritoriji države strane ugovornice molioca i da dostave predmete i druga dokumenta ili njihove overene kopije u svrhe navedenih postupaka. Da bi se službenik pojavio kao ekspert, treba posebno da se naznači o kakvom postupku se radi i u kom svojstvu je službenik pozvan da da informacije.
2. Carinski organ strane ugovornice koja je primila zahtev, ako se od njega zahteva, u datom ovlašćenju tačno navodi granice u okviru kojih njegovi službenici mogu da daju informacije.

TROŠKOVI

Član 19.

1. Carinski organi neće potraživati nikakva sredstva na ime troškova nastalih u toku primene ovoga sporazuma, osim sredstava za troškove i dnevnice eksperata, kao i sredstava za troškove prevodilaca koji nisu državni službenici, a koji padaju na teret carinskog organa molioca.
2. Ako za udovoljavanje zahteva nastanu ili mogu da nastanu značajni i izuzetni troškovi, strane ugovornice će da se dogovore pod kojim će se uslovima udovoljiti zahtevu, kao i na koji način će se troškovi nadoknaditi.

PRIMENA SPORAZUMA

Član 20.

1. Odredbe ovog sporazuma neposredno primenjuju carinski organi strana ugovornica.
2. Ustanovljavaju se dve Mešovite komisije (iransko-srpska i iransko-crnogorska) koju čine rukovodioci carinskih organa, iz stava 1. tačka 1. člana 1. ovog sporazuma, ili njihovi predstavnici zajedno sa ekspertima, koja se sastaje po potrebi, na zahtev bilo kog carinskog organa, radi analize sprovođenja odredaba ovog sporazuma, kao i rešavanja spornih pitanja koja mogu da nastanu u njegovoj primeni.
3. Sporna pitanja za koja se ne pronađe odgovarajuće rešenje, rešiće se sporazumom između strana ugovornica.
4. Strane ugovornice sastaju se, na zahtev ili po isteku roka od pet godina od dana stupanja na snagu Sporazuma radi revizije Sporazuma, osim ako jedna drugu pismeno ne obaveste da takva revizija nije potrebna.

PODRUČJE NA KOME SE PRIMENJUJE SPORAZUM

Član 21.

Ovaj sporazum se primenjuje u carinskim područjima strana ugovornica, koja su kao takva utvrđena njihovim nacionalnim zakonodavstvom.

IZUZECI OD PRUŽANJA POMOĆI

Član 22.

1. Kada pomoć predviđena ovim sporazumom može da nanese štetu suverenitetu, bezbednosti, javnom poretku ili drugim bitnim interesima zamoljene strane ugovornice, ili može da dovede do povrede industrijske, trgovinske ili profesionalne tajne, ili nije u saglasnosti sa njenim nacionalnim zakonodavstvom i drugim propisima, pomoć može da se odbije ili da se pruži uz poštovanje određenih uslova i zahteva.
2. Ako carinski organ zatraži pomoć koju on sam ne bi mogao da pruži, on će u svom zahtevu ukazati na tu činjenicu. Zamoljeni carinski organ može da ceni da li će da udovolji zahtevu.
3. Zamoljeni carinski organ može da odloži pružanje pomoći ako će takva pomoć da utiče na istragu, krivično gonjenje ili postupke koji su u toku. U tom slučaju zamoljeni carinski organ će konsultovati carinskog organa molioca da bi se odlučilo da li pomoć može da se pruži pod uslovima zamoljenog carinskog organa.
4. Ako je pomoć odbijena ili odložena, moraju da se saopšte razlozi za to.

STUPANJE NA SNAGU I PRESTANAK VAŽENJA

Član 23.

Sporazum stupa na snagu prvog dana drugog meseca od datuma kada su strane ugovornice obavestile jedna drugu, da je ispunjena neophodna nacionalna zakonska procedura za njegovo stupanje na snagu.

Član 24.

1. Sporazum je zaključen na neodređeno vreme, ali svaka strana ugovornica može, u bilo koje doba, da ga otkáže, pismenim putem.
2. Sporazum prestaje da važi po isteku tri meseci pošto je druga strana ugovornica primila obaveštenje iz stava 1. ovog člana.
3. U skladu sa odredbama ovog sporazuma, postupci koji su već u toku moraju se okončati.

U potvrdu toga dole potpisani predstavnici, propisno ovlašćeni za to od strane svojih vlada, potpisali su ovaj sporazum.

SAČINJENO u Teheranu dana 1.06.2005. godine u tri originalna primerka, na persijskom jeziku, srpskom jeziku-ekavski izgovor, srpskom jeziku-ijekavski izgovor, i na engleskom jeziku, s tim što svi tekstovi imaju podjednaku važnost. U slučaju

neslaganja u tumačenju odredaba ovog sporazuma, merodavan je tekst na engleskom jeziku.

Za
Vladu
Islamske Republike Iran

Za
Vladu
Republike Srbije

Za
Vladu
Republike Crne Gore

ZAŠTITA LIČNIH PODATAKA

1. Lični podaci koji su predmet automatske obrade:
 - 1) pribaviće se i obraditi na zakonom propisan način;
 - 2) čuvaće se za određene zakonom propisane namene i neće se upotrebiti u neku drugu svrhu koja je u suprotnosti sa tim namenama;
 - 3) biće adekvatni, odgovarajući i prema nameni za koju se čuvaju;
 - 4) biće tačni i, kada je to neophodno, ažurni;
 - 5) čuvaće se u takvoj formi koja omogućava identifikovanje njihovog sadržaja, ne duže nego što je to neophodno za namenu zbog koje se čuvaju.
2. Lični podaci koji otkrivaju rasnu pripadnost, političko mišljenje, religiozno ili drugo ubeđenje, kao i lični podaci koji se odnose na zdravlje ili seksualni život, ne mogu da se obrađuju automatskom tehnikom, osim ako nacionalno zakonodavstvo ne pruža odgovarajuću zaštitu. Ovo se primenjuje i na lične podatke koji se odnose na kriminalne radnje.
3. Strane ugovornice preduzeće odgovarajuće mere zaštite ličnih podataka koji se čuvaju u elektronskim zapisima protiv neovlašćenog uništavanja ili slučajnog gubitka, kao i protiv svakog neovlašćenog pristupa, promene ili otkrivanja.
4. Svakom licu će se omogućiti:
 - 1) da utvrdi postojanje elektronskog zapisa sa ličnim podacima, njegovu osnovnu namenu, kao i identitet i mesto boravka ili glavno poslovno sedište kontrolora zapisa;
 - 2) da dobije, u određenim periodima i bez prekomernog zadržavanja ili troškova, potvrdu o tome da li se njegovi lični podaci čuvaju u elektronskim zapisima, kao i obaveštenje o tim podacima u razumljivom obliku;
 - 3) da, u zavisnosti od slučaja, ispravi ili izbriše takve podatke, ako su obrađeni u suprotnosti sa odredbama nacionalnog zakonodavstva, imajući u vidu osnovna načela iz st. 1. i 2. ovog priloga;
 - 4) pravni lek, ako nije udovoljeno zahtevu za dostavljanje obaveštenja, za ispravku ili brisanje, zavisno od slučaja, a u skladu sa odredbama pod 2) i 3) ovog stava.
- 5.1 Nisu dozvoljena nikakva odstupanja od odredaba st. 1, 2. i 4. ovog priloga, osim u okviru ograničenja definisanih u tim stavovima.
- 5.2 Moguća su odstupanja od odredaba st. 1, 2. i 4. ovog priloga ako je takvo odstupanje predviđeno zakonom strane ugovornice i ako predstavlja neophodnu meru u demokratskom društvu, a u interesu:
 - 1) zaštite državne bezbednosti, bezbednosti građana, monetarnih interesa države ili sprečavanja kriminalnih radnji;
 - 2) zaštite sadržaja podataka ili prava i sloboda ostalih.

- 5.3 Ograničenja u korišćenju prava navedenih u stavu 4. pod 2), 3) i 4) ovog priloga, sadržana su u propisima o elektronskim zapisima ličnih podataka koji se koriste za potrebe statistike ili naučnih istraživanja, gde ne postoji mogućnost rizika da će se podaci zloupotrebili.
6. Svaka strana ugovornica preuzima na sebe obavezu da uvede odgovarajuće sankcije i pravni lek u slučajevima kršenja odredaba nacionalnog zakonodavstva kojim su regulisana osnovna načela iz ovog priloga.
7. Ni jedna odredba iz ovog priloga neće se smatrati ograničavajućom, niti će uticati na mogućnost strane ugovornice da odobri veće mere zaštite od onih koje su predviđene ovim prilogom.
8. Ako strana ugovornica utvrdi da su dostavljeni netačni podaci ili da su dostavljeni zabranjeni podaci (koje nije trebalo dostaviti) ili ako se zahteva da se podaci, koji su na propisan način dostavljeni, kasnije izbrišu, u skladu sa propisima strane ugovornice koja ih je dostavila, o tome će se odmah obavestiti carinski organ kome su dostavljeni podaci. Taj organ je dužan da ispravi te podatke ili da ih izbriše.
9. Ako carinski organ kome su dostavljeni podaci ima razloga da veruje da su dostavljeni podaci netačni ili da bi trebalo da se ponište, o tome će obavestiti stranu ugovornicu koja ih je dostavila.
10. U skladu sa nacionalnim zakonodavstvom i postupcima strane ugovornice na čijoj teritoriji se zahtevaju podaci, utvrdiće se koja su prava zainteresovanog lica da dobije informaciju o dostavljenim ličnim podacima. Pre nego što se donese odluka da se dostavi informacija, organ koji je dostavio podatke ima pravo da se izjasni o svom stavu.
11. Strane ugovornice su odgovorne, u skladu sa svojim zakonodavstvom i postupcima, za svaku štetu koju pretrpi lice zbog obrade podataka koji su dostavljeni zainteresovanoj strani ugovornici.

Član 3.

Ovaj zakon stupa na snagu osmog dana od dana objavljivanja u "Službenom glasniku Republike Srbije".