

**SRBIJA****USVOJENE IZMENE ZAKONA O  
SPREČAVANJU PRANJA NOVCA I  
FINANSIRANJA TERORIZMA**

Dana 17. decembra 2020. godine Narodna Skupština Republike Srbije usvojila je Zakon o izmenama i dopunama Zakona o sprečavanju pranja novca i finansiranja terorizma („*Izmene Zakona*“).

Značajna novina predviđena Izmenama Zakona jeste uvođenje pojma digitalne imovine.

Naime, Izmene Zakona proširuju definiciju „*imovine*“ koja pored stvari, novca, prava, hartija od vrednosti, drugih isprava u bilo kom obliku, sada obuhvata i digitalnu imovinu. Digitalna imovina u smislu Zakona o digitalnoj imovini označava digitalni zapis vrednosti koji se može digitalno kupovati, prodavati, razmenjivati ili prenositi i koji se može koristiti kao sredstvo razmene ili u svrhu ulaganja, pri čemu digitalna imovina ne uključuje digitalne zapise valuta koje su zakonsko sredstvo plaćanja i drugu finansijsku imovinu koja je uređena drugim zakonima, osim kada je drugačije uređeno samim zakonom.

Dodatno, novina predviđena Izmenama Zakona jeste i regulisanje pojma pružaoca usluga povezanih sa digitalnom imovinom.

Pružalac usluga povezanih s digitalnom imovinom jeste pravno lice koje pruža jednu ili više usluga povezanih s digitalnom imovinom, a koje su utvrđene zakonom kojim se uređuje digitalna imovina.

Važna novina koju uvode Izmene Zakona jeste definisanje obaveza pružaoca usluga povezanih s digitalnom imovinom.

**SERBIA****AMENDMENTS TO THE LAW ON  
PREVENTION OF MONEY  
LAUNDERING AND TERRORIST  
FINANCING**

On 17 December 2020, the National Assembly of the Republic of Serbia adopted the Law on Amendments to the Law on Prevention of Money Laundering and Terrorist Financing (“*Amended Law*”).

A significant novelty envisaged by the Amended Law is the introduction of the concept of digital property.

Namely, the Amended Law expands the definition of “*property*”, which, in addition to things, money, rights, securities, other documents in any form, now includes digital property. Digital property within the meaning of the Digital Property Law represents a digital value record that can be digitally bought, sold, exchanged or transferred and that can be used as a medium for exchange or for investment purposes, whereby digital property does not include digital currency records that are legal tender and other financial property that are regulated by other laws, except when otherwise regulated by the law itself.

In addition, the novelty envisaged by the Amended Law is the definition of provider of services related to digital property.

A provider of services related to digital property is a legal entity that provides one or more services related to digital property, which are determined by the law governing digital property.

An important novelty introduced by the Amended Law also represents regulation of the obligations of a provider of services related to digital property.

Pružalac usluga povezanih s digitalnom imovinom ima dužnost da pribavi podatke o svim licima koja učestvuju u transakciji s digitalnom imovinom, a ako u izvršenju transakcije s digitalnom imovinom učestvuje i drugi pružalac usluga povezanih s digitalnom imovinom, dužan je da obezbedi da ti podaci budu dostavljeni tom drugom pružaocu usluga. Podaci koje je svaki pružalac usluga dužan da pribavi uključuju: (i) imena i prezimena, odnosno nazive lica koja učestvuju u transakciji s digitalnom imovinom, kao i podatak o tome da li se radi o inicijatoru ili korisniku te transakcije; (ii) adrese prebivališta ili boravišta, odnosno sedišta lica koja učestvuju u transakciji s digitalnom imovinom; (iii) adresa digitalne imovine koja se koristi za izvršenje transakcije s digitalnom imovinom, odnosno odgovarajuća jedinstvena oznaka transakcije s digitalnom imovinom.

Provider of services related to digital property is obliged to obtain information on all persons involved in the transaction with digital property, and if another provider of services related to digital property participates in the execution of transactions with digital property, he is obliged to ensure that this information is submitted to another service provider. Information that a service provider is obliged to obtain includes: (i) personal names or business names of the persons participating in the transaction with the digital property, as well as the information whether respective person is the initiator or the user of that transaction; (ii) addresses of the permanent / temporary residence or registered office of the persons involved in the digital property transaction; (iii) address of the digital property used for execution of the digital property transaction, or the corresponding unique identifier of the digital property transaction.

Pružalac usluga povezanih s digitalnom imovinom korisnika transakcije u obavezi je da proveriti da li su mu dostavljeni podaci gore spomenuti, koje je dužan da dostavi pružalac usluga povezanih s digitalnom imovinom.

Provider of services related to the digital property of user of transaction is obliged to verify whether all of the previously mentioned information have been provided to him, which is required to be provided by the provider of services related to the digital property.

Izmenama Zakona zabranjeno je svako pružanje usluga povezanih s digitalnom imovinom koja posredno ili neposredno omogućava prikrivanje identiteta stranke, kao i vršenje transakcija s takvom digitalnom imovinom.

Amended Law prohibits provision of any services related to digital property that indirectly or directly enables the concealment of the identity of a party, as well as the execution of transactions with such digital property.

Za više informacija o ovome kontaktirati / For more information about this please contact:

**Katarina Kračun**

Associate – Dokleštic Repić & Gajin

katarina.kracun@dokleštic.law

T. +381.11.414.33.60