

LAW

ON PRIVATE SECURITY

("The Official Gazette of RS", No. 104/2013)

I INTRODUCTORY PROVISIONS

Article 1

This Law shall regulate obligatory security and protection of certain facilities, activities and operation of legal and natural persons in the field of private security, requirements for their licensing, manner of performing activities, and exercising supervision over their work.

Article 2

For the purposes of this Law, private security shall include provision of services, i.e. performing the activities of protection of persons, property and business operations by providing physical and technical protection, unless such activities fall within the exclusive competence of state authorities, as well as activities of transportation of money, valuables and other parcels, maintaining order at public gatherings, sports events and other places of public gatherings (guards service), performed by legal persons and entrepreneurs registered to perform such activity, as well as legal persons and entrepreneurs that have established an internal security systems for their own needs (hereinafter: self-protection activity).

Private security services are not part of the police or other security activities performed by state administration authorities.

Legal persons and entrepreneurs holding a licence to perform private security activities shall not provide protection of persons and property which fall under the exclusive competence of state authorities and shall not apply operational methods and resources, i.e. operational-technical devices and methods applied by such authorities pursuant to special regulations.

Article 3

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

- 1) **patrolling** shall mean a security service provided by security officers by moving among a number of separate places/facilities at a certain time;
- 2) **ID document** shall mean a public document for identification of persons performing the private security tasks;
- 3) **Client** shall mean an organization or a person using private security services;

- 4) **Legal person providing private security** shall mean a company performing the activity of private security in accordance with the provisions hereof.
- 5) **Private security officer** shall mean a security officer who independently performs the activity of private security under the requirements prescribed by this Law and who is registered as an entrepreneur in accordance with the applicable regulations;
- 6) **Risk assessment** shall mean an analysis and assessment in the protection of persons, property and business activity;
- 7) **Security plan** shall mean a document containing the envisaged security-related services stipulated in the risk assessment;
- 8) **Security officer** shall mean a natural person, of either sex, performing private security tasks;
- 9) **Physical protection** shall mean a security service provided primarily by physical presence and direct involvement of security officers in a given space and time, as well as by the implementation of measures and application of means of coercion;
- 10) **Technical protection** shall mean security of persons and property provided by technical resources and devices, their planning, design, installation and maintenance;
- 11) **Physical-technical protection** shall mean providing security of persons and property by simultaneous or combined use of physical and technical protection;
- 12) **License** shall mean:
- (1) Decision whereby **legal persons and entrepreneurs** meeting the legal requirements are allowed to perform the activity of private security,
 - (2) Decision whereby **natural persons** meeting the prescribed requirements are allowed to perform private security activities;
- 13) **Protected area** shall mean an area where security services are provided in accordance with the scope of contractual obligations with the users of security services;
- 14) **Self-protection activity** shall mean provision of security of persons, property and business operations that an organization performs for its own needs. The internal security service (self-protection) is an internal form of organizing the security for own needs;
- 15) **Security check** shall mean a check which, in accordance with the law regulating weapons and ammunition, is performed by the Ministry of Interior (hereinafter: the Ministry).

II FACILITIES UNDER OBLIGATORY PROTECTION

Article 4

Facilities under obligatory protection are facilities of strategic importance for the Republic of Serbia and its citizens, as well as facilities of special significance whose damage or destruction may cause serious consequences for the life and health of people, or the facilities that are of interest for national defence.

Facilities under obligatory protection shall also include the area where the facilities are located and which constitute integral part thereof, as well as auxiliary buildings serving the purpose of such facilities.

Article 5

Protection of facilities under obligatory protection shall be performed as a business function of a legal person to whom such facilities belong, in a manner prescribed by general acts on organization and job classification.

In accordance with the general act on organization and job classification, protection of facilities under obligatory protection shall be performed either by contracting an entity licensed to perform the activity of private security or by implementing the organized self-protection activity.

At a legal person that owns facilities of special interest for national defence, self-protection activity shall have a planning, organizational and control function in place.

Detailed criteria for the identification of facilities referred to in Article 4, paragraph 1 of this Law and the manner of protecting facilities under obligatory protection shall be prescribed by the Government.

III PRIVATE SECURITY TASKS

Article 6

Legal persons and entrepreneurs providing private security may, under the terms and conditions prescribed by this Law, hold a license for the following tasks:

- 1) Risk assessment in the protection of persons, property and business operations;
- 2) Protection of persons and property by means of physical and technical resources, and maintenance of order at public events, sports competitions and other places of public gathering in the part that is not within the competence of the Ministry of Interior;
- 3) Planning, designing and supervising the implementation of technical protection system, installation, commissioning, maintenance of technical protection systems and training of users;
- 4) Protection of transport and transfer of money and valuables in the part that does not fall under the competence of the Ministry.

Legal persons and entrepreneurs providing private security shall provide conditions and resources for the performance of tasks referred to in paragraph 1 of this Article

in accordance with the applicable standards and regulations pertaining to occupational health and safety.

Article 7

Legal persons and entrepreneurs providing private security shall not perform intermediation services in the collection of outstanding debts.

V LICENSES TO PERFORM PRIVATE SECURITY TASKS

Article 8

Private security tasks may be performed by legal persons, entrepreneurs and natural persons holding a license to perform private security tasks issued by the Ministry.

1. Types of licenses and requirements for granting licenses to legal persons and entrepreneurs

Article 9

For the purpose of performing private security tasks, the Ministry may issue to a legal person or an entrepreneur:

- 1) License for risk assessment in the protection of persons, property and business operations;
- 2) License to provide physical-technical protection of persons and property and maintain order at public events, sports competitions and other places of public gathering;
- 3) License to perform tasks related to protection of transport and transfer of money and valuables;
- 4) License to perform tasks related to planning of technical protection systems;
- 5) License to perform tasks related to design and supervision of the installation of technical protection systems;
- 6) License to perform tasks of installation, commissioning and maintenance of technical protection systems and conduct user training.

Legal persons and entrepreneurs providing private security tasks that have obtained a license to perform tasks referred to in paragraph 1, item 2) and 3) of this Article may also perform tasks referred to in Article 29 hereof and use technical resources referred to in Article 30 of this Law.

Article 10

Licenses to perform private security tasks may be granted to a legal person and an

entrepreneur that meets the general requirements for any of the identified type of license, specifically to those that:

- 1) Are entered in the Business Register of the Republic of Serbia, with a relevant business activity code;
- 2) Possess a job position classification act, including job descriptions and authorizations of each employee;
- 3) Possess an act specifying the appearance of the uniforms worn by security officers and the logo;
- 4) Have a designated responsible person who:
 - (1) is a citizen of the Republic of Serbia,
 - (2) is legally of age,
 - (3) is mentally and physically fit to perform private security tasks, as proven by a medical certificate issued by the relevant health care institution,
 - (4) has completed at least secondary education,
 - (5) has passed the relevant security check,
 - (6) holds a license to perform private security tasks granted to a natural person;
- 5) Who disposes with appropriate premises;
- 6) Who disposes with special premises to store weapons and ammunition, in accordance with regulations on the storage of weapons and fire protection, in cases private security activities are performed by carrying weapons.

The Minister in charge of health shall adopt an act identifying a list of reference health care institutions authorized to issue certificates on mental and physical fitness to perform private security tasks.

Special requirements to be met by legal persons in order to be granted with:

- 1) License for risk assessment in the protection of persons, property and business operations – are that they have at least one employed security officer holding a license granted to a natural person or license for risk assessment in the protection of persons, property and business operations;
- 2) License to provide physical-technical protection of persons and property and maintain order at public events, sports competitions and other places of public gathering – are that they have at least 10 employed security officers holding a license granted to a natural person, i.e. license to perform tasks of a person in charge of protection or license to perform basic tasks of security officers – those not carrying weapons or License to perform special tasks of a security officer – those carrying weapons;
- 3) License to perform tasks related to protection of transport and transfer of money and valuables – are that they have at least 10 employed security officers holding a license granted to a natural person or License to perform special tasks of security officers – those carrying weapons, and that they dispose with technical resources for transport and transfer of money and valuables in accordance with Articles 36 and 38 of this Law;
- 4) License to perform tasks related to planning technical protection systems – are that they have at least one employee with completed secondary technical education holding a license granted to a natural person, or license to perform tasks of planning technical

security protection systems;

5) License to perform tasks related to design and supervision over the installation of technical protection systems – are that they have at least one employee with higher education qualification in the field of technical-technological sciences holding a license granted to a natural person and a license to perform tasks related to design and supervision over the installation of technical protection systems;

6) License to perform tasks related to installation, commissioning and maintenance of technical protection systems and to conduct user training – are that they have at least one employee with completed secondary technical holding a license granted to a natural person, or a license to perform tasks related to installation, commissioning and maintenance of technical protection systems and to conduct user training.

2. Types of licenses and requirements for granting licenses to natural persons

Article 11

For the purpose of performing private security tasks, the Minister may grant a natural person the following:

1) License for risk assessment in the protection of persons, property and business operations;

2) License to provide physical-technical protection of persons and property and maintain order at public events, sports competitions and other places of public gathering:

(1) License to perform tasks of a person in charge of protection,

(2) License to perform basic tasks of a security officer – those not carrying weapons,

(3) License to perform special activities of a security officer – those carrying weapons;

3) License to perform activities related to technical protection:

(1) License to perform tasks of planning technical protection systems,

(2) License to perform tasks related to design and supervision over the installation of technical protection systems,

(3) License to perform tasks related to installation, commissioning and maintenance of technical protection systems and to conduct user training.

Natural persons that was granted a licence referred to in paragraph 1 of this Article may also perform private security tasks independently provided that they are inscribed in the

Business Register of the Republic of Serbia as entrepreneurs.

Article 12

A licence to perform private security tasks may be granted to a natural person who meets the general requirements for the issuance of any type of licence, i.e. a natural person who:

- 1) is a citizen of the Republic of Serbia;
- 2) is legally of age;
- 3) has completed at least secondary education;
- 4) has undergone the relevant security check;
- 5) is mentally and physically fit to perform such tasks, which is to be proven by a medical certificate issued by the relevant health care institution;
- 6) has completed training in handling firearms or has completed military service carrying weapons;
- 7) has completed relevant training to perform private security tasks in accordance with this Law;
- 8) has passed the professional exam at the Ministry.

Special requirements to be met by a natural person to be granted a license to perform the tasks related to technical protection, i.e. a license to perform tasks related to planning technical protection systems or a license to perform tasks related to design and supervision over the installation of technical protection systems or a license to perform tasks related to installation, commissioning and maintenance of technical protection systems and to conduct user training– is that s/he has completed at least secondary education.

A person who is a license holder shall, once a year, submit the proof of mental and physical fitness to perform private security tasks.

A legal person and an entrepreneur shall submit to the Ministry a medical certificate of a mental and physical fitness check issued annually for each person that was granted a license.

Should a legal person or an entrepreneur fail to submit the medical certificate referred to in paragraph 4 of this Article, it shall be deemed that a natural person no longer meets the requirements prescribed for performing private security tasks.

The training referred to in paragraph 1, item 7) of this Article may be attended only by persons meeting the requirements referred to in paragraph 1, items 1), 2), 3), and 5) of this Article.

Exceptionally, a person with the appropriate level and type of vocational education and

at least three years of work experience as an authorised police officer, or in security-intelligence affairs, or as a professional members of the Serbian Armed Forces and in enforcing penal sanctions, shall be granted a license provided that s/he meets the requirements referred to in paragraph 1, items 1-5 and item 8 of this Article.

3. Procedure and manner of granting licenses

Article 13

Private security training for natural persons may be delivered by the Ministry and legal and natural persons that meet material, technical, professional and personnel requirements for conducting the training and are authorized by the Ministry.

The Minister of Interior (hereinafter: the Minister) shall specify detailed requirements in terms of the necessary facilities or premises, material and technical resources and equipment, professional qualifications and the number of persons delivering the private security training to be met by the persons referred to in paragraph 1 of this Article, as well as the curricula and methods of training delivery, contents and manner of record keeping about the licenced persons and persons who attended the training, as well as costs of arranging and conducting the training.

Article 14

A natural person wishing to obtain a license to perform private security tasks shall submit to the Ministry, i.e. an authorized legal or natural person an application for the training of natural persons to perform private security tasks.

Persons who have completed the training of natural persons to perform private security tasks shall take the professional exam at the Ministry.

The manner of testing natural persons, i.e. the manner of taking a professional exam for the performance of private security tasks and the costs of arranging and conducting the exam, as well as the contents and manner of keeping records about the persons who took and passed the professional exam shall be prescribed by the Ministry, with the approval of the Minister of Finance.

National administrative fee shall be paid for the license issuance.

The costs of arranging and conducting the professional exam shall be borne by the person taking the professional exam, i.e. a legal person employing the person taking the exam.

Article 15

The application for the license issuance shall be submitted to the Ministry, through the competent local police department.

The competent local police department shall be the one established for the territory of the applicant's seat or residence.

A decision regarding the application for the issuance of a license shall be made within

15 days from the date of receipt thereof.

Notwithstanding paragraph 3 of this Article, the procedure may be disrupted by a conclusion, if it is necessary to check the submitted evidence. In that case the decision on the licence issuance shall be made within 60 days at the latest from the date of filing the application.

Article 16

Legal persons, entrepreneurs and natural persons who fulfil the prescribed requirements shall be granted a license for a period of five years.

The license referred to in paragraph 1 of this Article shall cease to be valid upon the expiry of the period of six months from the date when the decision has become final, if the legal person fails to start performing the activities within that period.

A legal person, an entrepreneur and a natural person whose license validity period has expired shall, at their request, be granted a new license, provided that there has been no change in the statutory requirements under Article 10, paragraph 1, items 1), 4), 5), and 6), and Article 12, paragraph 1, items 1)-6).

An application for a new license may be filed no sooner than 60 days prior to the expiry of the previously issued license.

A decision shall be made to reject the application for the issuance of a license or to revoke a license granted to a legal entity, an entrepreneur or a natural person who no longer meets the requirements prescribed for performing private security tasks.

The contents of an application for the issuance of a license, as well as the format and contents of the official licence shall be prescribed by the Minister.

Article 17

An appeal may be lodged against the conclusion referred to in Article 15, paragraph 4 hereof, and against the decision to issue a licence, the decision to reject an application for the issuance of a licence and the decision to revoke a granted license.

Appeals shall be lodged with the Ministry within eight days from the date of receiving the decision.

Article 18

A responsible person of the legal person and entrepreneur shall within eight days notify the competent police department on the termination of operations or winding up of the legal person or entrepreneur.

V MANNER OF PERFORMING PRIVATE SECURITY TASKS

Article 19

Private security tasks related to protection of persons, property and business operations

shall be performed in the manner that shall not interfere with the work of state authorities and shall disturb the peace of the citizens.

Article 20

A legal person and an entrepreneur may perform private security tasks only based on and within the scope of a written contract concluded with a legal or natural person to whom it provides the services.

The contract referred to paragraph 1 of this Article shall, among other things, include the following:

- 1) clearly defined scope of the contract;
- 2) the method of performing agreed private security activities (type, category, contracted competences of security officers);
- 3) number and location of security officers under the contract;
- 4) types and quantity of engaged weapons and resources;
- 5) service delivery commencement date and the contract duration;
- 6) the manner of use, the type and level of confidentiality, the period of keeping classified and use, and measures of protection of data resulting from the contract, and the contract itself.

A legal person and an entrepreneur who do not hold a license shall not be engaged for performing private security tasks.

Notification of concluded contracts, appendices to the contract or termination of the contract shall be submitted to the competent local police department within eight days following the changes.

The notification shall contain:

- 1) the name and seat of a legal person or an entrepreneur providing private security;
- 2) name (name and surname and personal ID number) and the seat (residence) of the responsible person of the legal person or entrepreneur providing private security and the service user;
- 3) clearly defined scope of contract;
- 4) the manner of performing the contracted private security tasks (type, category, agreed competences of security officers, duration of providing security, etc.);
- 5) number of security officers envisaged by the contract and the location of their deployment;

- 6) type and quantity of engaged weapons and means of protection;
- 7) date of commencement and termination of providing private security under the contract.

The competent local police department shall be the one established for the area where the services are provided; in case the contract is executed in several locations, the competent local police department shall be the one established for the area of the seat of the legal person or residence of the natural person that is the service user.

1. Physical protection tasks

Article 21

Physical protection of persons and property shall be performed primarily through physical presence at a given space and time.

The tasks referred to in paragraph 1 of this Article shall be performed only within the protected facility or within the parameters of the protected facility.

Article 22

Exceptionally, tasks related to physical protection of persons (personal security) may be performed in a public place and in the immediate vicinity of the protected person, at the proposal of the state administration authority, local self-government bodies, organizations or associations of natural persons and with the approval of the Ministry.

The proposal referred to in paragraph 1 of this Article shall contain a protection plan, indicating the number of engaged security officers, the type and quantity of weapons and equipment, location of the facility, vehicles and the projected routes of movement.

The proposal shall be put forward for approval to the competent police department in the area where security services are to be provided no later than three days prior to the commencement of service provision.

The approval shall be issued no later than 24 hours prior to the commencement of security services provision.

2. Security-related tasks involving carrying weapons

Article 23

Under the terms and conditions stipulated herein, tasks related to physical protection of facilities may be performed with carrying of weapons in order to protect:

- 1) facilities under obligatory protection;
- 2) banks and other financial institutions which operate with money and valuables – especially posts offices, saving banks and exchange offices;

3) facilities used for storing weapons, explosives, radioactive, flammable and toxic substances;

4) facilities used for keeping and storing goods.

Article 24

For the purpose of performing tasks related to physical protection, legal persons and entrepreneurs providing private security may possess semiautomatic single-shot weapons, pistols of 7.65 mm and 9 mm calibre.

A legal person providing private security shall not possess firearms in numbers exceeding the number of one half of employees holding a license to perform special tasks of security officers – those carrying weapons.

Acquisition of weapons shall be performed on the basis of a permit issued by the Ministry, in accordance with the law.

Article 25

Security officers performing tasks of physical protection of persons, property and business operations may carry weapons and ammunition only in the protected facility or area, on the basis of approval referred to in Article 22, paragraph 4 of this Law, while directly performing such tasks.

Notwithstanding paragraph 1 of this Article, security officers may carry weapons outside the protected facility or area being secured:

- 1) when they perform and secure the transport or transfer of money and valuables, only in the course of transportation and along the route of movement;
- 2) when they transfer money on foot, only along the route of movement;
- 3) when they provide physical protection of persons referred to in Article 22, paragraph 1 of this Law;
- 4) in the course of intervention within the intervention team, during intervention activities in accordance with this Law.

Article 26

The responsible person of the legal person or entrepreneur providing private security shall issue orders to security officers to carry weapons.

A security officer who carries weapons shall have with him/her the order for carrying official weapons, and at the request of the authorized person of the Ministry shall present this order and the weapon for inspection.

When performing official duties, a security officer shall not carry personal weapons.

Article 27

A security officer outside the protected facility shall act according to the orders of a police officer, except in cases when such conduct would constitute a criminal offence.

Article 28

A legal person and an entrepreneur providing private security with carrying weapons shall practice target shooting for security officers engaged in performing security-related tasks with carrying weapons at least once a year.

3. Technical protection tasks

Article 29

Technical protection tasks shall be performed by using technical resources and devices to prevent illegal activities against persons, property or business operations, and especially to provide protection against:

- 1) unauthorized access to protected premises and facilities;
- 2) taking out, i.e. alienation and unauthorized use of protected items;
- 3) bringing in weapons, explosive, radioactive and other hazardous objects and substances;
- 4) burglary, diversion and violent attack on the facility and seizure of items;
- 5) unauthorized access to data and documents;
- 6) protection of vehicles for transport of money and other means of transport;
- 7) other identified risks.

Article 30

The use of technical resources and devices to protect persons, property and business operations shall mean the services provided by using individual or functionally interlinked perimeter measures, devices and systems for: anti-burglary protection and intrusion detection, fire protection, video-surveillance, access control, social alarms, satellite tracking of vehicles (GPS), electro-chemical protection of valuables, mechanical protection and data protection.

Technical resources and devices can be linked into a technical protection system.

Article 31

Technical protection shall be performed within the protected facility or area, in the course of protecting persons, property and business operations, or in the course of protecting the transport of money and valuables.

Technical resources used when performing private security tasks shall not be used in a manner that violates the privacy of other people.

Article 32

When protection of a facility or area used for public purposes is performed with the use of video recording devices, a legal person or an entrepreneur providing private security shall place a clearly visible notice indicating that a facility or space is protected by video surveillance, while the service user shall comply with it and keep the recorded materials for at least 30 days and, at the request shall make the said materials available to the authorized police officer for inspection.

The data referred in paragraph 1 of this Article may be used only for the purpose for which they were collected.

The data referred to in paragraph 1 of this Article shall not be ceded to third parties and publicly published except in cases stipulated by the law.

Article 33

The Government shall prescribe minimum technical requirements for mandatory installation of technical protection systems in banks and other financial institutions (post offices, savings banks, exchange offices, treasuries, etc.) where, in accordance with this Law, private security tasks are to be performed.

A detailed manner of performing the tasks related to technical protection and use of technical resources shall be prescribed by the Minister.

4. Tasks related to planning, designing, technical supervision, installation and maintenance of technical protection systems

Article 34

Planning of technical protection systems shall be performed on the basis of risk assessment in the protection of persons, property and business operations conducted by a legal or natural person holding the relevant license in accordance with this Law.

Article 35

The deployed technical resources shall, in terms of quality, security and guarantees, comply with the legal norms and technical standards applicable in the Republic of Serbia.

A legal person or an entrepreneur providing private security shall be liable for the operation and functionality of the resources referred to in paragraph 1 of this Article, while the service user shall ensure their maintenance and servicing in accordance with this Law and the contract.

5. Tasks related to protection of transport of money, valuable and other consignments

Article 36

Legal persons and entrepreneurs providing private security shall escort and secure transport and transfer of money, valuables and other consignments if they have at least one special transportation vehicle which shall:

- 1) have a permit for non-shuttle road transport;
- 2) be marked in accordance with regulations;
- 3) have a constant two-way communication with the control centre and the part of the crew that leaves the transportation vehicle upon the receipt / delivery of valuables (GSM network and/or radio link with own frequency and repeaters);
- 4) have a built-in GPS device for satellite tracking and remote monitoring from own control centre;
- 5) have a built-in panic button that automatically sends a warning signal to the control centre;
- 6) have built-in electro-chemical protection of money during transport or an armoured vehicle or special reinforcement on: bodywork, windshields and a built-in mechanical safety box for money;
- 7) have a built-in mobile video surveillance system.

Article 37

The crew of the special transportation vehicle shall consist of a driver and at least one escort.

All crew members of the special transportation vehicle shall be security officers of the same legal person.

While performing the tasks, all crew members of the special transportation vehicle and escorts shall be armed with the prescribed type of firearms and shall be equipped in accordance with this Law.

Article 38

Legal entities and entrepreneurs providing private security may perform the tasks related to protecting transport of money and valuables on foot, whereby they shall use systems for electro-chemical protection of valuables.

Exceptionally, if money and valuables are transported by means of armoured or special vehicles without electro-chemical protection, at least one additional armed security officer shall be present as escort of the security officer from the vehicle to the point of taking over or depositing money.

The total weight of bags referred to in paragraph 1 of this Article and items transported in it shall not exceed 18 kg, unless the bag has been adjusted as a carry-on bag.

Article 39

Transport of money or valuable consignments referred to in Article 38, paragraph 1, of this law shall be performed by at least one security officer who shall be in constant communication with the control centre (GSM network and/or radio link with own frequency and repeaters).

6. Guard service tasks

Article 40

In accordance with this Law, legal persons and entrepreneurs providing private security may perform tasks of maintaining order:

- 1) at public gatherings in terms of regulations governing public gatherings;
- 2) at sports competitions;
- 3) at places and facilities where the citizens gather for entertainment, music, cultural and other programs and events.

Security officers shall perform guard services without carrying weapons.

For every three employed security officers performing guard services, a legal entity or an entrepreneur providing private security may occasionally and temporarily hire additional 10 security officers holding a license.

Article 41

In the event that a legal person and an entrepreneur providing private security service of maintaining order at public gatherings referred to in Article 40, paragraph 1, items 1) and 2) of this Law engages more than three guards, they shall draw up a security plan which is to be submitted by the event organizer, along with the announcement of the event, to the police department located in the area where the event is scheduled to take place.

The security plan shall contain the number and deployment location of engaged guards, their authorisations, data on the responsible person that shall manage the guard service during a public gathering and the means of communication with the guard.

Article 42

In the course of performing their tasks, the guards shall wear uniforms and shall be equipped with the same jackets or vests with bright coloured stripes and wording "Guard" and "Steward" or "Security".

While on duty, the guards at public gatherings shall not regulate the traffic outside the protected area.

The guards shall act upon the instructions of the authorized police officer in accordance with the security plan.

Article 43

Guards performing duties during sports competitions shall act in accordance with this Law and regulations on prevention of violence at sports events.

7. Control centre

Article 44

A legal person and an entrepreneur holding a license to perform tasks related to physical-technical protection of persons and property and maintain order at public events, sports competitions and other places of public gathering or a license to perform tasks of securing transports and transfer of money and valuables shall have a set up control centre.

The control centre shall be a place outfitted with technical devices for automatic receipt and processing of alarm signals and other information from remote facilities or vehicles protected by means of technical protection.

A control centre must have staff on duty 24 hours a day.

A legal person and an entrepreneur providing private security with an established control centre must have an intervention team per received alarm signal consisting of at least two security officers.

A control centre operator shall immediately notify the police of the information indicating that a criminal offence to be prosecuted *ex officio*, or a misdemeanour with elements of violence is being committed.

Protection of data collected by means of technical devices for automatic receipt and processing of alarm signals and other information from remote facilities and vehicles protected by technical resources shall be carried out in accordance with the provisions of Article 32 of this Law.

8. Self-protection activity

Article 45

In order to organize their self-protection activity, i.e. to protect their property, business operations, facilities, space and persons therein and in order to organize their own internal guard security service for maintaining order, legal persons and entrepreneurs may be granted one or several licenses, which are issued in accordance with this Law, for providing private security, if:

- 1) they have an organized planning, organizational and control function of self-protection activity;
- 2) the performance of such activity is prescribed in the internal acts on organization and job classification, including job descriptions;

- 3) they have an act on the appearance of uniforms and insignia;
- 4) a designated person, responsible for the tasks of the internal security service, that meets the requirements referred to in Article 10, paragraph 1, item 4) of this Law;
- 5) security officers holding a license referred to in Article 11, item 2) of this Law;
- 6) they perform security tasks carrying weapons and meet the weapon-related requirements specified in this Law.

Unless otherwise specified in this Law, the procedure and manner of granting a license referred to in paragraph 1 of this Article, and the manner of performing private security tasks shall be governed by the provisions of this Law regulating certain issues related to legal and natural persons providing private security to service users.

Internal security services cannot provide security services to others.

VI SECURITY OFFICERS' AUTHORIZATIONS

Article 46

In the course of performing tasks related to physical protection, a security officer shall be authorized to:

- 1) check the identity of persons entering or exiting a protected facility or area, and within the protected facility;
- 2) search persons or vehicles at the entrance or exist to the protected facility or area;
- 3) prohibit unauthorized entry and access to the protected facility and area;
- 4) order a persons to leave the protected facility or area in case the person is not authorised to be there;
- 5) warn the person jeopardizing one's own security, security of others or causing damage or destruction of property by behaving or failing to behave in a certain way
- 6) temporarily detain a person caught committing a crime or serious criminal offence in the facility or area or violating public peace and order until the arrival of the police;
- 7) use the following coercive means:
 - (1) restraining devices,
 - (2) physical force,
 - (3) especially trained dogs,

(4) firearms, under terms and conditions provided for in this Law and the law regulating the use of weapons by authorized police officers.

A security officer may exercise the authorisations referred to in paragraph 1 of this Article only within the protected facility or area, or outside the protected facility or area while protecting transport and transfer of money and valuables, while patrolling and while protecting persons in accordance with Article 22 of this Law.

The security contract, concluded between a legal person or an entrepreneur providing private security and a service user, shall specify the contractual authorizations referred to in paragraph 1 of this Article.

The implementation of measures shall be proportionate to the legitimate aim of their use and shall be performed in a manner which shall not violate the dignity, honour or other guaranteed human rights. In the course of applying measures no one shall be subject to torture, inhumane or degrading treatment.

A security officer may act only in the manner stipulated by this Law and regulations, so as to accomplish the tasks with minimal adverse effects. If, under specific circumstances, it is allowed to use additional measures, the officer shall first use a measure causing least damage to the person. A security officer must cease to apply a particular measure immediately after the reasons for its application cease to exist or upon discovering that the task cannot be achieved in that manner.

1. Identity check

Article 47

Identity check shall be performed by inspecting the ID card or another ID document containing a photograph issued by the competent state authority.

A security officer shall not allow entry into the protected facility or area to persons who, at the request of a security officer, refuse to identify themselves.

2. Superficial search of persons and items

Article 48

A security officer may superficially search a person or objects carried by the person or transported in a vehicle when entering the protected facility or area.

A superficial search of persons shall mean visual inspection of the contents of clothing and items worn or carried by the person.

The superficial search shall always be performed by a person of the same sex, except when urgent search is needed in order to retain weapons or objects that can be used in the assault or for self-injury.

Vehicle superficial search shall mean the search of open or closed parts of a means of transport and the objects being transported.

The search may be performed by using technical resources intended for such purposes.

The security officer shall invite the person to independently show the contents of clothing, objects and vehicles. If the person refuses to do so, and if there are grounds for suspicion that the person may have on him/her, in the means of transport or luggage carried, such objects which may serve as evidence in the misdemeanour or criminal proceedings, the security officer shall act in accordance with Article 50 of this Law.

3. Communication of warnings and giving orders

Article 49

Warnings and orders shall be given by means of verbal statements, hands and body movements, light or audio signals, putting up signs and written warnings and prohibitions.

Warnings must be communicated in a clear and unambiguous manner.

4. Temporary detention of persons

Article 50

A security officer shall temporarily detain a person caught committing a criminal act that is prosecuted *ex officio* in a protected facility or area.

A person deprived of liberty shall be immediately handed over to the police. In case this cannot be done, the security officer shall promptly notify the police accordingly.

A written report on the temporary detention of a person shall be made and submitted to the police within 24 hours.

5. Use of restraining devices

Article 51

Restraining devices may be used against persons who are temporarily detained in accordance with the provisions of this Law, in order to:

- 1) prevent the resistance of a person or to repel the assault;
- 2) prevent the escape of a detained person;
- 3) preventing self-injuring or harming other persons.

The use of restraining devices shall mean tying the hands, as a rule, in front of or behind the back, by means of official handcuffs, plastic ties or other devices intended for this purpose.

6. Use of physical force

Article 52

The use of physical force shall mean the use of self-defence skills in order to repel the assault or overcome the resistance of a person who is physically assaulting a security officer, i.e. attacking a person or property under protection.

A security officer may use physical force while on duty only if there is no other way to repel:

- 1) Simultaneous unprovoked unlawful assault threatening his/her life or the life of a protected person;
- 2) Simultaneous unprovoked unlawful assault aimed at destruction, damage or alienation of the property being protected.

Article 53

Prior to using physical force, a security officer shall warn the person that physical force is to be used against them, unless such conduct would endanger them or others.

The use of physical force must be proportionate to the assault being repelled and it must cease immediately after the assault stops.

7. Use of specially trained dogs

Article 54

Security officers may use specially trained dogs when protecting facilities, preventing resistance or repelling the assault on the security officer or other persons within the protected facility or area in cases when, in accordance with this Law, the use of firearms is allowed.

Service dogs may be used only if they are trained to perform specific actions and if escorted by trained security officers – dog handlers, in accordance with the applicable cynology regulations.

When using specially trained dogs, a security officer shall take care that the dog should not unnecessarily harm the person against whom it is being used.

A security officer shall not use specially trained dogs in a manner that causes disquiet of citizens.

8. Use of firearms

Article 55

In the course of performing the tasks related to physical protection with the use of weapons, a security officer is allowed to use firearms only in case of self-defence and utmost necessity.

Prior to the use of a firearm, a security officer shall identify himself/herself and give a clear warning of his/her intent to use a firearm by uttering the following words ("Stop, security, I will shoot"), except in cases when such an action would endanger his/her life

or the life of the protected person.

9. Obligations following the use of means of coercion

Article 56

A security officer shall administer first aid to a person injured by the use of means of coercion and immediately notify the health care service.

A security officer shall immediately notify the competent police department about the use of means of coercion.

A security officer shall, within 12 hours, submit a written report on the use of means of coercion referred to in paragraph 2 of this Article to the responsible person of the legal person or entrepreneur providing private security.

The responsible person of the legal person or entrepreneur providing private security shall submit the report along with the opinion to the competent police department within 48 hours.

Article 57

Detailed use of means of coercion specified herein, shall be prescribed by the Minister.

VII INSIGNIA AND PRESENTATION

1. Uniform and insignia of security officers

Article 58

The colour and parts of the uniforms worn by security officers shall be prescribed by the Minister.

The appearance of the uniform shall be prescribed in accordance with the conditions and activities performed.

Pursuant to the regulation referred to in paragraph 1 of this Article, legal entities and entrepreneurs providing private security shall, in their act, more closely determine the appearance of uniforms worn by security officers.

Article 59

A legal entity and an entrepreneur providing private security shall determine the appearance and contents of the symbol (logo) to be used as their own insignia on the uniforms, vehicles and facilities.

Article 60

Security officers who directly perform private security tasks shall wear a uniform.

Security officers shall wear uniforms only when on duty.

When securing a person, a security officer may wear civilian clothes based on a written order issued by the legal person of entrepreneur providing private security.

Article 61

The uniform and the insignia (logo) of private security, in its design and colour must be clearly distinguished from the uniforms and insignia on vehicles of the police, army, customs authorities or uniforms and insignia of any other state authority.

2. ID document

Article 62

The private security officer's ID document shall be issued by the Ministry.

Article 63

When performing private security activities, a private security officer shall have with him/her the ID document and shall submit it for inspection to the authorized police officer at his/her request.

The ID document shall contain personal data, a photograph and authorizations of the private security officer to whom it has been issued.

Identification of affiliation to a legal person or an entrepreneur providing private security, the insignia (logo) and the inscription "Obezbeđenje" i.e. "Security", must be placed on a visible part of the security officer's uniform.

A legal person and an entrepreneur providing private security shall return to the Ministry the ID document of a security officer whose employment has been terminated, who are assigned to a different post involving authorizations, or if as an entrepreneur it has been unregistered from the Business Registry.

Article 64

Details concerning the contents, appearance and manner of use of the security officers' ID documents shall be prescribed by the Minister.

3. Insignia and equipment on vehicles

Article 65

Private security vehicles shall not be equipped with special audio or light signalization.

Exceptionally, private security vehicles may have and use a rotating white lighting or flashing light, in accordance with regulations of road traffic safety.

VIII RECORDS

Article 66

The Ministry shall keep the following records:

1) records of licenses granted to legal persons and entrepreneurs performing the activity of private security, containing:

- (1) serial number,
- (2) name of the legal person - entrepreneur,
- (3) address of seat and unique ID number ,
- (4) serial number of the issued license,
- (5) date of issue and date of expiry,
- (6) data on the supervision performed,
- (7) official notes;

2) records of licenses granted to natural persons performing private security tasks, containing:

- (1) serial number,
- (2) name and surname of the natural person,
- (3) address of residence and unique citizen's ID number,
- (4) number of the issued license,
- (5) official notes;

3) records of licenses granted to security officers, containing:

- (1) serial number,
- (2) name of the legal person - entrepreneur applying for the issuance of the ID document,
- (3) address of the seat and unique ID number,
- (4) list with the names and surnames of security officers, address of residence and types and numbers of licenses,

- (5) the number of issued license,
- (6) date of issue and validity period,
- (7) date of return of ID document,
- (8) data on the supervision performed,
- (9) data on measures taken,
- (10) official notes.

The records referred to in paragraph 1 of this Article shall be kept in the form of a register, as an electronic data base, and shall be kept permanently.

Article 67

Legal persons and entrepreneurs providing private security shall maintain the following records:

1) records of temporarily or occasionally engaged security officers, containing:

- (1) serial number,
- (2) name and surname of the security officer,
- (3) number of the security officer's ID document,
- (4) date and period of time of engagement with the employer,
- (5) type of duty performed in guard service,
- (6) place of work and working schedule (name and seat of the services user, data of commencement and end of engagement with the services user),
- (7) notes (events, observations, etc. made the contract implementation);

2) records of contracts signed with services users, containing:

- (1) serial number,
- (2) number and date of concluding / termination of security contract,
- (3) name / first and surname, and seat of the service user,
- (4) subject matter of the security contract (type of services under the contract),

- (5) name and surname of security supervisor for the performance of the contract,
 - (6) number of engaged security officers for the performance of the contract,
 - (7) number of engaged weapons for the performance of the contract,
 - (8) number of engaged transport vehicles for the performance of the contract,
 - (9) notes (events, observations, etc. made during the contract implementation);
- 3) records of data compilations for legal and natural persons under protection, containing:
- (1) type of data and name of the data compilation,
 - (2) type of data processing (technical protection systems, physical protection, etc.),
 - (3) name, seat and address of a legal person providing private security,
 - (4) date of commencement of data processing or creation of data compilation,
 - (5) purpose of processing (preventive protection, etc.),
 - (6) legal basis for processing or creating the data compilation (contract, etc.),
 - (7) category (legal and/or natural) person to whom the data refer,
 - (8) type and level of data confidentiality,
 - (9) manner of data collection and filing (technical protection systems, reports by officers providing physical protection of persons, etc.),
 - (10) period of data filing and use,
 - (11) name, name and surname, seat and address of the data user,
 - (12) name, name and surname, seat and residence address of the persons being protected,
 - (13) code of import or export of data from the Republic of Serbia indicating the name of the country or international organization or foreign user, legal basis and purpose of data import or export,
 - (14) undertaken measures for data protection,
 - (15) customers' requirements regarding data processing;

4) records of protected facilities and area, containing:

- (1) serial number,
- (2) name of the service user, location and address of the protected facility and area,
- (3) number of engaged security officers,
- (4) date of commencement / end of protection,
- (5) size of the facility,
- (6) notes (specific facility features of relevance for security);

5) records of weapons, ammunition, equipment and work resources, containing:

- (1) serial number,
- (2) name of the legal person from whom the weapons and ammunition have been acquired/received,
- (3) date of receipt of weapons and ammunition,
- (4) name and number of the document based on which weapons and ammunition have been acquired/received,
- (5) data on weapons (type, make, calibre, factory number, quantity),
- (6) data on ammunition (type, calibre, quantity),
- (7) notes (data on weapons and ammunition seized, deposited with the Ministry of Interior, sold, lost, damaged, etc.);

6) records of issued orders for carrying weapons and wearing civilian clothing, containing:

- (1) serial number,
- (2) date and time of issuing/returning of order,
- (3) name and surname of the security officer to whom weapons and certain amount of ammunition have been issued,
- (4) name and surname, place and address of residence of persons protected with weapons,
- (5) name of the service user, place and address of the facility and area protected with weapons,

- (6) number of engaged security officers,
- (7) date of commencement/end of protection,
- (8) data on weapon and ammunition functionality,
- (9) notes (data on the use of weapons and ammunition during the order validity period);

7) records of organized firearms shooting exercises, containing:

- (1) serial number,
- (2) name of the authorized shooting range,
- (3) name and surname of the security officer,
- (4) date and time of shooting exercise,
- (5) type, make and serial number of weapons used for shooting exercise,
- (6) type of shooting, calibre and quantity of used ammunition,
- (7) results of shooting exercise,
- (8) name and surname of the person in charge of shooting exercise,
- (9) notes (observations made during the shooting exercise);

8) records of the use of means of coercion:

- (1) ID data on security officer submitting the report,
- (2) date, time and place of the event,
- (3) name and surname, address and other personal data of the person against whom means of coercion were used,
- (4) type of means of coercion,
- (5) type and degree of any injury caused to a person (citizen or security officer) resulting from use of means of coercion,
- (6) date, time and place of providing medical treatment to the injured,
- (7) name and surname and ID card numbers of witnesses to the event,
- (8) date and time of report to competent local police department;

9) records of reports on criminal offences prosecuted *ex officio* and offences with elements of violence filed to the competent police department, containing:

- (1) serial number,
- (2) type of criminal offence/misdemeanour (qualification),
- (3) data on the source of information related to the report (alarm system, natural person, security officer, other sources),
- (4) name of the police department to which the report was filed,
- (5) date, time and manner of reporting to the police department (by phone, in writing, personally),
- (6) name and surname, and title of the security officer who submitted the report,
- (7) data on measures undertaken by the security officer after submitting the report,
- (8) data on measures undertaken by the police department after submitting the report,
- (8) notes (report status: active/passive);

10) records of delivered vocational training and professional exam taken by security officers, containing:

- (1) serial number,
- (2) type of vocational training and professional exam,
- (3) date and number of certificates issued on passed professional exams,
- (4) name of the training centre that has issued training certificates and body issuing certificates on passed professional exam,
- (5) date and place of the provided drill exercise (shooting exercises, martial arts, case studies) stating the number of security officers attending and data on those who delivered the training,
- (6) notes.

The records referred to in paragraph 1, item 2) of this Article shall be kept by the legal persons and entrepreneurs referred to in Article 45 of this Law (self-protection) for contracts concluded with legal persons in the field of private security.

The records referred to in paragraph 1, items 5), 6), and 7) of this Article shall not be kept by legal persons and entrepreneurs who do not provide private security with weapons.

The records referred to in 1 of this Article shall be kept manually or electronically in accordance with the regulations on personal data protection and shall be kept permanently.

IX DATA PROTECTION

Article 68

Data collected in the course of performing private security tasks may be used solely for the purpose for which they have been collected and shall not be ceded to third parties or publicly disclosed, unless otherwise stipulated or agreed.

The person to whom such data pertain has the right to request an insight into the data that has been collected, including the right to inspect, read or hear the data and take notes, and get copies thereof at his/her own expense (photocopies, audio copies, video copies, digital copies, etc.) in the form in which the data is stored. The said person may, in accordance with the applicable regulations, ask for the data amendment or deletion.

If a compilation of data has been established under the contract or written consent, in case of discharge or termination of the contract, or in case of withdrawal of a written consent, a legal person i.e. an entrepreneur providing private security shall either hand over the data to the service user or delete them within 15 days from the date of contract termination or consent withdrawal, and destroy the insignificant data or the data the service user refuses to take over within eight days.

Article 69

In accordance with the law and regulations governing the confidentiality of data, legal persons and entrepreneurs providing private security, as well as security officers shall keep classified all data which they obtain in the course of performing their duties, except for otherwise regulated cases.

The obligation referred to in paragraph 1 of this Article shall continue to be in effect even after the termination of activity of the legal persons and entrepreneurs providing private security, i.e. following the termination of employment of a security officer, until the legally prescribed deadline.

X SUPERVISION

Article 70

Supervision over the enforcement of this Law shall be done by the Ministry.

Article 71

While performing supervision over the implementation of this Law, authorized police officers of the Ministry shall, apart from the authorization to undertake actions stipulated by the Law regulating the inspection, have the right and duty to check the manner of keeping and carrying firearms, mental and physical fitness and qualifications of security officers to handle weapons and, if required, undertake actions to ensure direct and unannounced inspection of the private security provision.

Article 72

In addition to the authorization to impose measures prescribed by the law regulating inspection, authorized police officers of the Ministry shall have the right and duty to prohibit legal persons and entrepreneurs holding a license to perform private security tasks from temporarily performing the said activity, and prohibit security officers from temporarily performing the private security tasks, if they perform the tasks or the activity:

- 1) without the license or authorization;
- 2) without the signed contract;
- 3) without meeting the necessary personnel or technical requirements;
- 4) in an unqualified and unprofessional manner that could cause damage or pose a threat to the service user, security officers or third persons;
- 5) contrary to the order to perform the activity, i.e. duties in accordance with this Law.

Imposing measures to ensure that legal persons and entrepreneurs holding a license to perform private security tasks or a security officer shall remove irregularities in performing their activity or tasks related to private security and harmonize the performance thereof with this law shall be done by the authorized police officers of the Ministry in form of decisions, while the specified deadline for the implementation of measures for the removal of irregularities shall not be longer than 60 days.

Article 73

The authorized police officers of the Ministry may refer a person holding a license granted to a natural persons for performing private security tasks, to undergo a medical examination if there is a reasonable doubt that the person no longer meets mental and physical requirements to perform the tasks.

Article 74

Appeals may be lodged to the Minister against the decisions referred to in Articles 72 and 73 of this Law.

Article 75

In accordance with the regulations on public administration, and in order to establish cooperation with associations of legal persons and entrepreneurs providing private security and security officers, and in order to monitor the field of private security and submission of initiatives to improve the operations in this field in accordance with the new standards, the Minister shall adopt a decision to establish a special working group – Expert Council for the Improvement of Private Security and Public-Private Partnership in the Security Sector.

Registered associations of legal persons and entrepreneurs performing private security tasks and security officers shall propose to the Minister a candidate from among their member for a member of the Expert Council for the Improvement of Private Security.

XI PENALTY PROVISIONS

Article 76

A legal person providing private security shall be liable to a fine of RSD 100,000 to 1,000,000 for a misdemeanour:

- 1) if they perform policing or other security tasks carried out by public administration authorities, i.e. if they perform activities that fall within exclusive competences of state authorities, and if they use operational-technical resources and methods applied by competent authorities pursuant to special regulations (Article 2, paragraphs 2 and 3);
- 2) if they provide intermediation services in the collection of outstanding debts (Article 7);
- 3) if they deliver training to natural persons in performing private security tasks without fulfilling or if they no longer fulfil material, technical, professional and personnel requirements for conducting the training, or if they deliver training without the authorization of the Ministry (Article 13 paragraph 1);
- 4) if they perform the tasks related to private security of persons, property and business operations in the manner which interferes with the work of state authorities or disturbs the peace of the citizens (Article 19);
- 5) if they perform the tasks related to private security without a written contract concluded with a legal or natural persons to whom they provide the services (Article 20 paragraph 1);
- 6) if, within eight days following the change, they fail to submit the notification of the concluded contract, appendices to the contract or termination thereof (Article 20 paragraph 4);
- 7) if they perform physical protection tasks outside the protected facility or perimeters of the protected space (Article 21 paragraph 2);
- 8) if they provide physical protection of persons (personal security) in a public place without the authorization of the Ministry (Article 22 paragraph 1);
- 9) if they possess firearms that by its type or number does not correspond to the allowed types and numbers, or if the weapons and ammunition have been acquired without the relevant permit of the Ministry (Article 24);
- 10) if they perform the tasks of physical protection with weapons, while failing to participate at least once a year in the shooting exercise organized for security officers performing security-related tasks with the use of weapons (Article 28);
- 11) if, in the course of providing protection of a facility and area used for public purposes they use devices to record images without displaying a visible notice indicating that the facility or area is protected by video surveillance, or if they fail to archive the recorded material, or if they fail to make the archived material available for inspection at

the request of the authorized police officer (Article 32 paragraph 1);

12) if, contrary to the applicable regulations or, in accordance with the law, agreed upon terms and conditions, they use the data from the archived recordings for purposes other than those for which they have been collected, or if they cede the data to third persons or make them publicly available (Article 32, paragraphs 2 and 3);

13) if they escort and secure the transport and transfer of money, valuable and other consignments without having at least one special vehicle for such transport (Article 36);

14) if, while escorting and securing the transport and transfer of money, valuable and other consignments they fail to provide all crew members of the special transportation vehicle and other escorts with the prescribed type of firearms and other equipment in accordance with regulations on occupational safety and health (Article 37 paragraph 3);

15) if, in the course of providing protection for the transfer of money and valuable consignments on foot, they fail to use electro-chemical protection of valuables, or if they provide protection of the transport of money and valuables without an armoured, special vehicle with at least two armed security officers (Article 38, paragraphs 1 and 2);

16) if they organize the tasks of maintaining order, or guard service, with carrying of weapons (Article 40 paragraph 2);

17) if they hold a license to perform the tasks of physical-technical protection of persons and property and maintain order at sports events, public gatherings and other places of gathering of citizens or a license to perform tasks related to protection of transport and transfer of money and valuables, without having a control centre with an organized 24-hour duty and without an intervention team per received alarm signal consisting of at least two security officers (Article 44, paragraph 1, 4, and 5);

18) if they determine the appearance of the uniform and insignia (logo) of private security which by its appearance and colour is not clearly distinguished from the uniforms and insignia on vehicles of the police, army, customs authorities or uniforms and insignia of any other state authority (Article 61);

19) if they use vehicles equipped with special audio and light signalization (Article 65 paragraph 1);

20) if they use the data collected in the course of performing private security tasks for purposes other than those for which the data has been collected or cede such data to third persons or publicly disclose it (Article 68 paragraph 1);

21) if they fail to make the data available to the person to whom such data pertain when the person requests so, or if they fail to amend or delete such data (Article 68 paragraph 2);

22) if they fail to hand over the data from the data compilation created under the contract or a written consent, to the service user following the contract discharge or termination, or withdrawal of a written consent, or if they fail to delete the said data within 15 days from the date of contract termination, or withdrawal of a written consent, i.e. fail to destroy the insignificant data or the data the client refuses to take over (Article 68 paragraph 3);

23) if they fail to keep as classified, in accordance with the law and regulations

governing confidentiality of data, all data they obtained in the course of performing their tasks (Article 69 paragraph 1);

24) if within 60 days from the date of entry into force of this Law, they fail to deposit the surplus weapons and accompanying ammunition with the Ministry (Article 89 paragraph 1).

For the actions referred to in paragraph 1, items 1-4, 9, and 16 of this Article, apart from the fine, a preventive measure may be imposed on a legal person providing private security in the form of a prohibition against performing the activity for a period of six months to three years.

For actions referred to in paragraph 1 of this Article, and if within eight days from the date of termination of activity or winding up of the legal person, they fail to accordingly notify the competent police department (Article 18), and if within 48 hours following the use of means of coercion they fail to submit to the competent police department the relevant report, accompanied by an opinion on the use of such means (Article 56 paragraph 4) a fine of shall RSD 5,000 to 50,000 shall be imposed on the responsible person of the legal person, and/or preventive measures shall be prescribed in form of a prohibition against performing the tasks, i.e. performing the business activity for a period of three months to one year, for misdemeanours referred to in paragraph 1, items 1-4 and Article 16 of this Law.

Article 77

A legal person providing private security shall be liable to a fine in the amount of RSD 100,000 to 500,000 for a misdemeanour:

- 1) if they fail to submit a medical certificate on mental and physical fitness for each natural person granted a license (Article 12 paragraph 4);
- 2) if they deliver training in performing private security tasks to persons that do not meet the requirements referred to in Article 12 paragraph 1, items 1), 2), 3) and 5) of this Law (Article 12 paragraph 6);
- 3) if they use technical resources applied when performing private security tasks in a manner that violates the privacy of persons (Article 31 paragraph 2);
- 4) if they use technical resources which, in terms of quality, security and guarantees, do not comply with the legal norms and technical standards applicable in the Republic of Serbia, or if they fail to maintain them in good working order (Article 35);
- 5) they fail to draw up a security plan for performing tasks related to maintaining order, or providing guard services at a public gathering (Article 41 paragraph 1);
- 6) they organize provision of guard service during which the guards are not wearing uniforms and are not equipped with uniform jackets or vests with bright coloured stripes and the relevant wording (Article 42 para 1);
- 7) they fail to determine the appearance of uniforms worn by security officers (Article 58 paragraph 3);
- 8) if they fail to determine the appearance and content of insignia (logo) to be used

as their own insignia on uniforms, vehicles and facilities (Article 59);

9) If they provide security officers with uniforms on which the affiliation insignia have not been visibly placed. (Article 63 paragraph 3);

10) If they fail to keep and file the prescribed records in the stipulated manner (Article 67).

Responsible person of the legal person providing private security shall also be liable to a fine RSD 5,000 to 50,000 for actions referred to in paragraph 1 of this Article.

Article 78

An entrepreneur providing private security services shall also be liable to a fine of RSD 50,000 to 500,000 for actions referred to in Article 76 paragraph 1 of this Law.

Apart from the fine, a preventive measure in the form of a prohibition against performing the business activity for a period of six months to three years may be prescribed to an entrepreneur providing private security, for the actions referred to in Article 76 paragraph 1, items 1-4, 9, and 16 of this Law

For the actions referred to in Article 77 paragraph 1 of this Law, an entrepreneur providing private security shall be liable to a fine of RSD 50,000 to 250,000 for a misdemeanour.

Article 79

A fine of RSD 5,000 to 50,000 or a sentence of imprisonment of up to 30 days shall be imposed on a security officer for a misdemeanour:

1) if in the course of providing physical protection of persons, property and business operations, except in cases referred to in Article 25 paragraph 2 of this Law, they carry weapons and ammunition outside the protected facility or area without the consent of the Ministry (Article 25 paragraph 1);

2) if they carry a weapon and do not have with them the order for carrying a service weapon, and at the request of the authorized person of the Ministry do not submit the weapon and order for inspection, or if they carry a personal weapon while on duty (Article 26, item 2 and 3);

3) if outside the protected facility, they fail to act according to the orders of a police officer, except in cases when such conduct would constitute a criminal offence (Article 27);

4) if they provide guard services with weapons (Article 40 paragraph 2);

5) if they perform actions without authorisations, if they exercises the authorisations outside the protected building or space, except in cases when they protect the transport and transfer of money and valuables outside the protected facility and area, or in the course of patrolling or protecting a person in accordance with Article 22 of this Law, if in the course of applying a number of measures they fail to first implement the measure causing least damage to the person and if they do not cease to apply a particular

measure immediately after the reasons for its application cease to exist or upon discovering that the task cannot be achieved in that manner (Article 46);

6) if they search a person of the opposite sex, except when urgent search is needed in order to retain weapons or objects that can be used for an assault or self-injury (Article 48 paragraph 3);

7) if they fail to temporarily detain a person caught committing a crime in a protected facility or area, if they fail to immediately notify the police about temporary detention of a person, and they fail to act according to the received orders, and if they fail to compile a written report on temporary detention of persons and fail to submit it to the police within 24 hours (Article 50);

8) if they use restraining devices for purposes other than those prescribed (Article 51);

9) if they use physical force for purposes other than those prescribed (Article 52);

10) if, prior to use of physical force, they fail to warn the person that physical force will be used against them, unless such conduct would endanger themselves or others; if they use physical force that is not proportionate to the assault being repelled, and if they fail to cease using physical force after the assault stops (Article 53);

11) if they fail to administer first aid to a person injured by the use of means of coercion and fail to immediately notify a health care centre, if they fail to immediately notify the competent police department about the use of means of coercion, if they fail to submit a report on the use of means of coercion within 12 hours to the responsible person of the legal person or entrepreneur providing private security (Article 56);

12) if they do not wear a uniform while on duty, or if they wear a uniform off duty. (Article 60, paragraph 1 and 2);

13) if, when performing private security tasks, they do not have with them their ID document, or if they do not submit it for inspection to the authorized police officer at his/her request and if they fail to return the ID document to the Ministry within seven days following the termination of their employment or assignment to another post involving no authorization to use means of coercion, or if they have been unregistered as an entrepreneur from the Business Registry. (Article 63, paragraph 1 and 4);

14) if, during the employment and after its termination, they do not keep classified all data they have obtained in the course of performing their duties, in accordance with the law and regulations on data confidentiality (Article 69).

A fine of RSD 5,000 to 50,000 or a sentence of up to 30 days imprisonment shall be imposed for misdemeanour on a crew member of a special transportation vehicle, as well as escorts who are not armed with the prescribed type of weapons and equipped in accordance with regulations on occupational health and safety (Article 37 paragraph 3).

A fine in the amount from RSD 5,000 to 50,000 or a sentence of up to 30 days imprisonment shall be imposed for misdemeanour on a guard if, while on duty, he/she is not wearing a uniform and is not equipped with a uniform jacket or vest with bright coloured stripes and prescribed wording, if s/he regulates traffic outside the perimeter of the protected area or if s/he fails to act according to the instructions of the authorized police officer (Article 42).

A fine of RSD 5,000 to 50,000 or a sentence of up to 30 days imprisonment shall be imposed for misdemeanour on the Control centre operator if s/he fails to notify the police about the information indicating that a criminal offence to be prosecuted *ex officio* or an offence with elements of violence is being committed (Article 44 paragraph 6).

Article 80

A legal person using the private security services shall be liable to a fine of 100,000 to 1,000,000 for a misdemeanour if:

- 1) they use private security services without concluding a written contract with a legal or natural person engaged to provide such services (Article 20 paragraph 1);
- 2) they hire a legal person or entrepreneur or a natural person that does not hold a license to perform private security tasks (Article 20 para 3).

An entrepreneur using private security services shall be liable to a fine of RSD 50,000 to 500,000 for a misdemeanour, for actions referred to in paragraph 1 of this Article.

For the actions referred to in paragraph 1 of this Article, a fine of RSD 5,000 to 50,000 shall be imposed on a natural person using private security services for a misdemeanour.

For the actions referred to in paragraph 1 of this Article, a protective measures shall be prescribed to a legal person or an entrepreneur in the form of a prohibition against performing certain tasks, or a prohibition against engaging in the business activity for a period of three months to one year.

For the actions referred to in paragraph 1 of this Article, a protective measures shall be prescribed to the responsible person of the legal person for a misdemeanour, in the form of a prohibition against performing tasks or a prohibition against engaging in the business activity for a period of three months to one year.

Article 81

A legal person using private security services shall be liable to a fine of RSD 50,000 to 500,000 for a misdemeanour:

- 1) if they refuse to place a clearly visible notice indicating that a facility or area used for public purposes, is secured by video surveillance and if they fail to keep the archived recorded materials for at least 30 days or if, when so requested, they refuse to make such materials available to an authorized police officer for inspection (Article 32 paragraph 1);
- 2) if they fail to ensure the maintenance and servicing of technical resources in accordance with this Law and the contract (Article 35 paragraph 2).

For the actions referred to in paragraph 1 of this Article, a fine of RSD 50,000 to 500,000 shall be imposed on an entrepreneur using private security services for a misdemeanour.

For the actions referred to in paragraph 1 of this Article, a fine of RSD 5,000 to 50,000 or imprisonment of up to 30 days shall be imposed for misdemeanour on a natural person using private security services.

For the actions referred to in paragraph 1 of this Article, the responsible person of the legal person and the responsible persons of the entrepreneur shall be liable to a fine of RSD 5,000 to 50,000, with a cumulative imposition of a preventive measure in the form of a prohibition against performing tasks, i.e. a prohibition against engaging in the business activity for a period of three months to one year.

Article 82

A fine of RSD 100,000 to 500,000 shall be imposed on the event organizer using private security services for a misdemeanour, if they fail to submit a security plan accompanying an application for the event to the police department located on the territory where the event is scheduled to take place (Article 41 paragraph 1) and if they private security services without a written contract concluded with a legal or natural person engaged to provide the service (Article 20 paragraph 1).

For the actions referred to in paragraph 1 of this Article, the responsible person of the event organizer shall be liable to a fine of RSD 5,000 to 50,000 for a misdemeanour.

Article 83

A fine of RSD 100,000 to 1,000,000 shall be imposed for a misdemeanour on a legal person that organizes self-protection activity, or protects its property, business operations, space and personnel through its internal (guards) service for maintaining order if such a person has not obtained the relevant license, or if it uses its internal security service to provide security services to others (Article 45, paragraph 1 and 3).

For the actions referred to in paragraph 1 of this Article, an entrepreneur that organizes self-protection activity, or protects its property, business activity, space and personnel through its internal (guards) service for maintaining order shall be liable to a fine of RSD 50,000 to 500,000 for a misdemeanour.

Article 84

A legal person delivering training in performing private security tasks to natural persons who do not meet the requirements to attend the training (Article 12 paragraph 6) shall be liable to a fine of RSD 100,000 to 500,000 for a misdemeanour.

For the actions referred to in paragraph 1 of this Article, an entrepreneur authorized to train natural persons to perform private security tasks shall be liable to a fine of RSD 50,000 to 500,000 for a misdemeanour.

XII TRANSITIONAL AND FINAL PROVISIONS

Article 85

Regulations for the implementation of this Law shall be adopted within six months from the date of entry into force of this Law.

Article 86

Legal persons and entrepreneurs that, at the time of entry into force of this Law, are engaged in performing private security activity, shall harmonize their operations with the provisions of this Law within 18 months from the date of entry into force of this Law, except for provisions of Article 24, paragraph 1, and Article 38 of this Law, where the period for harmonization with the provisions of this Law shall be three years.

Article 87

A legal person and an entrepreneurs holding a license to perform tasks related to protection of transport and transfer of money and valuables shall, within 18 months from the date of entry into force of this Law, acquire a special transportation vehicles meeting the requirements referred to in Article 36, items 1-5 of this Law, i.e. shall acquire a vehicle that also meets the requirements referred to in Article 36, items 6 and 7 of this Law within three years from the date of entry into force of this Law.

Article 88

Physical persons that at the time of entry into force of this Law are employed with legal persons performing private security activities for an uninterrupted period of at least five years may continue to perform their tasks, while they can meet the requirement for minimum vocational training within three years from the date of entry into force of this Law.

As for other requirements prescribed by this law, persons who at the time of this law coming into effect are performing tasks of private security shall have a period of 18 months during which they shall fulfil such other requirements.

Persons who on the date of entry into force of this Law, perform security activities shall meet terms and conditions stipulated herein within 18 months from the date of entry into force of this Law.

Article 89

A legal person providing private security that, on the date of entry into force of this Law possesses weapons in numbers greater than one half of the employed security officers carrying weapons, shall hand over (deposit) such surplus weapons with the accompanying ammunition to the Ministry within 60 days from the date of entry into force of this Law.

The weapons and ammunition that have been handed over may be taken back within a period of one year from the date of entry into force of this Law, if a legal person providing private security services increases the number of employees who need to be equipped with weapons in accordance with Article 24 paragraph 2 of this Law. The said weapons and ammunition may also be alienated, directly or through a company authorized to trade in weapons and ammunition, within one year from the date of entry into force of this Law.

The Ministry shall submit to the legal person a decisions on the number and types of

weapons handed over under paragraph 1 of this Article.

The weapons that are not alienated or taken back within the deadlines specified in paragraph 2 of this Article shall become the property of the Republic of Serbia.

Article 90

As of the date of entry into force of this Law, the following shall cease to be in effect: provisions of Article 17 paragraph 2, item 1 and Article 18 of the Law on Weapons and Ammunition ("The Official Gazette of RS", No. 9/92, 53/93, 67/93, 48/94, 44/98, 39/03, 85/05 – state law, 101/05 – state law and 27/11 - US) and Article 8, paragraph 2 and 3, Article 8b and Article 21 paragraph 1, item 5 of the Law on Prevention of Violence and Improper Conduct at Sports Events ("The Official Gazette of RS", No. 67/03, 101/05, 90/07, 72/09 – state law and 111/09).

Article 91

This Law shall enter into force on the eighth day following the date of its publication in the "Official Gazette of the Republic of Serbia".