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RULEBOOK

ON THE DETAILED CONTENT OF THE REGISTER OF HEALTH FACILITIES AND DOCUMENTS REQUIRED FOR REGISTRATION

Introductory Provisions

Article 1

This Rulebook shall govern the detailed content of the Register of Health Facilities (hereinafter: the Register), kept by the Serbian Business Registers Agency (hereinafter: the SBRA), the content and form of the application for registration with the Register and documents required for registration.

The Register shall be kept as a unique, centralized, public electronic database of health facilities.

Detailed Content of the Register

Article 2

The following shall be recorded in the Register:

- 1) name and registered place of business of the health facility;
- 2) type of ownership of health facility (public or private);
- 3) type of health facility;
- 4) data on founder;
- 5) data on the manager, i.e. person authorized for representation;
- 6) registration number and tax identification number (PIB) of the health facility;
- 7) contact data and bank accounts numbers of the health facility;

8) data on the memorandum and articles of association of the health facility and amendments to the memorandum and articles of association, as well as their consolidated texts;

9) disqualification from the practice of health care activities or disqualification from the practice of certain health care activities in a health facility;

10) data on status change, liquidation, and bankruptcy;

11) number and date of adoption of the decision of the Ministry responsible for health care affairs (hereinafter: line ministry) attesting compliance with the statutory requirements for practicing health care activities;

12) number and date of adoption of the decision of the line ministry attesting compliance with the statutory requirements for the assessment of an individual's medical fitness for possession and carrying of firearms, for providing training and organizing and implementing the first aid exam, for performing medical check-ups and issuing medical certificates attesting physical and mental fitness of drivers of certain categories of motor vehicles, and for performing medical check-ups of seafarers;

13) number and date of adoption of the decision on registration with the Register of Health Facilities;

14) weekly work schedule, opening and closing times of the health facility.

The Register of Health Facilities shall also contain the following data, provided they are available, specifically:

1) name in the national minority language and script;

2) name translated into a foreign language;

3) name, address and type of branch, i.e. organizational unit detached from the registered place of business of the health facility;

4) annotations of data relevant to legal transactions.

The documents in the Register shall be published in accordance with the law.

Integral part of the Register

Article 3

In addition to data listed under Article 2 of this Rulebook, the Register shall also contain documents based on which registration was effected.

Decision, approval, license, opinion, or other act of the designated body

Article 4

When a decision, approval, license, opinion or other act of the designated authority is prescribed by the law governing public health care (hereinafter: the Law) as a condition for registration, such a decision, approval, license, opinion or other act of the designated authority shall be submitted along with the registration and supporting documents prescribed in this Rulebook.

Entries in the Register

Article 5

Entries in the Register shall be made based on the prescribed registration application form, original documents, or a certified copy thereof, as well as proof of payment of the prescribed fee.

When registering a health facility, data on the registration number and tax identification number (PIB) shall be automatically entered in the Register, based on the decision of the competent authority on the allocation of a tax identification number (PIB), and based on the data taken over from the National Bank of Serbia.

Registration of establishment of health facilities

Article 6

The following shall be submitted with the single application for the registration of legal entities and other entities and for registration in the integrated register of taxpayers:

- 1) memorandum of association;

- 2) articles of association and approval of the articles of association of the publicly owned health facility by the designated body;
- 3) decision of the line ministry attesting to compliance with statutory requirements for practicing health care/pharmaceutical activities;
- 4) decision on the appointment of the manager, i.e. person authorized for representation;
- 5) copy of the identification card, passport, foreigner's identification card or excerpt from the relevant register as a document of identity of the founder, manager and/or person authorized for representation, pursuant to the Law;
- 6) decision on the establishment of a branch, i.e. organizational unit, detached from the registered place of business of the health facility, unless established by the articles of association;
- 7) decision of the founder or excerpt from the act of the designated body determining a weekly work schedule, the opening and closing times of the health facility;
- 8) other documents prescribed by the law;
- 9) proof of payment of statutory fee.

The signatures of the founders on the memorandum of association of the privately owned health facility shall be notarized, pursuant to the law.

Registration of a branch, i.e. organizational unit detached from the registered place of business of the health facility

Article 7

The following shall be submitted with the application for the registration of a branch, i.e. organizational unit detached from the registered place of business of the health facility:

- 1) decision on the establishment of a branch i.e. organizational unit detached from the registered place of business of the health facility, unless it is established in the articles of association;
- 2) decision of the line ministry attesting to compliance with statutory requirements for practicing health care/pharmaceutical activities;
- 3) proof of payment of statutory fee.

Registration of change of founder

Article 8

The following shall be submitted with the application for registration, change or strike-off of the founder:

- 1) contract on accession or withdrawal or act constituting grounds for registration, change or strike-off of founder;
- 2) act amending the memorandum of association;
- 3) copy of the identification card, passport, foreigner's identification card or excerpt from the relevant register as a document of identity of the founder, pursuant to the Law;
- 4) proof of payment of statutory fee.

Registration of change of manager or person authorized for representation

Article 9

The following shall be submitted with the application for registration, change or strike-off of the manager, or person authorized for representation:

- 1) act of the competent authority on the appointment or dismissal of the manager or person authorized for representation;
- 2) copy of the identification card, passport, foreigner's identification card, or excerpt from the relevant register as a document of identity of the founder, director and/or person authorized for representation, pursuant to the Law;
- 3) proof of payment of statutory fee.

The following shall be submitted with the application for registration of the resignation of the manager, or person authorized to represent a privately owned health facility:

- 1) resignation of the manager, i.e. person authorized for representation;
- 2) proof of payment of statutory fee.

Registration of change of data on registered persons

Article 10

The following shall be submitted with the application for registration of change of data on registered persons:

- 1) copy of identification card, passport, foreigner's identification card, excerpt from the relevant register or other document constituting legal grounds for change of these data;
- 2) proof of payment of statutory fee.

Registration of name change

Article 11

The following shall be submitted with the application for change of the name, short name, name in the national minority language and script, or name in foreign language of the health facility, branch or organizational unit detached from the registered place of business:

- 1) act amending the memorandum of association to change the name, short name, name in the national minority language and script, or name in foreign language of the health facility, branch, i.e. organizational unit detached from the registered place of business;
- 2) decision of the line ministry attesting to compliance with statutory requirements for practicing health care/pharmaceutical activities;
- 3) proof of payment of statutory fee.

Registration of change of place of business

Article 12

The following shall be submitted with an application for the change of the registered place of business of the health facility or branch, i.e. organizational unit detached from the registered place of business of the health facility:

- 1) act amending the memorandum of association to change the registered place of business of the health facility, and/or decision of the designated body on changing the registered place of business of the branch, or organizational unit detached from the registered place of business of the health facility;

- 2) decision of the line ministry attesting to compliance with statutory requirements for practicing health care/pharmaceutical activities in the new place of business;
- 3) proof of payment of statutory fee.

Registration of change of ownership type of a health facility

Article 13

The following documents shall be submitted with the application for registration of a change of the type of ownership of the health facility:

- 1) act amending the memorandum of association;
- 2) act of the designated body adopting the new articles of association or amendments thereto;
- 3) new articles of association or consolidated text thereof;
- 4) approval of the new articles of association of the publicly owned health facility, or amendments thereto, by the designated body;
- 5) decision by the line ministry attesting to compliance with statutory requirements for practicing health care/pharmaceutical activities by the new ownership type of the health facility;
- 6) proof of payment of statutory fee.

Registration of change of type of health facility

Article 14

The following shall be submitted with the application for registration of change of the type of health facility:

- 1) act amending the memorandum of association;
- 2) act of the designated body adopting the new articles of association or amendments thereto;
- 3) new articles of association or consolidated text thereof;
- 4) approval of the new statute of the publicly owned health facility, or amendments thereto, by the designated body;

5) decision by the line ministry attesting to compliance with statutory requirements for practicing health care/pharmaceutical activities of the new type of health facility;

6) proof of payment of statutory fee.

Registration of change of memorandum of association

Article 15

The following shall be submitted with the application for registration of amendments to the memorandum of association:

- 1) act amending the memorandum of association;
- 2) act of the designated body adopting the amendments to the memorandum of association;
- 3) proof of payment of statutory fee.

Registration of the new articles of association and amendments thereto

Article 16

The following shall be submitted with the application for the registration of new articles of association or amendments thereto:

- 1) act of the designated body adopting the new articles of association or amendments thereto;
- 2) new articles of association or consolidated text of the articles of association;
- 3) approval of new articles of association of the publicly owned health facility, or amendments thereto, by the competent authority;
- 4) proof of payment of statutory fee.

Registration of change of contact data

Article 17

To register a change or strike-off of contact data, an application shall be submitted for change or strike-off of contact data.

Annotation on disqualification from the practice of health care activities or disqualification from the practice of specific health care activities in a health facility

Article 18

In order to register an annotation on disqualification of an entity from practicing health care activities or from practicing certain health care activities in a health facility, a decision of the line ministry shall be submitted disqualifying the entity from practicing health care activities or specific health care activities in a health facility.

The following shall be submitted for the strike-off of the annotation on disqualification from the practice of health care activities or specific health care activities in a health facility:

- 1) a decision of the line ministry confirming adherence to due process and the elimination of reasons that led to disqualification from practicing health care activities or specific health care activities in the health facility;
- 2) proof of payment of statutory fee.

Registration of change of data on the weekly work schedule, opening and closing time

Article 19

The following shall be submitted with an application for registration of change of data on the weekly work schedule, opening and closing time:

- 1) decision of the founder or excerpt from the act of the designated body establishing a weekly work schedule, the opening and closing time of the health facility;
- 2) proof of payment of statutory fee.

Registration of mergers or splits of publicly owned health facilities

Article 20

The following shall be submitted with an application for merger or split of publicly owned health facilities:

- 1) act amending the memorandum of association;
- 2) proof of payment of statutory fee.

If a new institution is formed or an existing one terminated as a result of the merger or split, along with the documents listed in paragraph 1 of this Article, the applicant shall also submit the prescribed documents for the registration or strike-off from the Register, respectively.

Registration of status change of privately owned health facilities

Article 21

Each health facility participating in the change of status shall submit the following in support of their application for the publication of the draft contract on status change, or draft split plan on the SBRA's website:

- 1) the draft contract on status change or draft split plan;
- 2) proof of payment of statutory fee.

Along with the application for status change, each health facility participating in the status change shall submit:

- 1) decision of the designated body of the health facilities participating in the status change approving the status change;
- 2) contract on status change, or plan for the split of the health facility, notarized by the authority responsible for notarization;
- 3) amendments to the memorandum of association and articles of association and consolidated text of the articles of association, if the health facility participating in the status change continues to exist;

- 4) decision of the line ministry attesting to compliance with statutory requirements for practicing health care/pharmaceutical activities;
- 5) documentation required for registration shall be submitted if a new health facility is created as a result of the status change;
- 6) financial statements of the health facilities participating in the status change with auditor's opinion, the auditor's report on the status change, or statement of the health facility's representative to the effect that the founders have agreed that the financial statement, and auditor's report shall not be compiled;
- 7) proof of payment of statutory fee.

If an existing health facility is terminated as a result of the status change, an application for the strike-off of that health facility from the Register shall be submitted concurrently with an application for the registration of the status change.

Registration of the change of legal form from doctor's practice to privately owned health facility

Article 22

Along with the single application form for registration of a privately owned health facility with the Register as a result of the change of legal form from doctor's practice, the applicant shall submit the documentation prescribed for the registration of a privately owned health facility, concurrently with an application for registration of strike-off of a doctor's practice from the relevant register accompanied by the required documents.

Strike-off of a publicly owned health facility from the Register

Article 23

The following shall be submitted with an application for strike-off of a publicly owned health facility from the Register:

- 1) act of the founder terminating the health facility;
- 2) proof of payment of statutory fee.

Registration of the opening of liquidation proceedings in a privately owned health facility

Article 24

The following shall be submitted with the application for the registration of the opening of liquidation proceedings:

- 1) decision of the designated body on the opening of liquidation proceedings;
- 2) decision of the designated body on the appointment of a liquidator, unless this person is the registered representative of the health facility;
- 3) copy of identification card, passport, or foreigner's identification card as a document of identity of the liquidator, pursuant to the Law - unless this person is a registered manager or the person authorized to represent the health facility;
- 4) proof of payment of statutory fee.

Entry of records on preliminary liquidation report or annual liquidation report of the privately owned health facility

Article 25

The following shall be submitted with the application for the entry of records on the preliminary and annual liquidation reports:

- 1) the preliminary or annual liquidation reports and decision of the designated body adopting these reports;
- 2) proof of payment of statutory fee.

Registration of preliminary and annual liquidation reports of the privately owned health facility

Article 26

The following shall be submitted with the application for the registration of the preliminary and annual liquidation reports:

- 1) the preliminary or annual liquidation report;

- 2) decision of the designated body adopting these reports;
- 3) proof of payment of statutory fee.

Registration of the suspension of liquidation proceedings of a privately owned health facility

Article 27

The following shall be submitted with the application for registration of the suspension of liquidation proceedings:

- 1) decision of the competent body on the suspension of liquidation proceedings;
- 2) decision on the appointment of the manager, or the person authorized for representation;
- 3) identification card, passport, or foreigner's identification card as a document of identity of the manager or the person authorized for representation, pursuant to the Law;
- 4) proof of payment of statutory fee.

Strike-off of the privately owned health facility after liquidation

Article 28

The following shall be submitted with an application for strike-off of a privately owned health facility from the Register after completion of the liquidation proceedings:

- 1) decision of the competent body on the finalization of the liquidation proceedings;
- 2) the liquidator's report on the implemented liquidation;
- 3) statement of the liquidator attesting that all liabilities arising from registered claims are fully settled and that no other proceedings are pending against the health facility;
- 4) decision of the designated body on the division of assets that remain after creditors' claims have been satisfied, if any;
- 5) decision of the designated body appointing the person entrusted with keeping financial records and documents or liquidator's statement on the name and address of that person;
- 6) certificate from the competent tax authority on the expiry of tax liability;

7) certificate from the competent tax authority on strike-off from the VAT register, for VAT taxable entities;

8) proof of payment of statutory fee.

Registration of the opening of bankruptcy proceedings in a privately owned health facility

Article 29

The following documents shall be submitted for the registration of the opening of bankruptcy proceedings against a privately owned health facility:

1) decision of the bankruptcy court of jurisdiction on the opening of bankruptcy proceedings and appointment of an insolvency administrator;

2) proof of payment of statutory fee.

The provisions of the law governing bankruptcy, specifically the provisions on registration of decisions arising from the bankruptcy proceedings in the relevant register, shall apply accordingly to the registration of other data related to the bankruptcy of a privately owned health facility.

Registration of the suspension of bankruptcy proceedings in a privately owned health facility

Article 30

The following documents shall be submitted for the registration of the suspension of bankruptcy proceedings in a privately owned health facility:

1) decision of the bankruptcy court of jurisdiction on the suspension of bankruptcy proceedings;

2) decision on the appointment of the manager, or person authorized for representation;

3) copy of identification card, passport, or foreigner's identification card as document of identity of the manager or person authorized for representation, pursuant to the Law;

4) proof of payment of statutory fee.

Strike-off of a privately owned health facility from the Register, after closure of bankruptcy proceedings

Article 31

The following shall be submitted with an application for strike-off of a privately owned health facility from the Register, after closure of bankruptcy proceedings:

- 1) binding decision of the bankruptcy court of jurisdiction on closure of bankruptcy;
- 2) proof of payment of statutory fee.

Annotations

Article 32

The following documents shall be submitted with the application for the registration or strike-off of an annotation of facts relevant to legal transactions:

- 1) documentation constituting legal grounds for the registration or strike-off of an annotation;
- 2) proof of payment of statutory fee.

Registration of compliance

Article 33

The following documents shall be submitted with an application for registration of compliance:

- 1) valid memorandum of association;
- 2) new articles of association;
- 3) approval of the new articles of association of the publicly owned health facility by the designated body;
- 4) decision of the founder or excerpt from the act of the designated body determining a weekly work schedule, the opening and closing time of the health facility;
- 5) if other registered data incurred a change in the compliance procedure, the applicant shall submit documents prescribed for this type of change.

Registration application forms

Article 34

The application for registration of compliance referred to in Article 33 of this Rulebook (with annexes) shall be provided in Form 1, published along with this Rulebook, and constituting a part thereof.

The application for change of registered data, referred to in Articles 7-22, 24-27, 29, 30 and 32 of this Rulebook (with annexes) shall be provided in Form 2, published along with this Rulebook, and constituting a part thereof.

The application for strike-off from the Register referred to in paras. 23, 28 and 31 of this Rulebook (with annexes) shall be provided in Form 3, published along with this Rulebook, and constituting a part thereof.

The application forms referred to in paras. 1-3 of this Article and the single application form for the registration of legal entities and other entities as well as for their registration in the integrated taxpayers' register, can be downloaded from the SBRA's official website.

Entry into force

Article 35

This Rulebook shall enter into force on the eighth day from the date of publication hereof in the Official Gazette of the Republic of Serbia, and shall apply as of 11 October 2020 - the date of start of operations of the Register kept by the SBRA.

Forms 1-3, constituting an integral part of this Rulebook:

Form for registration of compliance

Form for registration of changes of data on the health facility

- Annex 01- 20 for change of data on health facility

Form for registration of strike-off of health facility