

Pursuant to Article 205 of the Constitution of the Republic of Serbia and Article 148 of the Rules of Procedure of the National Assembly ("Official Gazette of the RS", No. 20/12 – Consolidated text),

the National Assembly of the Republic of Serbia, at its Tenth Special Sitting during the Twelfth term of office, held on 9 February 2022, adopted the

D E C I S I O N

PROMULGATING THE CONSTITUTIONAL LAW FOR THE IMPLEMENTATION OF THE ACT AMENDING THE CONSTITUTION OF THE REPUBLIC OF SERBIA

I

The Constitutional Law for the Implementation of the Act Amending the Constitution of the Republic of Serbia, adopted by the National Assembly of the Republic of Serbia at the Eighth Special Sitting during the Twelfth term of office, held on 30 November 2021, is hereby promulgated.

II

This Decision shall be published in the "Official Gazette of the Republic of Serbia".

RS No. 10

In Belgrade, 9 February 2022

NATIONAL ASSEMBLY OF THE REPUBLIC OF SERBIA

SPEAKER

Ivica Dačić

CONSTITUTIONAL LAW

FOR THE IMPLEMENTATION OF THE ACT AMENDING THE CONSTITUTION OF THE REPUBLIC OF SERBIA

Article 1

Amendments I to XXIX to the Constitution of the Republic of Serbia (hereinafter: the Amendments) shall apply as of the day they are promulgated by the National Assembly, unless otherwise provided for in this Constitutional Law with regard to the application of individual Amendments.

Article 2

The Law on Judges, the Law on the Organisation of Courts, the Law on the Public Prosecution Office, the Law on the High Judicial Council, and the Law on the State Prosecutorial Council shall be aligned with the Amendments within one year following the day of entry into force of the Amendments.

Provisions of other laws shall be aligned with the Amendments within two years.

Article 3

Courts and public prosecution offices shall continue their work until the entry into force of the regulations aligning their jurisdiction and organisation, as well as the status of judges, public prosecutors, and deputy public prosecutors, with the Amendments, unless otherwise provided by this Law.

Article 4

The High Judicial Council and the State Prosecutorial Council shall continue to operate until the entry into force of the regulations aligning the election of their members and their competences with the Amendments, unless otherwise provided by this Law.

Members of the current composition of the High Judicial Council from the rank of judges and of the State Prosecutorial Council from the rank of deputy public prosecutors shall continue to perform their functions as members of the High Judicial Council and the High Prosecutorial Council in accordance with the Amendments, until the expiry of the term for which they were elected.

The High Judicial Council and the High Prosecutorial Council shall be constituted by electing the remaining members in accordance with the Amendments, within 90 days following the entry into force of the regulations aligning the election of their members and their competences with the Amendments. The President of the High Judicial Council and the President of the High Prosecutorial Council shall be elected within 15 days following the constitution of the High Judicial Council and the High Prosecutorial Council, respectively.

Article 5

The High Judicial Council, the State Prosecutorial Council, the Government, and the National Assembly shall continue to exercise their competences in relation to judges, court presidents, public prosecutors, and deputy public prosecutors under the laws in force until the constitution of the High Judicial Council and the High

Prosecutorial Council, in accordance with the laws aligning the election of their members and their competences with the Amendments, unless otherwise provided by this Law.

Article 6

Judges elected to permanent tenure prior to the entry into force of the Amendments shall continue to perform their duties in the courts to which they were elected.

Deputy public prosecutors elected to permanent tenure prior to the entry into force of the Amendments shall continue to perform their duties in the public prosecution offices to which they were elected.

Article 7

Judges and deputy public prosecutors who were elected to a three-year term prior to the entry into force of the Amendments shall, on the day the Amendments enter into force, be considered as having been elected to permanent tenure as judges or deputy public prosecutors, respectively. The decision to that effect shall be rendered by the High Judicial Council or the High Prosecutorial Council, respectively.

The National Assembly shall continue to elect judges and deputy public prosecutors when elected for the first time to those offices until the new composition of the High Judicial Council and the High Prosecutorial Council is constituted, and the newly constituted High Judicial Council and High Prosecutorial Council shall confirm that their tenure becomes permanent.

Article 8

The President of the Supreme Court of Cassation elected prior to the entry into force of the Amendments shall continue to perform their duties until the expiry of the term of office to which they were elected and may be elected as President of the Supreme Court, in accordance with the laws aligning their election with the Amendments.

Presidents of courts elected prior to the entry into force of the Amendments shall continue to perform their duties until the expiry of the term of office to which they were elected and may be elected as presidents of the same courts, in accordance with the laws aligning their election with the Amendments.

Public Prosecutor's Office of the Republic of Serbia elected prior to the entry into force of the Amendments shall continue to perform their duties until the expiry of the term of office to which they were elected and may be elected as the Prosecutor General, in accordance with the laws aligning their election with the Amendments.

Public prosecutors elected prior to the entry into force of the Amendments shall continue to perform their duties until the expiry of the term of office to which they were elected and may be elected as chief public prosecutors in the same public prosecution offices, in accordance with the laws aligning their election with the Amendments.

Article 9

This Constitutional Law shall enter into force on the day of its promulgation at a sitting of the National Assembly.