



Hellenic Business Association of Serbia

Helensko privredno udruženje Srbije

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INTERNATIONAL TRADE IN SERBIA

The rules governing the system of international trade in goods (and services) in Serbia are established by several laws, including in particular the following:

- Law on Foreign Trade, establishing the fundamental foreign trade principles,
- Customs Law, prescribing the rules for conduct of customs procedure and
- Law on Customs Tariff, establishing the customs tariffs used for calculation of customs duties.

In addition, Serbia has a wide range of free trade agreements which provide for preferential customs treatment of goods originating from the signatory countries. The most important free trade agreements include the following:

- Stabilization and Association Agreement with the EU,
- Free Trade Agreement with the Russian Federation,
- Central Europe Free Trade Agreement (CEFTA), a multilateral treaty, applicable in Albania, Bosnia and Herzegovina, Macedonia, Moldova and Montenegro and
- Free Trade Agreement with Turkey.

1. Main Foreign Trade Principles

Main principles governing the foreign trade established by the Law on Foreign Trade include the following:

Freedom of foreign trade,

Non-discrimination,

Most favoured nation treatment,

National treatment,

Prohibition of quantitative import/export restrictions, save for those established by the law.

Foreign trade defence measures may be prescribed, applied and interpreted in line with Law on Foreign Trade, rules of the World Trade Organization and international treaties. Most common measures include the following:

- Anti-dumping measures,
- Compensatory measures,
- Measures for protection from/against excessive import,
- Measures for protection of balance of payments.



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1. Customs – Institutional Framework

Main authority in charge for enforcement of customs regulations in Serbia is the Customs Administration, being the authority within the Ministry of Finance. The Customs Administration is in charge for: customs clearance, customs supervision and other activities in relation to the control of foreign trade in goods and services.

Procedures in relation to the application of the customs regulations are administrative procedures. In first instance they are conducted before regional organizational units of the Customs Administration. In second instance (procedure upon appeal), the customs related procedures are conducted before the Commission for Appeals of the Customs Administration. As a rule, appeal filed against the decisions of the Customs Administration does not suspend them. Decisions issued in the second-instance procedure may be subject to administrative suit before the Administrative Court in Serbia.

Breach of customs regulations may result in customs misdemeanour. The authorities for conduct of proceedings for customs misdemeanours are divided between the Commission for Misdemeanours of Customs Administration and the misdemeanour courts.

2. Customs – Procedure

As a general rule, in order to be imported in Serbia, foreign goods have to go through customs procedure prescribed by the Customs Law.

After the goods cross the Serbian border, the entity which brought the goods on the territory of Serbia is required to present them to the customs to be assigned to customs approved treatment.

After the goods have been presented to the Customs Administration, they are being in temporary storage until they are assigned to a customs approved treatment. There are several types of the customs approved treatment, including:

- release of goods for free circulation,
- entry into free trade zone,
- re-export, and
- destruction of the goods.

The customs procedure is subject to the submission of the customs declaration to the customs authorities by the importer on record. The importer on record may be only a Serbian entity. Foreign entities participating in the customs procedure have to appoint their representative in Serbia.

The customs declaration has to be prepared on the “JCI” form prescribed by the Serbian regulations. All goods which are placed under the customs procedure have to be included in the customs declaration. The declaration should contain sufficient information (type of goods, quantity, value, etc.) for calculation of



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customs duties. Information in the customs declaration has to be supported by appropriate documents, such as agreements, invoices, purchase orders, waybills, etc.

3. Customs duties

The customs duties are calculated by application of the appropriate customs rate on the customs value of the goods.

Customs rates are established by the Law on Customs Tariff and bylaws issued on the basis of this law, and depend on the type and purpose of the goods.

Custom rates established by the national legislation may be lower or eliminated on the basis of free trade agreements concluded between Serbia and the country of origin of the goods which are being imported (so called preferential origin). Terms and conditions for recognition of the preferential origin, and documentation evidencing it (such as EUR1 form under the agreement with the EU) are prescribed by the free trade agreements, respectively.

The customs value of goods is consideration paid (or to be paid) by the importer in return for the goods (transaction price), increased for the costs borne by the importer in relation to goods if they have not been already included in the transaction price (including costs of transportations, royalties, insurance, etc.).

In transactions between related parties, the Customs Administration will accept the transaction price as customs value only if the relationship between the importer and exporter did not have impact on establishment of the transaction price. Otherwise, the Customs Administration will not accept the transaction price as the customs value and will establish customs value itself.

The customs duties become due at the moment the Customs Administration accepts the customs declaration.

4. Modalities of import

Two main modalities of import regime in Serbia are the permanent import and temporary import.

Permanently imported goods are granted the status of domestic goods, and therefore may be placed in free circulation on the Serbian market. Importer on record is required to pay the full amount of customs duties and import VAT due on the import of goods under the general rules.

Temporary import is allowed for the goods which are brought in Serbia with the intention to be exported in unchanged condition. Temporarily imported goods do not acquire the status of domestic goods.

The goods may be temporarily imported subject to the approval granted by the customs authorities. The approval will be granted only if the goods are readily identifiable.



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The customs authorities decide about the duration of the temporary import, provided that it cannot exceed 24 months. As an exemption this deadline may be extended if necessary to realize the purpose of import (the assessment is in discretion of the Customs Administration).

The customs duties for temporary import are set at 3% of customs duties which would have been paid on the permanent import, for each month in which the goods were under the temporary import regime. Exceptionally, certain goods explicitly prescribed by the Government are exempt from customs duties in case of temporary import.

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