

MODEL RULEBOOK ON ADMINISTRATION IN THE PUBLIC PROSECUTOR'S OFFICE



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OFFICE

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Publisher

Judicial Research Centre (CEPRIS), Belgrade

For the publisher

Aeksandar Trešnjev

Design

Petar Pavlović



Kingdom of the Netherlands

This analysis has been supported by the Embassy of the
Kingdom of the Netherlands in Belgrade.

The views expressed in this text do not necessarily
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RULEBOOK ON ADMINISTRATION IN THE PUBLIC PROSECUTOR'S OFFICE

I BASIC PROVISIONS

Scope

Article 1

This rulebook shall regulate the administration in the Public Prosecutor's Office.

The Public Prosecutor's Office consists of the Supreme Public Prosecutor, chief public prosecutors, public prosecutors and employees of the public prosecutor's offices.

The Supreme Public Prosecutor and chief public prosecutors shall administer the public prosecutor's offices.

Administrative work in the Public Prosecutor's Office

Article 2

Administration in the public prosecutor's office shall comprise: internal regulation and organisation of the work of the public prosecutor's office; the relations of the public prosecutor's office towards other state bodies, citizens and the public; use of public prosecutor's office symbols, official language and script; informing the public about the work of the public prosecutor's office; balanced and timely management of cases; monitoring and analysing public prosecutor's and court practice; managing complaints and applications pertaining to the work of the public prosecutors and employees of the public prosecutor's office; data confidentiality protection; maintaining registers, auxiliary books, directories and other records; handling objects and items of value; keeping statistics; dealing with files; traineeship; treatment of parties by employees of the public prosecutor's office; deciding on the rights based on the work of public prosecutors and employees of the public prosecutor's office, ensuring the independence, reputation and efficiency of the work of the public prosecutor's office, ensuring the impartial distribution of cases to public prosecutors and other issues of importance for the work of the public prosecutor's office.

Monitoring the work of public prosecution offices

Article 3

The Supreme Public Prosecutor's Office shall monitor the work of all public prosecutor's offices, and the appellate and higher public prosecutor's offices shall monitor the work of lower public prosecutor's offices in their area, except for the part of judicial administration that is performed by the High Prosecutorial Council, in accordance with the Law on the Public Prosecutor's Office.

Notification on the prohibition to receive gifts

Article 4

Public prosecutors must not receive a gift in connection with their function in the public office, except for protocolar and appropriate gifts in accordance with law, nor any service or other benefit for themselves or other persons.

If public prosecutors or employees are offered or left a gift in connection with the performance of their duties that they may not accept, they shall make an official note about it and inform the chief public prosecutor, or the Supreme Public Prosecutor and the High Prosecutorial Council.

II

FEATURES OF THE PUBLIC PROSECUTOR'S OFFICE

Seal and coat of arms

Article 5

The coat of arms and national flag of the Republic of Serbia must be visibly displayed on the building where the public prosecutor's office is located, in accordance with the law regulating the use of the coat of arms, flag and anthem of the Republic of Serbia, as well as the name of the public prosecution office written in capital Cyrillic letters.

In the areas where national minorities live, apart from the name under paragraph 1 of this Article, the name of the public prosecutor's office shall also be written in the language and script of the national minority, in accordance with a special law.

The seal of the public prosecutor's office shall contain the name and seat of the public prosecutor's office, the name and coat of arms of the Republic of Serbia, in accordance with the law governing the seal of state authorities.

In the office of the Supreme Public Prosecutor's Office, the large coat of arms of the Republic of Serbia and the national flag shall be displayed, while in other

public prosecutor's offices, the small coat of arms of the Republic of Serbia shall be displayed.

It is forbidden to display symbols and other items in the premises of public prosecutor's offices that damage the reputation of the public prosecutor's office or cast doubt on the impartiality and professionalism of a public prosecutor or the public prosecutor's office.

Official identification cards and badges

Article 6

Public prosecutors shall have official identification cards and badges.

Official identification cards and badges shall be issued by the Supreme Public Prosecutor's Office.

Official identification cards and badges shall be used exclusively when undertaking official actions and may not be used for other purposes.

Official identification card

Article 7

The small coat of arms of the Republic of Serbia and the inscriptions: "Republic of Serbia", "Public Prosecutor's Office" and the title: "Official ID" are printed on the front, outer side of the cover of the official identification card.

On the upper inner side of the official identification card, there is a space of 6 cm x 9 cm for: a photo of 2.5 cm x 3 cm, a space for the name and surname, the function of the public prosecutor, and the public prosecutor's office where he performs the public prosecutor's function; designation of series and serial number, registration number, date of issue, hologram; place for the signature of the Supreme Public Prosecutor and the seal of the Supreme Public Prosecutor's Office.

The pages of the official identification card are 8.5 cm x 11.5 cm and are made of black leather.

Badge

Article 8

The badge of the public prosecutor's office is placed on the lower inner side of the official identification card.

The public prosecutor's office badge has the shape of a twelve-pointed silver-coloured star, of 6.5 cm x 7 cm, with a base thickness of 1.3 cm, with an oval-shaped core of 4.2 cm x 4.8 cm, with a silver-coloured rim decorated on the outside with a thin frame and border of 0.2 cm, and on the inside with a thin frame of 0.5 cm, with

the inscription on the upper side: “Republic of Serbia”, and on the lower side the name of the public prosecutor’s office.

The badge of the Supreme Public Prosecutor is the same as the badge under paragraph 2 of this Article, except that it has a golden twelve-pointed star.

On the upper half of the frame, at 1.5 cm from the top of the frame, on the left and right sides, there are unfolded flags of the Republic of Serbia, size 1 cm x 0.5 cm, which are folded down in the middle, on the left and right sides and on the upper side, they exceed the frame of the core of the badge by 0.1 cm. In the central part of the badge, on a blue background, there is the small coat of arms of the Republic of Serbia, size 2.6 cm, with silver scales of justice hung at the height of the lower part of the wings of the eagle in the coat of arms, in a length that exceeds the length of the shield on the coat of arms of the Republic of Serbia by 0.3 cm.

Behind the frame of the badge is an upright sword, with silver hilt and silver blade pointing downwards, centrally placed and 6.5 cm long. On the badge of the Supreme Public Prosecutor, the handle and blade of the sword are golden.

Form and records of issued official identification cards and badges

Article 9

The form that more closely regulates the format of official identification and badges shall be prescribed by the Supreme Public Prosecutor.

Records of issued official identification cards and badges shall be kept at the Supreme Public Prosecutor's Office.

The record under paragraph 1 of this Article shall contain the serial number, the name of the public prosecutor's office, the series of issued official identification and the badge, and the serial number, date and signature of the person who received the official identification and the badge.

Loss of the official identification or the badge

Article 10

If the holder loses an official identification card or badge, he shall inform the Supreme Public Prosecutor's Office immediately, or at the latest within three days.

The lost official identification card or badge shall be deleted from the record of issued official identification cards and badges and a new one shall be issued.

Replacement of the official identification card and handling of the official identification card and the badge after termination of public prosecutor's office

Article 11

The official identification card shall be replaced if the public prosecutor is elected to another position in the public prosecutor's office or permanently transferred to another public prosecutor's office.

The public prosecutor, whose public prosecutor's function ceases, shall return the official identification card and badge to the Supreme Public Prosecutor's Office.

The public prosecutor, whose function has ended due to the completion of his working life and reaching 65 or 67 years of age, may keep his official identification card and badge, which shall be marked out of use. That mark shall be administered by the Supreme Public Prosecutor.

At a special request of the person who has ceased to be public prosecutor, the Supreme Public Prosecutor shall authorise that person to keep his official identification card and badge, which shall be marked out of use.

Invalid official identification cards and badges

Article 12

Invalid official identification cards and badges shall be destroyed by a commission whose members shall be appointed by the Supreme Public Prosecutor.

III

USE OF OFFICIAL LANGUAGE AND SCRIPT

Official language and script

Article 13

Serbian language and Cyrillic alphabet shall be official in public prosecutor's offices, and the language and alphabet of national minorities in the areas where the national minorities live in accordance with a special law.

Official acts of the public prosecutor's offices shall be written in the Serbian language in the Cyrillic script, and in the areas where national minorities live in the language and script of the national minorities, in accordance with a special law.

IV INTERNAL ORGANISATION

The seat of the Supreme Public Prosecutor's Office

Article 14

The Supreme Public Prosecutor's Office performs its function and has its seat in Belgrade.

The Supreme Public Prosecutor may determine, in the annual work schedule, that individual public prosecutors of the Supreme Public Prosecutor's Office perform the public prosecutor's function outside the head office.

When the public prosecutor's function is performed outside the main prosecutor's office, all cases shall be recorded in the registers and books of the Supreme Public Prosecutor's Office.

Area of the Public Prosecutor's Office

Article 15

The area of a public prosecutor's office is the territory where the public prosecutor's office performs activities within its jurisdiction. Within their competencies the chief public prosecutor and public prosecutors shall perform official functions in the main public prosecutor's office and in public prosecutor's offices outside the main office, and outside the premises of the public prosecutor's offices in accordance with law.

The performance of work in public prosecutor's offices outside the main office shall be regulated by a special act of the Supreme Public Prosecutor, in accordance with this Rulebook.

Assistance and substitution in the administration in case of inability or absence of the superior

Article 16

The Supreme Public Prosecutor and the chief public prosecutor, who is absent or prevented from supervising the public prosecutor's office, shall be substituted in administrative affairs by a public prosecutor designated by the annual work schedule (the deputy). If no deputy has been appointed, the deputy shall be appointed by the immediately senior chief public prosecutor.

In performing administrative tasks in the public prosecutor's office, the chief public prosecutor shall be assisted by department managers, the secretary of the public prosecutor's office and other employees, designated by the annual schedule.

The deputy public prosecutor and the head of the department may have a reduction in caseload up to 30% of the average number of cases in that prosecutor's office.

An employee of the public prosecutor's office shall perform the duties and tasks entrusted to him in a timely manner, in accordance with the regulations and the rulebook on the internal organisation and systematisation of jobs, as well as the duties and tasks directly determined by the chief public prosecutor or the public prosecutor.

Departments in the Public Prosecutor's Office

Article 17

Departments shall be formed to perform tasks in the Supreme Public Prosecutor's Office in accordance with the competences of that prosecutor's office.

In public prosecutor's offices with a larger number of public prosecutors and in public prosecutor's offices that act before different courts or before the same court in several different legal areas, special organisational units may be formed to perform related tasks (hereinafter: departments).

The work plan and program of a public prosecutor's office shall determine the number and composition of the departments, and the annual work schedule shall assign the public prosecutors, assistant prosecutors and interns who perform work in the departments.

The work of a department shall be managed by the head of the department, and in his absence by his deputy, who are designated by the annual work schedule.

The head of a department shall organise the work of the department, undertake measures for effective action and elimination of irregularities in the work and perform other tasks in accordance with the work plan and program of the public prosecutor's office.

The head of a department, on his own initiative or at the request of the public prosecutors assigned to the department, shall convene a session of the department to discuss legal issues and efficient operation of the department. The session of the department shall be chaired by the head of the department, and in his absence by the deputy head. Minutes about the held session of the department shall be recorded and distributed to all public prosecutors.

The head of the department shall inform the chief public prosecutor about the observed deficiencies in the work of the department and the measures to eliminate them.

Collegium of the Public Prosecutor's Office

Article 18

Questions of importance for the work of the public prosecutor's office shall be discussed at the sessions of the collegium of the public prosecutor's office (hereinafter: the collegium).

The collegium is an expert body of the prosecutor's office that considers issues within the competence of the public prosecutor's office, takes positions and gives proposals, opinions and initiatives on the issues significant for the work and organisation of the public prosecutor's office.

Competences of the collegium

Article 19

Collegium of the public prosecutor's office shall:

- 1) Give opinion to the High Prosecutorial Council on the candidate for chief public prosecutor and public prosecutor in his or immediately lower public prosecutor's office;
- 2) give opinion on the report proposal on the performance of the public prosecutor's office for the previous year;
- 3) give opinion on the work plan and program proposal of the public prosecutor's office for the following year;
- 4) consider the monitoring report on the performance of the public prosecutor's office;
- 5) consider issues of importance for professional training and organisation of the public prosecutor's office;
- 6) consider general mandatory instructions, court practice, application of new regulations and propose issuing general mandatory instructions;
- 7) consider controversial legal issues and take legal stands for the purpose of unifying the public prosecutor's practice;
- 8) consider the work program and plan of the public prosecutor's office and the annual work report;
- 9) consider other issues of importance for the work of the public prosecutor's office.

Collegium of the Supreme Public Prosecutor's Office

Article 20

Apart from the competencies under Article 19 of this Rulebook, the collegium of the Supreme Public Prosecutor's Office shall:

- 1) give opinion on draft laws or other regulations of importance for the work of the public prosecutor's office or the performance of public prosecutor's function;
- 2) give opinion to the High Prosecutorial Council in the process of deciding on the request for exclusion of the Supreme Public Prosecutor;
- 3) review the practice of the Constitutional Court and the European Court of Human Rights of importance for the work of the public prosecutor's office;
- 4) propose issuing of a general mandatory instruction;
- 5) pass an act that more closely regulates the operation of the collegium of the Supreme Public Prosecutor's Office;
- 6) consider other issues of importance for the work of the Supreme Public Prosecutor's Office.

In order to consider matters of importance for the work of the Supreme Public Prosecutor's Office, the Supreme Public Prosecutor may convene an extended collegium of the Supreme Public Prosecutor's Office, in accordance with the Law on the Public Prosecutor's Office.

Composition of the collegium

Article 21

The collegium of a public prosecutor's office shall comprise of the chief public prosecutor and public prosecutors of that public prosecutor's office, as well as public prosecutors temporarily assigned to that public prosecutor's office.

Assistant public prosecutors may also attend the collegium session if professional issues are discussed at the collegium session.

The collegium of the Supreme Public Prosecutor's Office shall comprise of the Supreme Public Prosecutor and public prosecutors of the Supreme Public Prosecutor's Office.

Collegium sessions

Article 22

A collegium session shall be convened and chaired by the chief public prosecutor, or the public prosecutor appointed by him.

The chief public prosecutor shall convene the collegium meeting at least three times a year.

If at least a third of the public prosecutors demand the convening of a collegium session, the chief public prosecutor shall convene the session.

The agenda of the collegium session shall be proposed by the chief public prosecutor.

If the collegium session is convened at the request of public prosecutors, the agenda shall be proposed by the public prosecutors.

Method of work and decision-making at the collegium sessions

Article 23

The session of the collegium may be held if two-thirds of the public prosecutors are present, and the decision is valid if the majority of the attendees vote for it.

At the collegium session, the chairman shall give the floor to the members of the collegium in the order of registration.

Voting at the collegium shall be public, except in the process of giving opinions on candidates for the election of public prosecutors or if the collegium decides that voting on certain issues should be secret.

Minutes shall be kept on the course of the session and the decisions made by the collegium.

The minutes shall be signed by the chief public prosecutor or the public prosecutor who chairs the collegium session and the minute-taker.

Collegium members may request a sound recording of the collegium session.

Collegium members shall have the right to review the minutes of the collegium session, receive a copy of the minutes and object to the truthfulness of the content of the minutes, which shall be recorded in the minutes.

Performance report

Article 24

A public prosecutor's office shall prepare a report on the work of the public prosecutor's office for the previous year by February 1 of the current year and submit it directly to the immediately higher public prosecutor's office.

The report on the work of a public prosecutor's office shall be made pursuant to the instructions of the High Prosecutorial Council.

The report of the immediately higher public prosecutor's office shall also contain the reports of lower public prosecutor's offices.

Performance reports shall be discussed at a collegium session, or in the departments of the public prosecutor's office, before being submitted to the higher public prosecutor's office.

Work plan and program

Article 25

The work in the public prosecutor's office shall be performed based on the work plan and program, which is made for each calendar year separately.

The work program shall comprise tasks and duties from the competence of the public prosecutor's office, which must be carried out during the year.

The immediately higher public prosecutor's office may propose to the lower public prosecutor's office to amend or supplement the work plan and program.

Method of adopting the work plan and program

Article 26

The Supreme Public Prosecutor and the chief public prosecutor shall draft a proposal for the work plan and program of the public prosecutor's office for the following year, no later than October 1 of the current year, and submit it to the collegium of the public prosecutor's office for their opinion.

The Supreme Public Prosecutor and the chief public prosecutor shall determine the work plan and program of the public prosecution's office which shall contain the decision on the annual work schedule, upon the obtained collegium's opinion, and present it at the session of the collegium of the public prosecutor's office no later than November 1 of the current year.

A public prosecutor who, for justified reasons, does not attend the session of the collegium under paragraph 2 of this Article, is informed about the work plan and program by e-mail or in another convenient way.

The Supreme Public Prosecutor and the chief public prosecutor shall adopt the final text of the work plan and program of the public prosecutor's office, after deciding on objections to the annual work schedule, and no later than December 31 of the current year.

Content of the work plan and program

Article 27

The work plan and program of the public prosecutor's office shall contain the work plan, the work program and the decision on the annual schedule of work in the public prosecutor's office.

The work plan shall determine the goals and priorities of the public prosecutor's office in dealing with specific areas and cases under the competence of the public prosecutor's office.

The work program shall determine the internal work organisation of the public prosecutor's office, establishment of departments and working bodies, method and time frame for the implementation of the work plan and the work schedule of the staff in the public prosecutor's office.

The decision on the annual work schedule shall assign the area and type of work, or the department to public prosecutors, and determine the heads and deputy heads of the departments.

Amending the work plan and program

Article 28

The chief public prosecutor may amend the established work plan and program during the year due to a significant increase in the number of cases, a longer absence of a public prosecutor or employees and for other justified reasons, and due to more efficient exercise of competencies and performance of administrative duties in the public prosecutor's office.

Amendments to the work plan and program of the public prosecutor's office shall be done according to the procedure provided for the adoption of the work plan and program of the public prosecutor's office.

Registry office

Article 29

Administrative and technical tasks of the public prosecutor's office shall be carried out in the registry office.

Administrative and technical tasks: keeping registers, receiving and sending mail, keeping records on the status of cases, keeping auxiliary books, preparing annual and interim work reports and archiving cases.

The work of the registry office shall be managed by the registry office manager. The chief public prosecutor may order that the registry office manager perform other administrative tasks, too.

In a public prosecutor's office with a large amount of work, the registry office may have several departments. The work of a department shall be managed by the head of the department.

Typewriting bureau

Article 30

A public prosecutor's office may have a typewriting bureau where the documents of the public prosecutor's office are processed.

Work of the typewriting bureau shall be managed by the head of the typewriting bureau.

Accounting office

Article 31

In every public prosecutor's office, an accounting office shall be formed.

IT and Analytical Affairs office

Article 32

In a public prosecutor's office, as a rule, an office for IT and analytical affairs shall be established.

In the office for IT and analytical affairs, the work related to the use of information and communication technologies (hereinafter: ICT) in the work of the public prosecutor's office shall be performed, and in particular: electronic processing, storage and transmission of information, administration and maintenance of ICT equipment in the public prosecutor's office, administration, maintenance and protection of the system, official software and database of the public prosecutor's office; staff training; maintenance of the public prosecutor's office's web presentation; administration of Internet access and administration of electronic mail (email) in the public prosecutor's office; administration and storage of project-related technical documentation in the field of ICT; creation and storage of the backup of databases, databases of electronic documents and other electronic records with simultaneous recording of all copies made; keeping records of IT resources in the public prosecutor's office.

Secretariat

Article 33

For the purpose of consistent performance of administrative duties in a public prosecutor's office, the public prosecutor's office may have a secretariat.

The secretariat shall consist of smaller organisational units.

The secretariat shall be managed by the secretary of the public prosecutor's office.

Secretary of the public prosecutor's office

Article 34

In the public prosecutor's office with ten or more public prosecutors, the chief public prosecutor shall be assisted by a secretary in carrying out administrative tasks in the public prosecutor's office.

The secretary shall assist the chief public prosecutor in the performance of administrative tasks in the public prosecutor's office, according to the competences and instructions of the chief public prosecutor, manage and be responsible for the work of the registry office, typewriting bureau and other offices, participate in the preparation and drafting of normative acts adopted by the chief public prosecutor and manage their execution, and perform other tasks by order of the chief public prosecutor or a person authorised by him.

Department secretary in the Supreme Public Prosecutor's Office and public prosecutor's offices of special jurisdiction

Article 35

Public prosecutor's offices may have department secretaries who shall assist in the performance of tasks determined by the rulebook on the internal organisation and systematisation of jobs in the public prosecutor's office.

V

ORGANISATION OF WORK IN THE PUBLIC PROSECUTOR'S OFFICE

Article 36

The chief public prosecutor shall determine the organisation and work of a public prosecutor's office and decides on rights based on the work of public prosecutors and on the working relations of civil servants and officials in the public prosecutor's office.

The number of employees shall be determined by the chief public prosecutor by the rulebook on the internal organisation and systematisation of jobs in the public prosecutor's office, with the consent of the minister responsible for justice and based on the criteria for determining the number of employees in the public prosecutor's office.

The chief public prosecutor shall submit a draft of the personnel plan for each calendar year to the ministry responsible for justice no later than November 1 of the current year. The draft shall contain an overview of the number of civil servants and

temporary employees by positions and the number of civil servants with permanent employment contract that are needed in the year referred to by the adopted personnel plan. The draft shall also contain the number of trainees in the public prosecutor's office, whose admission is planned and the number of civil servants with temporary employment planned for a period due to a possible increase in the amount of work.

Rulebook on the internal organisation and systematisation of jobs in the public prosecutor's office

Article 37

The Rulebook on internal organisation and systematisation of jobs in the public prosecutor's office shall more closely regulate:

- 1) internal organisation in a public prosecutor's office, which refers to the number of public prosecutors, assistant public prosecutors and public prosecutor interns, the total number of positions in the public prosecutor's office of assigned civil servants and officials in the public prosecutor's office, and the organisational units where the work is performed;
- 2) systematisation of jobs, which includes the name of each job of civil servants and officials, the job description, title and number of executors for each job.

Distribution of cases

Article 38

In order to ensure impartiality of work of the public prosecutor's office and an even workload for the public prosecutors, newly received cases shall be first classified according to urgency, complexity of the case, type of procedure, or legal area, and then distributed according to the astronomical calculation of the time of receipt, using the method of arbitrary determination of public prosecutors, in accordance with the established annual work schedule.

In public prosecutor's offices where business case management software is used, the business software shall sort cases by complexity.

Cases shall be assigned by using business software for case management, and if business software for case management cannot be applied, by manual entry in the register according to the order of receipt and serial number.

Each case shall be assigned a registration number and number, a competent public prosecutor shall be designated, and the case sent to be processed, without delay, and at the latest on the first following working day from the day of receipt.

A public prosecutor may file a case by himself if he has come to know that a criminal offense has been committed which requires *ex officio* prosecution and if

there is no case filed in the prosecutor's office about the same matter. The case shall be assigned to that public prosecutor.

Monitoring of the distribution of cases shall be done by the chief public prosecutor, the secretary of the public prosecutor's office or a person authorised by the chief public prosecutor.

Every public prosecutor in the prosecutor's office shall have the knowledge on the distribution of cases.

The party who submitted the initial document to the court shall have the right to know the case number and the name of the public prosecutor appointed to handle it within three days from the date of the submission.

The competent public prosecutor shall have exclusive rights to handle the case. Only urgent actions that cannot be delayed may be taken by another public prosecutor, and both the public prosecutor assigned with the case and the public prosecutor acting temporarily shall make official notes about this.

If, for unforeseeable, important reasons, the public prosecutor in charge of the case is unable to undertake actions in that case (to investigate, to represent the case before the court, etc.), he shall prepare a brief summary of the content of the case and give instructions to the public prosecutor temporarily in charge of the case.

Information on the distribution of cases to public prosecutors shall be available on the portal of the public prosecutor's office to every public prosecutor.

Urgent cases

Article 39

An urgent case, according to the provisions of this Rulebook, shall constitute the case for which an urgent action is requested by law or a general mandatory instruction (detention, proceedings against minors, criminal proceedings where a minor is the victim, prevention of domestic violence, etc.).

Complex cases

Article 40

“Complex cases” shall constitute the cases with multiple perpetrators or criminal acts, extensive and complex documentation, those in which special evidentiary actions and evidentiary techniques are applied, cases related to the resolution of specific cases from the point of view of the legal assessment of the event and the impact on case law, cases related to solving complex factual issues and their legal qualification, cases that are delicate from the point of view of possible disturbance of public and cases with other complex circumstances.

Electronic register

Article 41

In the public prosecutor's offices with conditions for keeping electronic registers by using information and communication technologies, newly received cases shall be distributed by means of a special program (mathematical algorithm).

Deviation from the order of cases allocation

Article 42

The chief public prosecutor shall make a special decision in written form, with justifications, by which it is possible to deviate from the order of case allocations due to justified inability of the public prosecutor (temporary inability to work, absence in accordance with special regulations, etc.), and the public prosecutor shall have the right to object to the decision on the deviation from the allocation order directly to the senior chief public prosecutor.

The chief public prosecutor shall inform the chief public prosecutor of the immediately higher public prosecutor's office in writing about any deviation from the order of case allocations.

As a rule, the cases formed during a public prosecutor's duty shall be assigned to that public prosecutor. The chief public prosecutor may decide on the deviation in written form, with justification.

In cases of termination of the function of a public prosecutor, election or transfer of a public prosecutor to another public prosecutor's office or body, changes in the regulations on the jurisdiction and organisation of the public prosecutor's office, the pending cases shall be distributed in the manner prescribed under Article 38 of these Rulebook.

Proceedings in cases

Article 43

The public prosecutor shall proceed in the cases assigned to him in accordance with this Rulebook.

Exceptionally, in the case of inability of the assigned public prosecutor, and if the proceedings must not be delayed, another public prosecutor from the roster of substitutes shall be assigned in writing to proceed according to the predetermined order.

To ensure efficient proceedings and attendance at procedural obligations and official actions, public prosecutors shall take care of the scheduled time of procedural obligations and official actions.

Extra duty hours

Article 44

Extra duty hours mean working outside regular working hours.

The work plan and program shall determine the types of duty, the manner in which extra duty is performed and the number of public prosecutors on duty.

The extra duty schedule shall be organised according to the alphabetical order of the surnames of the public prosecutors who are on duty.

A public prosecutor shall have the right to complain directly to the senior chief public prosecutor about the extra duty schedule.

Duty hours of employees shall be regulated in the same way.

Working hours

Article 45

The working hours of the public prosecutor's office, as a rule, shall be equal to the working hours of the court before which the public prosecutor's office proceeds.

Urgent tasks and already started official actions, the delay of which would cause damage or delay the proceedings, shall be completed regardless of regular working hours.

Annual leaves

Article 46

The annual leave plan shall be determined by the chief public prosecutor.

When determining vacations, the chief public prosecutor shall take particular care to ensure that the public prosecutor's office has enough public prosecutors and employees to handle urgent cases.

Right to association

Article 47

Public prosecutors, public prosecutor's assistants and trainees shall have the right to associate to protect their interests and to take measures to preserve their autonomy in work.

The chief public prosecutor shall facilitate the unhindered exercise of the right to association and, for that purpose, take actions to enable the exercise of the right, provided that this does not interfere with the regular work process.

VI RELATIONS AMONG PUBLIC PROSECUTOR'S OFFICES

Submission of information or documents

Article 48

A public prosecutor's office may request from another public prosecutor's office the data or documents it needs in its work.

The requested data or written documents shall be submitted immediately, without delay, if there are no obstacles, and no later than within 15 days from the date of submission of the request.

If, due to impediments, it is not possible to deliver the requested information, the public prosecutor's office that requested the data or documents shall be notified without delay, and the delivery shall be made as soon as the impediment ceases.

Clarifying legal and other issues and giving instructions

Article 49

A lower public prosecutor's office may ask an immediately higher public prosecutor's office to clarify legal and other issues and give opinion.

When seeking clarification of legal and other issues and giving an opinion, the lower public prosecutor's office shall state its opinion.

The lower public prosecutor's office may, through the immediately higher public prosecutor's office, request the Supreme Public Prosecutor's Office to clarify the legal and other issues or take legal positions, as well as give opinions.

In the case under paragraph 3 of this Article, the immediately higher public prosecutor's office shall forward the request of the lower public prosecutor's office to the Supreme Public Prosecutor's Office and give its opinion and proposal.

Proceedings in the case from the competence of another public prosecutor's office

Article 50

When a public prosecutor's office receives a case from the competence of another public prosecutor's office, it shall do the necessary checks of allegations, facts and circumstances of importance for the legal assessment and undertake the necessary actions which cannot be delayed and submit the case to the competent public prosecutor's office.

The public prosecutor's office shall inform the competent public prosecutor's office without delay about the proceedings and actions taken.

Informing the superior public prosecutor's office

Article 51

A public prosecutor's office may inform an immediately higher public prosecutor's office and the Supreme Public Prosecutor's Office about all significant events related to the work and competences of the public prosecutor's office.

Significant events are those events that are particularly important for the security of the country, which threaten the public interest to a significant extent, and the events which can damage the autonomy and reputation of the public prosecutor's office, or the trust in the impartiality of the public prosecutor's office.

Initiative to make a claim for the protection of legality

Article 52

An initiative for filing a request for the protection of legality or an opinion regarding the initiative shall be submitted to the Supreme Public Prosecutor's Office through a competent appellate public prosecutor's office.

The appellate public prosecutor's office shall submit a reasoned opinion on the merits of the initiative.

Conflict of jurisdiction

Article 53

There may be a conflict between public prosecutor's offices regarding substantive and local jurisdiction.

A conflict regarding substantive jurisdiction is possible between prosecutor's offices of different types, and a conflict regarding local jurisdiction is possible between prosecutor's offices of the same type.

The competent public prosecutor's office shall issue a decision by which it shall decide on the conflict of jurisdiction.

VII

PUBLIC PROSECUTOR'S OFFICE AND STATE AND OTHER AUTHORITIES

Duty to receive submissions

Article 54

The public prosecutor's office shall receive submissions from state authorities, legal entities and other legal persons and, if needed, take statements in matters

within its jurisdiction in order to take action in the matters for which it is authorised and may request additions and explanations in connection with the received submissions and given statements.

Submission of official data and information

Article 55

The public prosecutor's office shall submit official data and information at the court's request when the court needs them to perform its function.

The public prosecutor's office may submit official data and information at the request of other state authorities, autonomous province authorities or local self-government units.

If, in the case under paragraph 2 of this Article, data or information cannot be submitted, the authority that requested them shall be notified in writing. The notification shall state the reasons for such a decision.

Filing legal remedies and taking measures in case of violation of the Constitution or law

Article 56

When a public prosecutor's office establishes, in its work, that an act violates the Constitution or law, and no legal features of a criminal or another punishable offense is found, it shall take measures, initiate or file an appropriate legal remedy, and if this is not possible, it shall notify state authorities whose competence is to take appropriate measures (Protector of Citizens, Agency for the Prevention of Corruption, etc.).

When a public prosecutor's office concludes, in its work, that a regulation should be adopted, it shall notify the authority whose competence is to propose or adopting the regulation.

The public prosecutor's office shall inform the immediately higher public prosecutor's office in writing about the notification under paragraph 1 of this Article.

VIII PUBLIC PROSECUTOR'S OFFICE AND CITIZENS

Duties towards citizens

Article 57

Public prosecution offices shall organise their work so that citizens can effectively exercise their rights and legally protected interests within the competence of the public prosecution office.

Public prosecutor's offices shall receive applications from citizens or record criminal reports, proposals and other statements in order to proceed within their competencies. If the application, proposal and statement are communicated by telephone, an official note shall be made, and if they are submitted by electronic mail, they shall be saved on an appropriate data carrier and printed.

Public prosecutor's offices shall receive petitions, complaints, proposals and other applications from citizens, which the applicants address to the public prosecutor's office for the protection and efficient realisation of their rights, legal interests and obligations.

If it is concluded from a statement that it is not founded or the statement is incomprehensible, the person making the statement shall be legally instructed about that. If, even after this instruction, the person insists to give the statement, he shall be instructed to submit a written statement.

Reception of citizens

Article 58

The reception and notification of citizens shall be carried out by the chief public prosecutor, or the public prosecutor appointed by him.

Citizens who are interested in the status of proceedings and decisions in cases may be received by the public prosecutor handling the case and given the necessary information.

Citizens who come to the public prosecutor's office without an invitation shall be admitted at a time determined by a special decision of the chief public prosecutor.

The time designated for the reception of parties shall be indicated in a visible place at the entrance to the offices of the public prosecutor's office or in another way.

Citizens may be admitted to the public prosecutor's office, outside the scheduled time, only in the case when the public prosecutor estimates that this shall not disrupt his work process.

Citizens and their belongings shall be checked for security when entering the building of the public prosecutor's office.

Rules on informing the citizens

Article 59

When giving information, no statements shall be made about probable outcome of the proceedings.

Registry office staff may only issue information based on data from the register authorised by the chief public prosecutor, or the public prosecutor appointed by him.

Issuance of certificates and confirmations

Article 60

Upon citizens' requests for the issuance of certificates and confirmations of facts on which public prosecutor's offices keep records, the public prosecutor's offices shall act without delay.

If the issuance of the certificate or confirmation is subject to a fee, the responsible clerk in the office shall charge the prescribed amount of the fee.

Certificate of lost earnings

Article 61

A public prosecutor shall issue a certificate for lost earnings to a person who has been summoned to the public prosecutor's office and who requests compensation for lost earnings, after the action has been completed.

Records shall be kept of the issued certificates.

Tax collection

Article 62

Taxes related to the proceedings of the public prosecutor's office shall be paid to the appropriate registered account of the authority, and as a proof of payment the taxpayer submits a payment receipt.

If the party pays the tax for several cases with one payment slip, the receipt shall be deposited for the case file with the lowest number. For the other cases, it shall be noted where the receipt is filed.

Tax collection control

Article 63.

The chief public prosecutor and the competent public prosecutor shall regularly monitor the collection of the taxes.

When compulsory collection is ordered and there is evidence in the case that the competent authority received that order, it shall be considered that the tax has been collected.

A case shall not be archived until the authorised person signs off the note that the fee has been collected.

A stamp with a note that the tax has been charged is placed on the front page of the file cover, in the upper right corner, before the subject code.

Advance payment

Article 64

When an advance for the costs that will arise because of the presentation of evidence needs to be deposited, the public prosecution shall order the deposit of the required amount of money to the deposit account of the public prosecutor's office.

In the decision ordering the deposit of an advance payment, it shall be stated, among other things, the account number to which the amount to be deposited is paid and the consequences that shall occur if the advance payment is not paid.

If the same person needs to make advance payment for several cases at the same time, the public prosecutor's office shall order the deposit of the advance payment with one decision, which shall be enclosed to the file case with the lowest number. In the other cases files, the number of the case where the decision is filed shall be recorded.

The order pertaining to the evidentiary proceedings shall be issued when the advance payment has been made.

Advance payment control

Article 65

When the accounting department informs the registry office that an advance has been deposited, the proceedings shall commence, which was conditional upon the deposit of the required amount.

If an advance payment is made for several cases with one payment slip, the proof will be pasted in the case file with the lowest number. In other cases, the number of the case containing the proof of payment shall be recorded.

If the advance payment is not made within the deadline, the registry office shall make a note about it below the order on the delivery of the decision for the advance payment and present the matter to the competent public prosecutor.

Reviewing files and issuing photocopies

Article 66

Certain case files or cases pertaining to ongoing proceedings of a public prosecutor may be given for review only to persons who have a justified interest in it. Those persons may be given a photocopy of the file.

Permission to review the case or issue a photocopy of the file shall be issued by the public prosecutor assigned with the case. The stage of the case-related proceedings and the interests of the regular course of the proceedings shall be considered when granting the permission.

The review of the case file shall be monitored by a registry office clerk and take place under video-surveillance in a room designated for that purpose.

Files or photocopies of case files of other authorities of the public prosecutor's office shall not be submitted for review.

An official note shall be made about the actions under paras 1 and 2 of this Article.

When a file is reviewed, the notes and observations of the public prosecutor on certain issues, draft decisions and other files the content of which cannot be disclosed, shall be separated from the case file.

Citizens shall reimburse the costs and necessary expenses incurred by the reviewing or photocopying of files determined by an act of the minister competent for justice.

IX

PUBLIC PROSECUTOR'S OFFICE AND THE PUBLIC

Informing the public

Article 67

A public prosecutor's office shall inform the public about the state of crime and other phenomena that it observes in its work, in its substantive and local jurisdiction, at least once every six months (regularly) and whenever there is a special need (extraordinarily).

A public prosecutor shall inform the public when he believes that the public should be aware of the actions of the public prosecutor's office, provided that this

does not harm the interests of the proceedings or endanger the privacy of the participants in the proceedings.

A public prosecutor's office shall inform the public about issues within its jurisdiction.

Exceptionally, a higher public prosecutor's office may inform the public about issues within the jurisdiction of a lower public prosecutor's office.

Method of informing the public

Article 68

A public prosecutor shall inform the public in a way that shall not lead to disclosure of secret information.

The interests of national security, public order, minors, privacy and morality in a democratic society shall be safeguarded when the public is being informed.

Person in charge of informing the public

Article 69

The public shall be informed by the chief public prosecutor, or the public prosecutor designated by him, or the spokesperson of the public prosecutor's office.

The chief public prosecutor or the public prosecutor, or the spokesperson of the public prosecutor's office shall inform the public, in spoken or written announcements and statements or through the media or in another convenient way, about the initiation of proceedings in the cases of public interest, safeguarding the interests of the proceedings, respecting the presumption of innocence, protection of personal data, privacy and dignity of the participants in the proceedings and the public prosecutor.

Written and spoken statements or announcements

Article 70

Written statements or announcements shall be made in at least two copies, one of which shall be kept in the public prosecutor's office.

An official note shall be made about spoken statements or announcements, about when and to whom the statement or announcement was made, as well as about its content.

Duties regarding speaking in public

Article 71

A public prosecutor shall be free to express and represent his personal views in public, while expressing views on behalf of the public prosecutor's office shall require written consent of the chief public prosecutor.

Access to information of public importance

Article 72

The Supreme Public Prosecutor, with the aim of consistent treatment, shall issue a general mandatory instruction on the proceedings of the public prosecutor's office following a request for the access to information of public importance.

The public prosecutor's office shall act on a request for access to information of public importance in accordance with law and the instructions under paragraph 1 of this Article.

The public prosecutor's office shall make a rulebook in accordance with law to regulate the free access to information of public importance.

Petition

Article 73

Anyone who has a legitimate interest and has turned to a public prosecutor's office for action in the matters under the public prosecutor's office competence shall have the right to submit a petition about the work of the public prosecutor's office and to be informed of the decision pertaining the petition.

A petition is a request, complaint or other application submitted for the purpose of realising and protecting the applicant's justified interest.

A complaint is a petition by which citizens, legal entities, state bodies or bodies of autonomous provinces and local self-government units turn to the public prosecutor's office to eliminate irregularities in the proceedings of a particular case.

A petition related to the work of a public prosecutor, or an employee shall be submitted to the chief public prosecutor, and to the work of the chief public prosecutor to the immediately senior chief public prosecutor.

The chief public prosecutor shall decide on the merits of the petition.

Processing of petitions

Article 74

The chief public prosecutor or the public prosecutor designated by the annual work schedule shall inform the applicant in writing about the merits of the petition.

The chief public prosecutor or the public prosecutor designated by the annual work schedule shall inform the applicant about the measures taken within 30 days from the date of receipt of the application.

If the petition is submitted through the High Prosecutorial Council, the ministry responsible for justice, the Supreme Public Prosecutor's Office or the immediately higher public prosecutor's office shall be informed about the merits of the petition and the measures taken.

The chief public prosecutor or the public prosecutor designated by the annual work schedule may make an official note stating that the applicant is abusing the right to submit a petition. It shall be considered that the applicant is abusing the right if the petition has predominantly incomprehensible or offensive content or if the applicant frequently submits petitions with the same or similar content.

If the petition is incomprehensible, the chief public prosecutor or the public prosecutor designated by the annual work schedule shall point out the misunderstanding to the petitioner and invite him to edit the content of the petition within eight days from the day of receipt of the petition. If the applicant does not edit the petition within the stipulated period, the chief public prosecutor or the public prosecutor designated by the annual work schedule shall make an official note about it and inform the applicant.

If the petition is of such content that it cannot be acted upon, the chief public prosecutor or the public prosecutor designated by the annual work schedule shall archive the petition.

X

CONFIDENTIALITY OF DATA

Determining the confidentiality of data

Article 75

Confidentiality of data shall be determined by public prosecutor and the person employed by the public prosecutor's office who is authorised to do so in writing by the chief public prosecutor.

The procedure for determining the confidentiality of data, the degree of confidentiality and classification of data confidentiality shall be done in accordance with the regulations governing the confidentiality of data.

Degrees of confidentiality and recording of confidential data

Article 76

In accordance with the regulations governing the confidentiality of data, the confidential data have one of the following classifications of confidentiality:

- 1) “STATE SECRET”, determined to prevent irreparable serious damage to the interests of the Republic of Serbia;
- 2) “STRICTLY CONFIDENTIAL”, determined to prevent serious damage to the interests of the Republic of Serbia;
- 3) “CONFIDENTIAL”, determined to prevent damage to the interests of the Republic of Serbia;
- 4) “INTERNAL”, determined to prevent the occurrence of damage to work, or, the performance of tasks and duties under the competence of the public prosecutor's office.

The documents containing information classified as confidential shall be filed in appropriate registers of classified documents.

A document containing foreign confidential information shall retain the code of confidentiality degree of the foreign country or international organisation.

When coding the degree of confidentiality of documents, for the documents intended for cooperation with foreign countries, international organisations and other subjects of international law, the codes of the degree of confidentiality in English may be used:

- 1) the “TOP SECRET” classification code corresponds to the “STATE SECRET” classification code;
- 2) the “SECRET” classification code corresponds to the “STRICTLY CONFIDENTIAL” classification code;
- 3) the “CONFIDENTIAL” classification code corresponds to the “CONFIDENTIAL” classification code;
- 4) the “RESTRICTED” classification code corresponds to the “INTERNAL” classification code.

Confidential data protection measures

Article 77

Confidential data shall be stored so that access to that data is allowed only to authorised users, in accordance with the regulations governing the confidentiality of data.

Confidential data may be transferred and delivered outside the public prosecutor's office only in accordance with the prescribed security measures,

procedures and protection measures, pursuant to the regulations governing the confidentiality of data.

Confidential data related to personal data may be transferred and delivered outside the public prosecutor's office only in accordance with the prescribed security measures, procedures and protection measures pursuant to the regulations governing the confidentiality of data and the protection of personal data.

Loss or disclosure of confidential data

Article 78

In case of loss, theft, damage, destruction or unauthorised disclosure of confidential data or foreign confidential data, the public prosecutor or a person employed in the public prosecutor's office authorised in writing by the chief public prosecutor shall notify, without delay, in accordance with the regulations governing the confidentiality of data, the competent person of the authority that provided the confidential data and take all the necessary measures to determine the circumstances that led to the loss or disclosure of the confidential data and foreign confidential data, assess the damage caused and take the necessary measures to eliminate the damage and prevent further loss, theft, damage, destruction or unauthorised disclosure of confidential data and foreign confidential data.

XI

PROTECTION OF PERSONAL DATA

Personal data

Article 79

The regulations governing the protection of personal data shall apply to personal data that are processed for the purpose of proceedings under the competence of the public prosecutor's office.

Processing of personal data

Article 80

Public prosecutor's offices shall process personal data in accordance with the level of technological achievements and the costs of their application, the nature, scope, circumstances and purpose of the processing, as well as the probable risk and the level of risk to the rights and freedoms of natural persons.

Public prosecutor's offices shall implement relevant technical, organisational and personnel measures in order to reach an appropriate level of security in relation to the risk.

Personal data collected in the proceedings of the public prosecutor's office shall not be processed for a purpose that is different from the purpose for which the data were collected, unless such further processing is prescribed by law, necessary and proportionate to that other purpose and if the supervisor is authorised to process such personal data for the other purposes, in accordance with law.

When processing personal data, public prosecutor's offices shall use reasonable measures to ensure that inaccurate, incomplete and not updated personal data are not transferred nor made available.

Transfer of personal data to other countries and international organisations

Article 81

Personal data which are being processed in the public prosecutor's office or intended for further processing after being transferred to another country or international organisation may only be transferred in accordance with a confirmed international agreement and the regulations governing the protection of personal data.

Information on the processing of personal data and the access to data

Article 82

The data subject shall get the information if his personal data are being processed, access to that data and other information from the public prosecutor's office in accordance with the law governing the protection of personal data.

The right to access may be denied, i.e. limited or delayed only in terms of scope and duration, as long as this partial or complete restriction represents a necessary and proportionate measure of a democratic society in relation to the respect of the fundamental rights and legitimate interests of the data subject, in accordance with the law governing the protection of personal data.

The public prosecutor's office, in accordance with the law governing the protection of personal data, shall notify the data subject in writing that access to his personal data has been refused or restricted and state the reasons for the refusal or restriction, unless this would jeopardise the realisation of the purpose why the access is denied or restricted.

In the case under paragraph 3 of this Article and in the event that in the procedure for the request for data access it is established that the personal data of the applicant are not being processed, the public prosecutor's office, in accordance with the law regulating the protection of personal data, shall inform the applicant in writing that it has been established that there are no personal data in connection with

which the rights provided for by that law may be exercised and that it is possible to file a complaint with the Commissioner for Information of Public Importance and Personal Data Protection (hereinafter referred to as the Commissioner), or initiate an administrative procedure.

The public prosecutor's office shall document the factual and legal reasons for deciding to restrict the rights, which shall be made available to the Commissioner, upon his request, under conditions in accordance with legal provisions on the exercise of the Commissioner's authority (access to premises, means and equipment).

Correction, addition, deletion and restriction

Article 83

The data subject may request that his inaccurate personal data be corrected without undue delay. Depending on the purpose of the processing, data subjects may request to complete their incomplete personal data, which includes providing an additional statement.

The data subject may request that the public prosecutor's office delete his personal data, and the public prosecution office shall delete that data without undue delay if the processing is not in accordance with the law regulating the protection of personal data or if the personal data must be deleted due to the fulfilment of the legal obligation of the public prosecutor's office.

The public prosecutor's office shall restrict processing, instead of deleting personal data, in one of the following cases:

- 1) the accuracy of personal data has been contested by the data subject, and the accuracy or inaccuracy cannot be determined;
- 2) personal data must be saved for the purpose of collecting and securing evidence.

If the processing is limited in accordance with paragraph 3, point 1) of this Article, the public prosecutor's office shall inform the data subject about the termination of the restriction before the restriction ceases to be valid.

The public prosecutor's office shall inform the data subject in writing about the refusal to correct or delete his personal data, or about the restriction of processing and the reasons for that refusal or restriction.

The public prosecutor's office shall be fully or partially exempted from informing about the refusal to correct or delete personal data, i.e. limiting the processing, to the extent that the exemption is a necessary and proportionate measure of a democratic society in relation to the respect of the fundamental rights and legitimate interests of the data subject, in accordance with the law governing the protection of personal data.

In cases under paras 5 and 6 of this Article, the public prosecutor's office shall inform the data subject that he can file a complaint with the Commissioner or initiate an administrative procedure.

The public prosecutor's office shall inform the competent authority which provided the information about the correction of incorrect data.

If the personal data are corrected, the public prosecutor's office shall inform the recipients of that data about the correction.

The correction, addition or deletion of personal data in the registers and auxiliary books shall be made by the manager of the registry office by the order of the chief public prosecutor.

If it is determined during the performance of administrative and technical tasks in the public prosecutor's office that the personal data in the registers and auxiliary books are incorrect, incomplete or not updated, the chief public prosecutor shall be informed of this without delay.

Informing data subject and exercising of data subjects' rights

Article 84

The public prosecutor's office shall undertake reasonable measures to provide all information under Article 80 of this Rulebook to the data subject, i.e. information about the exercise of the rights provided for by the law governing the protection of personal data and this Rulebook, in a concise, comprehensible and easily accessible manner using clear and simple words. The information shall be provided in an appropriate manner, including electronically. As a rule, the public prosecutor's office shall provide information in the same form as the request of the data subject.

The public prosecutor's office shall assist the data subject in exercising his rights provided for by the law governing the protection of personal data in the manner provided for in this Rulebook.

The public prosecutor's office shall provide the data subject in written form with information on the action taken on his request no later than within 30 days from the date of receipt of the request. That deadline can be extended by 60 days, if necessary, given the complexity and number of requests.

Person authorised to protect personal data

Article 85

The chief public prosecutor may authorise a person to protect personal data.

The data subjects may contact the person authorised to protect personal data in connection with all issues related to the processing of their personal data and in

connection with the exercise of their rights prescribed by the law governing the protection of personal data.

The person authorised to protect personal data shall protect the personal data obtained in the performance of his duties, in accordance with law.

XII OFFICIAL PREMISES AND EQUIPMENT STANDARDS

Basic standards

Article 86

The building and premises of the public prosecutor's office shall meet the standards pertaining to space, layout and equipment, which are necessary for performing tasks under the competence of the public prosecutor's office.

Offices and other premises, access for people with disabilities

Article 87

Offices and other premises shall be neat, clean and equipped with fire-fighting devices.

The public prosecutor's office shall ensure that persons with disabilities can freely access their office building.

Layout of rooms

Article 88

The chief public prosecutor shall determine the arrangement of rooms in the official building. The layout shall determine the offices of the chief public prosecutor, public prosecutors, employees, departments, the registry office and other services in the public prosecutor's office.

The layout of the rooms shall be adjusted so that the rooms intended for working on cases of the same type are connected and that there are appropriate offices near them.

As a rule, the rooms close to the entrance to the official building, i.e. the public prosecutor's office, shall be designated for the reception of applications and mail.

Display of the room layout plan

Article 89

A room layout plan shall be displayed in a visible place at the entrance to the official building or offices.

The layout of the rooms shall clearly show the location of the offices and the time set for the reception of parties.

The layout of the rooms shall visibly indicate the office that is on duty.

On the office door of the persons in charge of cases, an inscription shall be placed indicating the function or title and the name and surname of the person.

The office of the chief public prosecutor shall be distinctly marked.

Notice board

Article 90

In the public prosecutor's office building, a notice board shall be put up in a visible place for the publication of declarations, announcements and notices about the reception of parties and other persons who have not been summoned by the public prosecutor's office and for placing letters to be delivered, in accordance with procedural laws and other regulations.

An electronic notice board may also be set up in the public prosecutor's office.

The registry office manager shall ensure timely and orderly posting of announcement copies on the notice board, or their removal from the notice board.

The registry office manager shall include a note about the date of the publication, or the removal of the announcement copy, sign it, verify it with a seal and places it in the appropriate file.

XIII

PROFESSIONAL DEVELOPMENT

Professional development of chief public prosecutors and public prosecutors

Article 91

Public prosecutors shall have the right and duty to develop professionally funded by the Republic of Serbia.

The ministry responsible for justice may grant a public prosecutor the funds needed to finance the studies for an academic degree at the expense of the Republic of Serbia.

The chief public prosecutor shall announce on the portal or website of the prosecutor's office, by January 15 of the current year, which public prosecutors, prosecutor's assistants and interns attended which trainings in the previous year.

Information on professional development

Article 92

Information on professional training for public prosecutors shall be kept in the special records of the public prosecutor's office and entered in the personal file of the public prosecutor.

Data on published professional or academic work and data on proficiency in foreign languages shall be considered the information on professional development.

Study visits

Article 93

A public prosecutor may be sent to a study or other professional trip abroad, based on the decision of the High Prosecutorial Council, the Supreme Public Prosecutor or the chief public prosecutor.

The Supreme Public Prosecutor shall be informed about the professional trips abroad of public prosecutors or employees in the organisation of professional and expert associations.

The employee's right to professional development

Article 94

Employees shall have the right to professional development.

In the personal file of an employee, records shall be kept of participation in professional development programs and other types of professional development and studies for an academic title.

Responsibilities of public prosecutor's assistants and trainees

Article 95

Assistant public prosecutors and trainees shall be required to attend a training program.

The training program for assistant public prosecutors and trainees shall be determined by the High Prosecutorial Council.

The training program for trainees in public prosecutor's office shall determine the time necessary for the trainee to prepare for the bar exam and the employment status of the trainee during the period.

Assistant public prosecutors and trainees may be sent for training to another public prosecution office, state body or local self-government unit, within the territory of the public prosecution office's seat, and outside the territory only with their written consent.

Acquisition of literature

Article 96

The public prosecutor's office shall enable regular procurement of editions of laws and other regulations, official gazettes, collections of court decisions, professional journals and other professional publications necessary for the successful and professional performance of the public prosecutor's office.

Collection of professional literature

Article 97

A collection of professional literature shall be established in public prosecutor's offices that have many volumes of professional literature.

XIV

USE OF INFORMATION AND COMMUNICATION TECHNOLOGIES IN PUBLIC PROSECUTOR'S OFFICES

Use of information and communication technologies

Article 98

In public prosecutor's offices, as a rule, information-communication technologies shall be used for the distribution of cases to be processed, keeping the records (registers and auxiliary books), scanning and archiving of incoming and outgoing letters, word processing, processing and collection of statistical data, electronic exchange of data with information systems of judicial bodies and state administration bodies, accounting, public relations and monitoring of regulations, court and prosecutorial practices.

When working with information and communication technologies, the regulations in that area and the provisions of this Rulebook shall be applied accordingly. All data entered through information and communication technologies shall be protected in an appropriate manner.

Keeping registers and auxiliary books

Article 99

In all the public prosecutor's offices which have business software for automatic case management (hereinafter: the business software), registers and auxiliary books shall be kept in electronic form.

Exchange of data with other state bodies

Article 100

Public prosecution offices may use the internal computer network, exchange data with other judicial bodies within the Judicial Information System of the Republic of Serbia, and exchange data with other state bodies using information-communication technologies, while protecting confidentiality and accuracy of data.

The public prosecutor's office may electronically exchange data with parties, judicial authorities and other state authorities, in accordance with the regulations governing electronic communication, electronic signature and electronic document.

Integral information system

Article 101

Introduction of information and communication technologies in the public prosecutor's office shall be done in accordance with the guidelines of the ministry responsible for justice, which refer to the introduction and development of the Judicial Information System of the Republic of Serbia.

The integral information system, as part of the Judicial Information System of the Republic of Serbia, shall represent an internal and integrated digital communication network of public prosecutor's offices in the Republic of Serbia comprising: electronic performance of tasks within the competence of the public prosecutor's office (maintenance of registers, auxiliary books, register of accused and injured natural and legal persons; forming an electronic case; publication of reports and statistical data; public relations; publication of court and prosecutorial practice and relevant legal opinions; publication of mandatory instructions; information about seminars and trainings, etc.), with the aim of improving the work and standardizing the procedures.

XV STAFF

Article 102

Employees of the public prosecutor's office are public prosecutor's assistants, public prosecutor's trainees and civil servants and employees who perform administrative-technical, accounting, information and other supplementary duties.

Public prosecutor's trainees

Article 103

Public prosecutor's offices shall have the required number of public prosecutor's trainees.

The public prosecutor's trainee shall be employed in order to acquire professional knowledge and meet conditions to pass bar exam, in accordance with law.

Public prosecutor's trainees shall be assigned to basic and higher public prosecutor's offices, in accordance with a special training program, to all jobs in the public prosecutor's office to gain practice in all areas of public prosecutor's work.

Each public prosecutor's office shall implement a special training program for trainees in that prosecutor's office.

A trainee public prosecutor who, for justified reasons, is absent from work for more than one month, shall have the traineeship extended for the period of the absence.

Evaluating the performance of public prosecutor's trainees and volunteers

Article 104

The chief public prosecutor shall evaluate the success of the training of public prosecutor's trainees and volunteers on the basis of the received opinion of the public prosecutor under whose supervision the public prosecutor's trainee or volunteer is being trained, the opinions of other state authorities if the public prosecutor's trainee or volunteer was sent to training and relevant testing of the knowledge and acquired skills.

Evaluation of the performance of public prosecutor's assistants

Article 105

The performance of the public prosecutor's assistant shall be evaluated in accordance with law.

Duty of the public prosecutor towards public prosecutor's trainees and assistants

Article 106

The public prosecutor who is supervising a public prosecutor's trainee shall provide the trainee with professional assistance, train him in accordance with the training program and undertake other activities provided for in the training program.

The public prosecutor who is supervising an assistant public prosecutor shall provide the assistant with instructions for the drafting of acts and the performance of tasks established by law and other regulations.

Employees who perform administrative and technical work

Article 107

Administrative and technical tasks in the public prosecutor's office shall be performed by civil servants and employees who are assigned to perform these tasks by the act of the public prosecutor's office.

Civil servants under paragraph 1 of this Article shall be evaluated by the chief public prosecutor in accordance with the regulations governing the evaluation of civil servants.

XVI

FORM AND CONTENT OF PUBLIC PROSECUTOR'S ACTS IN CRIMINAL CASES

Form and content of public prosecutor's acts

Article 108

Public prosecutor's acts shall have the form and content as provided by law.

Form and content of the public prosecutor's acts, which are not regulated by law, shall be regulated by this Rulebook.

Official notes in criminal law cases

Article 109

The chief public prosecutor or the public prosecutor shall make an official note in the case when, during or at the end of the investigation or during the main trial, he decides to withdraw from further criminal prosecution, when in the cases recorded in the “KTR” registry, he decides that there is no place to initiate criminal proceedings for the mentioned criminal event and when, for any reason, he temporarily does not proceed in the case he is in charge of. In other cases, he may make an official note if necessary.

Official notes shall contain a description of the proceedings in the case and the actions taken, a concise description of the factual situation that is presented chronologically, if there are no reasons why it should be presented in a different way, and a legal assessment of the criminal event.

Some official notes

Article 110

The official note on the withdrawal from further criminal prosecution during or at the end of the investigation shall specifically contain: a concise description of the collected and presented evidence and established facts during or after the investigation, a legal assessment of the established factual situation and the legal basis for the withdrawal (the act that is the subject investigation is not a criminal offense, there are circumstances that exclude guilt, and security measures are not applicable, criminal prosecution is statute-barred, the crime is covered by amnesty or pardon or there are other circumstances that permanently exclude criminal prosecution, there is no evidence that the defendant committed a criminal offense when the proceedings are suspended during the investigation, or there is no evidence that the accused is reasonably suspected after the investigation is completed).

The official note on the withdrawal from further criminal prosecution before the confirmation of the indictment, after the confirmation of the indictment and during the main trial must contain: a concise description of the collected and presented evidence, established facts, legal assessment of the factual situation, and in particular the reasons for which the chief public prosecutor or the public prosecutor believes that the required degree of doubt supported by evidence will not turn into the certainty necessary for a conviction, or some other criminal procedural or substantive reasons for withdrawal.

A special official note shall be made, and enclosed as an integral part of the file, in which the reasons for such a decision are entered on the amendment and withdrawal from the charges, waiver of the appeal, reasons for not filing an appeal

and not submitting a request for the protection of legality, change of legal qualification and temporary inability to act.

The content of the minutes, statements of the defendant, witnesses, findings and opinions of experts and other statements shall be stated in a concise and clear manner.

XVII HANDLING OF CASES

Obligation to write official notes and minutes

Article 111

Every event of interest of the public prosecutor's office, which the office is informed about, or learned about in another way, and every action taken by the public prosecutor's office shall be recorded in official notes or minutes. Statements received or given orally, directly, by phone or e-mail shall also be recorded.

The official notes and minutes shall be treated as received written submissions.

Classified files

Article 112

The contents of memos, classified files, instructions of superior public prosecutor's offices and similar acts of other authorities shall only be communicated to persons designated by the public prosecutor.

Names of the employees familiar with their contents shall be recorded on the cover of the classified files.

Classified files shall be kept separately from other files.

Classified files shall be signed by the chief public prosecutor, or the public prosecutor authorised by him, and those relating to a specific case shall be signed by the public prosecutor in charge of the case.

Instructions

Article 113

The chief public prosecutor who issued an instruction shall inform the lower public prosecutor's offices at the beginning of each calendar year about which memos and instructions have ceased to be valid, in part or in whole.

Changes in the validity of certain instructions and amendments resulting from the adoption of new instructions shall be recorded by including notes about which parts of the act have been changed or repealed on the list of the act.

Signing of acts

Article 114

The reports sent to the higher public prosecutor's office shall be signed by the chief public prosecutor or the public prosecutor authorised by him.

Acts sent to state bodies, autonomous province bodies and local self-government units shall be signed by the chief public prosecutor, or the public prosecutor authorised by him, and if they refer to a specific case, by the acting public prosecutor.

Acts sent by the public prosecutor's office in certain cases to the superior public prosecutor's office, the court, other bodies, legal entities or natural persons shall be signed by the public prosecutor.

Duty to draft the indictment

Article 115

If a case is submitted to a basic public prosecutor's office after the investigation due to a change in substantive jurisdiction, the higher public prosecutor's office that submits the case shall make a draft indictment.

Duty to assess the merits of prosecution for financial offenses or misdemeanours

Article 116

After rejecting the criminal report or waiving the request for prosecution, the public prosecutor shall assess whether there are grounds for prosecution due to a financial crime or misdemeanour.

If there is room for the procedure under paragraph 1 of this Article, the necessary documents shall be separated from the case, or copied or photocopied and a new case shall be formed for prosecution for a financial offense or misdemeanour.

Court files

Article 117

The public prosecutor's office, to which a court file has been submitted for review in a legal remedy proceeding, shall urgently review the file and return it to the court.

When reviewing the files in the public prosecutor's office, the public prosecutor shall make an official note with important data from the file and, if necessary, with a proposal to be submitted to the court. The official note is an

integral part of the public prosecutor's office's file. If the letter by which the case is returned to the court contains essential data from the file and a proposal to the court, no official note shall be made.

In case of withdrawal of the appeal, the competent public prosecutor shall inform the lower public prosecutor in writing about the reasons for the withdrawal.

Warning about deficiencies in the performance of a lower public prosecutor's office

Article 118

When the Supreme, Appellate or Higher Public Prosecutor's Office, while considering a case in a legal remedy proceeding, determines the circumstances that should be pointed out to a lower public prosecutor's office, they shall create an document about this and submit it to the lower public prosecutor's office.

Proceedings at the request of a superior public prosecutor's office

Article 119

When acting on the request of the superior public prosecutor's office for obtaining files, a lower public prosecutor's office shall, along with the files, give its opinion in writing on the violations of the law for which the application of a legal means is requested, if, along with the request for the files, a letter requesting the action of the superior public prosecutor's office has been demanded.

In urgent cases, the files may be obtained directly from the court or from the authority where they are placed.

If the files cannot be obtained in accordance with paras 1 and 2 of this Article, the applicant shall be informed about it.

Duties regarding non-acceptance of a legal remedy appeal and non-acceptance of the opinion of another public prosecutor's office

Article 120

If a public prosecutor's office does not accept a legal remedy appeal, it shall inform the party about it.

If the public prosecutor's office competent to request a legal remedy does not accept the opinion of the public prosecutor's office, which submitted the files, it shall inform of the reasons for its position. The public prosecutor's office responsible

for requesting the legal remedy shall inform the public prosecutor's office, which supplied the files, about the requested legal remedy and the decision of the court.

Obligations of the competent public prosecutor

Article 121

After completing the work on a case or when submitting the case to the court or other body, the competent public prosecutor shall organise the case file so that individual documents are arranged in chronological order and the sheets of the file, if this has not been done in the public prosecutor's office, are marked by current number in colour red in the upper right corner from serial number 1, as well as separate the part of the case files that remains in the public prosecutor's office from the part that is being delivered and to make a note what is delivered to whom. After that, the competent public prosecutor shall submit the case, which is marked in writing in the file that remains in the public prosecutor's office, to the registry office that proceeds according to the given order.

The files of part of the case may be given to the court or another state authority for review.

If, during the delivery of the case files to the court or another authority, a part of the case files remains in the public prosecutor's office, the list of files shall include the record which documents remained.

Language, script and format of decisions, minutes and official notes

Article 122

All decisions, minutes and official notes shall be made in written form, in the Serbian language, in Cyrillic script, and pursuant to a special law, in the language and script of national minorities.

If official documents are typed on a computer, as a rule, Times New Roman font, size 12, shall be used.

Notes made outside the public prosecutor's office or in urgent cases in the public prosecutor's office may be written in ballpoint pen or ink.

Receipt of submissions, files, money orders, telegrams, packages and other mail

Article 123

Submissions, files, telegrams, packages and other mail (hereinafter: the letters) for public prosecutions shall be received in the registry office.

If it can be concluded from the letter that the recipient public prosecutor's office is not competent to act upon it, the applicant shall be warned about this and referred to the competent authority. If, despite this, the applicant requests that the letter be received, it shall be received, but a note about the warning shall be placed on the letter.

Collecting the letter

Article 124

The letters sent by post and the letters from the post box shall be collected by a person designated by the chief public prosecutor.

If it is determined that the letter is damaged during the collection, the postal worker shall be required to make record on the condition and content of the letter.

Receipt of letters from the court, other authorities and legal and natural persons

Article 125

Receipt of letters from the court, other authorities and legal and natural persons shall be confirmed by the stamp, date of receipt and signature in the delivery book, or on the delivery note or return receipt. The signature must be legible.

Receipt stamp and date of receipt

Article 126

A receipt stamp shall be placed on all received letters and the date of receipt entered. On the documents with a deadline, the time of receipt shall also be noted. If the letter is in a closed envelope and the recipient is not authorised to open it, he shall do so on the envelope.

When a letter is received with a delivery note, the date of receipt on the delivery note must be the same as the date on the receipt stamp. The date must also be written in letters.

Identification documents, items, securities, money, valuables or other valuable items delivered with a paper

Article 127

When documents, items, securities, money, valuables or other valuable items are delivered with the letter, that shall be recorded on the letter and on the cover of the file immediately upon receipt and certified by the signature of the person authorised to receive the letter.

Money, valuables and other valuable items shall be handed over, after receipt without delay to the person designated to handle such items.

Mail received in sealed envelopes and classified mail

Article 128

Mail received in closed envelopes shall be opened by the person designated by the chief public prosecutor, or the addressee public prosecutor.

Classified mail with any degree of confidentiality shall be opened by the public prosecutor or the employee of the public prosecutor's office who is authorised by the chief public prosecutor, in accordance with the regulations governing the confidentiality of data.

Opening of the envelope

Article 129

It shall be ensured, when opening the envelope, that the numbers on the envelope match the numbers of the letters received.

If any of the letters are missing, this shall be recorded by an official note on the envelope, and the sender shall be immediately notified. Other deficiencies in connection with the received letter (lack of attachments, damage, etc.) shall be marked on the letter.

If money for the fee is attached to the letter and the letter is not subject to tax, the money shall be returned to the sender.

Method of registering the letter

Article 130

The person who manages the register shall register the received and distributed letters in the corresponding registers, on the day and under the date of receipt, and in the order of receipt of the letters.

Forming a case

Article 131

A case is formed by filing the letter in an appropriate register.

The letter by which a new case is formed shall be placed in a separate file folder.

The person in charge of the register shall write on the folder of the file and on the written designation of the case, which consists of the abbreviated name of the

register, the serial number of the entry and the last two numbers of the year when the document is entered in the register. In the upper right corner of the folder, the surname or first name of the competent public prosecutor, prosecutor's assistant or trainee shall be written. The date when the case is registered shall also be written on the folder.

When forming a case, in the list of files that is on the inside of the folder, the person who manages the register shall enter under serial number 1 the first document based on which the case was created. The letters that follow shall be entered chronologically under further ordinal numbers and the sheets shall be marked.

In the list of files on the inner pages of the folder, the actions taken shall be noted: gathering necessary information, placing an order to initiate investigation or investigative actions, participation in the investigation, filing of indictment, participation in trial, verdict delivery date, filing an appeal and others.

In civil-administrative matters, the actions taken shall be entered in the list of files on the inside of the folder: date of inspection request, urgency, date of receipt of court files, expiration of deadline, date of court decision, date of Supreme Court session and date of receipt of Supreme Court decision.

List of files

Article 132

When forming a case, the registrar shall enter in the file list the first letter based on which the case was created and indicates the number of sheets. Other files shall be entered chronologically, and the sheets marked. The letters received or made while the case is in the registry office shall be included in the list, and the letters received while the case is in the court, or with the public prosecutor, shall be included in the list of files by the minute-taker.

Letters shall be entered in the list of files in order of receipt. The serial number of the register shall be indicated on the letter (sub-number). Certain decisions of the public prosecutor's office made in writing, which are included in the list of files, shall not be sub-numbered.

File sheets shall be marked with a current number in colour red in the upper right corner, from number 1 onwards, regardless of the sub-number. The list number shall be entered in the corresponding section of the file list.

Various reports and other documents that are not important for the course of the proceedings shall not be included in the file list upon the approval of the competent public prosecutor, but shall be placed in the auxiliary file.

Returned delivery slips or return slips for personal delivery by which the decisions were delivered, shall be entered as an attachment under the serial number of the decision to which they refer and shall be pasted immediately after the decision. Delivery slips or return slips shall be indicated in the upper right corner.

Inclusion

Article 133

Letters related to ongoing cases shall be included with those cases.

If it is noticed that the cases need to be included for the purpose of applying a single proceeding, the registrar shall inform the manager of the registry, and the latter shall inform the competent public prosecutor.

Placing the letter in the file folder

Article 134

The letter shall be placed in the file folder and pasted in the order in which they were entered in the list of files so that the letter of an earlier date is above the letter of a later date. Exceptionally, the order to conduct the investigation and the indictment shall be pasted before the other files, regardless of the date of receipt, which shall be noted on the file list.

Employees who enter letters in the list shall paste them immediately.

A separator shall be used for pasting documents and it shall be placed in the folder of files with several sheets.

Only one sheet of letter shall be pasted to each separator. If there are attachments to the letters, they shall be included beforehand.

When all the sheets of one separator are used, a second separator is inserted, which is connected to the first with a string.

Attachments that cannot be included in the folders due to their volume shall be kept separately. A note shall be made about this in the case file.

Handling the case folder

Article 135

All public prosecutors and employees competent for the case, regardless of whether they work in the registry office or for competent public prosecutors, shall ensure that the case folders are handled carefully and that the documents are always properly arranged and pasted. Texts shall not be underlined, crossed out, nor comments written.

The public prosecutor's office which receives an unorderly case folder shall return it for editing to the public prosecutor's office which sent the case folder.

Work on cases under the designation of another registry or under a different number of the same registry

Article 136

If work on cases continues under the designation of another registry or under another number of the same registry, the previous designation shall be crossed out on the file folder, and a new designation is placed below it.

The previous designation shall be crossed out by a horizontal line over the previous designation, so that it remains legible.

In the folder, in the list of files, under the last entry of the previous designation, the new designation of the case shall be indicated, under which the case shall be filed further on. In that case, the serial numbers of the entries of individual letters in the file folder shall not start from the beginning, but continue.

Joined cases

Article 137

When several cases are joined for joint adjudicating, the case that was filed later shall be joined to the previously filed case if the proceedings for that case are in progress.

On the folder of the joint case, the case that has been joined for the purpose of joint decision-making shall be indicated.

If the proceeding on the previously filed case is completed, it shall be joined to the case filed later, if this is necessary for decision making. The proceedings on a case are completed if a decision has been made on it.

If one case is joined to another only for the purpose of review, then only on the folder of the case to which the other is attached, it shall be marked which case has been attached in colour red.

Joining and separating cases

Article 138

When several cases are joined for joint proceedings, then the case the proceedings of which were initiated later shall be, as a rule, joined to the case the proceedings of which were initiated earlier, considering the gravity and complexity of the case being joined.

Public prosecutors whose cases are being joined shall have the right to object to the chief public prosecutor.

On the folder of a combined case file, the case that is joined for simultaneous proceedings shall be marked, and if there are any special designations on the folder of the combined case, they shall be copied to the folder of the combined case.

In the list of files, or the electronic list of files of the previous case, the joint case shall be entered under the next ordinal number of the list of files. If the cases are joined at the hearing, only the minutes shall be entered in the file list. In both cases, the remarks section shall indicate which case was joined for joint proceedings.

If one case is attached to another case only for the purpose of review, it shall not be handled in the manner provided for in paras 1 to 3 of this Article. In that case, on the folder of the case to which the other one is attached, it shall be marked in colour red which file has been attached. When the case is separated, that designation on the case folder shall be crossed out.

Handling separated cases

Article 139

If a case is separated for separate proceedings, before the end of the proceedings, certified copies of documents relating to both cases, or only those required for the separated case, shall be placed in the separated case folder.

Special designations referring only to that case shall be copied to the folder of the separated case. The same designations shall be crossed out on the cover of the previous joint case folder.

The separated case folder shall have a new file list.

Submission of cases for proceedings

Article 140

After all the necessary previous actions related to the forming and organisation of a case have been completed, the person in charge of the register shall submit the case for proceedings based on the internal delivery book.

The submission of a case to the chief public prosecutor or the competent public prosecutor and its return to the registry office shall be recorded in the register in the section on the progress of the case, or in the comments section.

Summoning

Article 141

A party and another person shall be summoned to the public prosecutor's office by an appropriate form (a summon) according to a type of case and capacity of the summoned person or in another way prescribed by law. Each person shall be summoned separately.

The summons shall be issued by minute-takers who work for the competent public prosecutor.

The case number and the name of the competent public prosecutor shall be written on the summons. The summons shall be signed by the public prosecutor, and the responsibility for the accuracy of the dispatch shall be carried by the registry office manager, or the head of the department or the employee who issued the summons.

The summons shall be accompanied by a suitable envelope with a return receipt, or delivery note, which shall be clearly and completely filled out.

On the return receipt, or the delivery note, in the upper right corner, under the subject title, the deadline for registration and pre-registration shall be written.

Handling the decisions

Article 142

The decision shall be submitted to the registry office to be recorded in the register. The registrar shall enter data related to the decision and distribute it to the employees who should further act on it.

The original copy of the decision shall be stamped with a dispatch note.

The case file shall be kept in the records until the delivery receipts and return receipts of the decision copy are returned and the deadline for the appeal expires.

Upon completion of these actions, the registry office shall act in accordance with the order of the competent public prosecutor.

Urgent cases

Article 143

The registry office shall immediately register urgent cases, especially detention cases, and forward them to the public prosecutor.

Urgent cases shall be visibly marked with the “urgent” designation, along with the deadline. The chief public prosecutor or the competent public prosecutor shall be specially warned about the urgency, that is, about the deadline.

Acting of the registry office upon an order of the competent public prosecutor

Article 144

When the registry office receives a case from the competent public prosecutor after the decision has been made, it shall act according to his order - delivery order.

The delivery order shall contain a description of all actions that the registry office should perform.

An employee in the registry office who performed a specific action shall make a note, write the date of the action and sign the note.

Mandatory content of documents sent by the public prosecutor's office

Article 145

Acts sent by the public prosecutor's office to other authority, legal entities or natural persons shall contain the header in the upper left corner.

The header shall contain: the small coat of arms, the inscription Republic of Serbia, the name of the public prosecutor's office, the designation of the case, the date and the seat of the public prosecutor's office. Below that, the initials of the name and surname of the person handling the case and the minute-taker, or the typist, shall be placed.

The address of the addressee authority and legal entity shall contain the full name and address.

The address of the natural person who is the addressee shall have his first and last name, street name and number, and the place. If there is no post office in the place where the document is sent, the code and place of the closest post office shall be indicated in the address. If the document is submitted electronically, instead of the address, the e-mail address shall be indicated.

Below the address, on the left, the content of the document shall be briefly indicated, and then the link with the recipient's document should be marked, if such a link exists.

At the place where the document is signed, the title of the signatory of the document shall be stated, and below that his name and surname certified with the seal of the public prosecutor's office.

Public prosecutor's offices' documents may be signed electronically in accordance with the regulations governing electronic signatures and electronic documents.

If documents sent by the public prosecutor's office to another entity have attachments, at the end of the document on the left side, it may be briefly indicated which documents are attached.

Entering data into the register

Article 146

The registrar shall enter the necessary data in the register immediately after the case file has been received from the competent public prosecutor or after it has been sent, and then proceed according to the order of the competent public prosecutor.

Duties of the person authorised to send the mail

Article 147

The person appointed to send the mail shall check, during the dispatch, if each item prepared for the dispatch has been processed according to the delivery order, whether the mail is properly addressed, whether it contains delivery notes and attachments, whether the copies are neat and legible, and whether the prescribed comparison with the original has been performed.

The person appointed to send the mail shall confirm the dispatch by adding the date and signature, and then returning the file to the registrar.

Delivery book for the place and post and postage control book

Article 148

The person appointed to send the mail shall keep a delivery book to register all the mail he dispatches. The delivery book for the place shall be kept separately from the delivery book for the post.

To record and justify postage stamps costs, a postage control book shall be kept.

Delivery

Article 149

The delivery of public prosecutor's letters to the parties in the proceedings shall be done in accordance with the provisions of procedural laws.

Public prosecutor's letters shall be delivered directly to the public prosecutor's office, by post, by another legal entity registered for the delivery of letters, by the police, by the public prosecutor's messenger or in another way in accordance with law.

The public prosecutor's messenger shall deliver the letter to the recipient's workplace every day during working hours or to his home address from 7 a.m. to 10 p.m. The delivery may take place at another time and in another place, based on a special decision of the public prosecutor's office, or an order of the public

prosecutor, who is the public prosecutor's messenger, which he shall show to the recipient upon his request.

In case of a doubt, the public prosecutor's messenger may ask the persons present at the place where the delivery should be made to prove their identity. If the persons refuse to provide proof of identity, the public prosecutor's messenger may request police assistance to establish their identity.

The public prosecutor's messenger shall show official identification at the request of the recipient and shall carry the identification at the time of delivery.

Handling delivery and return slips

Article 150

As a rule, returned delivery slips, according to which the delivery was made, shall immediately be deposited in the case file.

In public prosecutor's offices with a high volume of work, the delivery slips, when duly served, may be kept stacked according to the dates of deadlines and hearings in a special cabinet with a special number of partitions, and before the deadline, they shall be placed in the case file.

Undelivered or improperly delivered summons and other letters shall be dealt with immediately upon receipt, regardless of the pre-registration and record-keeping deadline.

Returned delivery slips related to the delivery of decisions and other documents shall be placed in the case files and pasted directly behind the decision to which they refer.

Case files planner

Article 151

Case files that need to be kept in the registry office until a certain deadline shall be placed in the case files planner.

The case files planner shall consist of folders where case files are placed according to the last day of the deadline and serial number. Special cabinets with partitions may be used instead of the folders.

The registrar shall submit the case file to the competent public prosecutor for proceeding on the day before the deadline expires. If a letter is received on the case before the deadline, the case shall be submitted for proceeding immediately.

Supervision of files and other material

Article 152

During working hours, files and other materials shall not be left unattended.

Stamps, seals and labels shall be kept so that they are accessible only to the person who handles them.

At the end of working hours, files, other material, seals, stamps and labels shall be kept in locked safes, cabinets or desks.

Restoration of files

Article 153

If case files are lost and cannot be found even after a detailed search, or are destroyed or irreparably damaged, the procedure for their restoration shall be initiated.

The restoration of files shall be done according to the rules of the non-litigation proceedings, with the corresponding application of the provisions governing the cancellation of documents.

If it is a matter of cases with ongoing proceedings, the procedure for restoration shall be initiated by the court by an *ex officio* decision or proposed by the public prosecutor.

If it is a matter of cases with legally finalised proceedings, the procedure for restoration shall be initiated only if there is a justified public or legal interest. The decision on this shall be made by the court *ex officio* or at the request of the party.

In cases of loss or damage of a part or the entire file that is stored in electronic form, that part or the whole file shall be restored using ICT.

The restoration procedure shall not be initiated if the deadline for keeping such records in accordance with regulations has passed.

Procedure of restoring files

Article 154

The competent public prosecutor shall be responsible in the procedure of restoring the case files with ongoing proceedings. The public prosecutor designated by the chief public prosecutor in a written decision shall be responsible for the cases with finalised proceedings.

Only those case files that are of essential importance for the proceedings shall be restored.

Case files shall be restored based on the copies of missing, damaged or destroyed files kept by the court, the parties in the proceedings or the public prosecutor's office, data from registers and auxiliary books, and, if necessary, based on matching statements of the parties in the proceedings. If there is no information about certain actions and if the statements of the participants in the proceedings do not match, those actions shall be repeated if no first-instance decision has been made.

The parties in the proceedings shall be informed only about the disappearance of those files relevant for the proceedings in progress and at the same time invited to bring all copies of applications, minutes, decisions and other documents at their disposal.

Proposal to restore files

Article 155

The proposal to restore files of an ongoing case and all the actions in the restoration procedure shall be entered under the same number in the register in which the lost, damaged or destroyed document has been filed.

The proposal to restore files of a legally terminated proceedings shall be filed in the “OP” register, and after the decision determining the restoration is made, it shall be entered under a new ordinal number in the corresponding register.

Archiving

Article 156

A case is considered finally resolved in the prosecutor's office when a decision on the case has been made and sent, or when a notification about the decision has been sent.

After a legally binding decision on individual cases has been reached, the competent public prosecutor shall examine the files and determine archiving of the cases, and the registrar shall mark the archiving period on the file folders.

Corresponding application of the regulations on office operations in state administration bodies

Article 157

If this Rulebook does not stipulate otherwise, the regulations on office operations in state administration bodies shall be applied accordingly to the work of the registry office.

Handling of waste and recycling

Article 158

The public prosecutor shall organise the handling of wastepaper.

Before being removed from the premises of the public prosecutor's office, the wastepaper shall be destroyed to the point that the contents of the documents may not be reproduced.

Whenever possible, the wastepaper shall be delivered to local recycling centres, in accordance with the obligation prescribed by the law governing waste management.

XVIII

HANDLING TEMPORARILY SEIZED ITEMS AND VALUABLES

Handling procedure

Article 159

Temporarily seized items and valuables that public prosecutor's offices receive in connection with criminal and other proceedings shall be handled by the public prosecutor's office as follows:

- 1) Confiscated items or objects found with the defendant, the ownership of which is unknown shall be registered in the book of confiscated items;
- 2) Confiscated items that are not handed over to the competent authority according to special regulations shall be handed over for safekeeping to an employee who is designated by the work schedule for the safekeeping in accordance with the regulations on deposits;
- 3) Seized money, securities or valuables used in pre-investigation and investigative proceedings as evidence shall be kept in the accounting department of the public prosecutor's office in the cash register. If they do not have this purpose, they shall be delivered to the depository for safekeeping, or paid to the deposit account;
- 4) The items that undoubtedly belong to the injured party, and which do not need to be kept as evidence in the proceedings, shall be returned to the injured party with a return certificate;
- 5) Weapons, explosives, narcotics, flammable substances and poisons shall be handed over to the police for safekeeping;
- 6) Temporarily confiscated items may remain with the authority that temporarily confiscated the items until the decision on the criminal charge is reached, upon the approval of the public prosecutor;

- 7) Temporarily confiscated items may be entrusted for safekeeping to a legal entity dealing with the storage of goods if their safekeeping is not possible in the public prosecutor's office, while money in national and foreign currency, securities and valuables made of gold and precious metals shall be handed over to the depository, or paid to the deposit account.

Receipt, storage, handling and destruction of the objects entered in the book of confiscated objects shall be done according to the Rulebook provisions governing deposits.

Temporarily confiscated items, after confirmation of the indictment, shall be handed over to the court, and if the items are not in the public prosecutor's office as under paragraph 1, item 7) of this Article, the public prosecutor's office shall inform the legal entity to deliver the items to the court and undertake the necessary measures to check whether the confiscated items have been handed over to the court.

Deposits

Article 160

Deposited funds shall be used for financial and material operations as per the order of the chief public prosecutor, or the public prosecutor.

If, when receiving an amount or an item, there is no order as in paragraph 1 of this Article, competent staff shall demand that such an order be issued, and if there is no case file, a new case file shall be created for that purpose and entered in the "R" register.

Each receipt and issuance of cash and other valuables shall be recorded in the stipulated book.

A note about the deposit and receipt shall be placed on the file folder and the number of the deposit card or the serial number of the register for non-cash receipts shall be indicated. Reports on changes and the state of the deposited funds shall be pasted in chronological order on a special card placed in the case file.

Temporary deposits

Article 161

Temporary deposits are funds intended to be used immediately or in a shorter period for a specific purpose (advance for expert assessment, items for expert assessment, etc.).

Records on received and issued cash and other valuables

Article 162

Cash and other valuables shall be received and issued with a filled-out receipt, or a receipt that is kept as a monetary document or that is being registered with the recipient's signature in an appropriate section of stipulated books and records.

Safekeeping of cash and other valuables

Article 163

Cash and other valuables that are deposited shall be kept at an appropriate deposit place or deposit account.

Temporary safekeeping of cash

Article 164

Cash received during a day shall be paid immediately or on the next working day to a deposit account, and exceptionally to a temporary account with the National Bank of Serbia, unless the chief public prosecutor, or the public prosecutor orders that the cash is kept in the cash register at the public prosecutor's office, but not longer than 30 days.

Temporary safekeeping of documents and valuables

Article 165

Upon an order of the chief public prosecutor, or the public prosecutor, deposit securities, valuables, foreign currency, dinar and foreign currency savings books and other documents exempt from the obligation to be registered in the documents register, may be kept in the cash register of the public prosecutor's office for up to 30 days.

Receipt of valuables and other items

Article 166

Received valuables and other objects shall be listed and evaluated by a commission appointed by the chief public prosecutor. The commission shall consist of three members, one of whom must be an employee dealing with deposit matters.

The commission shall accurately list the items received by piece, serial number and other number if applicable, quantity, weight, shape and the like, and thus exclude any possible switch. The inventory record shall be made in two copies, one

of which shall be placed within the item, and the other in a cover in which the valuables are placed.

If for any reason the commission cannot list and evaluate the items, a court expert shall be hired.

The valuables shall be assessed according to their market value on the day of receipt in the public prosecutor's office.

The assessment cost shall be determined by the chief public prosecutor, or the public prosecutor, who shall at the same time, determine who shall bear the costs.

Receipt of financial instruments

Article 167

A list of deposited financial instruments shall be made upon the receipt and the following information shall be provided: the country where the financial instrument was issued, the name and title of the issuer of the financial instrument, the designation of the series and number of the financial instrument and the nominal amount of the security.

Receipt of documents

Article 168

Documents and financial instruments shall be listed by specifying their nature, issuer, date and place of issuance and other data.

Documents shall be registered by item without the value marking.

Receipt of foreign currency

Article 169

A list of deposited foreign currency shall be made, which shall include the country where the currency is legally used, the nominal value of the banknote, the series designation and the number of the banknote.

Funds in foreign currency received by the public prosecutor's office shall be paid into the foreign currency deposit account unless the chief public prosecutor, or the public prosecutor, depending on the needs to present evidence (inspection, review, counting), decides otherwise.

Designation of received funds, valuables and documents

Article 170

Received funds, valuables and documents that are kept in the cash register at the public prosecutor's office or handed over for safekeeping at a depository shall be placed in special envelopes with designations on the cover which shall include identification of the item, the deposit number under which they have been registered in the deposit register and a brief specification of the contents of the envelope.

Together with the deposited items, the inventory report and assessment shall be placed in the envelope.

Issuance of cash and valuables

Article 171

Cash and valuables kept in the cash register at the public prosecutor's office, in a deposit account in a bank or at a depository shall be issued only upon a written order by the chief public prosecutor, or the public prosecutor and in the manner determined by them.

Issuance of cash in larger amounts or in smaller amounts, if the person who is the recipient requests, shall be made, as a rule, by post or in a bank. Issuance of cash in smaller amounts may also be made in the public prosecutor's office. Funds in the deposit account shall be issued upon the relevant order.

Valuables shall be issued directly to the owner, or the beneficiary, upon their signature in the book of valuables, or by mail or through the public prosecutor's office in the territory where the owner, or the beneficiary resides.

Cash and valuables to be used as evidence in the proceedings shall be temporarily issued with a receipt, which is placed in a suitable envelope. The receipt shall be cancelled when the temporarily issued item is returned.

Regular deposit

Article 172

The subject of a regular deposit may be cash, securities and other items whose owner or beneficiary is unknown.

Regular deposits shall be received and sent to the depository for safekeeping based on the order of the chief public prosecutor, or the public prosecutor.

The depositories are:

- 1) The National Bank of Serbia in Belgrade, for precious metals (gold and platinum) and for objects made of these metals (golden coins, etc.), regardless of whether they are in circulation as means of payment;

- 2) a branch of the National Bank of Serbia at the seat of the public prosecutor's office, or its nearest branch or another bank that is authorised to keep deposits in accordance with the regulations;
- 3) another person designated as a custodian by the decision of the competent authority.

Delivery of valuables to the depository

Article 173

Valuables shall be delivered to the depository, after the inventory and assessment have been completed, in a sealed envelope indicating on the outside the name of the deposit, the item designation and a note that a copy of the inventory and assessment record is in the envelope. On the envelope the seal shall be placed and the signatures of the members of the commission that sealed the envelope.

The valuables related to the same deposit shall be placed in the same envelope.

Dealing with effective foreign money and foreign exchange

Article 174

If the subject of a deposit is effective foreign money and foreign exchange, it shall be handled in accordance with foreign exchange regulations.

If effective foreign money is deposited in a sealed envelope, the provisions of this Rulebook relating to the handling of valuables shall be applied accordingly.

Receipt upon the collection of sealed envelopes

Article 175

The public prosecutor's office shall keep the receipt that a sealed envelope with valuables, effective foreign money and savings books has been collected, which shall be issued by the depository.

If the depository requests that the receipt be returned when issuance of the deposit is ordered, the public prosecutor's office shall return the receipt, and a certified copy of the receipt shall be kept in the accounting department of the public prosecutor's office.

Deposit name

Article 176

Each deposit shall have the name indicating the legal matter to which it refers (competent public prosecutor's office, number of case file in the public prosecutor's office, name of the defendant, etc.).

Handling deposits and changing depository

Article 177

The public prosecutor's office shall handle deposits directly or through a depository. In order to perform actions related to the handling of deposits, the public prosecutor's office shall take over the deposit from the depository. An employee of the public prosecutor's office shall perform actions on the same day when he receives the case from the depository and submit a report about it to the chief public prosecutor, or the public prosecutor. If a specific action could not be carried out on the same day, the received case file shall be handed over to the employee of the public prosecutor's office who keeps records of the deposits for temporary storage in the cash register of the public prosecutor's office. In that case, the item shall be recorded as a temporary deposit.

If the depository changes by order of the chief public prosecutor, or the public prosecutor, the previous depository shall be ordered to transfer the deposit to the new depository. The order shall state that the public prosecutor's office shall submit a statement of the deposit with all necessary notes and other data required for the assessment of costs.

The order under paragraph 2 of this Article shall be issued even if the jurisdiction of the public prosecutor's office changes, and the depository remains the same. In that case, only the transfer of the deposit to the competent public prosecutor's office shall be determined.

Decision on deposit issuance

Article 178

Deposits shall be issued upon the decision of the chief public prosecutor, or the public prosecutor.

The decision under paragraph 1 of this Article shall contain a description of the issued item, the number of the item in the public prosecutor's office, the name and number of the deposit, the name and surname of the person from whom the item has been temporarily seized and the name and surname of the person to whom the deposit is issued.

The decision under paragraph 1 of this Article shall be delivered to the depository by the public prosecutor's messenger or by registered mail.

Issuance of non-cash deposits

Article 179

A depository shall issue non-cash deposits to authorised legal or natural persons according to the decision of the public prosecutor's office, directly or by mail.

If the items to be issued are valuables, the public prosecutor's office shall, as a rule, order the depository to immediately issue the deposited item to the public prosecutor's office.

If some items are issued from a sealed envelope, the chief public prosecutor, or the public prosecutor shall order, by a special decision, the depository to return the sealed envelope.

The envelope under paragraph 3 of this Article shall be opened by a commission formed by the public prosecutor. Separated items shall be handed over directly and the receipt shall be placed in the item.

If the valuables are partially issued, the current numbers of the separated items shall be marked in the existing list of items with a note that they have been separated, and the list shall be signed by all members of the commission that performed the separation.

The remaining items, together with the list, shall be sealed again and returned to the depository for safekeeping by order of the chief public prosecutor, or the public prosecutor.

Deposits safekept by other persons

Article 180

If a deposited item is such that, due to its special characteristics or size, it is not suitable for safekeeping in the public prosecutor's office, the safekeeping by a specific legal entity shall be determined. The chief public prosecutor, or the public prosecutor shall determine the custodian of the deposit.

Before the deposited item is entrusted to the specific custodian, an inventory and assessment of the deposited item shall be carried out and a record shall be made about it in three copies, one of which shall be placed in the relevant item, the second shall be handed over to the custodian together with the deposited item, and the third shall be attached to the documentation that shall be kept in the accounting department of the public prosecutor's office.

The custodian entrusted with safekeeping of the deposited item may issue it only upon a decision of the chief public prosecutor, or the public prosecutor and in the manner specified in the decision.

The decision ordering the issuance of the deposit shall determine the costs incurred as a result of keeping the deposit and who shall reimburse the costs.

Record keeping and inventory of deposits

Article 181

Official books and other records of deposits in the public prosecutor's office shall be kept in accordance with special regulations.

The public prosecutor's office shall do a regular inventory of deposits, no later than January 15 for the previous year.

The chief public prosecutor may order a review and inventory of deposits during the year if he deems it necessary.

The inventory of deposits shall be mandatory in case of handing over the function of the chief public prosecutor to a new chief public prosecutor.

XIX

METHOD OF RECORD KEEPING

Data to be recorded

Article 182

Data that are important for the work of the public prosecutor's office shall be entered in registers, auxiliary books and other records that are kept in electronic form by using business software, unless the necessary technical and other conditions exist in the public prosecutor's office, in which case they shall be kept in the form of a book.

The registers and auxiliary books shall be kept by employees who work in the office.

The registers and auxiliary books shall consist of required number of sheets with prescribed forms, which are bound in a book with a hard cover. The cover shall indicate the register or auxiliary book designation and the year it refers to.

The registers in electronic form shall be marked with the same letters or numbers as registers that are kept in the form of a book.

Types of registers

Article 183

The following registers shall be kept in the public prosecutor's office:

1)	Register of adult defendants	“KT”, “KTKo”, “KTVTK”
2)	Register of juvenile offenders	“KTM”
3)	Register of defendants for cybercrimes	“KTVTK”
4)	Register of defendant legal entities	“KTPL”
5)	Register for unknown perpetrators of crimes	“KTN”, “KTNKo” “KTNVTK”
6)	Register of other criminal cases	“KTR” “KTRKo” “KTRVTK”
7)	Register of cases under extraordinary legal remedies and cases in second-instance proceedings for appeals against the decision	“KTR-1”
8)	Register of cases in second-instance criminal proceedings for adult defendants	“KTŽ”
9)	Register of cases in second-instance criminal proceedings for juvenile offenders	“KTŽM”
10)	Register of cases in second-instance criminal proceedings for criminal acts of corruption	“KTŽKo”
11)	Register of cases in second-instance criminal proceedings for cybercrimes	“KTŽVTK”
12)	Register of cases in second-instance criminal proceedings against legal entities	“KTŽPL”
13)	Register of criminal cases by initiatives for submitting requests for protection of legality	“KTZ”
14)	In addition to the registration mark “KT” “KTKo” “KTVTK” the resolution mark is added, which states the Record of persons with suspended criminal prosecution or the dismissed criminal charges - Art. 283 and 284 of the Criminal Procedure Code	“KEO” “KEOKo” “KEOVTK”
15)	Register of accused of financial crimes	“KP”

16)	Register of financial offence cases in second-instance proceedings	“KPŽ”
17)	Register of confiscated money records	“KDP-1” “KDPKo-1” “KDPVTK-1”
18)	Register of confiscated items records	“KDP-2” “KDPKo-2” “KDPVTK-2”
19)	Register of administrative cases	“UT”
20)	Register of cases on appeals of the Supreme Public Prosecutor's Office in an administrative dispute against a decision of the Commissioner for Information of Public Importance and Protection of Personal Data	“UT-1”
21)	Register of misdemeanour cases	“PT”
22)	Register of misdemeanour cases by initiatives for submitting requests for protection of legality	“PTZ”
23)	Register of civil cases	“GT”
24)	Register of civil cases on requests for review of final judgment or requests for protection of legality	“GT-1”
25)	Register of other civil cases	“GTR”
26)	Register of administrative cases and acts	“A”
27)	Register of cases classified as “state secret”	“DT”
28)	Register of cases classified “strictly confidential”	“str. Pov.”
29)	Register of cases classified “confidential”	“Pov.”
30)	Register of cases classified “internal”	“IN”
31)	Register for HR affairs	“P”
32)	Register for financial and material affairs	“P”
33)	Register of requests and decisions on exercising the right to access information of public importance	“PI”
34)	Register of general mandatory instructions of the Supreme Public Prosecutor	“OOU”
35)	Register of issued and received mandatory instructions for work and handling in a particular case, decision on devolution and decision on substitution and objection	“OU”

36)	In addition to the registration marks “KT” “KTKo” “KTVTK” the resolution mark on conclusion of plea agreement is added	“SK” “SKKo” “SKVTK”
37)	Register on confiscation of property benefits resulting from a criminal offense	“OK” “OIKKo” “OIKVTK”
38)	Register of outgoing requests for international legal assistance	“MPPI”
39)	Register of incoming requests for international legal assistance	“MPPU”
40)	Register for international cooperation	“MS”
41)	In addition to the registration mark “KT” “KTKo” “KTVTK” the resolution mark is added when the case is in the investigation phase	“KTI” “KTIKo” “KTIVTK”
42)	In addition to the registration mark “KTN” “KTNKo” “KTNVTK” the resolution is added when the case is in the investigation phase against an unknown perpetrator	“KTNI” “KTNIKo” “KTNIVTK”
43)	Register of objections of the injured party	“KTPO” “KTPOKo” “KTPOVTK”
44)	Register of objections of the defendant and his defence counsel in the investigation	“KTPI” “KTPIKo” “KTPIVTK”
45)	In addition to the registration mark “KT” “KTKo” “KTVTK” the resolution mark for indictments and indictment proposals is added.	“KTO” “KTOKo” “KTOVTK”
46)	Register of agreements on the defendant's testimony	“SOK”
47)	Register of agreements on the testimony of a convicted person	“SOS”
48)	Register of restored cases	“OP” “OPKo” “OPVTK”
49)	Register of cases under the Law on Prevention of Domestic Violence	“Npt”
50)	Register for the group for coordination and cooperation under the Law on Prevention of Domestic Violence	Npt1”

51)	Register for the work plan and program of the public prosecutor's office with a decision on the annual work schedule and objections to the decision	“A1”
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“KT” register

Article 184

The records of the “KT” register contain basic data on persons of legal age who have been reported by the police or other state authorities and other persons, if the public prosecutor or a person designated by him determines that, from the presented evidence or in another way, it is probable that there are grounds for suspecting that the persons have committed criminal acts for which the prosecution is undertaken *ex officio*, as well as basic data on notifications received, actions undertaken and decisions of the prosecutor and competent courts.

“KTR” register

Article 185

The records of the “KTR” register contain various petitions, complaints, proposals, reports and other submissions of state authorities, legal entities and citizens. The records are also used for public media and for recording information about events of importance for the work of the public prosecutor's office, for criminal reports that are incomprehensible, which cannot be considered as any source of knowledge about the criminal act or the perpetrator and which are unsuitable for the “KT” register for other reasons.

“KEO” register

Article 186

The public prosecutor's office keeps a special record of “KEO” on cases in which criminal prosecution was postponed or a criminal charge was dismissed by applying the principle of opportunity. An integrated record of these cases shall be kept in the Supreme Public Prosecutor's Office.

If the competent public prosecutor in the pre-investigation procedure decides to postpone the criminal prosecution, before taking the first action, he shall place a delivery order on the cover of the file to transfer the case to the “KEO” register.

After the delivery order, the registrar shall assign a “KEO” number to the case, which is written on the cover of the file and in the “KT” register as a note “KEO VEZA” [KEO CONNECTION].

All actions taken in connection with the postponement of criminal prosecution shall be entered in the “KEO” register.

In case the legal conditions for rejecting a criminal complaint by applying the principle of opportunity are not fulfilled, the competent public prosecutor shall make an official note on the reasons and put a delivery order on the cover of the file to withdraw the “KEO” number from the case, so all further actions taken will be recorded in the “KT” register.

After passing the decision to reject the criminal complaint by applying the postponement of the criminal prosecution, Art. 284, paragraph 3 of the Criminal Procedure Code, the case shall be considered resolved both in the “KEO” and in the “KT” register.

“KTPL” register

Article 187

Records of registered legal entities and the progress of cases until the end of the proceedings shall be entered in the “KTPL” register.

The records of registered responsible persons in those legal entities shall be entered in the “KT” register, while on the cover of the “KTPL” file, under the assigned number, the number of the “KT” connection is written, and the actions taken in relation to all persons in the case shall be entered only in “KTPL” register.

“SK” register

Article 188

The record of submitted proposals and concluded plea agreements shall be entered in the “SK” register.

If a plea agreement is concluded during the criminal proceedings, the competent public prosecutor shall place a delivery order on the cover of the file that the case should be transferred to the “SK” register.

Upon the delivery order, the registrar assigns a “SK” number to the case, which is written on the cover of the file and in the “KT” register as a note “SK VEZA” [SK CONNECTION].

All the actions taken and the decisions on the implementation of plea agreement shall be entered in the “SK” register.

If the court decides to reject or dismiss the plea agreement, the “SK” number shall be withdrawn from the case file, and all further actions shall be entered in the “KT” register.

If the court decides to accept the plea agreement, upon the finality of this decision, the case shall be considered resolved both in “KT” and in the “SK” register.

“Npt” register

Article 189

The data pursuant to Article 32. paragraph 7 of the Law on Prevention of Domestic Violence shall be entered in the “Npt” register (data on the person for whom the extension of emergency measures is proposed, data on the extension of emergency measures, data on the application to determine protection measures against domestic violence, the type of requested protection measure against domestic violence, data on the court's decision regarding the application to determine a measure of protection against domestic violence and data on the extension and termination of the measure of protection against domestic violence).

“E” register

Article 190

The Supreme Public Prosecutor's Office shall keep a special “E” register for the transfer and exchange of information and data with the EU Agency for Criminal Judicial Cooperation - EUROJUST.

Auxiliary books

Article 191

The auxiliary books kept in public prosecutor's offices:

- 1) delivery book of internal deliveries;
- 2) mail delivery book;
- 3) book of issued documents from the archive;
- 4) book of business trips;
- 5) book of duty schedules;
- 6) book of procedural obligation and official action schedules, and
- 7) book of assigned and discharged cases.

Keeping registers and auxiliary books

Article 192

Registers and auxiliary books shall be kept separately for each type of case and for each calendar year.

Before registering a new case, the registrar shall check whether there is already a case formed for the same matter and, in consultation with the competent public

prosecutor, determine either a new case number, or join the received files with the already existing number.

Directory

Article 193

A directory shall be kept for the registers which are predicted to include more than 200 cases per year.

In the public prosecutor's office with a smaller volume of work, one joint directory may be kept for several registers.

Data shall be entered into the directory at the same time as the cases in the register.

Directories shall be electronic, and use business software, and in public prosecutor's offices where there are no necessary technical and other conditions for electronic directories, the directories shall be kept in connected books with separate sheets for each letter of the alphabet.

Several years may be included in one directory book. In that case, at the beginning of each year, next to a letter, the new year shall be marked in colour red.

If in one case the proceeding refers to several persons, each person shall be entered separately in the directory.

In the directory, the name of the authority or legal entity, or the surname and first name of the person to whom the proceeding refers or in whose interest it is being conducted, shall be entered, and the seat or place of residence may also be entered.

If the register is electronic, the directory shall be kept in accordance with the business software.

Method of entering data into registers and auxiliary books

Article 194

The register and auxiliary books shall be kept in electronic form, using business software, in accordance with Article 192 of this Rulebook.

If there are no necessary technical and other conditions for keeping registers and auxiliary books in electronic form in the public prosecutor's office, the data entered in the register and auxiliary books shall be written in ballpoint pen or ink and shall be legible. Temporary notes shall be in a pen and deleted when they become irrelevant.

If an item or data in the case file is incorrectly entered in the records in electronic form, the error shall be corrected with a mandatory note in the business software.

If an item or data is entered incorrectly in the book records, the entire entry shall be crossed out, and in the “note” column, the following shall be written in ink: “incorrect entry”. The incorrect entries in individual entries in registers and auxiliary books shall be corrected by inserting a thin horizontal line in a coloured pen over the text of the incorrect entry so that the crossed-out text remains legible, and the correct information is entered.

Changes and corrections of data in registers and auxiliary books shall be made immediately after an error is noticed.

Marking finalised and archived cases

Article 195

If records are kept in electronic form using business software, when there are no grounds for further action by the public prosecutor’s office, the case shall be marked “finalised”.

If records are kept in the form of a book, when there are no grounds for further action by the public prosecutor’s office, the number of that case shall be circled in the register in colour red.

If the item needs to be archived, it shall be marked “archived” using business software, or the serial number of the case to be archived shall be marked with a square sign.

Only legally finalised cases may be archived.

Review of registers and auxiliary books

Article 196

The public prosecutor or a person designated by him shall review all registers and auxiliary books at least once a year to ensure proper and orderly management of registers, auxiliary books and other records. Each review shall be recorded in the “note” section of the last registered case.

The review shall also entail checking whether the case data are updated and recorded accurately and completely.

During the review, a correction of noted deficiencies shall be ordered and the necessary work instructions shall be given. A report shall be made about the performed review.

Concluding the register

Article 197

The registers shall be concluded at the end of the year. That shall be done by adding a statement containing the following data after the last registered serial number: day, month and year of closing, serial number of the last registered case.

This statement shall be signed by the registrar and the chief public prosecutor, or the public prosecutor designated by him.

If the register is kept in electronic form, it shall be concluded in the manner of and in accordance with the business software used.

The statement on the conclusion of the electronic register shall be printed together with a complete extract from the register.

Keeping other registers, auxiliary books and records regarding the general mandatory instruction of the Supreme Public Prosecutor

Article 198

In order to achieve uniformity, when issuing a general mandatory instruction, the Supreme Public Prosecutor may order keeping other registers, auxiliary books and records.

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ARCHIVAL MATERIAL

Archival and documentary material

Article 199

Archival and documentary material shall be stored in the public prosecutor's office in accordance with the regulations governing archiving.

The retention periods of archival and documentary material shall be determined by a special list of categories of archival and documentary material with retention periods, on the grounds of which the valueless documentary material shall be separated.

The list of categories of documentary material with retention periods shall be issued by the ministry responsible for judicial affairs based on the opinion obtained from the State Archives of Serbia, in accordance with law.

Selecting valueless documentary material from archival material

Article 200

After the expiration of the storage period, valueless items or documentary material, shall be selected from the archival material and listed for separation.

The separated valueless documentary material may be destroyed only upon a written approval of the competent archives.

Procedure after selecting valueless registered material from archival material

Article 201

The selection of archival material and the selection of valueless registered material from among the archival material shall be done within one year from the date of expiry of the established storage period pursuant to an act of the chief public prosecutor, which shall contain:

- appointment of a committee for the selection of items scheduled for destruction;
- indication of the period of separation of the valueless registered material;
- the deadline for the committee to compile a list of valueless registered material that is proposed for separation in relation to each individual register from which the material is being separated and to submit notification and the lists to the competent archives for a written permission for destruction;
- the deadline for the destruction after obtaining the written approval for the destruction;
- method of the destruction;
- the deadline to submit a report on the destruction with the lists of the destroyed valueless registered material to the chief public prosecutor, after receiving the written approval for the destruction by the competent archives.

The destruction shall be done by shredding, burning or in another way that eliminates the possibility that the contents of the files intended for destruction be accessible to unauthorised persons.

Committee for the separation of items scheduled for destruction

Article 202

The selection of items scheduled for destruction shall be done by a three-member committee appointed by the chief public prosecutor.

Proceedings of the committee

Article 203

The committee for the destruction of records shall inspect every register kept in the public prosecutor's office and based on it, single out every case the retention period of which has expired.

If there is a dilemma about the retention period based on the data from the register, the committee shall review the outstanding case and based on that, decide whether the case may be separated or not.

For each separated case, after receiving the written approval of the competent archives, the mark "separated" shall be stamped or written with a ballpoint pen, under which the number and date of the order and the signature of the member of the committee who designated the item for separation, or destruction shall be written in the register in the "note" section.

Procedure related to documentation for permanent storage

Article 204

Archival material, or documentation determined by the list of categories of documentary material to be kept permanently, shall be handed over to the competent archives after the expiration of 30 years from the year of creation.

Handover of archival materials

Article 205

The decision to hand over archival material to the competent archives shall be made by the chief public prosecutor, with the prior consent of the competent archives.

The procedure of handing over the archival material to the competent archives shall be done in accordance with law and other regulations.

Report of the committee

Article 206

After handing over the archival material to the competent archives, the committee shall make a report to which it shall attach lists of the archived material.

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MONITORING OF THE RULEBOOK APPLICATION

Article 207

Application of this Rulebook shall be monitored in accordance with law.

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TRANSITIONAL AND FINAL PROVISIONS

Article 208

The Supreme Public Prosecutor shall adopt an act on maintaining and filling in registers, auxiliary books and business software, as well as data forms that are of interest to all public prosecutor's offices within three months from the date this Rulebook enters into force.

Until the act under paragraph 1 of this Article is adopted, the instructions and forms issued by the Supreme Public Prosecutor based on the Rulebook on Administration in the Public Prosecutor's Office ("Official Gazette of RS" no. 77/04, 52/07, 2/08, 9 /09 and 44/09) shall be applied.

The Supreme Public Prosecutor shall pass the act under Article 9, paragraph 1 of this Rulebook within three months from the date this Rulebook enters into force.

Article 209

When this Rulebook enters into force, the Rulebook on Administration in the Public Prosecutor's Office ("Official Gazette of RS" no. 77/04, 52/07, 2/08, 11/09 and 44/09) shall cease to be valid.

Article 210

This Rulebook shall enter into force on the following day from the date of its publication in "Official Gazette of the Republic of Serbia" and it shall be applied as of May 11, 2024.