

REPUBLIC OF SERBIA

LAW ON TRAVEL DOCUMENTS

Belgrade, 2019

LAW ON TRAVEL DOCUMENTS

Note: This is a true translation of the original law,
but it is not legally binding.

Original title:

ZAKON O PUTNIM ISPRAVAMA

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LAW ON TRAVEL DOCUMENTS*

I. GENERAL REGULATIONS

Scope of Law

Article 1

This Law regulates travel documents of citizens of the Republic of Serbia for traveling abroad, defines types of travel documents, and terms of issuing.

The Term and Purpose of a Travel Document

Article 2

A travel document is a public document * of a citizen of the Republic of Serbia for crossing the border, traveling and staying in a foreign country and for the return.

A travel document is a document proving identity of the bearer, as well as a proof of the citizenship of the Republic of Serbia.

Travel Document Rights

Article 3

A citizen of the Republic of Serbia has the right to be issued a travel document under the conditions regulated by this Law.

A citizen of the Republic of Serbia can be issued only one travel document of a kind.

A travel document can be used only by a person named as a bearer.

The Right of a Citizen to Enter the Country without Having a Travel Document

Article 4

The customs officer in control of crossing the country border has to permit a person to enter the country without having a travel document if it is proved that the person is a citizen of the Republic of Serbia.

*Published in the *Službeni glasnik RS*, Nos. 90/07 of 1 October 2007, 116/08 of 22 December 2008, 104/09 of 16 December 2009, 76/10 of 22 October 2010, 62/14 of 13 June 2014 and 81/19 of 15 November 2019. The latest changes are given in *italic*.

A Substitute of a Travel Document

Article 5

If regulated by an international contract that a travel document is not needed for traveling to certain countries, the Government shall define a document which shall be used as a substitute for a travel document.

The Implementation of Regulations

Article 6

The law regulating a general procedure is implemented on the procedure for issuing the documents, unless regulated in a different way by this or a special law.

II. THE TYPES OF TRAVEL DOCUMENTS

What is Being Considered as a Travel Document

Article 7

Travel documents in accordance with this Law are: passport, diplomatic passport, official passport, travel certificate, as well as travel documents issued on the basis of an international contract.

Deleted.

Passport

Article 8

A passport is a travel document issued to a citizen of the Republic of Serbia for traveling, and staying abroad, as well as for return to the country.

A passport is issued for an unlimited number of travels.

Diplomatic and Official Passport

Article 9

Diplomatic passport and official passport are travel documents issued for an efficient carrying out of foreign affairs abroad, as defined by international law.

Travel documents mentioned in the para. 1 of this Article are valid for unlimited number of travels.

A diplomatic passport and an official passport can be issued to the member of the family of a bearer of a previously issued such a passport, if living in the same household and traveling or living abroad together with a bearer.

In accordance with this Law, a member of an immediate family is a spouse and a child, or a person regarded as a child by law.

The issue of a diplomatic passport and an official passport is defined by the Government regulation.

Diplomatic Passport

Article 10

A diplomatic passport is issued to the citizens of the Republic of Serbia who, in accordance with the international law, have a status of a diplomatic agent, a consular official, a member of international organizations, diplomatic couriers, and the highest-ranked government official, in accordance with the regulations of Art. 9, para. 5 of this Law.

Official Passport

Article 11

An official passport is issued to the officers of diplomatic or consular representations of the Republic of Serbia who are not covered by Art. 10 of this Law, as well as other state officials, high-ranked state officials with special authorities in other government agencies, if traveling on official state business, which requires a diplomatic passport in accordance with Art. 9, paragraph 5, of this Law.

Travel Certificate

Article 12

Travel certificate is a travel document issued to a citizen of the Republic of Serbia who is abroad without a travel document for returning to the Republic of Serbia.

Deleted

Article 13

Deleted.

Deleted

Article 14

Deleted.

III. COMPETENCY FOR ISSUING OF TRAVEL DOCUMENTS

The Bodies Competent for Issuing a Passport

Article 15

A passport is issued, in accordance with regulations, by the police administration or police station of the Ministry of Interior, according to the residence or a place of residence of an applicant (in the following text: the body competent for issuing a passport).

The applicants who submit the form via diplomatic or a consular office of the Republic of Serbia shall be issued the passport by the police administration or police station of the Ministry of Interior in whose area is the residence of the person applying for the passport, and for the applicants who do not have permanent residence in the territory of the Republic of Serbia, the

passport shall be issued by the City of Belgrade Police Administration of the Ministry of Interior.

The regulation given in para. 1 of this Article is carried out by the competent minister of the interior.

The Bodies Competent for Issuing Diplomatic and Official Passport

Article 16

A diplomatic passport and an official passport are issued by the Ministry of foreign affairs in accordance with regulations.

The regulation given in para. 1 of this Article is carried out by the competent minister of foreign affairs.

The Bodies Competent for Issuing a Travel Certificate

Article 17

A travel certificate is issued by a diplomatic or a consular office of the Republic of Serbia to the citizen of the Republic of Serbia being abroad without a travel document on the area represented by the office.

The diplomatic or the consular office of the Republic of Serbia mentioned in paragraph 1 of this Article is to check the citizenship status of a person applying for the travel certificate.

Deleted

Article 18

Deleted.

IV. VALIDITY OF THE TRAVEL DOCUMENTS

Validity of a Passport

Article 19

A passport issued is valid for ten years.

Notwithstanding paragraph 1 of this Article, a passport issued to a person below the age of 3 is valid for three years and for five years if issued to a person from 3 to 14 years of age.

*A passport can be issued with a shorter validity period than the validity periods laid down in paragraphs 1 and 2 of this Article, if the court of relevant jurisdiction, i.e. the Public Prosecutor grants the permission for that in the cases determined by this Law.**

*A passport shall be issued to person whose fingerprints cannot be taken due to some objective reasons of a temporary character with the validity period of one year.**

*A new passport shall be issued to a person whose fingerprints cannot be taken due to some objective reasons of a permanent character with the validity period of ten years.**

* Published in the *Službeni glasnik RS*, No. 81/19 of 15 November 2019.

Validity of a Diplomatic and Official Passport

Article 20

A diplomatic and an official passport is valid for five years.

With the lack of conditions stated in Art. 9 – 11 of this Law, a diplomatic and official passport shall become invalid before the validity time noted in the para. 1 of this Article.

Validity of a Travel Certificate

Article 21

Travel certificate shall be valid as long as it is needed for the return to the Republic of Serbia, but no longer than 60 days.

Deleted

Article 22

Deleted.

Cases of issuing a Passport with a Shorter Validity Time

Article 23*

*The person holding a passport shall be obliged to handle it with care and to keep it conscientiously in such a manner as that it does not come in the possession of unauthorized persons.**

*A new passport shall be issued to a person who, over a period of five years loses or damages two or more passports with a validity period of one year, except where the person has regulated residence abroad for a period longer than one year.**

*A person who possesses a valid passport issued with the validity period of one year may submit an application of issuing of a new passport 30 days prior to the expiry of the validity period of the passport that has been issued for the period of one year at the earliest.**

*Following the expiry of the validity period of the passport that has been issued for the period of one year, the new passport shall, providing that the legal conditions have been fulfilled, be issued with the validity period of ten years.**

*The new period of five years referred to in paragraph 2 of this Article shall commence to run from the date of report of the loss or damage.**

V. A FORM OF A TRAVEL DOCUMENT

A Regulated Form. The Content of the Form

Article 24

Travel documents are issued on regulated forms.

* Published in the *Službeni glasnik RS*, No. 81/19 of 15 November 2019.

The forms of a passport, diplomatic passport, official passport, travel certificate are regulated by the competent Minister of Interior.

The form of a travel document from para. 2 of this Article contain the herein data of a bearer:

- 1) surname and name;
- 2) date, month and year of birth;
- 3) place and country of birth;
- 4) sex;
- 5) citizenship;
- 6) national personal identity number of citizen (JMBG);
- 6a) residence;
- 7) the foreign country of residence, for bearers without the residence on the territory of the Republic of Serbia.

The form of a passport, diplomatic passport, official passport, and travel certificate has the place for a photo and the signature of a bearer.

A diplomatic passport and an official passport has the data of the function of a bearer.

The date of issuing and validity time is entered in the travel document form.

Automatic Data Reading. Protective Elements.

Article 25

The form of a passport, diplomatic passport and official passport shall contain electronic data carrier and machine readable zone for automatic data reading.

The person issued a travel document has the right to be shown the data for automatic data reading which are entered in his travel document by the competent body.

Printing the Forms. Entering the Data

Article 26

The forms of travel documents are printed in Serbian language, in Cyrillic, as well as in English and French, and are filled in Serbian, in Latin alphabet.

The second and the first name are written in original form in travel documents, the same as it is written in the birth certificate.

The body competent for issuing travel documents should make it possible for entering the names of bearers belonging to national minorities in their original form, according to the language and spelling of the minority.

Forms of travel documents are technically processed and printed by The National bank of Serbia, in the Institute for Manufacturing Banknotes and Coins.

VI. TRAVEL DOCUMENTS ISSUING PROCEDURE

Application. Submission of an Application

Article 27

Travel documents are issued after submitting an application.

An application is submitted to the body competent for issuing a passport according to the place of residence, but it can also be submitted to a competent diplomatic or consular

representative of the RS, and it shall be proceeded without a delay to *the authority competent for issuing a passport**, the Ministry of Interior, to be taken into procedure.

*An application for passport issuing can be submitted seven months prior to the expiry of the validity period of the passport already issued at the earliest.**

A passport and a travel certificate are issued on personal application, while a diplomatic passport and an official passport are issued on application of the competent state authorities.

Travel documents issued according to a treaty are issued on personal application, if not defined differently by the treaty.

Correct and true data should be given in the application for issuing a travel document.

In order to confirm the identity and other facts important for enacting the application for issuing a passport, a diplomatic passport, an official passport, and a travel certificate, as well as because of taking a photo, fingerprints and a signature, it is necessary for an applicant to be present while submitting an application.

Taking a photo and collecting necessary data mentioned in para. 6 of this Article shall be done in the way regulated by the competent Minister of Interior.

Content of an Application

Article 28

An application form for issuing a travel document contains *personal data** which are entered in the document.

An application form for issuing a passport to a person living abroad contains data about the place and country of residence, that is, the place of temporary residence abroad.

Content of an application form for issuing a travel certificate shall be considered complete if the application for issuing the travel certificate has been submitted without the presence of a person who is abroad without travel document, and the competent authority referred in Article 17 of this Law indisputably determines identity of the person.

Submitting an Application for Minors, or Persons Incapable of Doing Business

Article 29

For minors, or persons incapable of doing business, an application for issuing travel documents shall be submitted by a parent with consent of the other, or another legal representative.

*By way of exception from paragraph 1 of this Article, a travel document shall be issued to a minor even without the consent from the other parent:**

*1) where the application is submitted by one of the parents, and where the certificate of a competent authority stating that passport issuance is in the best interest of the child is enclosed with the application;**

*2) where the application is submitted by a parent to which custody of the minor has been granted by means of a decision of the authority competent for custody matters or where issuance of a travel document is permitted, except where by means of the same decision issuance of a travel document and traveling of the minor abroad has been made conditional upon the consent of both the parents;**

* Published in the *Službeni glasnik RS*, No. 81/19 of 15 November 2019.

3) where one of the parents is legally and physically prevented from exercising the parental rights.*

Fingerprints and signature shall not be taken when submitting the application from a child by the age of twelve.

Documents that Accompany the Application

Article 30*

*Enclosed with the application for issuing of a travel document, the valid identity card of the Republic of Serbia shall be provided for inspection, and with the application submitted to a diplomatic or consular mission of the Republic of Serbia, the valid travel document shall be enclosed for inspection on the basis of which it shall be possible to reliably determine the identity.**

*A travel document shall be issued based on the certificate of citizenship of the Republic of Serbia, excerpt from the register of births, as well as other public documents whereby information from the application is proven, which shall be acquired by the authority ex officio, except in cases where the party wishes to acquire the documents required on his/her own.**

*A photograph complying with the conditions determined by the regulation referred to in Article 27, paragraph 8 of this Law can be enclosed with the application.**

*Previous travel document shall be enclosed with the application for inspection, which shall be invalidated on the occasion of taking the new travel document.**

*Provisions of this Article shall not apply to issuing of travel certificates.**

Certificate of Application

Article 31

When submitting an application for issuing a travel document, a certificate of application is issued to the applicant, which serves as a proof that the application has been submitted.

The Acceptance of a Travel Document

Article 32

A travel document shall be accepted by the applicant in person, that is, a legal representative or an authorized representative.

Issuing a New Travel Document even though the Existing One has not Expired

Article 33*

*A person having a travel document the validity period of which has not yet expired, shall be obliged to submit an application for issuing of a new travel document if:**

*1) information entered in the travel document has changed;**

* Published in the *Službeni glasnik RS*, No. 81/19 of 15 November 2019.

2) *the travel document has been damaged, filled completely or worn out, so as that it cannot serve for its intended purpose;**

3) *if the photograph in the travel document does not fit the appearance of the bearer.**

*At the request of the person, the new passport can be issued even before the time limit prescribed in Article 27, paragraph 3 of this Law, upon payment of an increased price for the passport form in compliance with the regulation referred to in Article 44, paragraph 2 of this Law.**

*With the application for issuing of a new travel document, the applicant shall be obliged to enclose the travel document the validity period of which has not expired, and on the occasion of taking over of the new travel document, the previous one will be invalidated.**

*In the cases referred to in paragraphs 1 and 2 of this Article, the new passport shall be issued with the validity period of ten years.**

*Provisions of this Article shall not apply to issuing of travel certificates.**

Final Date for Resolving the Application

Article 34

The competent body shall be obliged to resolve an application for issuing travel document within 30 days from the date the application has been submitted.

The competent body shall be obliged to resolve an application for issuing travel document within 60 days from the date the application has been submitted, if the application has been submitted to a diplomatic or a consular representative of the Republic of Serbia.

The competent body shall be obliged to resolve an application for issuing travel document not later than 48 hours from the moment the application has been submitted exceptionally from the regulations given in para. 1 and 2 of this Article in the case of emergency (the need for urgent medical treatment abroad, information of a death or a fatal illness of a member of immediate family, urgent business trip) or any other justified reason, if provided with a proof for such.

The competent authority shall issue a passport within the time limit set in paragraph 3 of this article, even without the enclosed evidence to confirm the reason for urgent issuance, if requested so by the applicant and in accordance with Government provisions.

Refusal of Application for Issuing Travel Documents

Article 35

An application for issuing a travel document shall be refused, that is, the travel document shall not be issued by a competent body in the following cases:

1) *If an order has been passed** to conduct an investigation against the applicant or where charges have been filed against him/her - at the request of the court of relevant jurisdiction, i.e. Public Prosecutor's Office,

2) If the applicant has been sentenced by a legally valid verdict to a prison sentence longer than 3 months, that is, since the sentence has been served.

3) If the applicant is denied traveling in accordance with recognized international acts;

4) In cases when, in accordance with valid regulations, the applicant is forbidden movement in order not to spread a disease or epidemic;

* Published in the *Službeni glasnik RS*, No. 81/19 of 15 November 2019.

5) If a regulated approval for traveling abroad is not granted for reasons for defending the country; or if there is another obstacle in accordance with the law on conscription service, in cases of declared state of law or martial law;*

6) *If the person already holds a valid travel document that has been confiscated by the competent authority for the purpose of conducting a proceedings – during the course of the proceedings.**

An application for issuing a travel certificate cannot be refused.

Obligation to Give Information about Reasons for Rejecting an Application

Article 36

The competent judicial bodies referred to in Article 35, paragraph 1, items 1) and 2) of this Law shall submit to the Ministry of the Interior, through the police administration and/or police station in whose area the person resides, an application in relation to the reasons referred to in Article 35, paragraph 1, item 1), and/or a notice of the existence of grounds under Article 35, paragraph 1, item 2) of this Law.

Withdrawal of Travel Documents

Article 37

The body competent for issuing travel documents shall withdraw a travel document in the following cases:

- 1) If a travel document has been issued on the bases of incorrect data;
- 2) If another person has been allowed to use a travel document as a personal one by the owner;
- 3) If the owner ceased to be a citizen of the Republic of Serbia;
- 4) if it has been found out retrospectively that there have been obstacles named in Art. 35, para. 1, items 1) to 4) of this Law, which have occurred before the travel document has been issued, but the competent body has found out about them later, or if the reasons have occurred after the issuing of a travel document.

The decision about withdrawal of a travel document for reasons given in paragraph 1 of this Article is made by the body competent for issuing travel documents.

Deleted.

Withdrawn Travel Documents Procedure

Article 38*

*The Border Police shall deliver the temporarily confiscated travel documents in the course of conducting the border control activities due to the reasons referred to in Article 37 of this Law to the Police Directorate or police station that has issued the passport.**

*The diplomatic or consular mission of the Republic of Serbia shall deliver the travel document confiscated due to the reasons referred to in Article 37, paragraph 1, item 3) of this Law to the Police Directorate or Police station that has issued the passport and, upon request, following the invalidation, it may be returned to its holder.**

* Published in the *Službeni glasnik RS*, No. 81/19 of 15 November 2019.

Obligation to Give Information about Termination of Rejecting an Application and Withdrawal of a Travel Document

*Article 39**

*The court of relevant jurisdiction or another state authority shall be obliged to immediately notify the authority competent for issuing of travel documents of all the facts that result in termination of reasons for refusal of an application for issuing of a travel document and confiscation of a travel document.**

*The authority competent for issuing of travel document may additionally be notified of the occurrence of the facts referred to in paragraph 1 of this Article by the party.**

*Following the termination of reasons referred to in paragraph 1 of this Article, the authority competent for issuing of travel documents shall notify thereof the person that requested that the travel document be issued, i.e. the person whose travel document has been confiscated, except where the notice has been received from the party him/herself.**

Obligations of the Body while Reaching a Solution

Article 40

The competent body shall state the reasons taken into account while reaching a solution about the rejection of issuing a travel document, or the withdrawal of a travel document that is.

Issuing a Passport with a Limited Expiring Date

Article 41

On the plea of the person whose application for issuing a travel document has been denied, as well as to the one whom the travel document has been withdrawn, with the exceptions given in Art. 37 para. 1, item 3) of this Law, the decision-making body shall permit the issuing of a passport with a limited expiring date, in especially justified cases (a death of a member of the family, medical treatment abroad, unavoidable business trips).

In cases from para. 1 of this Article, the authority competent for issuing a passport shall be obliged to, prior to issuing the passport, acquire *the approval** from the court of relevant jurisdiction, i.e. public prosecutor *who demanded** issuing of the travel document.

VII. SPECIAL OBLIGATIONS CONCERNING AN ISSUED TRAVEL DOCUMENT

The Loss and Find of a Travel Document

Article 42

A person who loses a travel document or finds another person's lost travel document shall report the loss or find of a travel document to the nearest police administration, or a police station of the Ministry of Interior without delay.

If a travel document has been lost abroad, the person who has lost it shall report the loss to the nearest diplomatic or consular representative of the Republic of Serbia.

* Published in the *Službeni glasnik RS*, No. 81/19 of 15 November 2019.

The competent body for issuing travel documents may, ex officio, by a decision proclaim a travel document invalid in the following cases:

1) If a person, who is in the procedure of returning according to an international agreement, states that he/she has no passport, and the competent body determines that he/she is in possession of a valid passport and has failed to report the loss of passport, in accordance with paragraphs 1 and 2 of this Article;

2) If a diplomatic or official passport is not returned to the Ministry of Foreign Affairs within 60 days after the legal grounds for issuance of this type of passport has ceased to exist.

Invalid Travel Document

Article 43

A lost travel document shall be proclaimed invalid by a decision made by the competent body.

A plea against the decision mentioned in para. 1 of this Article is not allowed.

*A travel document that has been proclaimed invalid shall be announced on the official web site of the Ministry of Interior.**

The body competent for issuing a travel document shall issue a new one after the decision of invalidity of the previous has been made.

Costs of Issuing a Travel Document

Article 44

Issuing a travel document shall be charged a fee, comprising the cost of a form of a travel document, and technical processing costs, as well as the costs of delivery, if the delivery is made through a diplomatic or a consular representative of the Republic of Serbia.

The amount charged from para. 1 of this Article shall be determined by the Government.

VIII. RECORDS AND THE USE OF DATA

Records of Travel Documents. Competence for Keeping Records

Article 45

*A single records in electronic form shall be maintained on issued travel documents, on refused applications for issuing of travel documents, on confiscated travel documents and on invalid travel documents.**

*The maintenance method, the contents of the records, as well as the exchange of information from the records referred to in paragraph 1 of this Article shall be regulated by a special law on records and data processing in the field of interior affairs.**

*Former paras. 2-4 are deleted**

*Art. 46-49**

*Deleted**

* Published in the *Službeni glasnik RS*, No. 81/19 of 15 November 2019.

IX. PENALTY REGULATIONS

Violations

Article 50

A person shall be fined from 5,000 to 150,000 dinars or sentenced up to 30 days of imprisonment for the following offense and attempted offense:

- 1) For possession of more than one travel document of a kind (Art. 3, paragraph 2 of this Law);
- 2) For giving one's own travel document to another person to be used, or using somebody else's travel document as one's own (Art. 3, para. 3 of this Law);
- 3) For giving false data in order to ensure the issuing of a travel document and the use of such (Art. 27, para. 5 of this Law).

For the violation named in para. 1 of this Article, a safeguard measure of withdrawal of the issued travel document can be undertaken.

Article 51

A person who does not report the body competent for issuing a travel document the loss or find of one, shall be fined 4,000 to 40,000 dinars (Art. 42 of this Law).

Article 52

A person responsible for issuing travel documents in the competent body shall be punished by paying the fine from 40,000 to 50,000 dinars if failing to take the application into consideration in the proper time, as noted in Art. 34 of this Law; or for failing to reconsider reasons for disapproval, as well as withdrawal of the travel document for reasons given in Art. 39 of this Law. A responsible person in a government body or an authority shall be fined the same for failing to notify the body competent for issuing travel document about the facts that can lead to termination of reasons for denying an application for issuing a travel document as given in Art. 39 of this Law.

X. TRANSITIONAL AND FINAL PROVISIONS

Validity of Travel Documents Issued according to Former Regulations

Article 53

Passport, diplomatic passport and official passport issued prior to the entry into force of this Law shall be valid until the date of expiry stated in the travel document, but no longer than 31 December 2011.

Proceedings with Unresolved Applications

Article 54

Proceedings resolving applications for issuing travel documents initiated prior to the beginning of the application of this Law shall be completed according to the provisions of this Law.

Regulation of By-laws

Article 55

Regulations harmonized with this Law shall be defined within three months from the date this Law enters into force.

Until the regulations referred to in para. 1 of this Article have been passed, the regulations previously passed shall be valid unless they are in contradiction with this Law.

Termination of the Validity of the Law

Article 56

With the implementation date of this Law, the Law on Travel Documents of Yugoslav Citizens shall cease to be effective (Službeni list SRJ, Nos. 33/96, 49/96, 12/98, 16/99, 35/99, 44/99, 15/00, 7/01, 71/01, 23/02, 53/02, 68/02 and 5/83 and Službeni glasnik RS, No. 101/05 – other law), with the exception of Article 56 which shall be applied until the law on the Army of Serbia.

Entering into Force and Application of the Law

Article 57

This Law shall enter into force on the eighth day after being published in the Službeni glasnik Republike Srbije and shall be applied six months thereafter, with the exception of Art. 55, which shall be applied with the day of entering into force of this Law.

* * *

ARTICLES NOT INCLUDED IN THE FINAL TEXT

LAW AMENDING LAW ON TRAVEL DOCUMENTS

(Službeni glasnik RS, No. 104/09)

Article 3

This Law shall enter into force on the eighth day after being published in the Službeni glasnik Republike Srbije.

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ARTICLES NOT INCLUDED IN THE FINAL TEXT

LAW AMENDING LAW ON TRAVEL DOCUMENTS

(Službeni glasnik RS, No. 76/10)

Article 3

This Law shall enter into force on the eighth day after being published in the Službeni glasnik Republike Srbije.

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ARTICLES NOT INCLUDED IN THE FINAL TEXT
LAW AMENDING LAW ON TRAVEL DOCUMENTS

(Službeni glasnik RS, No. 62/14)

Article 24

This Law shall enter into force on the eighth day after being published in the Službeni glasnik Republike Srbije.

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*ARTICLES NOT INCLUDED IN THE FINAL TEXT
LAW AMENDING LAW ON TRAVEL DOCUMENTS*

(Službeni glasnik RS, No. 81/19)

Article 16

This Law shall enter into force on the eighth day after being published in the Službeni glasnik Republike Srbije.