

Official Gazette of RS, no. 44/2008

Pursuant to Article 41 and Article 67 item 3) of the Law on Asylum (Official Gazette of RS, no. 109/07) and Article 17 paragraph 4 and Article 24 of the Law on Government (Official Gazette of RS, nos. 55/05, 71/05 - amendment and 101/07),

the Minister of Labour and Social Policy hereby passes the following

R E G U L A T I O N

on Welfare Benefits for Asylum Seekers and Persons Granted Asylum

Article 1

This Regulation prescribes welfare benefits for asylum seekers or persons granted asylum.

Article 2

Welfare benefits shall be received in the form of monthly financial benefits.

1. Conditions for exercising the right

Article 3

Monthly financial benefits may be received by an asylum seeker or person granted asylum, provided:

- 1) that he/she is not accommodated in the Asylum Centre;
- 2) that this person and his/her family members have no income or that this income is below the limit set by this Regulation.

Article 4

The limit for exercising the right to monthly financial benefit for April 2008 shall be:

- 1) RSD 4825 for an individual;
- 2) RSD 6630 for a two-member family;
- 3) RSD 8441 for a three-member family;

- 4) RSD 9039 for a four-member family;
- 5) RSD 9657 for a family of five or more members;

The limit referred to in paragraph 1 of this Article shall be adjusted to the cost-of-living index each month.

Nominal monthly amounts of the limit, in accordance with paragraphs 1 and 2 of this Article, shall be set by the Minister competent for welfare benefits issues.

Article 5

Income relevant to the exercise of the right to monthly financial benefits shall be deemed to be any income of an asylum seeker or a person granted asylum, including income of his/her family members that they earn on the basis of employment and property, provided that they may actually use this income.

Article 6

A family, according to this Regulation, shall be deemed to be the spouse or common-law partner and children (born in wedlock, out of wedlock and adopted).

2. Benefit amount

Article 7

Monthly financial benefit shall be set as the difference between the limit referred to in Article 4 of this Regulation and the amount of average monthly income of the asylum seeker or person granted asylum and his/her family members earned in the three months preceding the month in which the request was submitted.

Monthly financial benefit shall be adjusted to the cost-of-living index each month.

3. Procedure for exercising the right

Article 8

A request for exercising the right to monthly financial benefit shall be decided on by the social work centre in the municipality of residence of the asylum seeker or person granted asylum.

The ID card for the asylum seeker or the ID card for the person granted asylum as well as the evidence relevant to the exercise of this right shall be enclosed with the request referred to in paragraph 1 of this Article.

The procedure for exercising the right to monthly financial benefit shall be conducted according to the provisions of the law regulating general administrative procedure.

Article 9

An appeal against a decision of the social work centre on the right to monthly financial benefit shall be decided on by the Minister competent for welfare issues.

Article 10

The right to monthly financial benefit shall be recognised as of the request submission date.

Article 11

A monthly financial benefit beneficiary shall report any change relevant to the exercise of the right to the competent social work centre within 15 days from the day the change occurred.

Article 12

The social work centre shall review, *ex officio*, the conditions for exercising the right to monthly financial benefit every twelve months.

Article 13

This Regulation shall come into force on the following day from the day of its publication in the Official Gazette of the Republic of Serbia.

No. 110-00-399/2008-21
Belgrade, 16 April 2008

Minister,
Rasim Ljajić, sgnd.