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ELEKTRONSKI SERVIS REGISTRACIJE PREDUZEĆA U SRBIJI

*Registracija preduzeća u Srbiji za pet dana.
– Transparentnost registracije privrednih
subjekata povećava pravnu sigurnost.
– Agencija za privredne registre Srbije član
Evropskog privrednog registra*

BUSINESS REGISTERS AGENCY

Electronic Service for Company Registration in Serbia

*– Company registration in Serbia in five days' time. – Transparency of the registration
of business entities increases legal security. – Serbian Business Registers Agency
member of European Business Register*

Reforma u registraciji privrednih subjekata u Srbiji, koja je počela osnivanjem Agencije za privredne registre, znatno je unapredila poslovni ambijent i donela niz pogodnosti biznismenima. Ova moderna institucija postala je vrlo brzo pravi poslovni elektronski servis, a javnom registracijom lizinga i zaloge poboljšana je pravna sigurnost.

Već u prvoj godini primene novog sistema došlo je do povećanja broja novoosnovanih firmi za 50 odsto u odnosu na prethodnu godinu.

Uspeh u radu je razlog što će Svetska banka i Microsoft predstaviti na svojim sajtovima Keys study o osnivanju Agencije kao primer uspešno implementiranog projekta.

Zašto i kada je osnovana Agencija za privredne registre i koja je njena misija i zadatak?

– Agencija za privredne registre osnovana je početkom 2005. godine sa ciljem da smanji administrativne prepreke za početak poslovanja. U praksi se pokazalo da je svako vreme za pokretanje posla dobro – ako je kratko. Privredni registar je postao javna baza podataka čime su

The reform of the registration of business entities in Serbia, carried out with the establishment of the Business Registers Agency, has considerably improved the business environment and has brought businessmen numerous benefits. This modern institution very soon became a true business electronic service, while the public registration of leasing and pledges has improved legal security. Already in the first year of the new system's implementation the number of newly founded companies increased by 50 percent compared to the previous year.

It is due to its successful work that the World Bank and Microsoft will present on their web sites a key study on the Agency's foundation as an example of a successfully implemented project.

Why and how was the Business Registers Agency founded and what is its mission and task?

– The Agency for Business Registers was founded at the beginning of 2005 with the goal of reducing the administrative obstacles to the start of business. Practice has shown that any period is good for starting a busi-

stvoreni uslovi za veću pravnu sigurnost i ulaganja u privredu. Agencija pruža pomoć i prilikom zatvaranja privrednog subjekta, kako bi se postupak registracije likvidacije ili stečaja obavio uz minimalne formalnosti i troškove

Da li je postojanje Agencije unelo brzinu, sigurnost i transparentnost u privredni ambijent?

– Danas se registracija preduzeća u Agenciji za privredne registre obavlja za manje od pet dana, a sve administrativne procedure do početka poslovanja traju ukupno 15 dana. Troškovi registracije u proseku iznose 50 evra, a osnivački kapital je smanjen na 500 evra. Za registraciju privrednog subjekta dovoljno je podneti samo

Dobar rezultat

Svetska banka je u godišnjem izveštaju „Uslovi poslovanja u 2006. godini“ svrstala Srbiju na prvo mesto po brzini sprovedenih reformi u prethodnoj 2005. godini. Od osam kriterijuma koji su predstavljali temu istraživanja, Srbija je, između 155 zemalja obuhvaćenih istraživanjem, najbolje ocenjena upravo za reformu u oblastima koje se odnose na postupak otvaranja i zatvaranja preduzeća.

Evropska unija je pozitivno ocenila celokupan napredak podsticanja poslovnih aktivnosti i stvaranja novih poslova.

EBRD je u svom izveštaju Srbiju rangirala na 1. mesto od 27 zemalja u tranziciji po sprovedenim reformama u periodu od septembra 2004. godine do septembra 2005. godine.

Na nedavnoj Regionalnoj konferenciji o pojednostavljenju propisa vezanih za

poslovne aktivnosti i gradnju u Sarajevu u organizaciji USAID-a (projekat SPIRA), Srbija je označena kao primer dobre prakse u regionu, kada je u pitanju pojednostavljenje procedura za registraciju preduzeća. U odnosu na zemlje regiona, Srbija je najdalje odmakla u reformi sistema registracije.

dva dokumenta (kod privatnih preduzetnika) i svega osam dokumenata – kod akcionarskih društava. Uz ovu dokumentaciju prilaže se još i popunjena registraciona prijava. Raniji sistem registracije u Srbiji bio je neažuran, nepotpun, netransparentan i razuden. U periodu pre reforme, registracija je trajala u proseku 51 dan, a za pokretanje posla bilo je neophodno 5 000 dolara osnivačkog kapitala. Bilo je potrebno sprovesti jedanaest različitih procedura, a troškovi registracije preduzeća iznosili su ukupno 202 dolara. U Agenciji je registrovano 85 000 privrednih društava. Prošle godine osnovano je oko 10 300 novih privrednih društava, što je za 50 procenata više nego u 2004. godini. Prvi put u Srbiji na jednom mestu su objedinjeni podaci o svim privrednim subjektima sa cele teritorije. Sada je poznato da se svakoga dana registruje oko 250 novih privrednih subjekata – 50 novih privrednih društava i oko 200 radnji.

Šta Agencija radi i na koji način?

– Agencija za privredne registre primenjuje elektronsko vođenje privrednih registara i obezbeđuje ažurnost podataka. Ovi podaci su svima dostupni putem zvaničnog sajta. Sajt je i dragoceni izvor važnih informacija o postupku registracije i zakonskim propisima koji uređuju rad Agen-

ness – as long as its short. The business register has become a public data base, this having created the conditions for greater legal security and investments in the economy. Agency also offers assistance when business entities are being closed down, so that the procedure of registering liquidation or bankruptcy would be carried out with minimum formalities and costs.

Has the existence of the Agency brought speed, security and transparency into the business environment?

– Today, companies are registered at the Business Registers Agency in less than five days, and all the administrative procedures until the start of business operations last a total of 15 days. The registration costs are 50 euros on the average, while the initial capital has been reduced to 500 euros. In order to register a business entity it is sufficient to submit two documents (in the case of private entrepreneurs) and only eight documents – in the case of joint stock companies. A filled out registration application is also submitted along with this documentation. The previous registration system in Serbia was non-prompt, incomplete, non-transparent and dispersed. In the period before the reform, the registration lasted 51 days on the average and it took 5,000 dollars worth of initial capital to start a business. It was necessary to carry out eleven different procedures, and the costs of registering a company were a total of 202 dollars. The Agency has 85,000 registered companies. Last year, around 10,300 new companies were founded, which is 50 percent more than in 2004. This is the first time in Serbia that the data on all the business entities from the entire territory are gathered in one place. It is now known that about 250 new business entities – 50 new companies and around 200 stores, are registered each day.

Good Result

In its annual report “Doing Business 2006”, the World Bank ranked Serbia first according to the speed of the implementation of reforms in the previous year of 2005. Among the eight criteria that were the subjects of the research, out of a total of 155 countries included in the survey, Serbia received the highest assessment precisely for the reform in the fields related to the procedure of opening and closing down companies.

The European Union has positively assessed the entire progress achieved in stimulating business activities and the creation of new jobs.

In its report, the EBRD ranked Serbia first among 27 countries in transition according to the reforms carried out in the period between September 2004 and September 2005.

At the recent Regional Conference on the simplification of regulations for business activities and construction, held in Sarajevo and organized by USAID (the SPIRA project), Serbia was mentioned as an example of good practice in the region as regards the simplification of the company registration procedure. Compared to countries in the region, Serbia has gone the furthest in reforming the registration system.

cije. Preko sajta mogu besplatno da se preuzmu sve vrste formulara, kao i modela osnivačkih akata. Agencija je već sada u potpunosti spremna da elektronskim putem prima zahteve za registraciju, što će uskoro još više olakšati ceo postupak. Elektronski prijem zahteva i deo njene misije da ohrabruje i edukuje poslovne ljude za korišćenje sadašnjih i budućih usluga „elektronske“ vlade.

Da li se ubrzava poslovna aktivnost zahvaljujući novom sistemu registracije preduzeća i ostalih privrednih subjekata?

- Registar privrednih subjekata je jedinstvena, javna, elektronska baza podataka o svim privrednim subjektima sa teritorije Republike Srbije. U Registru privrednih subjekata registruju se podaci o osnivanju, povezivanju, prestanku postojanja privrednog subjekta, statusnim promenama i promenama pravne forme, podaci o privrednom subjektu od značaja za pravni promet, podaci u vezi sa postupkom stečaja i likvidacije, kao i drugi podaci koji su značajni za položaj pravnog subjekta (prokura i njen prestanak, zabrana obavljanja delatnosti, godišnji finansijski izveštaj i dr.). Sastavni deo Registra privrednih subjekata

Donatori Agencije

Dosadašnji donatori Agencije za privredne registre su:

Sweden International Development Co-operation Agency- SIDA, World bank, Microsoft SCG i United States Agency for International Development- USAID.

od ove godine je registar predstavništva stranih lica, čija se evidencija ranije vodila u Ministarstvu za ekonomske odnose. Tako je Agencija od početka godine registrovala 83 nova predstavništva, dok je 128 prevela iz registra ministarstva.

Vođenje centralizovanih registara u jedinstvenoj instituciji, kakva je Agencija za privredne registre, obezbeđuje ujednačenu praksu registracije, usaglašenu sa direktivama EU, i jedinstvene uslove za započinjanje poslovanja za sve učesnike u privrednom životu Srbije. Ovakav registar pruža mogućnost i državnim organima i institucijama da se na jednom mestu upoznaju sa podacima o registrovanim privrednim subjektima, njihovim bonitetom, zaduženjima fizičkih i pravnih lica koja se odnose na finansijski lizing i zalogu.

Da li je rad Agencije usklađen sa evropskim standardima?

- Rešenje koje je primenjeno u skladu je sa Prvom evropskom direktivom, koja nalaže da svaka zemlja članica osnuje centralni registar, privredni registar ili registar privrednih subjekata. Srbija je u sprovođenju reforme sistema registracije privrednih subjekata odabrala rešenja iz anglosaksonskog pravnog sistema, a kao model je poslužio irski registar.

Koje je mesto Agencije u međunarodnom sistemu sličnih institucija?

- Zahvaljujući dobrim rezultatima od samog početka do danas, Agencija za privredne registre Srbije je postala član Foruma Evropskih komercijalnih registara (European Commerce Register Forum-ECRF), koji okuplja blizu 30 zemalja iz Evrope. Agencija očekuje da će 2007. godine postati punopravni član Evropskog poslovnog registra (

What does the Agency do and in what way?

- The Business Registers Agency keeps business registers in electronic form and updates the data. These data are available on the official web site. The site is also a valuable source of important information about the registration procedure and the legislation regulating the Agency's work. All types of forms, as well as models of founding charters can be obtained on the site. Already now, the Agency is fully prepared to accept registration applications in electronic form, which will soon facilitate even further the whole procedure. The electronic acceptance of applications also represents part of its mission to encourage and educate businesspeople to use the present and future services of an "electronic" government.

Have business activities been accelerated thanks to the new system of registering companies and other business entities?

- The Register of Business Entities is a unified, public, electronic data base on all the business entities on the territory of the Republic of Serbia. The Register of Business Entities registers data on the foundation, integration and closing down of business entities, status changes and changes of the legal form, data on a business entities of importance for legal transactions, data concerning bankruptcy and liquidation procedures, as well as other data significant for the position of a legal entity (proxy and its cessation, ban on performing activities, annual financial statement and so on). As of this year, an integral part of the Register of Business Entities has been the Register of foreign representative offices, records on which were previously kept by the ministry of economic relations. Thus, since the beginning of the year, the Agency has registered 83 new representative offices, while it transferred 128 from the ministry's register. The keeping of a centralized registered at a single institution such as the Business Registers

The Agency's Donors

The donors of the Business Registers Agency have been:

Sweden International Development Co-operation Agency- SIDA, World Bank, Microsoft SCG and the United States Agency for International Development- USAID.

Agency provides a uniform registration practice, harmonized with the EU directives and equal conditions for starting a business for all the participants in Serbia's economic life. Such a register makes it possible for both state bodies and institutions to acquaint themselves at one place with data on the registered business entities, their financial reliability, the debits of physical persons and legal entities related to financial leasing and pledges.

Is the Agency's work harmonized with European standards?

- The applied solution is in compliance with the first European Directive, stating that each member state should establish a central register, a business register or a register of business entities. In implementing the



European Business Register- EBR) i ući u BRITE projekat koji će elektronskim putem povezati evropske registre.

Agencija je ostvarila tesnu saradnju sa Registrom Republike Irske, po čijem modelu radi i aktivno učestvuje u specijalizovanim konferencijama ovakvih institucija u svetu.

Na koji način će se dalje unapređivati rad Agencije?

- Agencija treba da postane nosilac vladinog projekta "One stop shop" – jedinstvenog šaltera, gde bi privrednici mogli da na jednom mestu obave više administrativnih poslova i na taj način brže dođu do registrovanog biznisa. Da bi se to ostvarilo, potrebno je da se elektronski poveže nekoliko vladinih ministarstava i državnih institucija. Time bi se u značajnoj meri unapredila državna administracija u cilju stvaranja efikasnijeg servisa za građane, nalik onima koji već postoje u Evropi. U poslednjoj fazi razvoja,

Registar finansijskog lizinga

Registar finansijskog lizinga je jedinstvena elektronska baza podataka u kojoj se čuvaju podaci o ugovorima o lizingu. Ovo je jedini registar u Republici Srbiji u kome se vodi ovakva vrsta evidencije. Rad lizing kompanija kontroliše Narodna banka Srbije.

Registar založnog prava na pokretnim stvarima i pravima

Registar založnog prava na pokretnim stvarima i pravima je jedinstvena elektronska baza podataka u kojoj se čuvaju podaci o založnim pravima na pokretnim stvarima i pravima fizičkih i pravnih lica. Ovo je jedini registar u Republici Srbiji u kome se vodi ovakva vrsta evidencije, i on predstavlja preduslov za veću pravnu sigurnost.

Agencija planira da postane centralni državni registar, u kojem bi se objedinili svi postojeći registri, po ugledu na Norvešku, u kojoj se na jednom mestu vodi 19 registara – od registra partija do privrednih subjekata.

reform of the system of registering business entities Serbia has opted for solutions from the Anglo-Saxon legal system, while the Irish register served as model.

What is the Agency's place in the international system of similar institutions?

- Thank to its goods results ever since the very beginning, the Serbian Business Registers Agency has be-

Financial Leasing Register

The Financial Leasing Register is a unique electronic database keeping data on leasing contracts, concluded between physical persons and legal entities, changes and additions to these contracts, their termination, as well as data on disputes being conducted in relation to the subject of leasing. This is the only register in the Republic of Serbia keeping these types of records. The work of leasing companies is overseen by the National Bank of Serbia.

Register of Pledges on Movables and Rights

The Register of Pledges on movables and rights is a unique electronic database keeping data on security rights over the movables and rights of physical persons and legal entities, changes and additions concerning the registered security rights, as well as data on disputes being conducted in relation to a pledged movable or other relations between parties related to the pledge. This is the only register in the Republic of Serbia keeping these types of records and its represents the precondition for greater legal security.

come a member of the European Commerce Register Forum (ECRF), which rallies nearly 30 European countries. The Agency expects to become, in 2007, a full member of the European Business Register (EBR) and to be included in the BRITE project which will electronically link all European registers.

The Agency has established close cooperation with the Register of the Republic of Ireland on whose model it is operating and it actively participates in specialized conferences of such institutions in the world.

In what way will the Agency further promote its work?

- The Agency is to head the government's project "One stop shop" – where businesspeople would be able to finish a number of administrative jobs at one place and, thus, faster to obtain a registered business. In order to achieve this, it is necessary electronically to link several government ministries and state institutions. This would considerably improve state administrative work with the aim of creating a more efficient service for the citizens, similar to those already existing in Europe. In the last phase of its development, the Agency plans to become the central state register, which would unify all the existing registers, on the model of Norway, where 19 registers are kept in one place – from the register of parties to business entities.