

L A W
ON ACCREDITATION
(“Official Gazette of the Republic of Serbia”, No. 73/10, 47/21)
Consolidated text concluded with the amendments which have been in
force since 18/05/2021

I. BASIC PROVISIONS

Article 1

This Law shall stipulate accreditation, status and operation of the national accreditation body in the Republic of Serbia and other issues of importance to accreditation.

Article 2

(1) The terms used in this Law shall have the following meanings:

1) ACCREDITATION IS AN ATTESTATION BY THE NATIONAL ACCREDITATION BODY THAT THE CONFORMITY ASSESSMENT BODY MEETS REQUIREMENTS OF RELEVANT SERBIAN STANDARDS THAT TRANSPOSED HARMONIZED STANDARDS AND, WHERE APPLICABLE, ANY ADDITIONAL REQUIREMENTS DEFINED FOR SECTORAL SCHEMES, TO CARRY OUT SPECIFIC CONFORMITY ASSESSMENT ACTIVITIES;

2) accreditation certificate represents a document stating that a conformity assessment body is competent to perform, for a specific field and scope, conformity assessment activities;

3) peer assessment means assessment of the national accreditation body performed by national accreditation bodies from other countries or international and European organisations for accreditation against the rules of international and European organisations for accreditation;

4) competence is a demonstrated ability to perform conformity assessment activities;

5) CONFORMITY ASSESSMENT IS A PROCESS DEMONSTRATING WHETHER SPECIFIC REQUIREMENTS RELATING TO A PRODUCT, PROCESS, SERVICE, SYSTEM, PERSON OR BODY HAVE BEEN FULFILLED;

6) RULES OF ACCREDITATION ARE RULES OF THE NATIONAL ACCREDITATION BODY WHICH REGULATES IN MORE DETAIL THE MANNER OF CARRYING OUT THE ACCREDITATION PROCESS, REQUIREMENTS TO BE MET BY APPLICANTS FOR ACCREDITATION IN ORDER TO BE GRANTED ACCREDITATION, AND RIGHTS AND OBLIGATIONS OF THOSE INVOLVED IN ACCREDITATION GRANTING AND MAINTENANCE PROCESS;

7) CONFORMITY ASSESSMENT BODY IS A LEGAL ENTITY OR PART OF THEREOF THAT PERFORMS CONFORMITY ASSESSMENT ACTIVITIES, INCLUDING TESTING, CALIBRATION, CERTIFICATION AND INSPECTION, PROFICIENCY TESTING, VALIDATION AND VERIFICATION, PRODUCTION OF REFERENCE MATERIALS AND OTHER CONFORMITY ASSESSMENT ACTIVITIES.

(2) Other terms that are not defined in paragraph 1 of this Article, but are used in this Law, shall have the meaning stipulated by the law governing technical requirements for products and conformity assessment.

Article 3

- (1) Accreditation shall be used to determine competence of conformity assessment bodies to perform the following activities:
- 1) testing;
 - 2) calibration;
 - 3) inspection;
 - 4) certification of products;
 - 5) certification of management systems;
 - 6) certification of persons.
- (2) In addition to competence to perform the activities referred to in paragraph 1 of this Article, accreditation shall be used to determine competence to perform other conformity assessment activities as laid down in the specific law.

Article 4

- (1) Accreditation is voluntary.
- (2) Accreditation can be mandatory if laid down in a specific law.

II. ACCREDITATION BODY OF SERBIA

Article 5

- (1) The Accreditation Body of Serbia (hereinafter referred to as: ATS) is the sole accreditation body in the Republic of Serbia that is hereby delegated the performance of the accreditation activities referred to in Articles 3 and 8 of this Law.
- (2) The Founder of ATS is the Republic of Serbia, whereas the Government of the Republic of Serbia shall, under legal powers, exercise the rights of the Founder.
- (3) During the course of its activities, ATS shall use public funds.
- (4) ATS shall not perform profit-making activities.

Article 6

- (1) ATS is an institution that shall be registered in accordance with the law.
- (2) Public administration law shall be applied in case of establishment, organisation, status and activities-related issues of ATS unless otherwise stipulated by this Law.

Article 7

- (1) ATS SHALL FULFILL THE FOLLOWING REQUIREMENTS:
- 1) TO BE INDEPENDENT OF THE CONFORMITY ASSESSMENT BODY IT ASSESSES AS WELL AS TO ENSURE THAT THERE ARE NO COMMERCIAL PRESSURES OR CONFLICTS OF INTEREST WITH CONFORMITY ASSESSMENT BODIES;
 - 2) TO BE OBJECTIVE AND IMPARTIAL WHEN PERFORMING ITS ACTIVITIES;
 - 3) TO ENSURE THAT DECISIONS RELATING TO THE ATTESTATION OF COMPETENCE ARE TAKEN BY COMPETENT PERSONS DIFFERENT FROM THOSE WHO CARRIED OUT THE ASSESSMENT;
 - 4) TO SAFEGUARD THE CONFIDENTIALITY OF THE INFORMATION OBTAINED;
 - 5) TO IDENTIFY THE CONFORMITY ASSESSMENT ACTIVITIES FOR WHICH IT PERFORMS ACCREDITATION ACCORDING TO RELEVANT LEGISLATION AND STANDARDS;
 - 6) TO SET UP PROCEDURES TO ENSURE EFFICIENT MANAGEMENT AND APPROPRIATE INTERNAL CONTROLS;

- 7) TO HAVE A SUFFICIENT NUMBER OF COMPETENT PERSONNEL AT ITS DISPOSAL;
 - 8) TO DOCUMENT THE DUTIES, RESPONSIBILITIES AND AUTHORITIES OF PERSONNEL WHO COULD AFFECT THE QUALITY OF THE ASSESSMENT AND OF THE ATTESTATION OF COMPETENCE;
 - 9) TO ESTABLISH, IMPLEMENT AND MAINTAIN PROCEDURES FOR MONITORING THE PERFORMANCE AND COMPETENCE OF PERSONNEL INVOLVED;
 - 10) TO VERIFY THAT CONFORMITY ASSESSMENT IS CARRIED OUT IN AN APPROPRIATE MANNER TAKING INTO ACCOUNT THE SIZE OF THE USER OF CONFORMITY ASSESSMENT SERVICES, A SECTOR IN WHICH IT OPERATES, STRUCTURE, DEGREE OF COMPLEXITY OF PRODUCTION TECHNOLOGY, AS WELL AS A MASS OR SERIAL NATURE OF THE PRODUCTION PROCESS;
 - 11) TO PUBLISH ANNUAL FINANCIAL ACCOUNTS, PREPARED IN ACCORDANCE WITH THE LAW AND AUDITED BY THE AUDITOR.
- (2) IT IS ASSUMED THAT ATS MEETS THE REQUIREMENTS OF PARAGRAPH 1 OF THIS ARTICLE IF IT PROVES CONFORMITY WITH THE REQUIREMENTS OF THE STANDARD WHICH STIPULATES GENERAL REQUIREMENTS FOR ACCREDITATION BODIES DETERMINING THE COMPETENCE OF CONFORMITY ASSESSMENT BODIES BY SUCCESSFULLY UNDERGONE PEER EVALUATION ORGANIZED BY EUROPEAN CO-OPERATION FOR ACCREDITATION.
- (3) ORGANIZATION AND MODE OF OPERATION OF ATS IS DETERMINED BY THE ACT OF ESTABLISHMENT OF THE ACCREDITATION BODY OF SERBIA, ITS STATUTE AND OTHER GENERAL ACTS.

Article 8

- (1) In addition to the activities referred to in Article 3 of this Law, ATS shall perform the following activities:
- 1) to determine, TO IMPLEMENT and to publish the Rules of Accreditation that are based on the relevant Serbian, international and European standards, and on documents of international and European organisations for accreditation;
 - 2) keep a public Register of Accredited Conformity Assessment Bodies;
 - 2a) KEEP A PUBLIC REGISTER OF EXTERNALLY ENGAGED ASSESSORS AND TECHNICAL EXPERTS ACCORDING TO THE FIELD OF ACCREDITATION AND EXPERTS ENGAGED IN THE ACCREDITATION DECISION-MAKING PROCESS RESPECTING THE PRINCIPLES OF PERSONAL DATA PROTECTION REGULATION;
 - 3) PARTICIPATE AND/OR REPRESENT THE REPUBLIC OF SERBIA IN THE WORK OF INTERNATIONAL AND EUROPEAN ORGANISATIONS FOR ACCREDITATION AND MAINTAINS ITS MEMBERSHIP IN THE EUROPEAN CO-OPERATION FOR ACCREDITATION (EA);
 - 4) perform other activities in accordance with the Law, Establishment Act and Statute.
- (2) THE CONTENT AND MANNER OF KEEPING THE PUBLIC REGISTERS REFERRED TO IN PARAGRAPH 1 POINT 2) AND 2A) OF THIS ARTICLE SHALL BE DETERMINED BY ATS.

Article 9

ATS shall, on a regular basis, make publically available information about its activities performed in accordance with Articles 3 and 8 of this Law, and about results of the peer assessment.

Article 10

- (1) ATS shall be independent of the conformity assessment bodies it assesses.
- (2) ATS must not:
 - 1) provide consultancy services to conformity assessment bodies;
 - 2) perform activities or provide services provided by conformity assessment bodies;
 - 3) have proprietary and/or managerial rights or any other financial interests in conformity assessment bodies.

Article 11

- (1) ATS organs are as follows:
 - 1) the Management Board
 - 2) the Director
 - 3) the Supervisory Board.
- (2) THE MANAGEMENT BOARD HAS A CHAIRMAN AND FOUR MEMBERS.
- (3) THE CHAIRMAN AND MEMBERS OF THE MANAGEMENT BOARD ARE APPOINTED AND DISMISSED BY THE FOUNDER.
- (4) A REPRESENTATIVE OF THE MINISTRY RESPONSIBLE FOR ACCREDITATION SHALL BE APPOINTED AS A CHAIRMAN OF THE MANAGEMENT BOARD.
- (5) ONE MEMBER OF THE MANAGEMENT BOARD IS PROPOSED BY THE MINISTRY IN CHARGE OF ACCREDITATION FROM THE AUTHORITIES, RESPONSIBLE FOR THE PREPARATION OR ADOPTION OF TECHNICAL REGULATIONS.
- (6) TWO MEMBERS OF THE MANAGEMENT BOARD ARE PROPOSED BY THE SERBIAN CHAMBER OF COMMERCE FROM ACCREDITED CONFORMITY ASSESSMENT BODIES.
- (7) ONE MEMBER OF THE MANAGEMENT BOARD IS PROPOSED FROM THE STAFF OF ATS.
- (8) THE SUPERVISORY BOARD HAS A CHAIRPERSON AND FOUR MEMBERS.
- (9) THE CHAIRMAN AND MEMBERS OF THE SUPERVISORY BOARD ARE APPOINTED AND DISMISSED BY THE FOUNDER.
- (10) A REPRESENTATIVE OF THE MINISTRY RESPONSIBLE FOR ACCREDITATION IS APPOINTED AS CHAIRMAN OF THE SUPERVISORY BOARD.
- (11) ONE MEMBER OF THE SUPERVISORY BOARD IS PROPOSED BY THE MINISTRY RESPONSIBLE FOR ACCREDITATION.
- (12) ONE MEMBER OF THE SUPERVISORY BOARD SHALL PROPOSE THE ATS FROM ITS STAFF.
- (13) TWO MEMBERS OF THE SUPERVISORY BOARD SHALL PROPOSE THE SERBIAN CHAMBER OF COMMERCE FROM ACCREDITED CONFORMITY ASSESSMENT BODIES.
- (14) THE SCOPE OF THE BODIES REFERRED TO IN PARAGRAPH 1 OF THIS ARTICLE, THE CONDITIONS FOR THE APPOINTMENT OF THE CHAIRMAN AND MEMBERS OF THE BODY, THE MANNER OF DECISION MAKING AND OTHER ISSUES SIGNIFICANT FOR THE WORK OF THE BODIES SHALL BE REGULATED BY THE ATS ACT OF ESTABLISHMENT ADOPTED BY THE FOUNDER.
- (15) OPERATION AND MANAGEMENT OF ATS SHALL BE REGULATED IN DETAIL BY THE ATS STATUT.

Article 12

- (1) The Accreditation Council shall, as an advisory organ, be established within ATS, as well as standing and/or temporary technical committees as bodies having competence in certain fields of accreditation.
- (2) The Accreditation Council is an advisory organ that provides professional opinions in terms of development of the accreditation system, ESTABLISHES CRITERIA FOR

ASSESSORS, takes the initiative for the extension of the ATS scope of activities and take stands on other technical issues.

(3) THE CHAIRMAN OF THE ACCREDITATION COUNCIL IS A REPRESENTATIVE OF THE MINISTRY RESPONSIBLE FOR ACCREDITATION.

(4) Renowned experts and scientists from fields of relevance to the performance of activities falling under the ATS competences are selected as members of the Council representing interested parties therein.

(5) Technical committees are technical bodies providing expertise required for certain fields of accreditation.

(6) Establishment and mode of operation of the Accreditation Council and technical committees, rules and criteria for the selection of members, scope, mode of operation and other issues of relevance to their work shall be specified in detail by the Establishment Act and general acts of ATS in accordance with the Law.

Article 13

(1) ATS IS FUNDED FROM FOLLOWING SOURCES:

- 1) BUDGET OF REPUBLIC OF SERBIA;
- 2) OTHER SOURCES, IN ACCORDANCE WITH THE LAW.

(2) The assets coming from other sources shall mean other revenues made in accordance with the law.

(3) Donations (gifts) must not be made by those using the services of ATS.

(4) The amount of financial resources necessary for the operation of the ATS shall be determined on the basis of activities defined in the Annual Work Programme as laid down in the Establishment Act.

(5) The fees as regards the ATS membership in international and European organisations for accreditation shall be determined in the Annual Work Programme and provided from the budget of the Republic of Serbia.

III. ACCREDITATION PROCESS

Article 14

(1) ACCREDITATION PROCESS SHALL BE INSTITUTED ON THE BASIS OF APPLICATION SUBMITTED TO ATS BY A CONFORMITY ASSESSMENT BODY.

(2) In addition to the application for accreditation, an applicant for accreditation shall submit receipts confirming that Republic administrative fee was paid to cover the accreditation application-processing costs referred to in paragraph 1 of this Article.

(3) The application referred to in paragraph 1 of this Article shall contain name, address, and legal status of the applicant with clearly defined scope of accreditation that was requested, and other data and documentation in accordance with the Rules of Accreditation.

(4) ATS and an applicant for accreditation shall, by means of a contract, stipulate mutual rights and obligations in accordance with the ATS general acts.

(5) A conformity assessment body shall enable the assessment team to gain an insight into all documents relevant to the performance of accreditation, access to all facilities connected to conformity assessment activities the accreditation is sought for and provide contact details of all members of the staff involved in the said activities.

(6) THE ACCREDITATION PROCESS SHALL LAST MAXIMUM 8 MONTHS FROM THE DATE OF SUBMISSION OF THE APPLICATION FOR ACCREDITATION.

(7) EXCEPTIONALLY, THE TIME LIMIT REFERRED TO IN PARAGRAPH 6 OF THIS ARTICLE MAY BE EXTENDED UPON THE APPLICANT'S WRITTEN REQUEST FOR A MAXIMUM OF 4 MONTHS FROM THE EXPIRATION OF THE DEADLINE REFERRED TO IN PARAGRAPH 6 OF THIS ARTICLE.

(8) IN CASE THAT ATS DOES NOT PERFORM, OR IS NOT CAPABLE OF PERFORMING THE ACCREDITATION PROCESS, ATS SHALL NOTIFY IT TO THE APPLICANT WITHIN 30 DAYS OF THE APPLICATION RECEIPT.

(9) IN CASE THAT ATS DOES NOT COMPLETE THE ACCREDITATION PROCESS WITHIN THE DEADLINE REFERRED TO IN PARAGRAPHS 6 AND 7 OF THIS ARTICLE, ATS IS OBLIGED TO REFUND THE AMOUNT PAID FOR ACCREDITATION COSTS TO THE ACCOUNT OF THE APPLICANT, WITHIN 30 DAYS FROM THE EXPIRATION OF THE DEADLINE FROM PARAGRAPHS 6 AND/OR 7 OF THIS ARTICLE.

(10) IF THE APPLICANT WITHDRAWS FROM THE APPLICATION FOR ACCREDITATION, ATS DOES NOT REFUND THE AMOUNT PAID FOR ACCREDITATION COSTS TO THE APPLICANT'S ACCOUNT.

(11) ATS IS OBLIGED TO PROCEED WITH DOCUMENTATION FROM PARAGRAPH 3 IN ACCORDANCE WITH ITS CONFIDENTIALITY RULES.

(12) A REPRESENTATIVE OF THE AUTHORITIES RESPONSIBLE FOR THE PREPARATION AND/OR ADOPTION OF CERTAIN TECHNICAL REGULATIONS MAY PARTICIPATE IN THE PART OF THE PROCESS OF ACCREDITATION OF CONFORMITY ASSESSMENT BODY FOR THE PURPOSE OF NOTIFICATION OR DESIGNATION, AS AN OBSERVER, AND RESPECTING THE RULES OF CONFIDENTIALITY AND OTHER GENERAL ACTS OF ATS.

Article 15

(1) ATS SHALL MAKE A DECISION ON ACCREDITATION AND ISSUE A CERTIFICATE ON ACCREDITATION IF, AFTER THE ACCREDITATION PROCESS HAS BEEN CARRIED OUT, IT IS PROVED THAT THE APPLICANT MEETS THE REQUIREMENTS OF THE SERBIAN STANDARDS THAT TRANSPOSED THE HARMONIZED STANDARDS AND, WHEN APPLICABLE, ALL ADDITIONAL REQUIREMENTS, INCLUDING THE REQUIREMENTS SPECIFIED FOR CERTAIN AREAS, WITHIN THE DEADLINE REFERRED TO IN ARTICLE 14, PARAGRAPHS 6 AND/OR 7 OF THIS LAW.

(2) The accreditation certificate shall be issued for a limited period of time in accordance with the Rules of accreditation.

(3) IF DURING THE ACCREDITATION PROCESS, IT IS PROVED THAT THE APPLICANT FAILED TO MEET ANY OF THE REQUIREMENTS REFERRED TO IN PARAGRAPH 1 OF THIS ARTICLE, THE ATS REQUIRES THE APPLICANT TO CARRY OUT A CORRECTIVE ACTION.

(4) ON THE DAY OF IMPOSING THE CORRECTIVE ACTION, THE DEADLINE FOR THE ACCREDITATION PROCESS SHALL NOT BE EXTENDED UNLESS THE APPLICANT REQUIRES IT IN ACCORDANCE WITH ARTICLE 14 PARAGRAPH 7 OF THIS LAW.

(5) IF, AFTER THE ACCREDITATION PROCESS HAS BEEN CARRIED OUT, IT IS PROVED THAT THE APPLICANT DOES NOT MEET THE REQUIREMENTS REFERRED TO IN PARAGRAPH 1 OF THIS ARTICLE, THE ATS DECIDES NOT TO GRANT ACCREDITATION.

(6) The manner of performing the accreditation process shall be regulated in detail by the Rules of accreditation.

Article 16

ATS shall, in addition to the accreditation certificate, allow a conformity assessment body to utilise the accreditation symbol to show its status of accredited conformity assessment body.

Article 17

(1) An accredited conformity assessment body shall, throughout accreditation validity period, meet the requirements referred to in paragraph 1, Article 15, of this Law.

- (2) ATS shall assess the fulfilment of the requirements referred to in Article 15, paragraph 1 of this Law by means of surveillance of accredited conformity assessment bodies in accordance with the Rules of Accreditation.
- (3) During the surveillance referred to in paragraph 2 of this Article, ATS shall make a decision on accreditation maintenance, change in accreditation scope, and on accreditation suspension or withdrawal.
- (4) If it is found during the accreditation validity period that a conformity assessment body made a serious breach of its obligations, ATS shall make a decision on accreditation suspension or withdrawal.
- (5) Validity period of the decision on accreditation suspension shall not exceed six months.
- (6) ATS can make a decision confirming the change in the accreditation scope, accreditation suspension or withdrawal even on the basis of a written request made by an accredited conformity assessment body.

Article 18

- (1) At the request of an accredited conformity assessment body, accreditation renewal shall be carried out.
- (2) If it is found after the accreditation renewal process that an applicant met the accreditation requirements referred to in paragraph 1, Article 15 of this Law, ATS shall make a decision on accreditation renewal and shall issue the accreditation certificate.
- (3) If it is found, after the accreditation renewal process has been carried out, that an applicant failed to meet accreditation requirements referred to in paragraph 1, Article 15 of this Law, ATS shall make a decision not to renew accreditation OR TO RENEW THE ACCREDITATION IN THE CHANGED SCOPE.
- (4) A RENEWAL ACCREDITATION PROCESS SHALL LAST A MAXIMUM OF 4 MONTHS FROM THE DAY OF THE SUBMISSION OF APPLICATION FOR RENEWAL ACCREDITATION AND SHALL BE PERFORMED PURSUANT TO ARTICLE 15 OF THIS LAW.
- (5) EXCEPTIONALLY, THE TIME LIMIT REFERRED TO IN PARAGRAPH 4 OF THIS ARTICLE MAY BE EXTENDED UPON THE APPLICANT'S WRITTEN REQUEST FOR A MAXIMUM OF 4 MONTHS FROM THE EXPIRATION OF THE DEADLINE REFERRED TO IN PARAGRAPH 4 OF THIS ARTICLE.

Article 19

- (1) An appeal against decisions referred to in Articles 15, 17 and 18 of this Law may be lodged with ATS within 15 days after the decision has been delivered.
- (2) The Appeal Committee (hereinafter Committee) shall make a decision on the appeal referred to in paragraph 1 of this Article within 30 days after the submission of the appeal.
- (3) THE APPEAL COMMITTEE, AS A PERMANENT BODY, SHALL BE ESTABLISHED BY THE ATS MANAGEMENT BOARD AND SHALL CONSIST OF: ONE REPRESENTATIVE OF THE MINISTRY RESPONSIBLE FOR ACCREDITATION, ONE REPRESENTATIVE OF THE EXPERTS FROM THE LABORATORIES, ONE REPRESENTATIVE OF THE EXPERTS FROM THE INSPECTIONS BODIES, ONE REPRESENTATIVE OF THE EXPERTS FROM THE CERTIFICATION BODIES, ONE REPRESENTATIVE OF CONFORMITY ASSESSMENT BODY FROM OTHER FIELDS OF ACCREDITATION, ONE REPRESENTATIVE PROPOSED BY SERBIAN CHAMBER OF COMMERCE, TWO REPRESENTATIVES OF THE NATIONAL BODY RESPONSIBLE FOR STANDARDIZATION AND ONE REPRESENTATIVE FROM THE AUTHORITIES RESPONSIBLE FOR THE PREPARATION AND/OR ADOPTION OF TECHNICAL REGULATIONS.
- (4) A REPRESENTATIVE OF THE MINISTRY RESPONSIBLE FOR ACCREDITATION SHALL BE THE CHAIRMAN OF THE COMMITTEE.
- (5) THE CHAIRMAN OF THE COMMITTEE, WHEN DECIDING ON EACH INDIVIDUAL APPEAL, SHALL APPOINT TWO REPRESENTATIVES REFERRED TO IN PARAGRAPH 3 OF THIS ARTICLE, DEPENDING ON THE AREA THAT IS THE SUBJECT OF THE APPEAL.

(6) THE MEMBERS OF THE APPEAL COMMITTEE THAT DECIDE ON INDIVIDUAL APPEAL MUST NOT HAVE A BUSINESS INTEREST, NOR BE A PERSONS DIRECTLY OR INDIRECTLY INVOLVED, OR RELATED TO THE ACTIVITIES THAT ARE THE SUBJECT OF THE APPEAL.

(7) INDEPENDENT EXPERTS, FROM THE AREA OF THE SUBJECT OF THE APPEAL, IF NECESSARY, MAY ALSO PARTICIPATE IN THE WORK OF THE COMMITTEE, WITHOUT THE RIGHT TO VOTE, BY THE PROPOSAL OF THE CHAIRMEN OF THE COMMITTEE.

(8) THE MANNER OF ESTABLISHMENT AND MODE OF OPERATION OF THE COMMITTEE SHALL BE REGULATED BY A RULEBOOK ADOPTED BY THE MINISTER IN CHARGE OF ACCREDITATION.

(9) DECISION REFERRED TO PARAGRAPH 2 OF THIS ARTICLE IS FINAL, WHEREAS AN ADMINISTRATIVE DISPUTE CAN BE BROUGHT AGAINST IT.

IV. CROSS-FRONTIER ACCREDITATION

Article 20

(1) ATS can refer a conformity assessment body registered in the Republic of Serbia to submit an application for accreditation to accreditation body from another country if ATS does not perform the accreditation activities related to specific conformity assessment activities specified in the submitted application.

(2) ATS can ask accreditation body from another country to perform a part of accreditation process activities, and, in that case, ATS shall issue the accreditation certificate.

(3) The accreditation certificate issued by accreditation body from another country in accordance with paragraph 1 of this Article shall be entered in the Register of Accredited Conformity Assessment Bodies kept by ATS.

Article 21

(1) THE CONFORMITY ASSESSMENT BODY MAY APPLY FOR ACCREDITATION TO AN ACCREDITATION BODY OF ANOTHER STATE IN ANY OF THE FOLLOWING SITUATIONS:

1) IF ATS CEASES TO OPERATE;

2) IF ATS DO NOT PERFORM ACCREDITATION FOR CERTAIN CONFORMITY ASSESSMENT ACTIVITIES FOR WHICH THE APPLICATION IS SUBMITTED;

3) IF ATS HAS NOT SUCCESSFULLY UNDERGONE PEER EVALUATION IN RESPECT OF THE CONFORMITY ASSESSMENT ACTIVITIES FOR WHICH ACCREDITATION IS SOUGHT.

(2) IN THE CASE THAT ATS RECEIVES AN APPLICATION FOR ACCREDITATION FROM A CONFORMITY ASSESSMENT BODY FROM ANOTHER COUNTRY, ATS SHALL INFORM THE ACCREDITATION BODY OF THAT COUNTRY.

(3) IN THE ACCREDITATION PROCESS REFERRED TO IN PARAGRAPH 2 OF THIS ARTICLE, THE ACCREDITATION BODY OF ANOTHER STATE MAY PARTICIPATE AS AN OBSERVER.

(4) ATS MAY, UPON THE REQUEST OF AN ACCREDITATION BODY OF ANOTHER STATE OR CONFORMITY ASSESSMENT BODY FROM ANOTHER STATE, CONDUCT THE ACCREDITATION PROCESS OR PERFORM PART OF THE ACTIVITIES IN THE ACCREDITATION PROCESS, IN CASES PURSUANT TO PARAGRAPH 1 OF THIS ARTICLE.

Article 22

After a peer assessment has been finalised, ATS can enter into mutual recognition agreements confirming the equivalence of accreditation system with accreditation bodies from other countries, and with European and other international organisations for accreditation.

V. SURVEILLANCE OF ATS

Article 23

- (1) The ministry in charge of accreditation activities shall, in accordance with the law governing public administration activities, carry out surveillance of the ATS activities referred to in Articles 3 and 8 of this Law.
- (2) ATS SHALL ANNUALLY SUBMIT A REPORT TO THE FOUNDER, WHICH SHALL CONTAIN THE FINANCIAL REPORT AND THE ANNUAL WORK PROGRAMME REPORT, FOR CONSENT.
- (3) THE MINISTRY IN CHARGE OF ACCREDITATION MAY, IF NECESSARY, REQUEST ADDITIONAL INFORMATION OR REPORTS FROM THE ATS, IN PARTICULAR: REPORTS ON THE DEVELOPMENT OF APPROPRIATE PROGRAMS, AND /OR THE ACCREDITATION SCHEME IN ACCORDANCE WITH THE REQUIREMENTS OF TECHNICAL REGULATIONS AND ON THE RESULTS OF THE CONDUCTED SURVEILLANCE OF THE WORK OF ACCREDITED CONFORMITY ASSESSMENT BODIES.
- (4) MINISTRY RESPONSIBLE FOR ACCREDITATION SHALL TAKE UTMOST ACCOUNT OF THE RESULTS OF PEER EVALUATION WHEN CARRYING OUT THE SURVEILLANCE OF THE ATS ACTIVITIES.

VI. PROVISIONAL AND FINAL PROVISIONS

Article 24

- 1) The Accreditation Body of Serbia, that was established by means of the Act on the Establishment of the Accreditation Body of Serbia ("Official Gazette of the RS", No. 96/06), shall, in accordance with this Law and Establishment Act, continue its activities with effect from the date of entry into force of this Law.
- (2) The Act on the Establishment of the Accreditation Body of Serbia shall be harmonised with the provisions of this Law within six months following the entry into force of this Law.

Article 25

- (1) Accreditation certificates issued as of the date of entry into force of this Law shall remain valid throughout their validity period.
- (2) Accreditation activities that commenced prior to the entry into force of this Law shall be finalised in accordance with the regulations that were valid as of the date of entry into force of this Law.

Article 26

The Law on Accreditation ("Official Journal of the S & M", No. 44/05) shall be repealed with effect from the date of entry into force of this Law.

Article 27

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

PROVISIONS NOT INCLUDED IN THE CONSOLIDATED TEXT

LAW ON AMENDMENTS TO THE LAW ON ACCREDITATION ("Official Gazette of the Republic of Serbia ", No. 47/21):

Article 13

(1) WITHIN SIX MONTHS FROM THE DATE OF ENTRY INTO FORCE OF THIS LAW, ATS AND THE AUTHORITIES OR ORGANIZATIONS RESPONSIBLE FOR THE PREPARATION AND ADOPTION OF TECHNICAL REGULATIONS ARE OBLIGED TO CONCLUDE PROTOCOLS ON COOPERATION.

(2) THE PROTOCOLS REFERRED TO IN PARAGRAPH 1 OF THIS ARTICLE SHALL CONTAIN IN PARTICULAR: THE METHOD OF EXCHANGING INFORMATION ON ACCREDITATION ACTIVITIES FOR THE PURPOSE OF NOTIFICATION, DESIGNATION, OR OTHER ISSUES RELATED TO THE IMPLEMENTATION OF TECHNICAL REGULATIONS; EXCHANGING INFORMATION REGARDING SURVEILLANCE OF THE CONFORMITY ASSESSMENT BODIES, THE MANNER OF PARTICIPATION OF REPRESENTATIVES OF AUTHORITIES RESPONSIBLE FOR PREPARATION AND/OR ADOPTION OF TECHNICAL REGULATIONS IN THE PARTS OF THE ACCREDITATION PROCEDURE NECESSARY FOR THE IMPLEMENTATION OF TECHNICAL REGULATIONS, AS WELL AS INFORMATION ON THE TECHNICAL REGULATIONS IN PREPARATION WITH THE AIM OF DEVELOPING THE NEW ACREDITIONS SCHEMES.

(3) THE ACT ON THE ESTABLISHMENT OF THE ATS SHALL BE IN ACCORDANCE WITH THE PROVISIONS OF THIS LAW WITHIN THREE MONTHS FROM THE DATE OF ENTRY INTO FORCE OF THIS LAW.

(4) THE MINISTER REFERRED TO IN ARTICLE 10 OF THIS LAW SHALL PASS A RULEBOOK WITHIN 30 DAYS FROM THE DATE OF ENTRY INTO FORCE OF THIS LAW.

(5) THE ATS STATUTE SHALL BE HARMONIZED WITH THE PROVISIONS OF THIS LAW WITHIN SIX MONTHS FROM THE DATE OF ENTRY INTO FORCE OF THIS LAW.

(6) THE RULES OF ACCREDITATION SHALL BE HARMONIZED WITH THE PROVISIONS OF THIS LAW WITHIN 30 DAYS FROM THE DATE OF ENTRY INTO FORCE OF THE ATS STATUTE IN LINE WITH THE PROVISIONS OF THIS LAW.

(7) ACCREDITATION CERTIFICATES ISSUED BY THE DATE OF ENTRY INTO FORCE OF THIS LAW SHALL BE VALID UNTIL THE EXPIRATION OF THE PERIOD FOR WHICH THEY ARE ISSUED.

(8) ACCREDITATION ACTIVITIES INITIATED BEFORE THE ENTRY INTO FORCE OF THIS LAW WILL END ACCORDING TO THE REGULATIONS THAT WERE IN FORCE UNTIL THE DATE OF ENTRY INTO FORCE OF THIS LAW.

Article 14

THIS LAW SHALL ENTER INTO FORCE ON THE EIGHTH DAY FOLLOWING THE DAY OF ITS PUBLICATION IN THE "OFFICIAL GAZETTE OF THE REPUBLIC OF SERBIA", EXCEPT FOR THE PROVISIONS OF ARTICLE 6 OF THIS LAW, WHICH SHALL ENTER INTO FORCE ON THE DAY OF APPLICATION OF THE LAW GOVERNING REPUBLICAN ADMINISTRATIVE FEES WHICH WILL PRESCRIBE THE AMOUNT OF FEES FOR THE COSTS OF THE ACCREDITATION PROCEDURE.