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Ministry of Justice

**LAW ON AMENDMENTS AND
ADDITIONS TO
THE CRIMINAL CODE**

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ZAKON O IZMENAMA I DOPUNAMA KRIVIČNOG ZAKONIKA

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LAW ON AMENDMENTS AND ADDITIONS TO THE CRIMINAL CODE

Article 1

In the Criminal Code ("Official Gazette of the RS", nos. 85/05 and 88/05-correction and 107/05-correction) in Article 8, paragraph 1 after the words: "Serbia or" the words "Montenegro or if extradited to the State Union of Serbia and Montenegro" shall be replaced with the words: "extradited to the Republic of Serbia".

Article 2

In Article 9, paragraph 1 after the words: "Serbia or" the words "Montenegro or if extradited to the State Union of Serbia and Montenegro" shall be replaced with the words: "returned to the Republic of Serbia".

In paragraph 2 the word "extradited" shall be replaced with word "returned".

Article 3

In Article 11 the word "extradition" shall be deleted, and after the word "procedure" the word "extradition" shall be added in the proper language case.

Article 4

The title above the Article 12 and the Article 12 changes and shall read as follows:

"Criminal Liability of Legal Entities for Criminal Offences

Article 12

Criminal liability of legal entities for criminal offences, as well as punishment for legal entities shall be determined by the special law. "

Article 5

In article 18, paragraph 3, the words "three years" shall be replaced with words "five years".

Article 6

In Article 44, paragraph 1, change and shall read as follows:

"Imprisonment and community service may be pronounced only as principal sanctions".

In paragraph 2 after the word "a fine" comma and the words "community service" shall be added.

Article 7

In article 45 after paragraph 4, the paragraph 5 till 8 shall be added and read as follows:

“(5) The court may to convicted person punished with imprisonment up to one year, impose to serve the sentence in terms that shall not leave premises where he lives, except under the terms prescribed by the law governing the execution of criminal sanctions.

(6) A convicted person who serves the prison sentence under the terms specified in paragraph 5 of this Article, and who once in twelve hours arbitrarily leaves premises where he lives, court shall determined that rest of prison sentenced shall be served in prison.

(7) In determining the enforcement of prisonment sentence specified in paragraph 5 of this Article, the court shall afford particular consideration to technological possibilities of enforcement, as well as other circumstances of the importance for sentencing.

(8) A convicted person for criminal offence against the marriage and family, who lives with the victim in the same household, the enforcement of the prison sentence specified in paragraph 5 of this Article, shall not be determined. “.

Article 8

In Article 46, paragraph 1 the word “half” shall be replaced with the words “two thirds”. After the second proposition the new proposition shall be added and read as follows: “A convicted person who attempts to escape from prison or escape from prison during serving imposed prison sentence shall not be released on parole.”.

After paragraph 1, the paragraph shall be added and shall read as follows:

“(2) The Court may in decision on parole determine that convicted person must fulfill obligations stipulated in the criminal provisions.

Paragraph 2 shall become paragraph 3.

Article 9

In Article 47, paragraph 1 the words “one year” shall be replaced with the words “six months”.

In paragraph 2, the words “ one year” shall be replaced with the words “ six months”, the full stop shall be replaced with comma and the words “or fails to fulfill any obligation that was prescribed by the court in accordance with article 46, paragraph 2 of this Law. “ shall be added.

Article 10

In Article 53, paragraph 3 after the words “till two years” the full stop shall be deleted and the words “or fine” shall be added.

Article 11

In Article 57, paragraph 1 the new bullet shall be added and read as follows:

“ 1) if the lowest statutory penalty for the criminal offence is imprisonment of ten or more years, the sentence may be reduced to seven years imprisonment; “

Bullets from 1 to 7 shall become bullets from 2 to 8.

In bullet 2, the words “or more” shall be deleted, and the word “two” shall be replaced with word “three”

In bullet 8 after the word “till” the words “ten daily amounts, or”.

After paragraph 1, the new paragraphs 2 and 3 shall be added and read as follows:

“(2) Exceptionally from the paragraph 1 of this Article, the court may not pronounce to a perpetrator of a criminal offence a penalty which is under statutory limits or a mitigated penalty for the criminal offences from the articles 134 paragraph 2 and 3, 178, 179, 180, 214 paragraph 2 and 3, 246 paragraph 1 and 3, 350 paragraph 3 and 4 and 388 of this Law.

(3) Exceptionally from the paragraph 1 of this Article, the court may not pronounce a mitigated penalty to person who is previously convicted for the same crime.”

Paragraph 2 shall become paragraph 4 and the words “for mitigation of penalty” shall be replaced with words “in paragraph 1 to 3 of this Article”.

Article 12

In Article 58, after paragraph 2 the paragraph 3 shall be added and shall be read as follows:

“(3) The court may also remit from punishment the perpetrator of a criminal offence punishable by imprisonment of up to five years if following the commission of the offence, and before learning that he has been uncovered, the offender eliminates the consequences of the offence or compensates damages caused by the criminal offence. “

Article 13

In Article 59, paragraph 2 shall be deleted.

Article 14

In Article 61, paragraph 6 the words “uncovered subsequently” and comma shall be deleted. After paragraph 6, paragraphs 7 and 8 shall be added and shall read as follows:

“(7) For criminal offence specified in paragraph 1 of this Article, the court may impose a more severe sentence than prescribed. Imposed sentence may not exceed twice of the prescribed measure of punishment, or twenty years.

(8) Exceptionally from the paragraph 7 of this Article, if for the offense from paragraph 1 of this article is imposed a prison sentence of thirty to forty years, imposed sentence may not exceed forty years. ”

Article 15

In article 66, paragraph 1 the words “till two” shall be replaced with the words “less than two”.

Article 16

In Article 67, paragraph 2 the words “over two year of imprisonment” shall be replaced with words “imprisonment from two years or longer.”

Article 17

In article 70, after paragraph 2, paragraph 3 shall be added and shall read as follows:

“(3) After the imposition of a suspended sentence determines that the convicted person committed a crime before he was suspended sentenced, therefore would not be the basis for the imposition of a suspended sentence, suspended sentence may be revoked within one year from the date when the elapsed time of probation. ”.

Article 18

In Article 77, paragraph 5 the words “and Montenegro” shall be deleted.

Article 19

In Article 79, paragraph 1, bullet 9 the full stop shall be replaced with semicolon.

After bullet 9, the bullet 10 shall be added and shall be read as follows:

“10) Prohibiting convergence and communication with victim “

Article 20

In article 80, after paragraph 5, new paragraph 6 shall be added and read as follows:

“(6) Measure Prohibiting convergence and communication with victim may be imposed if the perpetrator is punished with fine, the community service, and prohibition to drive motor vehicle, suspended sentence and judicial caution.

Paragraph 6 shall become paragraph 7.

Article 21

In Article 87, paragraphs 1 and 2 changes and read as follows:

“(1) The measure of Seizure of Objects may be set to the object that was intended or used to commit a criminal offence or originate from the criminal offense, when there is a danger that the object shall be re-used to commit a criminal offence, or if so required by the interests of general safety or for moral reasons seizure of object is necessary.

(2) Application of this security measure shall be without prejudice to the right of third parties to compensation of damages by the offender. “

Article 22

After Article 89, Article 89a shall be added and read as follows:

„ Prohibiting Convergence and Communication with Victim

Article 89a

(1) The court may prohibit the offender to converge to a victim, prohibit access to the area around the residence or place of victim and prohibit further harassment, or further communication with victim, if reasonably should be considered that further exercise of such actions of the offender is dangerous for the victim.

(2) Measure specified in paragraph 1 of this article may not exceed three years.

(3) Time spent in a prison shall not be credited to the term of this measure.

(4) The measure specified in paragraph 1 of this Article shall be revoked before the expiration of determined time, if the reasons on which is based are discontinued. “

Article 23

In article 92, paragraph 1 after the words “obliged to”, the words “give in exchange other property that is adequate to the value of property acquired by criminal act or resulting from criminal acts or”.

In paragraph 2 after the words: “and from” the words “legal or physical “shall be added.

Article 24

In article 102, paragraph 2 the words “organ of internal affairs” shall be replaced with words “police”. After the first proposition the new proposition shall be added and shall be read as follows: Data from criminal records may be disclosed to the other government authority responsible to identify and prevent committing of criminal offences when it is determined by the special law. “

In paragraph 5 the words “if necessary for realizing their rights” shall be deleted. After paragraph 5, the paragraph 6 shall be added and shall be read as follows:

“(6)” Data on deleted conviction may not be given to anyone.

Article 25

In Article 112, paragraph 3, bullet 5 the words “when such offences are not provided in the Chapter on criminal offences against official duty or criminal offences of an official.” shall be deleted.

Paragraph 13 changes and shall be read as follows:

“(13) Elections are the elections for the Assembly of Serbia, the president of republic of Serbia, local self-government organs and other elections called and conducted pursuant to the Constitution and law. “

Paragraph 17 changes and shall be read as follows:

“(17) Computer data is every presenting of facts, information or concept in form that is suitable for its processing in computer system, including adequate computer program which is necessary for computer system functioning”.

In paragraph 18 after the words “computers”, comma and the words: “as well as computer systems” shall be added.

Paragraph 22 changes and shall read as follows:

“(22) An organized group is a group comprising minimum three persons acting in conspiracy to commit continuous or impermanent criminal offences, which shall not have defined role of its member or developed structure.”

In paragraph 23, the words:” member states of the State Union of Serbia and Montenegro” shall be replaced with the word:” Serbia”.

Paragraph 28 changes and shall read as follows:

“(28) A family member shall also mean former spouses and their children, next of kin, partners and their children, adopter and adoptees and foster family.

A family member shall also mean brothers and sisters and their spouses, former spouses and their children and parents of former spouses if they live in same household, as well as persons who have common child or child that shall be born, although they have never lived in the same family household.”.

Paragraph 31 changes and shall read as follows:

“(31) Abbreviation “Serbia” shall mean the Republic of Serbia.”

After Paragraph 31, paragraphs 32 to 36 shall be added and read as follow:

“(32) Work of public importance is considered to be performing duties or profession that has an increased risk for the safety of a person who performs it, and refers to occupations that are of importance to public information, health, education, public transport, legal and professional assistance before the court and other state authorities.

(33) Computer is every electronic device on the basis of automatic data processing and data exchange.

(34) Computer system is each device or group of interconnected or dependent devices of which one or more of them, based on the program, performs automatic processing of data.

(35) An organized criminal group is a group that exist certain amount of time, comprising minimum three or more persons acting in conspiracy to commit one or more criminal offences punished with imprisonment of four or more years, to acquire direct or indirect financial or other material gain or achieving and retaining influence on the economy or other important state structures.

(36) Property is considered to be good of every kind, tangible or intangible, movable or immovable, or the estimates and invaluable documents in any form that proves right or interest in relation to such well. Property is considered income or other benefit that originates, directly or indirectly, from criminal offence, as well in which it is converted or with which it is merged.”.

Article 26

In Article 114 after item 6, new bullet 7 and 8 shall be added and read as follows:

“(7) Causes death of Judge, Public Prosecutor, Deputy public Prosecutor or policemen related to discharge of their duty;

(8) Causes death of person who perform duty in public interest related to discharge of his duty”

Items 7 to 9 shall become bullets 9 to 11.

In bullet 11 the words:” mercy killing” shall be replaced with the words:” causes death from mercy”.

Article 27

In Article 121, after paragraph 5, paragraph 6 shall be added and shall read as follow:

“(6) If the act specified in paragraph 1 of this Article is committed against a minor, pregnant women or person who perform duty in public interest, offender shall be punished with imprisonment of one to eight years and for act specified in paragraph 2 of this Article with imprisonment of two to twelve years, and for act specified in paragraph 3 of this Article with imprisonment of five to fifteen years.”.

Article 28

In Article 124, paragraph 2 shall be added and shall read as follows:

“(2) Whoever in brawl or quarrel reaches for a weapon, shall be punished with imprisonment up to two years and by fine.”.

Article 29

In Article 125, after paragraph 3, paragraph 4 shall be added and shall read as follows:

“(4) If the act specified in paragraphs 1 to 3 of this Article is committed against a minor or pregnant women, offender shall be punished for act specified in paragraph 1 of this Article with imprisonment of six months to five years, and for act specified in paragraph 2 of this Article with imprisonment of one to eight years, and for act specified in paragraph 3 of this Article with imprisonment of two to twelve years.”.

Article 30

In Article 127, paragraph 1, the word “one” shall be replaced with the word “two”.

In paragraph 2, the word “two” shall be replaced with the word “three”.

In paragraph 3, the word “three years” shall be replaced with the words “five years”.

Article 31

In Article 129 the word “S&M” shall be replaced with the word “Serbia” in the proper grammar case.

Article 32

In Article 133, paragraph 1 the word “S&M” shall be replaced with the word “Serbia” in the proper grammar case.

Article 33

In Article 134, paragraph 1 the word “one” shall be replaced with the word “two”.

In paragraph 4 the word “organized” shall be deleted.

After paragraph 4, the paragraph 5 shall be added and shall read as follows:

“(5) If the criminal offence specified in paragraph 1 to 3 of this Article is committed by the criminal group the offender shall be punished with imprisonment from minimum five years. “

Article 34

In Article 135, paragraph 4 the word “organized” shall be deleted.

After paragraph 4, the paragraph 5 shall be added and shall read as follows:

“(5) If the act specified in paragraph 1 and 2 of this Article is committed by the organized criminal group the offender shall be punished with imprisonment from five to fifteen years. “

Article 35

In Article 138, paragraph 1 the word “one” shall be replaced with the word “three”.

In paragraph 2 the words “three years” shall be replaced with the words “five years”.

After paragraph 2, the paragraph 3 shall be added and shall read as follows:

“(3) Whoever commits the offence specified in paragraph 1 of this Article against Republic President, Member of Parliament, Prime Minister, Government members, Constitution Court Judge, Judge, Public Prosecutor and Deputy Public Prosecutor and person of importance to public information, shall be punished with imprisonment of one to eight years.”.

Article 36

In Article 145, paragraph 1 the word “one” shall be replaced with the word “two”

Article 37

In Article 151, paragraph 1 the word “one” shall be replaced with the word “two”

Article 38

In the title above Article 152 the word “organizing” shall be replaced with the word “alliance”.

In Article 152, paragraph 1 the word “organizing” shall be replaced with the word “alliance”, the word “organization” shall be replaced with the word “alliance”, and the word “one” shall be replaced with the word “two”.

Article 39

In Article 153, paragraph 1 the words “138, paragraph 1” and comma shall be deleted.

Article 40

In Article 161, the words “shall be punished with a fine or imprisonment up to two years” shall be replaced with the words “imprisonment of six months to five years”.

Article 41

In Article 166, paragraph 1 the word “one” shall be replaced with the word “two”.

Article 42

In Article 169, paragraph 1 the words “imprisonment up to one year” shall be replaced with the words “imprisonment up to three years”.

Article 43

In Article 171, paragraph 1 the words “from one hundred to four hundred thousand dinars” shall be replaced with the words “from thirty to one hundred twenty daily amounts or a fine ranging from twenty thousand to two hundred thousand dinars”.

In paragraph 2, after the word “fine” the words “from sixty to one hundred eighty daily amounts or fine ranging from thirty thousand to three hundred thousand dinars” shall be added.

In paragraph 3 the words “a fine ranging from one hundred and twenty to three hundred and sixty daily amounts or a fine from five hundred thousand to one million dinars” shall be replaced with the words “from sixty to one hundred daily amounts or fine ranging from thirty thousand to three hundred thousand dinars”.

Article 44

In the title above Article 173 the words “SaM and the member states” shall be replaced with the word “Serbia” in the proper grammar case.

In Article 173 the word “SaM or its member state, their flag,” shall be replaced with the words “Serbia and her flag.”.

Article 45

The title above the article 174 and Article 174 changes and shall read as follows:

„ Ruining the Reputation for Racial, Religious, Ethnic or other Affiliation

Article 174

Whoever publicly ridicules a person or group because of a particular race, color, religion, nationality, ethnic origin or other personal characteristics, shall be punished with a fine or imprisonment up to one year.”.

Article 46

In Article 175 paragraph 2 the words “S&M or” shall be deleted.

Article 47

In Article 178 paragraph 1 the words “two to ten” shall be replaced with the words “three to twelve”.

In paragraph 2 the words “one to eight” shall be replaced with the words two to ten”.

In paragraph 3 the word “three” shall be replaced with the word “five”.

In paragraph 4 the words “from five to eighteen” shall be replaced with the words “minimum ten”

Article 48

In Article 179 paragraph 1 the word “one” shall be replaced with the word” two”.

In paragraph 2 the words “two to twelve” shall be replaced with the words “five to fifteen”.

In paragraph 3 the words” from five to eighteen” shall be replaced with the words “minimum ten”.

Article 49

In Article 180 paragraph 1 the words “one to ten” shall be replaced with the words “three to twelve”.

In paragraph 2 the words “two to twelve” shall be replaced with the words five to fifteen”.

In paragraph 3 the words “from five to eighteen” shall be replaced with the words “minimum ten”.

Article 50

In Article 181 paragraph 3 the word “two” shall be replaced with the word “three”.

In paragraph 5 the words “from five to eighteen” shall be replaced with the words “minimum ten”.

Article 51

In Article 182 paragraph 1 after the words “171 paragraph 1” comma shall be replaced with full stop and the words “180, paragraph 1” shall be deleted.

After paragraph 1 new paragraph 2 shall be added and shall read as follows:

“(2) Whoever under conditions specified in Article 180, paragraph 1 of this Code commits some other sexual act, shall be punished with imprisonment of six months to five years. “.

Paragraphs 2 and 3 shall become paragraphs 3 and 4.

In paragraph 3 the words “paragraph 1” shall be replaced with the words “paragraph 1 and 2”.

In paragraph 4 the words “paragraph 1” shall be replaced with the words “paragraph 1 and 2” and words “from three to fifteen” shall be replaced with the words “minimum five”.

Article 52

In Article 183 paragraph 1 the words “from three months to five years” shall be replaced with the words “one to eight years and fine”.

In paragraph 2 words “up to three years” shall be replaced with the words “from six months to five years and fine”.

Article 53

In Article 184 paragraph 1 the words “fine or imprisonment up to three years” shall be replaced with the words “imprisonment from six months to five years and fine”.

In paragraph 2 after the words “ten years” the words “and fine” shall be added.

Article 54

In title above article 185, after the words:”showing” comma and the words:”procure and possess” shall be added, and word:”child” shall be replaced with the words:”minor person”.

In Article 185, paragraph 1, the word:” child” shall be replaced with the word:”minor”.

In paragraph 2, the word:”child” shall be replaced with the word:”minor”.

After paragraph 2, new paragraph 3 shall be added and read as follows:

“(3) If the act specified in paragraph 1 and 2 of this article is committed against child, offender shall be punished with imprisonment of one to eight years.”.

Paragraphs 3 and 4 shall become paragraphs 4 and 5.

In paragraph 4, after the word:”whoever” the words:” procure for himself or another and possess” and comma shall be added, the words:”committing the act specified in paragraph 2 of this Article” shall be replaced with the words:”abuse minor person”, and the words:”up to two” shall be replaced with the words:”of three months to three years”.

In paragraph 5, number:”3” shall be replaced with the number:”4.”.

Article 55

After Article 185, Articles 185a and 185b shall be added and shall read as follows:

“Induce Minor to Attend Sexual Acts

Article 185a

(1) Whoever induce minor person to attend upon rape, or an equal act or some other sexual act, shall be punished with imprisonment of six months to five years and with fine.

(2) If offence specified in paragraph 1 of this Article is committed by use of force or threat, or against the child, offender shall be punished with imprisonment of one to eight years.

Abuse of Computer Networks or other Technical Means of Communication for Committing Criminal Offences against Sexual Freedom of the Minor

Article 185b

(1) Whoever with intent to commit criminal offence specified in Articles 178, paragraph 4, 179, paragraph 3, 180, paragraphs 1 and 2, 181, paragraphs 2 and 3, 182, paragraph 1, 183 paragraph 2, 184 paragraph 3, 185, paragraph 2 and 185a fo this Code, by using computer network or communication with other technical devices makes appointment and appears on the place of the appointment, shall be punished with imprisonment of six months to five years and with fine.

(2) Whoever commits criminal offence specified in paragraph 1 of this article, against the child, shall be punished with imprisonment of one to eight years.”.

Article 56

Title above Article 188 and Article 188 shall be deleted.

Article 57

Title above Article 189 and Article 189 shall be deleted.

Article 58

In Article 191 paragraph 1 the word “two” shall be replaced with the word “three”.

In paragraph 2 the word “one” shall be replaced with the word “two”.

In paragraph 3 the words “three months” shall be replaced with the words “six months”.

Article 59

In Article 192 paragraph 1 the words “three months to three years” shall be replaced with the words “six months to five years”.

In paragraph 2 the words “one year” shall be replaced with the words “three months”.

Paragraph 3 shall be deleted.

Article 60

In Article 194 paragraph 1 the words “fine or imprisonment up to one year` shall be replaced with the words “imprisonment from three month to three years”.

In paragraph 2 the words “from three months to three years” shall be replased with the words “from six months to five years”.

In paragraph 3 the words “from one to eight years” shall be replaced with the words “from two to ten years”.

In paragraph 4 the word “twelve” shall be replaced with the word “fifteen”.

In paragraph 5 the words “fine or imprisonment up to six month” shall be replaced with the words “imprisonment from three months to three years and fine”.

Article 61

In Article 195 paragraph 1 the word “one” shall be replaced with the word “two”.

Article 62

In Article 197 the words “up to three years” shall be replaced with the words “from six month to five years”.

Article 63

In Article 199 paragraph 2 after the words” puts into circulation” the word “ hold “ shall be added, and after the word “unauthorized” the word “hold” shall be deleted.

In paragraph 3 the words “three months” shall be replaced with the words “six months”.

Article 64

In Article 204, paragraph 1 bullet 1), after the word building the comma and the word “apartments” shall be added, and the words “by otherwise overcoming” shall be replaced with the words “overcoming mechanic, electronic or otherwise”.

In bullet 2) the words “several persons” shall be replaced with the words “group”.

In paragraph 2 after the words” culture” the words “asset, as well as asset that is previously protected” shall be added.

In paragraph 3 after the word “if” the words “is the offence from paragraph 1 of this Article committed by the organized criminal group or if” shall be added.

Article 65

In Article 205 paragraph 3 the words “several persons” shall be replaced with the word “group”.

After paragraph 3 the paragraph 4 shall be added and read as follows:

“(4) If the criminal offence from the paragraph 3 of this article is committed by the organized criminal group, offender shall be punished with imprisonment of minimum five years.”

Article 66

In Article 206, paragraphs 2 and 3 changes and shall read as follow:

“(2) If the offence specified in paragraphs 1 of this Article is committed by group or intentional serious bodily harm is inflicted to a person or If the value of appropriated goods exceeds the amount of one million five hundred thousand dinars, the offender shall be punished with imprisonment of three to fifteen years. “

(3) If the offence specified in paragraphs 1 of this Article is committed by group, the offender shall be punished with imprisonment of minimum five years.”

In paragraph 4, the word:”stolen” shall be replaced with the word:”appropriated” and the word:”ten” shall be replaced with the word:”fifteen”.

Article 67

In Article 207 paragraph 1 the words “fine or imprisonment up to two years” shall be replaced with the words: “imprisonment up to two years and fine”.

In paragraph 2 after the words: “three years” the words: “and with fine” shall be added.

In paragraph 2 the words: “one to six” shall be replaced with the words: “six months to five years and fine”.

In paragraph 4 after the word: “goods” comma and the words:” as well as goods with previous protection” shall be added, and after the words: “eight years” the words “and fine” shall be added.

Article 68

In Article 208, paragraph 1 the words “fine or imprisonment up to three years” shall be replaced with the words:”imprisonment from six months to five years and fine”.

In paragraph 2 the words:” fine or imprisonment up to six months” shall be replaced with the words: “imprisonment from six months and fine”.

In paragraph 3 after the words: “eight years” the words “and with fine” shall be added.

In paragraph 4 after the words: “ten years” the words “and with fine” shall be added.

Article 69

After Article 208, new Article 208a shall be added and read as follows:

„ Fraud in Insurance

Article 208a

(1) Whoever with intent to acquire unlawful material gain for himself or another by false presentation or concealment of facts, false presentation of opinions and false statements, false estimates, filing false documents or deceives another or maintains such deception related to insurance and thus induces such person to act to the prejudice of his or another’s property, shall be punished with imprisonment of six months to five years and with fine.

(2) Whoever commits the offence specified in paragraph 1 of this Article only with intent to cause damage to another shall be punished with fine or imprisonment up to six months and with fine.

(3) If by the offence specified in paragraph 1 and 2 of this Article material gain is acquired or damages caused exceeding four hundred and fifty thousand dinars, the offender shall be punished with imprisonment of one to eight years and with fine.

(4) If by the offence specified in paragraph 1 and 2 of this Article material gain is acquired or damages caused exceeding million five hundred thousand dinars, the offender shall be punished with imprisonment of two to ten years and with fine.”.

Article 70

In Article 210 paragraph 3 the words: “property of citizen” shall be replaced with the words: “private property”.

Article 71

In Article 211, paragraph 2, after the words “three years” the words “and fine” shall be added.

In paragraph 3, the words: “property of citizen” shall be replaced with the words: “private property”.

Article 72

In Article 212, paragraph 3, after the word “goods” comma and the words: “protected environment of the unmovable cultural goods, or the good which enjoys the previous protection.”

In paragraph 4 the words:” property of citizen” shall be replaced with the words: “private property”.

Article 73

In Article 213 paragraph 1 the word: “two” shall be replaces with the word: “three”.

In paragraph 2 the words: “three months to five years” shall be replaced with the words: “six months to five years and a fine”.

Article 74

In Article 214, paragraph after the word: “punished” the word “imprisonment” shall be added.

In paragraph 3 the word: “two” shall be replaced with the word: “three”.

In paragraph 4 the word: “organized” shall be deleted, and the word: “three” shall be replaced with the word: “five”.

After paragraph 4, the paragraph 5 shall be added and shall read as follows:

“(5) If the offence specified in paragraph 1 to 3 of this Article, is committed by an organized group, the offender shall be punished with imprisonment of minimum five years. “

Article 75

In Article 215, paragraph 1 the words: “three months “shall be replaced with the words: “six months”.

In paragraph 4 the word: “organized” shall be deleted, and the word two shall be replaced with the word “three”.

After paragraph 4, the paragraph 5 shall be added and shall read as follows:

“(5) If the offence specified in paragraph 1 to 3 of this Article, is committed by an organized group, the offender shall be punished with imprisonment five to fifteen years. “

Article 76

In Article 217, paragraph 3 after the word: “dinars” the words: “or is committed by the group” shall be added.

Article 77

In Article 218, paragraph 1 the word: “one” shall be replaced with the word three”.

In paragraph 2 the words: “three months to three years” shall be replaced with the words: “six months to five years”.

In paragraph 3, the words: “private action” shall be replaced with the words: “upon proposition”.

Article 78

In Article 219, paragraph the word:”one” shall be replaced with the word:”two”.

In paragraph 2, the word:”may” shall be replaced with the word:”shall”.

In paragraph 3, the words: “private action” shall be replaced with the words: “upon proposition”.

Article 79

After article 219, new articles 219a and 219b shall be added and read as follows:

Construction of Building without a Building Permit

Article 219a

(1) A person who is the contractor or person responsible person in legal entity that perform building construction or performed reconstruction of the existing building without a building permit shall be punished with imprisonment of six months to five years and with fine.

(2) A person who is an investor or a responsible person in legal entity which the investor of the object that is being built without a building permit shall be punished with imprisonment of six months to five years and with fine.

(3) When decision on suspension of construction is issued and person specified in paragraph 1 and 2 of this Article, continues with building construction, shall be punished with imprisonment of one to eight years.

(4) Person who is responsible designer, or perform technical control in contravention of the regulations authorize final report on performed control without comments or in contravention with regulations confirms by statement that the that a major project is done in accordance with site license, shall be punished with imprisonment of three months to five years and with fine.

Illegal Connection of the Construction Site to Technical Infrastructure

Article 219b

Person or responsible person in legal entity who, in contravention of the regulations on building construction, connects or allows to connect a construction site, or a structure for which a building permit has not been issued to a electrical power infrastructure, water-supply infrastructure, sewage infrastructure and road infrastructure, telecommunication infrastructure shall be liable to imprisonment for a term of three months to three years. “

Article 80

In Article 220, paragraph 1, the word “one” shall be replaced with the words: “one year”.

Article 81

In Article 221, after paragraph 2, new paragraph 3 shall be added and shall read as follows:

“(3) Whoever with intent to acquire unlawful material gain for himself or another, or requires a reward for return of item and could have been aware or should have been aware that the object was obtained through commission of an offence, if characteristic of another more serious criminal acts is not achieved, shall be punished with fine and imprisonment up to two years.”.

Paragraph 3 shall become paragraph 4 and the word:” paragraph 1” shall be replaced with the words:” paragraphs 1 and 3”, after the word:”act”, the words:” specified in paragraph 1 of this Article” shall be added, and the words: organized group” shall be replaced with the words:” group or concealed items represent cultural good of exceptional or great importance, or enjoys prior protection.”

Article 82

After Article 221, Article 221a shall be added and shall read as follows:

“Unauthorized Removal of Cultural Property Abroad

Article 221a

(1) Whoever takes abroad or exports cultural good or good that enjoys prior protection, without prior approval of authorized authority, shall be punished with imprisonment of six months to five years.

(2) If criminal offence specified in paragraph 1 of this Article is committed against cultural good of exceptional or great importance, offender shall be punished with imprisonment of one to eight years.”.

Article 83

In Article 223, paragraph 1, after the words: “twelve years” the words: “and with fine” shall be added.

In paragraph 2 after the words” ten years” the words; “and fine” shall be added.

In paragraph 3 after the words” fifteen years” the words; “and fine” shall be added.

In paragraph 4 the word: “one” shall be replaced with the word: “three”.

Article 84

In Article 224, paragraph 1, the words “ five years” shall be replaced with the words;”eight years and fine”.

In paragraph 2, the words “ten years” shall be replaced with the words;”twelve years and fine”.

In paragraph, the words “fine or imprisonment up to one year” shall be replaced with the words;”imprisonment up to three years and fine”.

Article 85

In Article 225, paragraph 1, the words:” three months” shall be replaced with the words:” six months to five years and fine”.

In paragraph 2, the words “six month to five years” shall be replaced with the words;”one to eight years and fine”.

In paragraph 3, the words “ten years” shall be replaced with the words;”twelve years and fine”.

In paragraph 4, after the words “of another’s card “shall be replaced with the words:” or confidential data that uniquely regulate the card in fiscal system.”

In paragraph 5, the word: “one” shall be replaced with the word:”three”

Article 86

In Article 227, paragraph 1, after the words:” five years” the words: “and fine” shall be added.

In paragraph 2, the word:” two” shall be replaced with the word:”three”.

Article 87

In Article 229, paragraph 2, the words: “up to three years” shall be replaced with the words: “from six months to five years”.

In paragraph 2, the word: “five” shall be replaced with the word: “eight

In paragraph, the words: “one to eight” shall be replaced with the word: “two to ten”.

Article 88

After Article 229, Article 229 a, shall be added and read as follows:

“Avoidance of Withholding Tax

Article 229a

(1) The responsible person in legal entity –payer and entrepreneur-payer that, with intent not to pay taxes, does not pay on the prescribed payment account of public revenue amount calculated in the name of withholding tax, shall be punished by imprisonment of up to three years and a fine.

(2) If the calculated amount, and unpaid tax specified in paragraph 1 of this article, exceeds one million and five hundred thousand dinars, the perpetrator shall be punished by imprisonment from six months to five years and fine.

(3) If the calculated amount and unpaid tax in paragraph 1 this article exceed seven million and five hundred thousand dinars, the perpetrator shall be punished by imprisonment of one to ten years and a fine.

(4) Entrepreneur and responsible person in the tax payer for the criminal offence specified in paragraphs 1 to 3 this Article, shall be pronounced and a security measure prohibiting the exercise of the call, activities and duties for a period of one to five years. ”.

Article 89

In Article 231, paragraph 1, after the words:” five years”, the word: “and with fine” shall be added.

In paragraph 2, after the words:” ten years”, the words: “and with fine” shall be added.

After paragraph 2, the new paragraph 3 and 4 shall be added and shall read as follows:

“(3) Whoever commits the criminal offence from paragraph 1 and 2 of this Article, with the assets that originate from a criminal offence and that are obtained by himself, shall be punished with punishment prescribed in paragraph 1 and 2 of this Article.

(4) Whoever commits in a group criminal offence specified in paragraph 1 and 2 of this Article, shall be punished with imprisonment of two to twelve years and with the fine.”.

Paragraphs 3 to 5 shall become paragraphs 5 to 7.

In paragraph 6 the words:”1 to 3” shall be replaced with the words:”1, 2 and 5”.

In paragraph 4, number:”4” shall be replaced with the number:”6”.

Article 90

In Article 232 the words: “up to three years” shall be replaced with the words:” from six months to five years and fine”.

Article 91

In title above Article 233, the words:” Company Name” shall be replaced with the word:” Another's business name and other special mark of goods and services”.

In Article 233, paragraph 1 change and shall read as follows:

“(1) Whoever with the intention to deceive buyers or users of services, uses another's business name, another's geographic mark of origin, another's hallmark or trademark or another’s special mark for goods or services or incorporates particular features of these marks into his business name, his geographic mark of origin, his stamp or trademark or into his special mark for goods, shall be punished by a fine or imprisonment up to three years.”.

Article 92

In Article 234, paragraph 1, the words: “does not hold a majority share” and comma shall be deleted.

Article 93

In Article 238, paragraph 1, after the words: “other economic entity having the capacity of a legal person”, the words: “or for entrepreneur” shall be added.

After paragraph 2, the paragraph 3 shall be added and shall read as follows:

“(3) If by the offence specified in paragraph 1 of this Article material gain acquired is exceeding fifteen million dinars, the offender shall be punished by imprisonment of two to twelve years”

Article 94

In Article 240, paragraph 1, the words; three months” shall be replaced with the words: “six months”.

In paragraph 2, after the word: “year” the words: “and fine” shall be added.

Article 95

In title above the Article 246, after the word: “production” comma and the word: “keeping” shall be deleted.

In Article 246, paragraph 1, the word: “two” shall be replaced with the word: “three”.

Paragraph from 2 to 4 changes and shall read as follows:

“(2) Whoever unlawfully has grown poppy seeds or psychoactive hemp or other plants that contain narcotic drugs, shall be punished by imprisonment of six months to five years.

(3) If the offence specified in paragraph 1 of this Article is committed by a group, or if the offender has organized a network of dealers or middlemen, the offender shall be punished by imprisonment of five to fifteen years.

(4) If the offence specified in paragraph 1 of this Article is committed by an organized criminal group, the offender shall be punished by imprisonment of minimum ten years. “. ”

In paragraph 5 number: “3” shall be replaced with number:”5”.

Article 96

After Article 246, Article 246a shall be added and shall read as follows:

„ Unauthorized Possession of Narcotics

Article 246a

(1) Whoever unlawfully keeps for self-use small quantity of substances that are declared narcotics, shall be punished by fine or imprisonment up to three years, or may be remitted from punishment.

(2) Offender from paragraph 1 of this Article, who reveals from whom he purchases narcotics may be remitted of punishment.

(3) Narcotics shall be seized.”.

Article 97

In Article 247, after paragraph 2, new paragraphs 3 and 4 shall be added and shall read as follows:

“(3) If the offences specified in paragraph hereof result in death of a person, the offender shall be punished by imprisonment of three to fifteen years.

(4) For criminal offence specified in paragraphs 1 and 2 of this Article, health worker who provides medical assistance to enable the use of narcotic drugs, shall not be punished.”

Paragraph 3 shall become paragraph 5.

Article 98

In Article 248, the word: “one” shall be replaced with the word: “three”

Article 99

In Article 253, paragraph 2, the words: “three months to four years” shall be replaced with the words: “six months to five years”.

Article 100

In Article 254, paragraph 1, the word: “two” shall be replaced with the word: “three”.

Article 101

In Article 256, paragraph 1, after the words: “drink” comma and the words:” medicine or medical devices” shall be added, and the words:”three months to three years” shall be replaced with the words: “six months to five years and fine”.

In paragraph 2, after the word: “drink” comma and the words: “medicine or medical devices” shall be added, and the words:”two years” shall be replaced with the words: “three years and a fine”.

Article 102

In Article 258, paragraph 1 the words: “up to three years” shall be replaced with the words: “of six months to five years”.

In paragraph 2 the word: “one” shall be replaced with the word: “three”.

Article 103

In Article 260, paragraph 1 the words: “up to three years” shall be replaced with the words: “of six months to five years and fine”.

In paragraph 2 the word: “one” shall be replaced with the word: “two”.

In paragraph 3 after the words: “eight years” the words: “and fine” shall be added.

In paragraph 4 after the words: “five years” the words: “and fine” shall be added.

Article 104

In Article 261, paragraph 2 the word: “one” shall be replaced with the word: “three”.

In paragraph 3 the words: “six months” shall be replaced with the words: “one year”.

Article 105

Title above Article 265 change and shall read as follows:

“Destroying, damaging, taking abroad and bring in Serbia a Protected Natural Asset”.

In Article 265, paragraph, the words: “three months” shall be replaced with the words: “six months”.

Paragraph 3 changes and shall read as follows:

“ (3) Whoever contrary to regulations exports or takes abroad a protected or particularly protected plant or animal, or import or bring in to Serbia foreign plant or animal protected by the international treaty or documents, shall be punished by imprisonment of three months to three years and fine”.

After paragraph 4, paragraph 5 shall be added and shall read as follows:

“(5) Particularly protected or protected plant or animal specified in paragraph 3 of this Article shall be seized.”.

Article 106

In Article 266, paragraph 1, the words; “up to three years” shall be replaced with the words: “of six months to five years and fine”.

In paragraph 2, the words; “six months to five years” shall be replaced with the words: “one to eight years and fine”.

In paragraph 3, the words; “one to eight years” shall be replaced with the words: “two to ten years and fine”.

Paragraph 4 shall be deleted.

Paragraph 5 shall become paragraph 4 and the words: “paragraphs 1 to 4” shall be replaced with the words: “paragraphs 1 to 3”.

Paragraph 6 shall become paragraph 5 and the words: “one to eight” shall be replaced with the words: “three to ten years and fine”.

Paragraph 7 shall be deleted.

Article 107

In the title above the Article 269, the word: “cruelty” shall be replaced with the word: “molesting”.

In Article 269, paragraph 1 change and shall read as follows:

“(1) Whoever in violation of regulations kills, injures, tortures or in some other way molests an animal, shall be punished by fine or imprisonment up to one year.

After paragraph 2, paragraph 3 shall be added and shall read as follows:

“(3) Whoever organizes, finances or is a host to animal fights of the same or the different species or whoever organizes or involves himself in bet on these fights shall be punished with imprisonment up to three years and with fine.”.

Article 108

In Article 273, paragraph 1, the word “one” shall be replaced with the word: “two”.

In paragraph 3, the word: “two” shall be replaced with the word; “three”.

Article 109

In Article 276, paragraph 3, the word: “high” shall be replaced with the word: “large”.

Article 110

In Article 278, paragraph 1, after the words: “five years”, the words: “and with fine” shall be added.

In paragraph 3, the words: “six years” shall be replaced with the words: “eight years and fine”.

After paragraph 3, new paragraph 4 shall be added and shall read as follows:

“(4) If criminal act specified in paragraph 1 of this Article is committed by using a firearm, offender shall be punished with imprisonment of two to ten years”.

Paragraph 4 shall become paragraph 5 and the words: “1 and 3” shall be replaced with the words: “1, 3 and 4.”.

Article 111

In Article 282, paragraph 1, the words: “fine or imprisonment up to one year” shall be replaced with the words: “imprisonment of three months to three years and fine”.

In paragraph 2 after the words: “five years” the words: “and with fine” shall be added.

Article 112

In Article 283 the word: “one” shall be replaced with the word: “three”.

Article 113

In Article 285, paragraph, the word: “one” shall be replaced with the word: “two”.

In paragraph 3 the words: “up to three” shall be replaced with the word: “of six months to five years”.

Article 114

In Article 286, paragraph 1 the word: “one” shall be replaced with the word: “two”.

In paragraph 3 the words: “three months to three years” shall be replaced with the word: “six months to five years”.

In paragraph 5 the word: “one” shall be replaced with the word: “three”.

Article 115

In Article 288, paragraph 2 the words: “278 paragraphs 1 to 3” shall be replaced with the words: “278 paragraph 1 to 4”.

In paragraph 3 the words: “278, paragraph 4” shall be replaced with the words: “278 paragraph 5”, and words: “up to four years” shall be replaced with the words: “of six months to five years”.

In paragraph 4 the words: “278, paragraph 4” shall be replaced with the words: “278 paragraph 5”.

Article 116

In Article 291, paragraph 1 the words: “six” shall be replaced with the words: “eight”.

In paragraph 2 the words: “three months to three years” shall be replaced with the words: “six months to five years”.

Article 117

In Article 296, paragraph 1 the word: “one” shall be replaced with the word: “three”.

In paragraph 2 the words: “up to three years” shall be replaced with the words: “of six months to five years”.

In paragraph 3 the words: “six months to five years” shall be replaced with the word: “one to eight years”.

Article 118

In Article 302, paragraph 2, after the word: “who” the words: “record or” shall be added.

Article 119

After Article 304 the Article 304a shall be added and shall read as follows:

“Creating, Obtaining and Providing to other with Means for the Committing Criminal Offences against the Security of Computer Data

Article 304a

(1) Whoever possesses, manufacture, procure, sell or give to another for use computers, computer systems, computers data or programs to commit criminal offences specified in articles 298 to 303 of this Code, shall be punished with imprisonment of six months to three years.“

(2) Objects specified in paragraph 1 of this article shall be seized.“.

Article 120

In title of Chapter twenty eight after the word: “SERBIA” the words: “AND S&M” shall be deleted.

Article 121

In Article 305 the words: “or S&M” shall be deleted.

Article 122

In Article 306 after the words: “occupation of Serbia” comma and the word: “S&M” shall be deleted.

Article 123

In Article 307, paragraph 1, after the word:”Serbia” the words: “or S&M” shall be deleted. Paragraph 2 shall be deleted.

Article 124

In Article 308 after the word: “Serbia” the words: “or S&M” shall be deleted.

Article 125

In Article 309 paragraph 1, after the words: “Serbia” the words: “or S&M” shall be deleted, the word:”their” shall be replaced with the word: “her”, and the words:” three months” shall be replaced with the words:”six months”.

In paragraph 3 the word; “ S&M” shall be replaced with the word: “Serbia”.

Article 126

Title above Article 310 and Article 310 changes and shall read as follows:

“Assassination of the Highest Government Officials

Article 310

Whoever with intent to compromise the constitutional order or security of Serbia assassinates the Republic president , speaker of the Parliament, prime minister, member of Government, president of the Constitutional Court, president of the highest State Court or the Republic Public Prosecutor shall be punished by imprisonment of minimum ten years or imprisonment thirty to forty years. “.

Article 127

In Article 311, paragraph 1, the words:” or S&M” shall be deleted.

In paragraph 2, the words;”of five to fifteen” shall be replaced with the words:” minimum five”.

Article 128

In Article 132 the words:” or S&M” shall be deleted, after the word:”commits abduction” comma and the words: “taking hostages or unlawful depriving of liberty”, the words: “three” shall be replaced with the word “five”.

Article 129

In Article 313, the words:” or S&M” shall be deleted, and the word:”three” shall be replaced with the word:”five”.

Article 130

In Article 314, the words:” or S&M” shall be deleted, and the word:”three” shall be replaced with the word:”five”.

Article 131

In Article 316, paragraph 2, after the word: “prison” the words:” of six months” shall be added.

In Paragraph 3, the words:” direct threat of war” and comma shall be deleted and the words:”or S&M” shall be deleted.

Article 132

In Article 318, the words: “or territory S&M” shall be deleted.

Article 133

In Article 319, paragraph 1, and the words:” other association of persons “shall be replaced with the words” organized criminal group”, and the words: “organized association” shall be replaced with the words:” group or organized criminal group”.

In paragraph 2, the words “an association” shall be replaced with the words:”group or organized criminal group”.

In paragraph 3, the words “an association” shall be replaced with the words:”group or organized criminal group”.

Paragraph 4 changes and shall read as follows:

“(4) A member of an association or organized criminal group specified in paragraph 3 of this Article who discloses the conspiracy prior to becoming part thereof or committing a criminal offence specified in paragraph 1 of this Article, shall be punished by imprisonment up to one year, and may be remitted from punishment. “

Article 134

In title above the Article 320 the words:” or S&M” shall be deleted.

In Article 320, paragraph 3 the words: “or territory S&M” shall be deleted.

Article 135

In title above the Article 321 the words:” or S&M” shall be deleted.

In Article 321, paragraph 3 the words: “direct threat of war “and comma shall be deleted.

Article 136

In Article 322, paragraph 1, after the word:”prison” the words:”of three months” shall be added.

In paragraph 2 the words: “three months to three years” shall be replaced with the words: “six months to five years”.

In paragraph 3 the words:” a judge or public prosecutor in relation to performance of their judicial or prosecutorial duties” shall be deleted, and words:” six months to five years” shall be replaced with the words:” one to eight years”.

After paragraph 3, new paragraph 4 shall be added and shall read as follows:

“(4)If during commission of the offence specified in paragraph 1 and 3 of this Article the offender inflicts grave bodily injury to an official, the offender shall be punished for the offence specified in paragraph 1 by imprisonment of one to eight years, and for criminal offence specified in paragraph 3 by imprisonment of two to ten years.”

Paragraph 4 shall become paragraph 5 and the words:” paragraph 1 and 2” shall be replaced with the words:” paragraph 1”.

Paragraph 5 shall become paragraph 6.

Article 137

In Article 323, paragraph 1 after word:”prison” the words:”of three months” shall be added.

In paragraph 2 the words: “three months to three years” shall be replaced with the words: “six months to five years”.

In paragraph 3 the words:” a judge or public prosecutor in relation to performance of their judicial or prosecutorial duties” shall be deleted, and words:” six months to five years” shall be replaced with the words:” one to eight years”.

After paragraph 3, new paragraph 4 shall be added and shall read as follows:

“(4) If during commission of the offence specified in paragraph 1 and 3 of this Article the offender inflicts grave bodily injury to an official, the offender shall be punished for the offence specified in paragraph 1 by imprisonment of one to eight years, and for criminal offence specified in paragraph 3 by imprisonment of two to ten years.”

Paragraph 4 shall become paragraph 5 and the words:” paragraph 1 and 2” shall be replaced with the words:” paragraph 1”.

Paragraph 5 shall become paragraph 6.

Article 138

Article 325 shall be deleted.

Article 139

In Article 329, paragraph 1 the word: “one” shall be replaced with the word:” three”.

Article 140

In Article 330, paragraph 1, the words:”six months” shall be replaced with the words:”one year”.

Article 141

In Article 332, paragraph 1 the word: “two” shall be replaced with the word:” three”.

Paragraph 2 changes and read as follows:

“(2) An official or authorized person who knowingly fails to report a criminal offence he became aware of in performance of duty, if such offence is punishable under law by imprisonment of five or more years, shall be punished with imprisonment of six months to five years.”

In paragraph 3 the words:”six months to five years” shall be replaced with words:”one to eight years”.

In paragraph 4 the words:” a spouse” shall be replaced with the word:”consort”.

Article 142

In Article 333, paragraph 1 the word:” two” shall be replaced with the word:” three”
In paragraph 2 the words:”three months shall be replaced with the words:”six months”.
In paragraph 5 the words:” a spouse” shall be replaced with the word:”consort”.

Article 143

In Article 334, paragraph 2 changes and shall read as follows:

“(2) Whoever plants traces of the criminal offence or otherwise causes instigation of criminal proceedings for an offence prosecuted *ex officio* against a person whom he knows is not the perpetrator of that offence, shall be punished with imprisonment of six months to five years”.

Article 144

In Article 336, paragraph 1 and 2 changes and shall read as follows:

“(1) Whoever gives or promises a gift or other benefit to a witness or an expert witness or another party to the proceedings before a court or other government authority, or by force or threat of force against such person with intent to induce such person to give false testimony and thereby affect the outcome of the proceeding, shall be punished by imprisonment of six months to five years and by fine.”

“(2) Whoever with intent to prevent or hinder proving, conceals, destroys, damages or makes partially or completely unusable another person’s document or other items serving as proof, shall be punished imprisonment of six months to three year and by fine. “

In paragraph 4 the words:” up to three years” shall be replaced with the words:”of six months to five years and by fine”

Article 145

After Article 336, Articles 336a and 336b shall be added and shall read as follows:

„ Unauthorized Public Comment on Court Proceedings

Article 336a

Whoever during the court proceedings, before final court decision, in order to injure the presumption of innocence and independence of the court, gives public statements in the media shall be punished by imprisonment up to six months and fined.

Obstruction of Justice

Article 336b

(1) Whoever calls to the resistance or failure of judicial decision or otherwise interfere with the conduct of judicial proceedings, shall be punished by imprisonment of up to three years and fined.

(2) Whoever insults, by force, threat or otherwise interfere with or prevent a judge, public prosecutor or deputy public prosecutor in the exercise of judicial or prosecutorial duties, shall be punished by imprisonment from six months to five years and fined.

(3) If during the committing of criminal offence specified in paragraph 2 this Article, the perpetrator inflict light bodily injury to the judge, public prosecutor or deputy public prosecutor or threatened use of weapons, shall be punished by imprisonment from one to eight years.

(4) If during the execution of works specified in paragraph 2 this Article, the perpetrator inflict grave bodily injury to the judge, public prosecutor or deputy public prosecutor, shall be punished by imprisonment from two to ten years. "

Article 146

In Article 337, paragraph 2 changes and shall be read as follows:

“(2) Whoever without permission of the court publishes the course of proceedings against a juvenile or the disposition reached in such proceedings or who publishes the name of the juvenile against whom proceedings were conducted or information that may reveal the identity of the juvenile shall be punished with imprisonment up to two years.”

In paragraph 3, the words:” special protection program” shall be replaced with the words:”data regarding special protection program” and the words:”up to three” shall be replaced with the words:” of six months to five years”.

In paragraph 4 the words:”six months to five years” shall be replaced with the words:”one to eight years”.

Article 147

In Article 339, paragraph 1, the words:”three months” shall be replaced with the words:” six months”.

In paragraph 3, the words:” committed by several persons in conspiracy” shall be replaced with the words:” committed by group” and the words:” several persons” shall be replaced with the words:”group” in a proper grammar case.

Article 148

In Article 340, paragraph 1, and the words: “by fine or imprisonment up to two years” shall be replaced with the words:” by imprisonment of three months to three years and by fine”.

In paragraph 2, the words:” prosecution shall not be instigated, and if instigated, it shall be discontinued” shall be replaced with the words:” may be remitted of punishment”.

Article 149

In Article 342, the words:” Whoever without required qualification” shall be replaced with the words:” whoever unauthorized and”.

Article 150

In Article 343, paragraph 1, the words:” by fine or imprisonment up to one year “shall be replaced with the words:” by imprisonment of three months to three years and by fine”.

In paragraph 2, the words:” up to three years” shall be replaced with the words:” of six months to five years”.

Article 151

After Article 344, Article 344a shall be added and read as follows:

“Violent Behavior During Sport Event

Article 344a

(1) Whoever unlawfully enters sports field or part of the audience for opponents and supporters cause violence, physical attack or fight with participants of sports events, performs the violence upon arrival or departure from the sports events, bring in a sports facility or casts

on the sport ground or among the spectators objects , pyrotechnic means or other explosive, flammable or harmful substances that can cause bodily injury or endanger the health of participants in sports events, damaging the sports facility, its equipment, devices and installations, their behavior or slogans on sports events causing national, racial and religious hatred, or intolerance that result in physical violence with participants in sports events, shall be punished by imprisonment from six months to five years and fined.

(2) If the criminal offence specified in the paragraph 1 of this Article is committed by a group, the perpetrator shall be punished by imprisonment from one to eight years.

(3) Leader of the group that commits the criminal offence specified in the paragraph 1 of this Article shall be punished by imprisonment from three to twelve years.

(4) If committing the criminal offence specified in the paragraph 1 of this Article has caused riots during which someone suffered grave bodily injury or the assets of greater value were damaged, the perpetrator shall be punished by imprisonment from two to ten years.

(5) The responsible person or official who while organizing a sport event fails to apply the security measures in order to prevent or stop the riots and therefore endangers the lives or bodies of great number of people or the assets of greater value, shall be punished by up to three years of imprisonment or a fee.

Article 152

Title above Article 346 and Article 346 changes and shall read as follows:

“Criminal Alliance

Article 346

(1) Whoever organizes a group whose purpose is committing criminal offences punishable by imprisonment of three or more years, shall be punished by imprisonment of six months to five years, if severe punishment for such organizing is not specified by the Law.

(2) Whoever organizes organized criminal group, if more severe punishment is not provided by the Law, shall be punished by imprisonment from one to eight years.

(3) A member of the group specified in paragraph 1 of this Article, shall be punished by imprisonment of three months to three years.

(4) A member of the organized criminal group specified in paragraph 2 of this Article, shall be punished by imprisonment of six months to five years.

(5) If the offence specified in paragraph 1 and 2 of this Article refers to a group or other organized criminal group whose objective is committing of offences punishable by imprisonment of twenty years or imprisonment of thirty to forty years, the organizer of the group or organized criminal group shall be punished by minimum ten years imprisonment or thirty to forty years' imprisonment, and a member of the group or organized criminal group by imprisonment of six months to five years.

(6) The organizer of the group or organized criminal group specified in paragraphs 1, 2 and 5 of this Article who by exposing the group or organized criminal group or otherwise prevents commission of the offences for which the group was organized, shall be punished by imprisonment up to three years and may be remitted from punishment.

(7) A member of the group or organized criminal group specified in paragraphs 3 to 5 of this Article who exposes the group before committing as a member or on behalf of such group an offence specified in paragraphs 3 to 5 of this Article for whose commission the alliance was organized, shall be punished by fine or imprisonment up to one year, and may be remitted from punishment. “.

Article 153

In Article 347, paragraph 2 shall be deleted.

Article 154

Title above Article 348 changes and shall read as follows:

“Illegal Production, Possession, Carrying and Circulation of Weapons and Explosives

In Article 348, paragraph 1 changes and shall read as follows:

“(1) whoever without authorization manufactures, sells, procures, exchanges, carries or possesses firearms, its parts, ammunition or explosive substances, shall be punished by imprisonment of three months to three years and by fine. “

In paragraph 2 after the word:” exchange” comma and the word:” carrying” shall be deleted, and after the words:” five years” the words:” and by fine” shall be added.

In paragraph 3 after the words:” destructive power” the words:” or the criminal offence is committed against regulations of international law” shall be added.

After paragraph 3, new paragraphs 4 and 5 shall be added and shall read as follows:

“(4) Whoever without authorization carries objects specified in paragraphs 1 and 2 of this Article shall be punished by imprisonment of two to ten years.

(5) Firearms, its parts, ammunition and explosive substances shall be seized.”.

Article 155

In Article 350, paragraph 1, the word:” S&M” shall be replaced with the word:” Serbia”.

In paragraph 2 after the word:” border” the words:”S&M” shall be replaced with the word:” Serbia”, after the word:” through” the word:” S&M” shall be replaced with the word:” Serbia”, the words:” a person who is not a citizen of S&M” and comma shall be deleted, and words:”three months to six years” shall be replaced with the words:”six months to five years”

In paragraph 3 the word:” organized” shall be deleted and the word:” S&M” shall be replaced with the word:” Serbia”.

After paragraph 3, new paragraph 4 shall be added and shall read as follows:

“(4) If the offence specified in paragraph 2 of this Article is committed by an organized group, offender shall be punished by imprisonment of three to twelve years.”.

Paragraph 4 shall become paragraph 5.

Article 156

In Article 351 the words:”six months” shall be replaced with the words:” one year”.

Article 157

In Article 353 the word:”one” shall be replaced with the word:’ two”.

Article 158

After Article 353, Article 353a shall be added and shall read as follows:

“Unauthorized performing of archaeological works

Article 353a

(1) Whoever performs unauthorized archaeological excavations and researches, shall be punished by imprisonment of up to three years and fined.

(2) If the criminal offence specified in paragraph 1 this article, is committed on archaeological or other immovable cultural good that enjoys a previous protection, or archaeological or immovable cultural good is devastated, or good that enjoys previous protection, or during the performance of these works is used equipment or device for detecting and the finding of archaeological objects, shall be punished by imprisonment from six months to five years and fined.

(3) The objects originated from the criminal offence specified in paragraphs 1 and 2 this Article, shall be seized."

Article 159

In Article 354, paragraph 1, the word:" one" shall be replaced with the word:" three".

Article 160

In Article 359, paragraph 1, after the word:" Official" the words:" or responsible" shall be added, and after the words:" for himself or another "the words:" physical or legal entity" shall be added.

Paragraph 4 shall be deleted.

Article 161

In Article 360, after paragraph 1, paragraphs 2 and 2 shall be added and read as follows:

"(2) If the commission of the offence specified in paragraph 1 of this Article results in acquiring material gain exceeding four hundred and fifty thousand dinars, the offender shall be punished by imprisonment of one to eight years.

(3) If the value of acquired material gain exceeds one million five hundred thousand dinars, the offender shall be punished by imprisonment of two to twelve years."

Article 162

After Article 362, Article 362a shall be added and shall read as follows:

"Improper Use of Budget Funds

Article 362a

The responsible person of users of budgetary funds or responsible person in the organization of compulsory social insurance, who create obligations or approves payment of expenses and expenditures on budget account over the amount of one million dinars compared to the amount determined by the budget, financial plan, or act of government which determines the amount of loan funds, shall be punished by fine or imprisonment up to one year."

Article 163

In Article 363, paragraph 1, after the word:"Official" the words:" or responsible" shall be added, and after the words: "five years" the words: "and by fine" shall be added.

In paragraph 2, after the words:" eight years" the words:" and by fine" shall be added.

In paragraph 3, after the words: "twelve years" the words: "and by fine" shall be added.

Paragraph 4 shall be deleted.

Article 164

In Article 365, the word:” movables” shall be replaced with the words:” six months”.

Article 165

Title above the Article 366 changes and shall be read as follows:

“Trading in Influence”

In Article 366, paragraphs 1 to 5 change and shall read as follows:

“(1) Whoever solicits or accepts, directly or through the third party, for himself or another reward or other advantage to use his official or social position or his genuine or assumption influence to intercede for performance or failure to perform an official act, shall be punished by imprisonment of six months to five years.

(2) Whoever promises, offers or gives, directly or through the third party, a reward or other benefit to another to intercede through use of his official or social position or his genuine or assumption influence for performance or failure to perform of an official act, shall be punished by imprisonment up to three years.

(3) Whoever by abusing his official or social position or his genuine or assumption influence intercedes for performance of an official act that should not be performed or not to perform an official act that should have been performed, shall be punished by imprisonment of one to five years.

(4) Whoever promises, offers or gives, directly or through the third party, a reward or other benefit to another to intercede through use of his official or social position or his genuine or assumption influence for performance or an official act that should not be performed or to not to perform an official act that should be performed, shall be punished by imprisonment of six months to five years.

(5) If any reward or advantage has been received for exerting influence specified in paragraph 3 of this Article, the offender shall be punished by imprisonment of two to ten years. “. .

Article 166

In Article 367, paragraph 1, after the words:” An official who” the words:” directly or indirectly” shall be added.

In paragraph 2, after the words:” An official who”, the words:” directly or indirectly” shall be added.

Article 167

In Article 368, paragraph 1, after the words: “to an official”, the words:” or another” shall be added, and after the words:” other benefit”, the words:” official” shall be added.

In paragraph 2, after the words:” to an official” the words:” or another” shall be added, and after the words:” other benefit”, the words:” official” shall be added.

Article 168

In Article 369, paragraph 1, the words:”three months” shall be replaced with the words:” six months”

In paragraph 5 the words:”or SaM” shall be deleted.

Article 169

In Article 375, after paragraph 2, new paragraph 3 shall be added and shall read as follows:

“(3) Whoever organizes a criminal group to commit the criminal offences specified in Article 1 of this Article, shall be punished by imprisonment of minimum five years. “. .

Paragraph 3 shall become paragraph 4, number:”1” shall be replaced with the number:”2”.

After paragraph 4, new paragraph 5 shall be added and shall read as follows:

“(5) Whoever becomes member of an organized criminal group specified in paragraph 1 of this Article, shall be punished by imprisonment of two to ten years.”.

Paragraph 4 shall become paragraph 6, changes and shall read as follows:

“(6) The offender specified in paragraphs 1,4 and 5 of this Article who discloses the conspiracy prior to committing an offence as part of the group or for the group, or an offender specified in paragraph 2 and 3 of this Article who prevents commission of the offence specified in paragraph 1 of this Article may receive mitigation of punishment. “.

Paragraph 5 shall become paragraph 7.

Article 170

Title above the Article 377 changes and shall read as follows:

“Unlawful Production, Trading and Keeping of Forbidden Weapons”

In Article 377, paragraph 1, the word:” five’ shall be replaced with the word:” eight”.

In paragraph 2, the words:” one to eight” shall be replaced with the words:”two to ten”.

Article 171

After Article 384, new Article 384a shall be added and shall read as follows:

“Violation of the Sanctions Imposed by the International Organizations

Article 384a

(1) Whoever contrary to the decisions of international organizations of which Serbia is a member and which are binding for Serbia, its citizens and legal entities registered in its territory, and to which certain restrictions in terms of economic operations with certain countries or territories are introduced, imports, exports, transports or mediates the transport of goods, provides technical support, transfer of technology and knowledge of, or otherwise act contrary to the established prohibitions, shall be punished by imprisonment from three months to three years and fined.

(2) If the criminal offence specified in paragraph 1 this article resulted in material loss to Serbia or harmful consequences are caused to the reputation and interests of Serbia, the offender shall be punished by imprisonment from one to eight years and a fine.”.

Article 172

In Article 387, paragraph 1, after the word: ”color” the word: ”religion” shall be added, and the word: ”SaM” shall be replaced with the word: ”Serbia”.

After paragraph 3, paragraph 4 and 5 shall be added and shall read as follows:

“(4) Who spread or otherwise make publicly available texts, images or any other representation of ideas or theories advocated or encourages hatred, discrimination or violence against any person or group of persons based on race, color, religious affiliation , nationality, ethnic origin or other personal property, shall be punished by imprisonment from three months to three years.

(5) Whoever publicly threatened that, against a person or group of persons because of a particular race, color, religion, nationality, ethnic origin or because of other personal property, committed a criminal offense punishable by imprisonment of four and more years, shall be punished by imprisonment from three months to three years. ”.

Article 173

In Article 388, paragraph 1, the words;" two to ten" shall be replaced with the words:"three to twelve".

In paragraph 3, the words:"three years" shall be replaced with the words:" five years".

In paragraph 4 the word:"three" shall be replaced with the word:" five".

In paragraph 6 the word:"organized" shall be deleted.

After paragraph 6, new paragraphs 7 to 10 shall be added and shall read as follows:

"(7) If the offence specified in paragraphs 1 to 3 of this Article, is committed by an organized group, the offender shall be punished by imprisonment of minimum ten years.

(8) Whoever knows or should know that the person is a victim of trafficking, and abuse its position or allow to another to abuse its position for the exploitation envisaged in paragraph 1 this Article, shall be punished by imprisonment from six months to five years.

(9) If the offence specified in paragraph 8 of this Article is committed against a minor, the offender shall be punished by imprisonment of six months to five years.

10) Endorsement of persons to exploitation or establishing slavery or similar relation to it specified in paragraph 1 this Article, shall not affect the existence of crime specified in paragraphs 1, 2 and 6 of this article. "

Article 174

In title above Article 389, the word:" children" shall be replaced with the word: "minors".

In article 389, paragraph 1, the word: "fourteen" shall be replaced with the word: "sixteen".

In paragraph 2, the words: "organized method by the several persons" shall be replaced with the words: "by the group".

After paragraph 2, paragraph 3 shall be added and shall read as follows:

"(3) If the offence specified in paragraph 1 of this Article, is committed by an organized group, shall be punished by imprisonment of minimum five years. "

Article 175

After Article 390, Article 390a shall be added and shall read as follows:

"Endangering Persons under International Legal Protection

Article 390a

Whoever against the person under the international legal protection commits the violence or attack his official premises, private apartment or means of transportation, shall be punished by imprisonment from six months to five years."

Article 176

In Article 391, paragraph 2 after the words:" several persons" comma shall be deleted and the words:" or if it is committed by the criminal group" shall be added.

In paragraph 3 after the words: " results in death" the words: "or the offender is the member of the criminal group" shall be added.

After paragraph 3, paragraphs 4 and 5 shall be added and shall read as follows:

"(4) Whoever prepares the committing of criminal offence specified in paragraphs 1 to 3 of this Article, shall be punished by imprisonment of one to five years.

(5) Preparation specified in paragraph 4 this article, consists in the acquisition of the means for the committing criminal offence, in removing obstacles, parleys, planning or organizing with others activities that create conditions for direct committing the crime. "

Article 177

In Article 393, paragraph 1 changes and shall read as follows:

“(1) Whoever directly or indirectly provides or collects funds intended for financing commission of criminal offences specified in Articles 312, 391 and 392 hereof, shall be punished by imprisonment of one to ten years. “

After paragraph 1, new paragraph 2 shall be added and shall read as follows:

(2) Who encourages and assists in providing or collecting funds for carrying out criminal acts specified in articles 312, 391 and 392 this Code, regardless of whether the act is committed, or whether the funds are used for the committing of these criminal offence, shall be punished by imprisonment from six months to five years.

Paragraph 2 shall become paragraph 3.

Article 178

In the title of the chapter thirty five the words: ”AND MONTENEGRO” shall be deleted.

Article 179

In Article 396, paragraph 2, the words: ”imminent threat of war” and comma shall be deleted.

Article 180

In the title above Article 399 the words: ”and Montenegro” shall be deleted.

In Article 399, paragraph 7 the word: ”Offender” shall be replaced with the word:” Offender” in the proper grammar case, and the words: ”mitigation of punishment” shall be replaced with the words: ”remitted of punishment’.

Article 181

In Article 408, paragraph 1, the words: ”A serviceman or official“ shall be deleted and the words: “three months” shall be replaced with the words: “six months”.

Article 182

In Article 414, paragraph 2, the words: ”by a group of persons conspiring to commit the theft “shall be replaced with the words: ”to commit by the group”.

Article 183

In Article 415, paragraph 1, the words:” three months” shall be replaced with the words:” six months”.

In paragraph 4, the words;” and Montenegro” shall be deleted.

In paragraph 5, the words;” and Montenegro” shall be deleted.

Article 184

In the title above Article 417, the words: ”imminent threat of war” and comma shall be deleted.

In the title above Article 417, paragraphs 1 to 3, the words: ”imminent threat of war” and comma shall be deleted.

Article 185

In Article 418, paragraph 1, the words:” imminent threat of war” and comma shall be deleted.

In paragraph 4, the words:” three months” shall be replaced with the words:” six months”

Article 186

In Articles 420 and 422 and Article 423, paragraph 1 and 2, the word: ”S&M” shall be replaced with the word: ”Serbia”.

Article 187

In Article 428, paragraph 1, the words:” imminent threat of war” and comma shall be deleted.

Article 188

In Article 429, the words:” and Montenegro” shall be deleted.

Article 189

On the day of coming into force of this Code the following shall be set aside:

- Articles 149 and 150 of the Law on Planning and Construction (“Official Gazette of the RS”, nos. 47/03 and 34/06);
- Article 173 of the Law on Tax Procedure and Tax Administration (“Official Gazette of the RS”, nos. 80/02, 84/02 - correction, 23/03 - correction, 70/03, 55/04, 61/05, 85/05 – other law, 62/06 – other law, 63/06 – correction of the other law, 61/07 and 20/09);
- Article 20 of the Law on Protection against Violence and Unbecoming Behavior during Sport Events (“Official Gazette of the RS”, nos. 67/03, 101/05 – other law and 90/07).

Article 190

This Law shall enter into force on the eighth day from the day of its publication in the "Official Gazette of the Republic of Serbia".