

SUPPORTING BUSINESS

EACH CLIENT HAS ITS OWN PREFERENCES, NEEDS AND EXPECTATIONS. WE ARE HERE TO ADJUST TO THEM AND SUPPORT THE CLIENT'S BUSINESS.

INFO-LETAK br. 02/2016

Obavezno članstvo za sve privredne subjekte u Privrednoj komori Srbije

Narodna skupština Republike Srbije usvojila je dana 29. decembra 2015. godine novi Zakon o privrednim komorama („Sl. glasnik RS“ br. 112/2015; „Zakon“).

Jedna od značajnijih novina jeste ponovo uvođenje odredbe o obaveznom članstvu svih privrednih subjekata u Srbiji u Privrednoj komori Srbije („PKS“), sa odloženim početkom primene od 1. januara 2017. godine.

Nasuprot prethodnom Zakonu o privrednim komorama, koji je propisivao članstvo u PKS na dobrovoljnoj osnovi, novim Zakonom se propisuje da su članovi PKS svi privredni subjekti koji obavljaju registrovanu poslovnu delatnost na teritoriji Republike Srbije.

Uvođenjem obaveznog članstva, PKS je uvrštena u komore evrokontinentalnog tipa, koje pravni subjektivitet stiču na osnovu Zakona o privrednim komorama, a kojim se propisuju i obaveznost članstva njenih članova, zadaci, organi i organizacije, način finansiranja, kao i nadzor nad radom same komore.

Jedan od glavnih proklamovanih motiva donošenja ovakvog zakonskog rešenja je taj što je dobrovoljnim članstvom navodno došlo do razbijanja jedinstva privrednih subjekata konkurencijom komora osnovanih na različitim nivoima teritorijalne organizacije, čime je navodno znatno oslabljena mogućnost usklađivanja različitih interesa privrednika.

Donošenjem novog Zakona, privredni subjekti će tako ponovo biti u obavezi da plaćaju članarine za članstvo u PKS, koja se prema dosadašnjoj odluci skupštine PKS obračunavala po stopi od 0,19%, pri čemu je osnovica za obračun, po pravilu, bruto zarada svih zaposlenih u odnosnom privrednom subjektu.

NEWSLETTER no. 02/2016

Compulsory membership for all business entities in the Chamber of Commerce and Industry of Serbia

National Assembly of the Republic of Serbia adopted on 29 December 2015 new Law on Chambers of Commerce (“Official Gazette RS” no. 112/2015; “Law”).

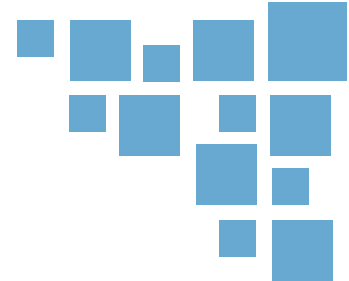
One of the most important novelties is re-introduction of provision on compulsory membership for all business entities in Serbia in the Chamber of Commerce and Industry of Serbia (“CCIS”), with delayed implementation from 1 January 2017.

Compared to the previous Law on Chambers of Commerce, which promulgated the principle of voluntary membership, the Law provides that members of the CCIS are all business entities that carry out registered business activity on the territory of Republic of Serbia.

With re-introduction of the principle of compulsory membership, the CCIS is classified as euro-continental type of chamber of commerce, which acquire their legal personality by the Law on Chambers of Commerce. The Law also prescribes compulsory membership for their members, tasks, bodies and organizations, manner of financing and supervision of the chamber's work.

One of the main stated reasons for introducing this kind of regulative is that the principle of voluntary membership allegedly broke the unity of economic entities by competition of chambers established on different levels of territorial organization, which allegedly significantly weakened the possibility of harmonizing different interests of business persons.

By adoption of the Law, business entities will also be required to pay the membership fee determined by the CCIS' Assembly, which currently amounts to the rate of 0,19%, whereby basis for its calculation is, in principle, gross salary of all employees in the respective business entity.



Za više informacija o ovome kontaktirati



Nikola Gvoić

ATTORNEY AT LAW - DOKLESTIC & PARTNERS

nikola.gvoic@dokleestic.law
T. +381.11.414.33.60

For more information about this please contact:



Dr Slobodan Doklešić

PARTNER - DOKLESTIC & PARTNERS

slobodan.dokleestic@dokleestic.law
T. +381.11.414.33.60