

Pursuant to Article 112, paragraph 1(2) of the Constitution of the Republic of Serbia, I hereby promulgate this

DECREE

On Proclamation of the Law on Weapons and Ammunition

I hereby proclaim this Law on Weapons and Ammunition, as passed by the Serbian Parliament at the Seventh extraordinary session held on 20th February 2015.

PR No. 23

In Belgrade, 24th February 2015

Tomislav Nikolić, in his own hand

Law on Weapons and Ammunition

1. Introductory Provisions

Scope of the Law

Article 1

This Law shall regulate acquisition, hold, carry, collection, repair and conversion, trade in, brokering and transportation of weapons and ammunition.

Exemption from the Law

Article 2

The provisions of this Law shall not apply to the state authorities that acquire, hold, carry and transport weapons and ammunition in accordance with special regulations.

Definition of terms

Article 3

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

- 1) a weapon shall mean any hand-held portable device designed or adapted to, by means of compressed air, gun powder, other gases, or other propellant, throw a round, ball, shot and any other projectile, i.e. spray gas or liquid, or other devices intended for self-defence, attack, hunting or shooting sport; for the purpose of this Law, devices for humane animal slaughter, tools and replica weapons that do not use gunpowder ammunition shall not be considered as weapons.
- 2) a firearm shall mean any weapon that expels a projectile through a barrel by means of powder gas pressure; with regard to the aforementioned, the types of firearms are – machine gun, light machine gun, automatic rifle, submachine gun, pistol, revolver, rifle with a rifled barrel (single-shot, repeating, semi-automatic), smooth-bore rifle (single-action, double-action,

- repeating, semi-automatic), combined rifle (with a rifled and smooth-bore barrel), rifles, pistols and revolvers with rimfire percussion (small arms);
- 3) short firearms shall mean weapons having a barrel less than 30 cm long, and an overall length of less than 60 cm;
 - 4) long firearms shall mean weapons having a barrel more than 30 cm long, and an overall length of more than 60 cm;
 - 5) automatic firearms shall mean weapons that are automatically reloaded each time a round is fired and that can fire at least two and more rounds with one pull on the trigger, without additional manual loading of the weapon;
 - 6) semi-automatic firearms shall mean weapons which reload automatically each time a round is fired and can fire only one round with one pull on the trigger;
 - 7) repeating firearms shall mean weapons which after a round has been fired is designed to be reloaded from a magazine by means of a manually-operated action;
 - 8) single-action and double-action firearms shall mean weapons with no magazine or ammunition clip;
 - 9) air weapons shall mean weapons that expel a projectile from the barrel under the pressure of compressed air or other gas;
 - 10) string weapons (bow, crossbow, slingshot, spear gun) shall mean devices that eject an arrow or other projectile by creating tension on the string or spring;
 - 11) convertible weapons shall mean weapons that in their appearance resemble regular firearms and which, due to their design and material, can be converted to fire live ammunition; in the sense of this Law, gas, starting weapons and flare guns shall be deemed convertible weapons;
 - 12) electroshock weapons (electroschoker or tasers) shall mean hand-held devices used to temporarily incapacitate a person or an animal by means of a high-voltage electrical discharge;
 - 13) gas sprays shall mean devices intended for civilian market which contain and disperse irritating chemical compounds (CS, CN, OC) in permissible concentrations according to the applicable international standards;
 - 14) cold weapons shall mean brass knuckles, daggers, sabres, bayonets or other items whose main purpose is to be used in an attack;
 - 15) self-defence weapons shall mean pistols and revolvers, as well as gas sprays and electroshock weapons;
 - 16) hunting weapons shall mean long firearms and string weapons allowed for hunting purposes;
 - 17) sporting weapons shall mean firearms, air weapons, cold weapons and string weapons, used in shooting sports, other sports and martial arts;
 - 18) deactivated weapons shall mean firearms the main components of which have been permanently converted in such a way that they cannot fire live ammunition;
 - 19) The following items shall be considered as main weapon components:
 - (1) pistol frame, case and barrel,
 - (2) revolver frame, cylinder and barrel,
 - (3) rifle frame, bolt, barrel and breech;
 - (4) telescopic – optical sight with a light beam or a device for electronic amplification of light, infrared or thermal imaging device
 - 20) additional main components of various calibre weapons that are delivered in the original packing together with the weapon shall be deemed an integral part of the weapon;
 - 21) ammunition shall mean rounds for firearms with rifled and smooth-bore barrels;
 - 22) repair of weapons shall mean removal of defects on weapons and replacement or assembling of original parts of weapons;
 - 23) conversion of weapons shall mean adaptation of weapons to other ammunition, and other interventions on weapons that may affect their functionality and that permanently or temporarily alter their technical characteristics and **manufacturer's design**;

- 24) arms trade shall mean acquisition of weapons for their further sale, as well as the sale of weapons;
- 25) antique weapons shall mean weapons with a historical value, or weapons produced before 1900;
- 26) mines and explosive devices shall mean all types of bombs, mines, grenades, and other devices equipped with an explosive or appropriate non-explosive substance or a detonator, which, under suitable external or internal force (weight, impact, movement, electrical energy, chemical or nuclear reaction, and so forth) release energy and cause their fragmentation;
- 27) imitation weapons shall mean items that are in their external appearance similar or identical to weapons, but that cannot be used as or converted into firearms;
- 28) licensed gunsmith shall mean a legal entity or entrepreneur who has been licensed to repair and convert weapons by a decision of the competent authority;
- 29) licensed arms dealer shall mean a legal entity or entrepreneur who has been licensed to trade in weapons, their components and ammunition by a decision of the competent authority;
- 30) registered weapons shall mean weapons for which a document has been issued by the competent authority;
- 31) legalization of weapons and ammunition shall mean a process of registration or surrender of non-registered weapons, i.e. ammunition held by a person without the authorization of the competent authority, and in which it is not required to track the origin of a weapon or ammunition; owners who register or surrender weapons and ammunition during the legalization period shall not be prosecuted for any crime or violation regarding illegal acquisition, holding and carry of weapons and ammunition;
- 32) a weapon registration card shall mean a document issued for holding and/or holding and carrying of a weapon, as laid down by this Law, and which contains the data about the weapon, its main components, and the owner;
- 33) a permit to carry weapons shall mean a document containing personal details of a natural person, which authorizes him/her to carry a pistol or revolver registered as a self-defence weapon classified in category B;
- 34) legal entities and entrepreneurs, as laid down by this Law, shall mean legal persons, entrepreneurs, organizations, institutions, institutes and state authorities;
- 35) a representative of a legal entity is a natural person contracted by the entity to fulfil the requirements laid down by this Law;
- 36) gas, starting weapons and flare guns shall mean all types of pistols, revolvers and rifles which, under the pressure of gunpowder charge disperse harmless irritant gas substances with a short-term effect, or fire a charge intended exclusively to make a loud shot or launch a signalling flare;
- 37) arms and ammunition broker, as laid down by this Law, shall mean a legal entity or entrepreneur involved in negotiating, arranging or mediating in transactions that may involve transfers of arms and ammunition on the basis of an authorization of the relevant ministry; she/he is not directly involved in arms trade;
- 38) weapon owners, in the sense of this Law, shall mean natural persons, legal entities and entrepreneurs.

In the wording of this Law certain nouns have been given in masculine gender, but shall be used as denominating both male and female gender.

Classification of weapons

Article 4

The weapons shall be divided into four categories:

- 1) Category A – mines and explosive devices, automatic short and long firearms, weapons disguised as other objects and firearms with silencers;
- 2) Category B – all types of firearms (short, long, semi-automatic, repeating, single-action, double-action, with rifled or smooth-bore barrels, other than those in categories A and C) and convertible weapons;
- 3) Category C – deactivated firearms, antique weapons and their modern copies that do not use central or rim fire bullets, air weapons with the kinetic energy equal to or greater than 10.5 J, with projectile velocity equal to or greater than 200 m/s, and of calibre larger than 4.5 mm and finally, string weapons with the tension force exceeding 450 N, or whose drawing weight is more than 101 libras;
- 4) Category D – cold weapons, gas sprays, electroshock weapons, air weapons with the kinetic energy below 10.5 J or with projectile velocity below 200 m/s, and of calibre equal to or smaller than 4.5 mm and finally, string weapons with the tension force below 450 N, or whose drawing weight is up to 101 libras.

Permission and prohibition to acquire, hold and carry weapons

Article 5

Weapons in category A may not be acquired, held and carried by natural persons, legal entities and entrepreneurs, except in cases envisaged by this and other laws:

Weapons in category B may be acquired, held and carried – against a document of the competent authority.

Weapons in category C may be freely acquired in the cases specified in this Law, and may be held provided they have been declared to the competent authority.

Weapons in category D may be acquired and held without any document and declaration to the competent authority, in accordance with this Law.

Prohibition to trade in, acquire and hold specific additional equipment and certain ammunition

Article 6

It is prohibited to place on the market, acquire, hold and carry a shot silencer.

It is prohibited to place on the market, acquire, hold and carry ammunition with armour piercing, incendiary, explosive projectiles, as well as projectiles containing radioactive, poisonous and harmful substances, and projectiles for such ammunition, as well as ammunition for pistols and revolvers containing explosive projectiles (dum-dum bullets), and projectiles for such ammunition.

Competent authority

Article 7

In the sense of this Law, the competent authority shall be the organizational unit of the ministry in charge of internal affairs in whose jurisdiction the applicant resides, or is seated (hereinafter referred to as: the competent authority).

Two-instances decision process and application of the provisions of the laws regulating the administrative procedure

Article 8

Against a first instance decision passed by the competent authority in accordance with this Law, an appeal can be made within 15 days to the minister in charge of the interior (hereinafter referred to as: the Minister).

The appeal shall not defer the enforcement of the decision.

Issues not regulated by this Law shall be subject to provision of the Law on General Administrative Procedure.

Oversight

Article 9

The Ministry shall oversee the enforcement of this Law.

While performing the oversight, the officials of the Ministry shall be authorised to inspect general acts and business books, records, premises where weapons are kept, as well as weapons themselves; they shall also be authorised to seek additional information, propose measures aimed at compliance with the regulations, initiate administrative proceedings, bring criminal and violation charges and shall take any other action arising from such procedures, in accordance with the law.

Documents

Article 10

For the purpose of this Law, documents shall include the following:

- 1) Permit to acquire a weapon for natural persons;
- 2) Permit to acquire a weapon for legal entities and entrepreneurs;
- 3) Permit to acquire a weapon for the purpose of re-sale of weapons;
- 4) Weapon registration card (for holding self-defence weapons, for holding convertible weapons, for holding and carrying weapons, for legal entities and entrepreneurs);
- 5) Certificate of declaration of holding a weapon in category C;
- 6) Permit to assign staff to relevant positions;
- 7) Permit to carry weapons;
- 8) Permit to acquire and take weapons and ammunition out of the Republic of Serbia;
- 9) Permit to take weapons and ammunition outside of the Republic of Serbia;
- 10) Permit to acquire main weapon components;
- 11) Permit to bring weapons and ammunition into the Republic of Serbia;
- 12) License to collect weapons.

In accordance with the regulations on the budget system, a relevant fee shall be charged for issuing documents referred to in paragraph 1 of this Article, as well as for forms, other documents and actions taken by the public administration authorities in the proceedings regulated by this Law.

II. ACQUIRING, HOLDING AND CARRYING OF WEAPONS

Requirements for acquiring and holding weapons in category B by natural persons

Article 11

Weapons classified in category B may be acquired and held by natural persons who:

- 1) are of legal age;
- 2) are citizens of the Republic of Serbia or foreigners with permanent residency;
- 3) are medically fit to hold and carry weapons;
- 4) have not been sentenced to imprisonment for the following crimes: against life or body, against the rights and freedom of man and citizens, against sexual freedom, against marriage and family, against property, human health, general safety of people and property, against constitutional order and safety of the Republic of Serbia, against state authorities, against public order and peace, against humanity and other goods protected by the international law; or those against whom no proceedings are in progress in respect to the aforementioned crimes;
- 5) have not been convicted in the last four years for the violation of public order and peace, which require the imposition of a sentence of imprisonment, or for violations under this Law;
- 6) whose behaviour does not indicate that they would pose a threat to themselves or other people and to public peace and order, as verified by security vetting in their place of domicile, residence or workplace;
- 7) have been trained in handling firearms;
- 8) have a valid reason for doing so, such as:
 - (1) for self-defence weapons classified in category B – if they can prove that their personal safety could be endangered by the type of work they do or by other circumstances,
 - (2) for hunting weapons classified in category B – if they submit evidence that they fulfil the requirements for obtaining a hunting license,
 - (3) for sporting weapons – certificate of active membership in a sports shooting organization,
- 9) have conditions for safe storage and keeping of weapons.

Medical fitness

Article 12

Medical fitness to hold and carry weapons, specified in Article 11, item 3 of this Law shall be proved by submitting a certificate of medical fitness.

The certificate of medical fitness to hold and carry weapons shall be issued by a health care institution fulfilling the prescribed requirements in line with the relevant decision of the ministry in charge of health confirming that it meets the requirements for performing medical exams related to verifying medical fitness of natural persons to hold and carry weapons.

The minister in charge of health shall pass specific requirements to be fulfilled by the health care institution in charge of performing such medical exams aimed at verifying medical fitness of natural persons to hold and carry weapons.

The health care institution authorised to perform medical exams aimed at verifying medical fitness of natural persons to hold and carry weapons shall inform immediately or within 8 days at the latest the nearest organizational unit of the Ministry of the fact that a person who underwent medical exam does not fulfil the requirements to hold and carry weapons.

A natural person who has been permitted to acquire weapons in category B according to this Law, i.e. a person who has been issued a weapon registration card, shall submit a new certificate of medical fitness to hold and carry weapons (not older than six months) every five years, i.e. upon the expiry of the valid medical certificate.

A natural person who is not satisfied with the issued certificate of medical fitness to hold and carry weapons, may file an appeal to the second instance medical commission, appointed by the minister in charge of health.

The authority that issued a weapon registration card to a natural person shall, immediately upon issuing the card, inform thereof the physician of the natural person in accordance with the law regulating health care (hereinafter referred to as: the chosen physician).

The chosen physician who finds out that the medical condition of a person who holds and carries a weapon has changed in such a way that it affects his/her fitness to hold and carry a weapon, shall immediately inform thereof the nearest organizational unit of the Ministry.

More specific requirements related to medical fitness to hold and carry weapons, which must be fulfilled by natural persons holding and carrying weapons shall be passed by the minister in charge of health.

Acquisition of weapons in category B

Article 13

An application for a permit to acquire a weapon shall be submitted on the required form on which occasion an identity card or other ID document shall be submitted for inspection; the application shall be accompanied by the certificate of medical fitness, evidence of a valid reason to acquire a weapon, the certificate of completed training in handling firearms, and the personal consent for the verification and processing of personal data when taking official action laid down by this Law, and in accordance with the law governing personal data protection.

During the decision-making process, apart from the evidence submitted by the applicant, the competent authority shall make use of its official records, and of the data gathered in the course of performing its activities in line with its authorisations.

Fulfilment of the requirements laid down in Article 11, item 9) of this Law shall be verified by a police officer, by direct inspection of the place of the applicant's **residence** or stay.

Employees and retired members of governmental institutions, who carry or used to carry weapons while on duty, professional and retired military officers, senior reserve military officers and sports shooters (who compete in firearms shooting) shall be exempt from training in handling firearms.

The competent authority shall issue a permit to acquire a weapon to a natural person who has been verified to fulfil the requirements laid down in Article 11 of the Law. The permit to acquire a weapon shall be valid for six months from the date of issue.

A permit to acquire a weapon that has not been used within the deadline for acquiring the weapon in question shall be returned to the competent authority.

The competent authority shall deny an application and shall not issue a permit to acquire a weapon if the requirements laid down in Article 11 of the Law have not been fulfilled.

Acquisition and holding of weapons in category C

Article 14

Should it be in accordance with the activity they perform, natural persons over 18 years of age, as well as legal entities and entrepreneurs may acquire weapons category in C without previously obtaining a permit to acquire a weapon from the competent authority.

Using the prescribed form, the persons referred to in paragraph 1 of this Article shall declare the acquired a weapon to the competent authority within eight days from the date of acquisition. Evidence about the origin of weapon must be submitted together with the application.

Certificate of declaring a weapon in category C shall be issued on the prescribed form by the competent authority.

Acquisition and holding of weapons in category D

Article 15

Natural persons over 16 years of age, legal entities and business entities may acquire and hold weapons in category D without the permit and without declaring them to the competent authority.

Types of weapon registration cards

Article 16

A weapon registration card for a weapon in category B shall be issued to natural persons, legal entities and entrepreneurs.

The types of weapon registration cards are:

- 1) Registration card for holding self-defence weapons;
- 2) Registration card for holding convertible weapons;
- 3) Registration card for holding and carrying of weapons;
- 4) Registration card for legal entities and entrepreneurs.

The registration card for holding self-defence weapons shall be issued for pistols and revolvers.

The registration card for holding convertible weapons shall be issued for gas, starting weapons and flare pistols, revolvers and rifles.

Registration card for holding and carrying of weapons shall be issued for hunting and sporting weapons.

Issuing a weapon registration card

Article 17

A natural person who acquired a weapon on the basis of the permit to acquire a weapon issued by the competent authority, shall submit an application to the competent authority for the issuance of a weapon registration card within eight days from the date of weapon acquisition. Along with the application, she/he shall submit evidence of the weapon origin.

A natural person who acquired a weapon on the basis of the permit to acquire a weapon issued by the competent authority, and who already has the weapon registration card for the same type of weapon, shall submit an application to the competent authority for the registration of the acquired weapon within eight days from the weapon acquisition date. Along with the application, she/he shall submit evidence of the weapon origin.

A weapon registration card shall be issued on the required form and it shall contain the data about the weapon and the weapon owner. The weapon registration card also has a micro-controller (chip) for automatic reading of data; it shall contain visible alphanumeric data on the document, as well as other data about the owner, weapon and its main components. The costs of producing the weapon registration card shall be borne by the applicant.

The Minister shall prescribe the issuance procedure, the content of a weapon registration card and the format of the registration form with protective elements.

The weapon registration card shall be issued for a limited period of time (up to 10 years) to a natural person who fulfils the requirements laid down in Article 11 of this Law.

A natural person shall submit an application for issuing a new registration card no later than 30 days before the expiry of the validity of the weapon registration card.

Licence to collect weapons

Article 18

By virtue of the decision of the competent authority, a natural person who fulfils the requirements laid down in Article 11 of this Law, possesses at least five registered weapons in category B and has the necessary premises for safe storage and keeping of weapons, may be issued a licence to collect weapons. The costs of issuing a licence to collect weapons shall be borne by the applicant.

A licence to collect weapons is permanent and a number of weapons in category B may be acquired against this licence.

A natural person who acquires a weapon on the basis of the licence to collect weapons shall submit an application for registering the acquired weapons or an application for issuing a weapon registration card within eight days from the date of weapon acquisition.

Holders of the permit to collect weapons may acquire and hold all calibre ammunition, except for the ammunition laid down in Article 6 of the Law.

A licence to collect weapons shall be revoked if its holder no longer fulfils the requirements laid down in paragraph 1 of this Law.

Conditions for safe storage of weapons, in terms of spatial and technical capacities to be provided by the persons referred to this Article, shall be defined by the Minister.

Contracts on the transfer of ownership of weapons

Article 19

A contract on transfer of ownership of a registered weapon in category B shall be made in writing and certified.

Owners of the registered weapons in category B may exchange weapons of the same type without the authorization of the competent authority.

During the exchange, the intended use of weapons may be changed as well, if the weapon and new owner fulfil the requirements stipulated by this Law.

Once they contractually execute the transfer of ownership and/or exchange of weapons, persons in question shall submit an application for the weapon registration within eight days from the date of transfer of ownership.

The owner of the weapon may surrender his/her weapon to the competent authority at any time, without remuneration. The weapon shall become the property of the Republic of Serbia.

A weapon in category B may be alienated, except in the case provided under paragraph 2 of this Article, only to the person who holds the required permit to acquire a weapon or a licence to collect weapons.

The format and content of the application form for surrendering weapons and transferring the ownership to the Republic of Serbia shall be prescribed by the Minister.

Acquisition of ammunition

Article 20

Ammunition for weapons in category B and C may be acquired, except for deactivated weapons, on the basis of an issued weapon document.

Weapon owners may acquire and keep ammunition in the calibres for which they have registered weapons, except for natural persons who have been issued a licence to collect weapons.

Manufacture of ammunition

Article 21

Members of sports shooting and hunting organizations who have registered weapons in category B and who are trained in handling explosives may, on the basis of a decision of the competent authority allowing them to manufacture ammunition for their own use and for use of their sports shooting and hunting organizations, manufacture ammunition in accordance with the regulations on acquisition, use, transfer and storage of explosives.

The persons referred to in paragraph 1 of this Article shall be prohibited to manufacture ammunition for their own use and for the use of their sports shooting and hunting organizations, if during a procedure it has been found out that they do not fulfil conditions prescribed by this, or another law.

It is prohibited to manufacture ammunition containing a projectile by converting flare, starting and gas ammunition.

Acquisition of the main weapon components

Article 22

An owner of a B category registered weapon may acquire the main parts for his/her weapon against an authorization of the competent authority. The data about the acquired main components shall be included in the weapon registration card.

The provisions of this Law related to weapons shall also apply to the main weapon components.

Acquisition of weapons by foreigners

Article 23

Foreigners who do not have a permanent residence in the Republic of Serbia may acquire weapons in category B and C and their ammunition on the basis of a permit to acquire and take weapon and ammunition out of the Republic of Serbia – issued by the responsible organizational unit of the ministry in charge of internal affairs, in accordance with the place where the acquisition takes place.

Along with an application for issuing the permit, foreigners referred to in paragraph 1 of this Article shall submit an ID document and a legal document issued in a foreign country based on which they may acquire weapons and ammunition in that country.

Foreigners referred to in paragraph 1 of this Article shall take thus acquired weapons and ammunition out of the Republic of Serbia within three days from the acquisition.

During border crossing, they shall report thus acquired weapons and ammunition to the border control authority.

Registration of weapons

Article 24

Registration of weapons in category B and C shall be done by entering the weapon-related data (mark, model, calibre, factory No.) in the issued weapon document and the records of the competent authority.

A weapon in category B, as well as air weapon in category C that has not been tested, stamped and marked in accordance with the regulations on testing, stamping and marking of weapons, shall not be registered.

If the weapon referred to in paragraph 2 of this Article has not been tested, stamped or marked, the competent authority shall instruct the owner to have the weapon tested, stamped and marked before the registration.

Carry of weapons

Article 25

A natural person who has a registered weapon in category B for self-defence may be issued a permit to carry a weapon.

The respective application shall be submitted to the competent authority.

When submitting the application, the natural person referred to in paragraph 1 of this Article must fulfil the requirements laid down in Article 11 of this Law, and must prove that his/her personal safety is significantly threatened or could be threatened to such an extent that he/she needs to carry a weapon for personal safety.

The police director or a police officer authorised by the police director shall approve the issuance of the permit to carry a weapon.

An application for the issuance of a permit to carry a weapon shall be denied by a decision if an applicant does not fulfil the conditions laid down in paragraph 3 of this Article.

A permit to carry a self-defence weapon shall be issued by the competent authority on the basis of a decision approving the respective application.

The permit to carry a weapon shall be valid if accompanied by a weapon registration card.

A holder of a permit to carry a weapon may carry only one weapon at a time for which he/she has a valid weapon registration form.

A holder of a permit to carry a self-defence weapon shall not publicly display his/her weapon to other persons, and he/she shall not carry the weapon in the manner which causes distress to other people.

A permit to carry a weapon shall be issued for a limited period of up to five years.

If after a specific procedure it has been found out that the person who has been issued a permit to carry a self-defence weapon no longer fulfils the requirements laid down in paragraph 3 of this Article, the police director or a designated police officer shall pass a decision banning the carry of weapon and revoking the respective permit.

An appeal may be filed against the decisions referred to in this Article within 15 days from the date when the decision has been served.

Article 26

Carry of weapons in public places shall be banned except in the cases stipulated by this or other laws.

Hunting weapons may be carried during hunting activities, in accordance with the hunting regulations.

Sporting weapons may be carried in outdoor and indoor facilities intended for sports shooting and training in handling weapons.

Persons older than 16 years of age may carry a gas spray.

Weapon deactivation

Article 27

Weapons in category B and air weapons in category C may be deactivated.

A weapon deactivation certificate shall be issued by legal entities and entrepreneurs authorised for testing, stamping and marking of firearms and for production of weapons, as well as by authorized gunsmiths.

Weapon deactivation expenses shall be borne by the weapon owner.

The weapon owner shall declare a permanently deactivated weapon to the competent authority within eight days from the date of weapon deactivation.

The information about deactivation shall be included in the issued document and shall be stamped on the weapon itself.

It is prohibited to acquire, hold and carry main components and ammunition for deactivated weapons.

The Minister shall decide on a detailed procedure, conditions and manner of weapon deactivation.

Cessation of fulfilment of requirements for holding weapons

Article 28

The competent authority, acting *ex officio*, shall monitor whether a natural person holding a weapon in category B fulfils the requirements laid down by Article 11 of the Law.

If one of the conditions referred to in Article 11, paragraph 1, items. 3) 4) 5) 6) 8) and 9) of this Law ceases to exist, the competent authority shall pass a decision on revoking a weapon registration card, confiscating a weapon and ammunition from the natural person holding a weapon in category B.

The natural person against whom administrative proceedings have been instituted with the aim of confiscating a weapon shall immediately, and no later than 48 hours from the request of a police officer, surrender his/her weapon registration card, weapon and ammunition.

The competent authority shall issue a certificate on the confiscated items. The confiscated weapon registration card, weapon and ammunition shall be in custody of the competent authority until the end of the proceedings.

The natural person whose weapon has been confiscated may alienate or deactivate the weapon within one year from the date when the decision on confiscating the weapon becomes effective.

If a natural person who has a registered weapon no longer fulfils the requirement laid down in Article 11, paragraph 1(2) of the Law, he/she shall immediately surrender the weapon to the competent authority and shall alienate it within one year or shall take the weapon out of the country within this deadline, in accordance with Article 23 of this Law.

If the natural person in question fails to act in accordance with paragraphs 5 and 6 of this Article, the weapon shall become the property of the Republic of Serbia.

Procedure in case of death of the weapon owner and inheritance of a weapon

Article 29

In the case of death of a person who owned a registered weapon, the person in whose possession such weapon is found, shall inform the nearest organizational unit of the Ministry about this within 45 days from the death of the weapon owner for the purpose of weapon handover. Such weapon shall be kept by the organizational unit of the Ministry in the last place of residence of the owner, until the inheritor of the weapon is determined. If the inheritor of the weapon is an underage person, the weapon shall be kept until the day the inheritor becomes of legal age.

The person who on the basis of heritage acquires a weapon belonging to category B and C may surrender the weapon and transfer the ownership to the Republic of Serbia. In the event he/she fails to do that, he/she shall submit an application for the issuance of the weapon registration within six months from the date of acquisition or an application for weapon registration, or declaration of holding the weapon, or deactivate or alienate it. If the weapon was inherited by an underage person, this period of six months shall begin from the date he/she becomes of age.

If the inheritor fails to act in accordance with paragraph 2 of this Article, the inherited weapon shall become the property of the Republic of Serbia.

Procedure for found weapons and ammunition

Article 30

A person who finds a weapon and/or ammunition shall immediately notify the nearest organizational unit of the Ministry thereof.

The recovered weapon that has not been registered or requested shall become the property of the Republic of Serbia.

Procedure for missing weapons

Article 31

In case a weapon owner notices that a registered weapon is missing, he/she shall report it to the competent authority within 24 hours.

When recovered, the weapon that has been reported as missing, shall be returned to the owner if he/she fulfils the requirements laid down by this Law, unless the weapon has been taken as evidence in an investigation or a judicial process, in which case it shall be treated in accordance with another law.

Handling and loaning weapons

Article 32

The weapon owner shall handle it with care and keep it in such a manner that it does not come into possession of unauthorized persons and that it does not endanger the safety of people and objects.

Registered weapons shall not be loaned to other persons, except in the cases prescribed by this Law.

Hunting weapons may be given to a hunter if he/she has a weapon registration card for that particular type of weapon.

Weapons may be loaned in both outdoor and indoor facilities intended for sports shooting and training in handling weapons.

A sports shooting organization may loan its registered weapon to another sports shooting organization provided that it has a weapon registration card for the same type of weapon, on the basis of a written contract.

A weapon may be given to an authorized gunsmith for the repair or conversion of weapon, or to an authorized arms dealer for the purpose of weapon commission sale.

A weapon owner who is temporarily prevented from fulfilling the requirements laid down in paragraph 1 of this Article (due to travel, relocation etc.) may give the weapon into custody of a legal entity or an entrepreneur who fulfils spatial and technical requirements for safe storage and keeping of weapons.

In the cases referred to in paragraphs 3 and 4 of this Article, the owner of a registered weapon or his/her representative (if the owner is a legal entity), if he/she is not present during the loan period, may loan the weapon having first declared it to the competent authority.

In the cases referred to in paragraphs 6 and 7 of this Article, the legal entity or entrepreneur shall issue a weapon receipt certificate.

The layout of the declaration form and the weapon loan procedure shall be prescribed by the Minister.

Transfer of weapon

Article 33

In case the weapon owner is a legal entity or entrepreneur, the weapon owner or his/her representative may, against a valid weapon document, transfer the weapon for their own purposes, duly packed in an appropriate container (suitcase, box, case), which prevents the immediate use of the weapon.

Firearms, air weapons and convertible weapons shall be transferred unloaded.

Prior to transferring weapons, the legal entity or entrepreneur referred to in paragraph 1 of this Article shall, on the prescribed form issue a special permit for weapon transfer to his/her representative.

Transfer across the state border

Article 34

Weapons and ammunition that can be acquired and registered in accordance with this Law may, during import and export, be transferred across the state border, in line with the regulations on the export and import of weapons and ammunition, foreign trade, transport of dangerous goods, and provided that they have been duly declared to the competent border control authority.

The owners of imported weapons referred to in paragraph 1 of this Article, except for licensed dealers, shall submit an application for registration within eight days from the date of importing a weapon.

For weapons and ammunition that are temporarily brought into or are in transit through the Republic of Serbia for the purpose of hunting and sports activities, the border control authority shall issue a permit to bring weapons and ammunition into the Republic of Serbia. Prior to issuing the permit, the person bringing the weapon and ammunition into the Republic of Serbia shall prove his/her right to hold, carry and transit the weapon and ammunition in question, as well as the reason of bringing the weapon and ammunition into the Republic of Serbia.

A permit to take the weapons and ammunition out of the Republic of Serbia shall be issued by the competent authority, if the person in question has an authorization previously issued by the foreign authority i.e. has a valid reason for taking the weapon and ammunition out of the country.

Weapons and ammunition referred to in paragraphs 3 and 4 of this Article may be brought into the country and carried across the state border in accordance with Article 33 of the Law provided that they have been duly declared to the competent border control authority.

Weapons and ammunition may be brought into the country and carried across the state border only at the international border crossings, unless otherwise stipulated by an international treaty.

If when crossing the state border, a citizen of the Republic of Serbia or foreigner fails to declare weapons and ammunition, the border control authority shall confiscate the weapon and ammunition and shall issue the respective certificate.

If a citizen of the Republic of Serbia who lives abroad declares at the border crossing weapons and ammunition for which he/she has a valid document issued by the foreign competent authority, and intends to register the weapon in question in the Republic of Serbia, the border control authority shall temporarily confiscate the weapon and ammunition and shall issue the respective certificate.

The owner of the temporarily confiscated weapon and ammunition referred to in paragraph 8 of this Article shall take the weapon and ammunition out of the Republic of Serbia within 90 days from the date of temporary confiscation of the weapon and ammunition or shall obtain the relevant document issued by the competent authority within the same deadline.

Weapons belonging to international security agencies

Article 35

Members of foreign military and police services, and other security agencies, who are officially visiting the Republic of Serbia, and who carry short weapons as part of their uniform pursuant to the regulations of their country, and if previously announced by the Ministry, may enter the Republic of Serbia in uniform and with a weapon, i.e. may take the weapon and their ammunition into the country and carry it during their stay in the Republic of Serbia.

Representatives of foreign security services who escort and body guard the representatives of that country or representatives of international organizations during transit across or visit to the Republic of Serbia, may bring into and carry weapons and ammunition only with prior approval of the Ministry. The approval is limited by the duration of stay or transit of representatives they escort and guard.

The approval referred to in paragraph 2 of this Article shall be issued by the border control authority, tax exempt, on the form prescribed by the Minister.

Weapons of members of diplomatic and consular missions and foreigners with temporary residence

Article 36

Members of diplomatic and consular missions in the Republic of Serbia may be approved to acquire, hold and carry weapons, following the principle of reciprocity.

Members of diplomatic and consular missions in the Republic of Serbia shall submit a request to the ministry in charge of foreign affairs, which will forward the request to the Ministry. The ministry in charge of foreign affairs shall verify the existence of reciprocity.

Exceptionally, foreigners residing in the Republic of Serbia may be approved to take a weapon into and out of the country, to acquire, hold and carry a weapon with the relevant approval of the Minister.

Weapons that become the property of the Republic of Serbia

Article 37

The Republic of Serbia shall dispose with weapons that have become its property pursuant to this Law.

The weapons referred to in paragraph 1 of this Article may be alienated, destroyed or used for the state authorities' **needs**.

Requirements for providing training in handling firearms, repair and conversion of weapons and trade in weapons and ammunition

Article 38

Legal entities and entrepreneurs may provide training in handling firearms, repair and conversion of weapons, as well as trade in weapons, their main components and ammunition provided that they obtain an official authorization from the competent authority approving the engagement in this activity prior to registering the said business activity with the authority in charge of keeping records of business entities.

Training in firearms handling may be provided by legal entities and entrepreneurs who possess proof of ownership right or contract on a long-term lease of office premises and a shooting range, as well as proof of the required expertise along with the proof of meeting the spatial and technical requirements for safe storage and keeping of weapons.

Repair and conversion of weapons may be performed by legal entities and entrepreneurs who possess proof of the required expertise, ownership right or contract on long-term lease of business premises, proof of possessing the necessary technical equipment and resources, as well as proof of meeting the spatial and technical requirements for the safe storage and keeping of weapons

Legal entities and entrepreneurs who have proof of ownership right or contract of long-term lease of business premises, as well as proof of fulfilling the spatial and technical requirements for safe storage and keeping of weapons may engage in trade of weapons, their main components and ammunition.

Owners, responsible persons and employees in the legal entities and entrepreneurs referred to in paragraph 1 of this Article, who by virtue of their official position come into contact with weapons, must fulfil the requirements laid down in Article 11, paragraph 1, items 1)-7) of the Law.

Legal entities and entrepreneurs shall not be issued a decision of the competent authority to be permitted to engage in the activity referred to in paragraph 1 of this Article, and/or they will be prevented from further engaging in this activity by virtue of a decision of the competent authority if it has been determined that they do not comply with the requirements prescribed under this Law or if they pose a threat to public security.

Legal entities and entrepreneurs referred to in paragraph 1 of this Article shall be issued an approval by the competent authority regarding staff assignment prior to assigning employees to such jobs.

Legal entities and entrepreneurs referred to in paragraph 1 shall keep weapons, their main parts and ammunition in accordance with this Law.

Only registered weapons in category B and C may be repaired and converted.

Authorized gunsmiths shall inform the competent authority about each completed conversion within 15 days from the date of the conversion.

At the request of the interested party, the Ministry shall give an opinion about compliance with spatial and technical requirements for safe storage and keeping of weapons and ammunition.

The Ministry shall oversee the work of legal entities and entrepreneurs referred to in paragraph 1 of this Article.

The Minister shall closely prescribe the program, requirements and the manner of conducting the training in the use of firearms, repair and conversion of weapons, trade in weapons, their parts and ammunition, as well as the spatial and technical requirements for safe storage and keeping of weapons and ammunition.

Acquisition and sale of weapons and ammunition by licensed dealers

Article 39

Pursuant to this Law, licensed dealers may acquire and sell weapons in classified in category B, C and D, the main components and ammunition thereof.

The competent authority may issue a one-year permit to licensed dealers, to acquire weapons in category B and C, their main components and ammunition for the purpose of re-sale.

Licensed dealers shall submit the data about each weapon in category B or C acquired for re-sale purposes to the competent authority within 30 days from the date of acquisition.

Licensed dealers may sell weapons belonging to category B and their main components only to persons who have been issued a permit to acquire a weapon and/or a permit to acquire weapon components in accordance with this Law, as well as to the holders of a licence to collect weapons.

Within 15 days from the day the sale was made, licensed dealers shall provide the competent authority with the data about each sold weapon in category B or C and the data about the buyer entered in the official register kept in accordance with this Law.

Acquisition and carry of weapons by legal entities and entrepreneurs

Article 40

If not otherwise regulated by the Law, legal entities and entrepreneurs may, against the approval of or a declaration to the competent authority, acquire weapons and their main components, provided it is in line with their business activity.

In exceptional legally justifiable cases, the Ministry may approve the acquisition of A category automatic long barrels by legal entities, in line with their business activity. In such cases provisions of this Law, applicable to weapons in category B, shall also apply to automatic long weapons belonging to category A.

Together with the application for issuing a permit to acquire a weapon, submitted to the competent authority, legal entities and entrepreneurs shall submit proof of entry in the relevant register, a job classification act, proof of the need to acquire weapons, and proof of meeting the spatial and technical requirements for safe storage and keeping of weapons.

Owners, responsible persons and persons employed in the legal entities and entrepreneurs referred to in paragraph 1 of this Article, who, by virtue of their official position, get in contact with automatic long weapons belonging to category A and B, must fulfil the requirements laid down in Article 11, paragraph 1(1-7) of this Law.

Legal entities and entrepreneurs referred to in paragraph 1 of this Article shall obtain an approval from the competent authority before assigning staff to such positions.

In the decision-making process, the competent authority, i.e. the Ministry, shall, apart from the proof submitted by the applicant, also take into consideration the information from its official register and the data it obtains in the performance of its duties and in accordance with its area of responsibility.

The competent authority, i.e. the Ministry, shall issue a permit to acquire a weapon to legal entities and entrepreneurs if it determined in the relevant procedure that they fulfil the requirements laid down by this and other laws. The permit to acquire a weapon shall be valid for six months from the date of issue.

The permit to acquire a weapon, which has not been used to acquire a weapon by the applicant in the foreseen deadline, shall be returned to the competent authority.

The competent authority, i.e. the Ministry, shall deny an application for weapon acquisition if the requirements laid down by this and other law governing the activity of the legal entity/entrepreneur have not been fulfilled.

Legal entities and entrepreneurs that have acquired weapons against the respective permit, shall submit an application for the issuance of a weapon registration card to the competent authority within eight days from the date of weapon acquisition.

Legal entities and entrepreneurs that have acquired a weapon against the respective permit, and already possess a weapon registration card for the same type of weapons, shall submit an application for weapon registration to the competent authority within eight days from the date of weapon acquisition.

A weapon registration card for legal entities and entrepreneurs shall be issued for 10 years.

Legal entities and entrepreneurs shall, no later than 30 days before the expiry of validity of the weapon registration card, submit an application to the competent authority for the issuance of a new weapon registration card.

Legal entities and entrepreneurs shall keep weapons and ammunition in accordance with the provisions of this Law and shall establish the required weapon accounting.

Legal entities and entrepreneurs shall within 15 days surrender the weapons and ammunition they no longer need to the competent authority, which also applies in the case they cease to perform the activity for which they have been authorised to acquire weapons.

The competent authority, i.e. the Ministry, shall, by virtue of the relevant decision, confiscate weapons and ammunition from the legal entities and entrepreneurs if it is determined in the relevant procedure that they do not fulfil the requirements laid down by this or other laws closely regulating the activity of the legal entity/entrepreneur, as appropriate.

The Ministry shall dispose with the confiscated weapons and ammunition in accordance with Article 28 of the Law.

Against the decision of the Ministry there is no right to appeal. However, administrative proceedings may be instituted.

Arms and ammunition brokering

Article 41

Legal entities and entrepreneurs may engage in arms and ammunition brokering, provided that before registering such an activity with the relevant register of business entities they obtain the approval of the Ministry for engaging in the activity.

Along with the application submitted to the competent authority, a certificate of an entry in the relevant register and proof of the ownership right or contract on long-term lease of business premises shall be submitted.

Responsible persons and employees in a legal entity or entrepreneur referred to in paragraph 1 of this Article shall fulfil the requirements laid down in Article 11, paragraph 1, items 1)-7) of this Law.

Legal entities and entrepreneurs referred to in paragraph 1 of this Article shall obtain an approval of the competent authority prior to assigning staff to such jobs.

Legal entities and entrepreneurs referred to in paragraph 1 of this Article shall keep the required records.

A licensing application shall be denied or an arms and ammunition brokering license shall be revoked by a relevant decision, if requirements from this or any other law have not been fulfilled, or if such activity would pose a threat to public safety.

Against the decision of the Ministry there is no right to appeal. However, administrative proceedings may be instituted.

Transportation of weapons and ammunition Article 42

For the transportation of weapons, their main components and ammunition, except for the transport weapons prescribed in Article 33 of this Law, and weapons belonging to category D, the decision of the competent authority, i.e. Ministry is required. The decision shall be made within 15 days from the date of submitting the respective request for the transportation approval.

The consigner shall inform the competent authority, i.e. the Ministry, about the transportation of weapons and ammunition no later than 48 hours before the transportation commences.

The competent authority, i.e. the Ministry, may, if required, order the consigner to take special security measures during transportation of weapons, their main components and ammunition. The expenses of special security measures shall be borne by the consigner.

A request shall be denied or a weapon transportation authorisation shall be revoked by a relevant decision, if such activity would pose a threat to public safety.

The consigner of a small number of weapons (up to five barrels) and ammunition (up to 500 rounds) may transport weapons in accordance with the provisions of Article 33 of this Law.

Records kept by legal entities and entrepreneurs

Article 43

Legal entities and entrepreneurs shall keep records of weapons (type, make, model, calibre, factory number) and ammunition, as well as records of the employed staff (name, surname, personal identification number, number of identity card or other ID document, place of residence, address and certificate of medical fitness).

Legal entities and entrepreneurs, who according to their business activity may loan weapons to other parties or who safeguard weapons of other parties, shall keep records of such weapons (type, make, model, calibre, factory number), records about private individuals (name, surname, personal identity number, number of ID card or other ID document, place of residence, and address) and records of legal entities and entrepreneurs (name, seat, activity, registration number, name and surname of the responsible person) they provide such services to.

Legal entities and entrepreneurs who have obtained an approval of the competent authority to provide training in handling firearms shall keep records of natural persons (name, surname, personal identity number, number of ID card or other ID document, place of residence, and address) trained in handling firearms and of the issued certificates.

Legal entities and entrepreneurs accredited for testing, stamping and marking of firearms and for production of weapons, as well as licensed gunsmiths, shall keep records of deactivated weapons (type, make, model, calibre, factory number).

Licensed gunsmiths shall also keep records of repaired and converted weapons, which contain information from the relevant weapon documents.

Licensed arms dealers shall keep records of the acquired and sold weapons, their main components and ammunition, including the license number, name of the issuing authority and date of issue of the license, information about the buyer: for a natural person - name, surname, personal identity number, number of ID card or other ID document, place of residence, and address; for a legal entity or entrepreneur - name, seat, activity, registration number, name of the responsible person.

Arms brokers shall keep records of each brokering deal regarding the trade in weapons and ammunition.

Within 30 days from the end of a calendar year, legal entities and entrepreneurs shall submit to the competent authority a copy of records pursuant to this Article, in a hard or electronic copy.

Records referred to in this Article shall be regularly kept and updated and shall be permanently stored.

All records referred to in this Article shall be submitted to the competent authority within 15 days after the termination of the activity licensed in accordance with this Law.

Records of the competent authority

Article 44

The competent authority shall keep records of: submitted applications and issued permits to acquire a weapon, of certificates of medical fitness; of registered weapons, confiscated and surrendered weapons, deactivated weapons, recovered weapons, weapons reported as missing; of submitted applications and issued weapon registration cards and certificates of declaration of holding of a weapon; submitted applications and issued permits to acquire main weapon components; submitted applications and issued licenses to collect weapons; submitted applications and issued permits to carry a weapon; submitted applications and issued permits to take weapons in and out of the state border; submitted applications and issued licenses to trade in weapons and ammunition, to provide training in handling firearms, to repair and convert weapons; submitted applications and issued permits to legal entities and entrepreneurs to acquire weapons, their main components and ammunition; submitted applications and issued licenses to transport weapons, their main components and ammunition; submitted applications and issued permits to manufacture ammunition; submitted application and issued permits to members of international diplomatic and consular missions and foreigners to take the weapon into the country, as well as to acquire, hold and carry weapons; submitted applications and issued licenses for arms and ammunition brokering; records of passivized weapons.

The Ministry shall also keep records of: submitted applications and issued permits to carry a weapon to the representatives of foreign security services; submitted applications and issued permits to acquire, hold and carry weapons by foreigners residing in the Republic of Serbia; submitted application and issued decisions and permits to acquire automatic long weapons.

The above-mentioned records contain the following data:

- 1) about natural persons: name and surname, personal identity number, date and place of birth, citizenship, number of ID card or other ID document, place of residence and address, a photograph of the person, occupation, cancellation of residence for the purposes of

- immigration, residence or temporary stay abroad and return home, and finally status in relation to the weapon;
- 2) about legal entities: name, seat, activity, registration number, data about the weapon, premises, resources, shooting range, as well as personal details about the owner, responsible person and employees who come in contact with the weapons referred in paragraph 2(1) of this Article;
 - 3) about the weapon; type, make, model, calibre, factory number.

All the above-mentioned records shall be kept permanently and in electronic form.

The competent authority may reveal the data from the above-mentioned records to the state authorities and other bodies and organizations, as well as other legal entities and individuals, in accordance with law governing personal data protection, as follows:

- 1) if they are legally authorized to request and receive such data;
- 2) if such data are necessary for the performance of activities from their area of responsibility;
- 3) if they can provide protection of personal data.

III. AUTHORITY TO PASS REGULATIONS

Deadlines

Article 45

The Minister shall closely regulate:

- 1) the licensing procedure, the layout and content of forms required under this Law;
- 2) the procedure of issuing documents, the layout and content of forms required under this Law;
- 3) the manner of keeping records and the relevant accounting forms required under this Law;
- 4) spatial-technical conditions for safe storage and keeping of weapons and ammunition for natural persons, individuals who have been issued a license to collect weapons, legal entities and entrepreneurs;
- 5) requirements to provide training in handling firearms, and the training programme;
- 6) conditions and manner of weapon deactivation;

The Minister of health shall closely regulate:

- 1) requirements to be fulfilled by a health institution in order to be able to perform medical examinations and certify medical fitness of natural persons to hold and carry weapons;
- 2) medical fitness requirements to be fulfilled by a natural person in order to be able to hold and carry weapons;

Regulations laid down in paragraphs 1 and 2 of this Article shall be passed within one year from the date of entry into force of this Law.

Weapon legalization

Article 46

The Minister may, for the reasons of preserving citizen security and public order and peace, occasionally declare legalization of weapons and ammunition.

IV. PENALTY PROVISIONS

Offences of natural persons sanctioned with a fine

Article 47

A fine between RSD 5,000 and 150,000 shall be imposed for the following offences:

- 1) on a natural person who fails to submit a certificate of medical fitness to hold and carry a weapon within the deadline specified in Article 12, paragraph 5 of this Law;
- 2) on a chosen physician who fails to inform the nearest organizational unit of the Ministry immediately after he/she finds out that the health condition of a natural person holding and carrying a weapon has changed in a manner that affects his/her medical fitness to hold and carry weapons, as laid down in Article 12, paragraph 8 of this Law.
- 3) on a parent or caretaker of an underage person who acquired and/or held a weapon classified in category C contrary to Article 14, para. 1 of this Law, if this occurred due to the **parent's/caretaker's** failure to take due care of the underage person in question, and if he/she is normally capable of providing such care.
- 4) on a natural person who, within eight days from the date of acquiring a weapon in category C fails to declare the weapon to the competent authority in the required format and as laid down in Article 14, para. 2 of this Law;
- 5) on a parent or caretaker of a person under 16 years of age, who acquired and/or held a weapon in category D contrary to Article 15, if this occurred due to **the parent's/caretaker's** failure to take due care of the underage person in question, and if he/she is normally capable of providing such care;
- 6) on a natural person who fails to submit an application to the competent authority, within eight days from the date of acquiring a weapon, for the issuance of a weapon registration card, as laid down in Article 17, para. 1 of this Law;
- 7) on a natural person who, within eight days from the date of acquiring a weapon, and who already has a weapon registration card for the same type of weapon, fails to submit an application for weapon registration to the competent authority as laid down in Article 17, para. 2 of this Law;
- 8) on a natural person who fails to submit, at least 30 days before the expiry of validity of the weapon registration card, an application to the competent authority for the issuance of a new weapon registration card, as laid down in Article 17, para. 6 of this Law;
- 9) on a natural person who acquired a weapon against a license to collect weapons, and who fails to submit an application to the competent authority for the weapon registration or an application for the issuance of a weapon registration card within eight days from the date of weapon acquisition, as laid down in Article 18, para. 3 of this Law;
- 10) on a natural person who fails to submit an application for the weapon registration within eight days from the date of transfer of weapon ownership, or exchange of the weapon, as laid down in Article 19, para. 4 of this Law;
- 11) on a foreigner who fails to take the acquired weapons and ammunition out of the Republic of Serbia in accordance with Article 23, para. 1 of the Law, within three days from the acquisition date, as laid down in Article 23, para. 3 of this Law;
- 12) on a foreigner who, when crossing the state border, does not declare to the border control authority weapons and ammunition acquired in accordance with Article 23, para. 1 of this Law, as laid down in Article 23, para. 4 of this Law.

- 13) on a natural person who carries sporting weapons outside outdoor and indoor premises for sports shooting and training in handling weapons, contrary to Article 26, para. 3 of this Law;
- 14) on a parent or a caretaker of an underage person who carried a gas spray or an electroshock device, contrary to Article 26, para. 4 and 5 of this Law, and if this resulted from the **parent's/caretaker's failure to take** due care of the underage person, if he/she is normally capable of providing such care;
- 15) on a natural person who does not declare a permanently deactivated weapon to the competent authority within eight days from the date of weapon deactivation, as laid down in Article 27, para. 4 of this Law;
- 16) on a natural person in whose possession a weapon was found following the death of the person who had a registered weapon, and who fails to inform the nearest organizational unit of the Ministry within 45 days from the day of the **owner's** death for the purpose of handing over the weapon as laid down in Article 29, para. 1 of this Law;
- 17) on a natural person who held weapon registration cards and permits to carry a self-defence weapon issued in accordance with a law valid until the entry into force of this Law, and who, within three days from the date of entry into force of this Law, fails to submit an application for the issuance of a document in accordance with this Law, as laid down in Article 50, para. 1 of this Law;
- 18) on an individual who had a permit to hold a trophy weapon, and who fails to re-register, sell, deactivate or surrender (without remuneration) the weapon to the Republic of Serbia, within one year from the date of entry into force of this Law, as laid down in Article 50, para. 2 of this Law.

Apart from the fine referred to in para. 1 of this Article, a protection measure of weapon and ammunition confiscation may be imposed.

Offences of natural persons sanctioned with a fine or imprisonment

Article 48

A fine between RSD 20,000 and 150,000 or a sentence of up to 60-day imprisonment shall be imposed for the following offences:

- 1) on a natural person for alienating a weapon in contravention of Article 19, para. 6 of this Law;
- 2) on a natural person for carrying more than one weapon, in contravention of Article 25, para. 8 of this Law;
- 3) on the holder of a permit to carry a self-defence weapon, who publicly displays a weapon to other people, or carries the weapon in the manner which causes distress to other people, in contravention of Article 25, para. 9 of this Law.
- 4) on a natural person for public carrying of a deactivated firearm, old weapon and its modern replica that do not use central or rim fire bullets, or cold weapons, contrary to Article 26, para. 1 of this Law;
- 5) on a natural person for not surrendering a weapon as laid down in Article 28, para. 3 of this Law;
- 6) on a natural person for failing to report a registered weapon as missing, as laid down in Article 31, para 1 of this Law;
- 7) on a natural person for not handling a weapon carefully and for not keeping it with due care, so that it does not come into possession of unauthorized persons and endanger the safety of people and facilities, as laid down in Article 32, para. 1 of this Law;
- 8) on a natural person for loaning his/her weapon in contravention of Article 32 of this Law;
- 9) on a natural person for failing to transport unloaded air weapons and convertible weapons as laid down in accordance with Article 33, para. 2 of this Law;

- 10) on a natural person for not submitting an application for the weapon registration within eight days from the date of importing the weapon, as laid down in Article 34, para. 2 of this Law;
- 11) on a natural person for transporting weapons and ammunition across the state border without declaring them to the border control authority, in contravention of Article 34, para. 5 of this Law;

Apart from the sanctions referred to in para. 1 hereof, a protection measure of weapon and ammunition confiscation may be imposed.

Offences committed by legal entities and entrepreneurs subject to sanctioning

Article 49

A fine between RSD 100,000 and 2,000,000 shall be imposed on a legal entity for the following offences:

- 1) for selling a weapon in category C to a person under 18, in contravention of Article 14, para. 1 of this Law;
- 2) for selling a weapon in category D to a person under 16, in contravention of Article 15 of this Law;
- 3) for failing to submit an application for weapon registration within eight days from the date of weapon ownership transfer or weapon exchange, in contravention of Article 19, para. 4 of this Law;
- 4) for selling ammunition for weapons in category B and C, in contravention of Article 20, para. 1 of this Law;
- 5) for selling ammunition in contravention of Article 20, para. 2 of this Law;
- 6) for failing to declare a permanently deactivated weapon to the competent authority, within eight days from the date of weapon deactivation, in contravention of Article 27, para. 4 of this Law;
- 7) for not reporting a registered weapon as missing, as laid down in Article 31, para. 1 of this Law;
- 8) for loaning its weapons in contravention of Article 32 of this Law;
- 9) if its representative was not present during the loan period, in contravention of Article 32, para. 8 of this Law;
- 10) on a licensed gunsmith and an arms dealer for failing to issue a weapon receipt certificate, in contravention of Article 32, para. 9 of this Article;
- 11) for transporting air weapons and convertible weapons in contravention of Article 33, para. 2 of this Law;
- 12) for not providing its representative with an authorization to transport weapons, in the required format, as laid down in Article 33, para. 3 of this Law;
- 13) for not submitting an application for weapon registration within eight days from the date of importing the weapon, as laid down in Article 34, para. 2 of this Law;
- 14) for not obtaining a permit from the competent authority to assign staff prior to their assignment, as laid down in Article 38, para. 7 and Article 40, para. 5 of this Law;
- 15) for not keeping weapons, their main components and ammunition in accordance with Article 38, para. 8 and Article 40, para. 14, and in connection with Article 32, para. 1 of this Law;
- 16) on licensed gunsmiths who fail to inform the competent authority about the performed repair of weapons within 15 days from the date of repair, in contravention of Article 38, para. 10 of this Law;
- 17) on licensed arms dealers for not submitting information about a weapon in category B and C acquired for further sale, to the competent authority within 30 days from the date of acquisition, as laid down in Article 39, para. 3 of this Law;

- 18) on licensed arms dealers for not submitting information about a sold weapon and about the buyer of the weapon to the competent authority within 15 days from the date of sale, as laid down in Article 39, para. 5 of this Law;
- 19) for not submitting an application to the competent authority within the required deadline for the issuance of a weapon registration card, as laid down in Article 40, para. 10 of this Law;
- 20) for not submitting an application for weapon registration to the competent authority within the required deadline as laid down in Article 40, para. 11 of this Law;
- 21) for not submitting an application for the issuance of a new weapon registration card at least 30 days prior to the expiry of the weapon registration card, as laid down in Article 40, para. 13 of this Law;
- 22) for not surrendering weapons and ammunition which they no longer need to the competent authority within 15 days, and in the event they cease to perform the activity for which they obtained the permit to acquire a weapon, in contravention of Article 40, para. 15 of this Law;
- 23) for not submitting to the competent authority within 30 days from the end of a calendar year, a copy of records for each year specified in Article 43 of this Law, in a written or electronic form, and in accordance with Article 43, para. 8 of this Law;
- 24) for not keeping records provided under Article 43 in the manner prescribed under Article 43, para. 9 of this Law;
- 25) for not submitting all records referred to in Article 43 of the Law to the competent authority within 15 days upon the cessation of performing the activity as laid down in Article 43, para. 10 of this Law.
- 26) on a legal entity that held a permit to hold weapons issued in accordance with a law valid until the date of entry into force of this Law, and which does not submit an application for the issuance of a new document within three years from the date this Law becomes valid, as laid down in Article 50, para. 1 of this Law.

A fine between RSD 10,000 and 500,000 shall be imposed on an entrepreneur for the offence referred to in paragraph 1 of this Article.

A fine between RSD 20,000 and 150,000 shall be imposed on the responsible person in the legal entity for the offence referred to in paragraph 1 hereof.

Apart from the sanction, a protection measure of weapons and ammunition confiscation may be imposed.

V. TRANSITIONAL AND FINAL PROVISIONS

Replacement of documents Article 50.

Natural persons who held a weapon registration card and a permit to carry a self-defence weapon, as well as legal entities and entrepreneurs that had a permit to hold weapons issued in accordance with the law valid until the date of entry into force of this Law, shall submit an application for the issuance of a new document, accompanied by a certificate of medical fitness to hold and carry weapons, within three years from the date this Law becomes valid, pursuant to this Law.

Natural persons who hold a permit to hold trophy weapons shall, within one year from the date of entry into force of this Law, re-register, sell, deactivate or surrender to the Republic of Serbia their weapons without remuneration.

Natural persons who have a weapon registration card and the right to use smooth-bore hunting weapons shall, within 6 months from the date of entry into force of this Law, submit the aforementioned document to the competent authority.

Legalization of weapons

Article 51

Owners of weapons in category B and C, who do not have a document issued by the competent authority may, within three months from the date of entry into force of this Law, submit an application for the issuance of the relevant document.

Owners of weapons belonging to A, B and C category may also surrender their weapons to the competent authority, thus transferring the ownership to the Republic of Serbia within three months from entry into force of this Law.

In the cases referred to in paragraphs 1 and 2 of this Law, owners of the weapons are not obliged to prove the origin of their weapons and shall not be held responsible for unauthorized acquisition, holding and carrying of weapons.

Finalization of initiated procedures and repealing of the previous law

Article 52

Administrative and offence proceedings initiated before the entry into force of this Law shall be completed in accordance with the Law on Weapons and Ammunition (**“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, 27/11 – Constitutional Court and 104/13 – state law**).

On the date of entry into force of this Law, the Law on Weapons and Ammunition (**“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, 27/11 – Constitutional Court and 104/13 – state law**), and Art. 31-34 of the Law on the Protection of the State Border (**“Official Gazette of RS”, No. 97/08**) shall be repealed.

Entry into force and application

Article 53

This Law shall come into effect on the eight day from the date of its publication in the “Official Gazette of the Republic of Serbia”, and its application shall commence one year after its entry into force.