

THE MOST IMPORTANT CHANGES IN ELECTION LAWS

Law on the Election of Members of the Parliament

HOW IT WAS :

Electoral list had to be submitted at the latest 15 days before holding the elections.

10,000 signatures were needed to submit the candidacy of the national minority list.

It was not in the law, but the REC by-laws prohibited the keeping of parallel voters' records.

Representatives of non-parliamentary parties were not entitled to be permanent members of the polling station committee.

HOW IT IS NOW :

Electoral list has to be submitted at the latest 20 days before holding the elections.

5,000 signatures are needed to submit the candidacy of the national minority list.

It is forbidden to collect supporting signatures from voters at their workplace or to coerce voters in any way to support the electoral list with their signature.

It is forbidden to keep parallel voters' records.

Representatives of non-parliamentary parties are entitled to be permanent members of the polling station committee. This modification will be valid only in the upcoming elections.

Observers are not allowed to enter remarks in the minutes from the polling station.

The Republic Electoral Commission and the polling station committees were responsible for conducting the elections.

Every voter had the right to file a complaint with the Republic Electoral Commission due to breach of suffrage during the elections, or irregularities in the procedure of candidacy or voting.

The voter had to file a complaint within 24 hours.

The polling station committee shall draw up minutes on a special form prescribed by the REC on the observers' representatives who monitored the work of the polling station committee, and enter their potential remarks.

In addition to the Republic Electoral Commission and polling station committees, Local Electoral Commissions have been introduced as the middle level of the election administration, to which has been transferred a part of the competencies that the REC has had so far. The Local Election Commission (LEC) will define polling stations, create polling station committees, and consider voters' complaints.

A voter may, within 72 hours from the closing of the polling station, submit a request for annulment of voting at the polling station where they are entered in the excerpt from the voters' register if the polling station committee unjustifiably prevented them from voting and if their right to free and secret ballot has been violated at the polling station.

Voters will file a complaint first to the local electoral commissions even when it comes to parliamentary and presidential elections, and only afterwards to the Republic Electoral Commission as a second-instance body.

A complaint to an irregularity witnessed by the voter and for which they submitted the complaint shall be considered unfounded if the voter has not been personally involved.

A voter may file a complaint to the decision on the request to annul the election at the polling station with the REC within 72 hours from publishing of the said complaint.

Law on Prevention of Corruption

HOW IT WAS :

A public official was obliged to always unambiguously inform their interlocutors and the public whether they were expressing the position of the authority in which they discharged a public office or the position of a political party and/or political entity they are members of.

This provision did not apply to public officials elected directly by citizens (the President of the Republic, MPs, MPs of the Autonomous Province, and city and municipal councillors).

HOW IT IS NOW :

A public official, including the President of the Republic, shall always unambiguously inform their interlocutors and the public whether they are expressing the position of the authority in which they discharge a public office or the position of a political party.

This provision shall not apply to MPs, MPs of the Autonomous Province and city and municipal councillors, but shall be valid for the President of the Republic.

Law on Financing Political Activities

HOW IT WAS :

Political entities may borrow from banks and other financial organisations. There were no restrictions stipulating that these financial organisations had to be under the supervision of the National Bank of Serbia, nor was there a limit on the amount of the loan.

HOW IT IS NOW :

The parties may borrow exclusively from banks and other financial organisations, which are under the supervision of the National Bank of Serbia. The maximum amount of credit and loan may not exceed 25% of the funds provided by the parties from public sources.

Maximum value of donation at the annual level that a natural person could give to political entities for operation could not exceed 20 average monthly salaries, while a legal entity could not give more than 200 average monthly salaries.

The money from the budget for financing the costs of the election campaign was allocated to nominated electoral lists as follows:

- 20% were allocated in equal amounts,
- 80% were allocated to submitters of election lists pro rata to the number of seats won.

It did not exist in the law before.

Maximum value of donation at the annual level that a natural person may give to political entities for operation shall not exceed 10 average monthly salaries, while a legal entity shall not give more than 30 average monthly salaries.

The money from the budget for financing the costs of the election campaign shall be allocated to nominated electoral lists as follows:

- 40% shall be allocated in equal amounts,
- 60% were allocated to submitters of election lists pro rata to the number of seats won.

The control of the State Audit Institution will each year include an appropriate number of political entities that have representatives in the National Assembly.

Law on Local Elections

HOW IT WAS :

200 voters' signatures were needed to submit the electoral list.

HOW IT IS NOW :

The required number of voters' signatures for submitting the electoral list shall depend on the number of inhabitants in the local self-government unit.

For national minorities' lists, one half of this number shall be required.

It did not exist in the law before.

A list of a national minority may be nominated if that electoral list represents a national minority whose percentage of members in the total number of inhabitants in the territory of the local self-government unit is inferior to 50%.

It did not exist in the law before.

Local electoral commissions shall publish decisions and minutes on their websites.

It did not exist in the law before.

The local election commission shall be entitled to eliminate minor and serious logical errors and to annul the vote ex officio.

Amendments to the Law on Electronic Media have been adopted at the end of 2021 due to the upcoming elections, and they include the following:

- Ten days before the day set for voting, the media cannot report on official public gatherings where infrastructure and other facilities are inaugurated (roads, bridges, schools, hospitals, factories, etc.), i.e. the commencement of construction works is marked if these gatherings are attended by public officials who are candidates for President of the Republic, MPs, MPs in the Assembly of the Autonomous Province and councillors in the Assembly of the local self-government unit.
- The media will publish fees for political advertising before the kick-off of the election campaign.
- Criteria for determining the price of political advertising and payment terms must apply to all candidates in the elections and to all submitters of nominated electoral lists, i.e. submitters of nominated candidates, and must be published.