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**Edited and consolidated text**

Pursuant to Article 30 paragraph 1 items 1), 2) and 3) of the Law on Real Estate Sale and Lease Brokerage (*Official Gazette of the Republic of Serbia* No. 95/13),

the Minister of Trade, Tourism and Telecommunications passes this

**BYLAW**

**on the Register of Real Estate Sale and Lease Brokers**

*Official Gazette of the Republic of Serbia* Nos. 75 of 21 July 2014, 88 of 15 November 2018, 105 of 5 August 2020

**Scope**

Article 1

This Bylaw shall provide for the form, content and manner of keeping of the Register of Real Estate Sale and Lease Brokers (hereinafter referred to as the “Register”), the form of the application for entry in the Register and the form of the excerpt from the Register.

**Form of the Register**

Article 2

The Register shall be kept in writing and electronically, as an integrated, central and public database on brokers.

**Content of the Register**

**Article 3\***

**The Register shall contain the following data:\***

**1) Serial number and date of entry in the Register;\***

**2) Number and date of the decision on entry in the Register, односно of the decision on expungement from the Register;\***

**3) Business name, predominant business activity, address of head office and branch, tax identification number (hereinafter referred to as “TIN”), registration number, phone number, e-mail address and website address (if any) of the broker;\***

**4) Data on persons performing brokerage operations who have completed the qualifying examination for real estate sale and lease brokers (hereinafter referred to as the “qualifying examination”), at least one of whom is a full-time employee;\***

**5) Data on company members (founder and/or owner and beneficial owner), company’s representative and sole trader, or sole trader’s manager, if the sole trader delegated management operations to a legally competent natural person;\***

**6) Data on imposed injunctions provided for in Article 32 paragraph 2 and Article 33 paragraph 4 of the Law on Real Estate Sale and Lease Brokerage (hereinafter referred to as “the Law);\***

**7) Information on the address of the office space referred to in Article 14 of the Law.\***

\**Official Gazette of the Republic of Serbia* number 105/2020

**Form of Application for Entry in the Register**

**Article 4\***

**The form of the application for entry in the Register shall contain th following data:\***

**1) Data on the type of entry in the Register;\***

**2) Business name, predominant business activity, address of head office and branch, address of office space if different from the address of head office, phone number, e-mail address and website address (if any) of the applicant;\***

**3) Name and surname, place of birth, address and Unique Master Citizen Number of the sole trader or manager;\***

**4) Name and surname, place of birth, address and Unique Master Citizen Number of the sole trader or manager (in case of foreign nationals: passport number, issuing country and personal number) company members (founder and/or owner and beneficial owner) and company’s representative;\***

**5) Registration number and TIN of the applicant;\***

**6) Name and surname, place of birth, address and Unique Master Citizen Number of the person who has completed the qualifying examination and number of the certificate of completed qualifying examination;\***

**7) Signature of the authorized officer.\***

**The form of the application for entry in the Register is printed together with this Bylaw and is incorporated herein by reference.\***

\**Official Gazette of the Republic of Serbia* number 105/2020

**Entry in the Register**

**Article 5\***

**An applicant for entry in the Register shall be entered in the Register if it provides the following with the application made using the form referred to in Article 4 of this Bylaw:\***

**1) A copy of the liability insurance contract in accordance with Article 13 of the Law;\***

**2) Power of attorney, if the application is submitted through an attorney-in-fact;\***

**3) Proof that the founder or owner, beneficial owner, affiliate, member of a management body of the company registered to perform the activities of a real estate sale and lease agency as its predominant business activity, the company’s representative, member of the company’s management body or natural persons who have passed the qualifying examination, the sole trader or sole trader’s manager, if the sole trader delegated management operations to a legally competent natural person, have not been fined, if a legal entity, or sentenced to imprisonment, if a natural person, for a criminal offence in the Republic of Serbia or a foreign country for a grave or repeated breach of anti-money laundering and counter-financing of terrorism legislation during the term of an injunction barring them from performing specific activities that constitute the predominant business activity of a real estate sale and lease company or during the term of an injunction barring the responsible officer from performing specific activities that constitute the predominant business activity of a real estate sale and lease company or during the term of an injunction barring the responsible officer for discharging specific duties at a real estate agency registered to perform the activities of a real estate sale and lease agency as its predominant business activity.\***

**If the evidence of no criminal record referred to in paragraph 1 item 3) of this Article, the persons referred to in paragraph 1 item 3) of this Article may provide a sworn statement that they have not been convicted of a criminal offence and are not members of an organised criminal group. The ministry in charge of trade affairs may demand of the persons referred to in paragraph 1 item 3) of this Article at any time to present evidence of no criminal record or directly request such evidence from a competent authority.\***

**The ministry in charge of trade affairs shall obtain *ex officio* the proof that the applicant is not subject to an injunction referred to in Article 32 paragraph 2 and Article 33 paragraph 4 of the Law that is in force at the time of applying, except where the applicant explicitly states he will provide such evidence himself.\***

\**Official Gazette of the Republic of Serbia* number 105/2020

**Change of Data in the Register**

Article 6

Changes of data in the Register shall be made on the basis of relevant evidence provided for in Article 5 paragraph 1 of this Bylaw, in accordance with the Law.

**Expungement from the Register**

**Article 7\***

**A broker shall be expunger from the Register for the reasons set out in Article 10 paragraph 1 of the Law.\***

**A broker shall submit a request for expungement from the Register using the form referred to in Article 4 of this Bylaw, in which only the headings containing data on the company or the sole trader shall be filled in.\***

\**Official Gazette of the Republic of Serbia* number 88/2018

**Form of Excerpt from the Register**

Article 8

The form of excerpt from the Register shall contain the following:

1) Name of the ministry in charge of trade affairs;

2) Legal grounds;

3) Serial number and date of entry in the Register;

4) Number and date of the decision on entry in the Register;

**5) Business name, predominant business activity, address of head office and branch, address of office space if different from the address of head office, TIN, registration number, phone number, e-mail address and website address (if any) of the broker;\*\***

**6) Data on persons performing brokerage operations who have completed the qualifying examination;\***

**6а) Data on company members (founder and/or owner and beneficial owner), company’s representative and sole trader, or sole trader’s manager, if the sole trader delegated management operations to a legally competent natural person;ˮ\*\***

7) Data on imposed injunctions provided for in Article 32 paragraph 2 and Article 33 paragraph 4 of the Law

8) Signature of the authorised officer and official seal.

An excerpt from the Register shall be issued on request.

The form of excerpt from the Register is printed together with this Bylaw and is incorporated herein by reference.

\**Official Gazette of the Republic of Serbia* number 88/2018

\*\**Official Gazette of the Republic of Serbia* number 105/2020

**Ступање на снагу**

Article 9

This Bylaw shall come into force on the eighth day of its publishing in the *Official Gazette of the Republic of Serbia*.

Number 011-00-20/2014-04

Done in Belgrade, on 17 July 2014

Minister,

**Rasim Ljajić,** signed

Enclosures

*PUBLISHERS’ NOTE:*

*The Bylaw on Amendments and Supplements to the Bylaw on the Register of Real Estate Sale and Lease Brokers (Official Gazette of the Republic of Serbia number 88/2018) replaced the ZURP and IRP Forms with new forms (see Article 6 of the Bylaw 88/2018-8).*

*The Bylaw on Amendments and Supplements to the Bylaw on the Register of Real Estate Sale and Lease Brokers (Official Gazette of the Republic of Serbia number 105/2020) replaced the ZURP and IRP Forms with new forms (see Article 5 of the Bylaw - 105/2020-121).*

[ZURP Form – Application for Entry in the Register of Real Estate Sale and Lease Brokers](http://www.pravno-informacioni-sistem.rs/SlGlasnikPortal/prilozi/ZURP.html%26doctype%3Dreg%26x-filename%3Dtrue%26regactid%3D430819)

[IRP Form – Excerpt from the Register of Real Estate Sale and Lease Brokers](http://www.pravno-informacioni-sistem.rs/SlGlasnikPortal/prilozi/IRP.html%26doctype%3Dreg%26x-filename%3Dtrue%26regactid%3D430819)