

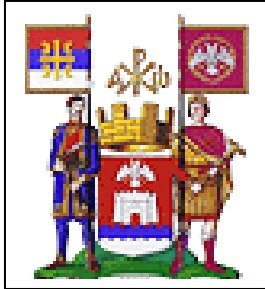
**CERTIFIED TRANSLATION FROM SERBIAN INTO ENGLISH LANGUAGE**

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**THE CITY OF NIS  
OFFICIAL JOURNAL**

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**THE CITY OF NIS**

**917.**

In accordance with article 32 of the Local Self-Government Law ("Official Gazette of the Republic of Serbia", No. 129/2007),

the City of Nis Assembly, In the meeting, held on October 1<sup>st</sup>, 2008, passed the following

**BYLAW  
OF THE CITY OF NIS**

**I BASIC PROVISIONS**

Article 1

The City of Nis is a local self-government unit in which the citizens exercise their right to local self-government, in accordance with the Constitution, the law and this Bylaw.

Article 2

The citizens shall exercise their right to self-government directly and through the freely elected representatives in the bodies of the City of Nis, managing the public jobs of the City, which are in the direct, common and general interest of the local population.

The citizens participate in local self-government realization through the civic initiative, assembly of citizens, referendum and other forms of citizens participation in the City jobs exercising, in accordance with the Constitution, the Law and this Bylaw.

The citizens with the voting right and residence on the City of Nis territory, shall manage the City jobs in accordance with the Constitution, Law and the Bylaw.

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Article 3

The City of Nis territory has been defined by the Law, and is composed of the settled places areas and cadastral districts incorporated in it.

Article 4

The seat of the City of Nis is in Nis.

Article 5

The territory of the City of Nis may be changed in accordance with the Law and the Bylaw, that being preceded by the referendum.

Article 6

The City of Nis has the capacity of a legal person.  
The City shall be represented and advocated for by the Mayor.

Article 7

On the City of Nis territory, Serbian language and Cyrillic alphabet shall be officially used.

Article 8

The City has got its symbols, coat of arms and flag, the looks, contents, use and the way of exhibiting of which shall be defined by the special regulation.

Article 9

The City of Nis holiday is January 11<sup>th</sup>, the Day of Nis liberation from Turkish occupation.  
The Slava (Celebration day) of the City of Nis shall be on June 3, the Day of Holy Czar Constantin and Czarina Jelena.

Article 10

The City of Nis shall establish the awards of the City, public recognitions and the title of the honorary citizen of Nis.

Article 11

On the territory of the City of Nis, the City municipalities shall be founded.  
The City Bylaw shall regulate the jobs in charge of the City to be executed by the City municipalities.

Article 12

The City may cooperate and associate with other local self-government units, for the purpose of realizing the common goals, plans and development programs, as well as other common interests needs.

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For the purpose of the stated goals realization, the City of Nis, with other local self-government units, may associate resources, form common bodies, establish companies, institutions and other organizations and services, in accordance with the Law and the Bylaw.

Article 13

The City of Nis may cooperate with local self-government units of other countries, within the framework of the Republic of Serbia foreign policy, with observing the territorial unity and legal establishment of the Republic of Serbia, pursuant to the Constitution and Law, on the basis of the City Assembly decision, and with approval of the Republic of Serbia Government.

Article 14

For the purpose of improvement of local self-government development, its protection and common interests realization, the City of Nis may found associations with other self-government units, in accordance with the law which regulates associations foundation and work.

Article 15

In the interest of the City and local community, the City bodies may be cooperating with non-governmental, humanitarian and other organizations.

Article 16

The City of Nis may found companies, institutions and other organizations, performing public service, in accordance with the Law and the Bylaw, for the purpose of exercising its rights and duties and satisfying the needs of the local population.

Companies, institutions and other organizations, the founder or cofounder of which is the City of Nis, are obliged to submit to the City Assembly for approval: multi-year operating and development plans, annual business plan and operations report of the previous year.

Public services jobs may be entrusted to natural or legal persons on a contract basis, according to competition and publicity principles, in accordance with the Law.

Article 17

The City of Nis may establish funds, in accordance with the Law.

**II. JOBS OF THE CITY AND FINANCING OF THE CITY JOBS**

Article 18

The City shall do the jobs within the original authority, as defined by the Law and jobs within the scope of rights and duties of the Republic, entrusted to the City by the Law.

Article 19

In the jobs within the original authority, the City shall independently enact regulations in accordance with rights and duties, as specified by the Constitution, Law, other regulations and the Bylaw.

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Article 20

In terms of the entrusted jobs, the City performs some jobs of inspection supervision, in the fields of education, health protection, living environment protection, mining industry, goods and services turnover, agriculture, water economy and forestry, and other inspection jobs in accordance with the Law.

Resources for the entrusted jobs carrying out shall be provided in the Budget of the Republic of Serbia according to the kind and scope of works.

Article 21

The City of Nis, in conformance with the Constitution and the Law, has the authority to carry out the activities as follows:

1. Pass the development programmes of the City and certain businesses;
2. Pass the General Plan of the City, upon previously obtained opinion of the City Municipality;
3. Pass urban plans, upon previously obtained opinion of the City Municipality;
4. Pass the budget and Annual Balance Sheet;
5. Establish rates of the City original revenues, as well as the way and measures for specifying the amount of local fees and reimbursements;
6. Organize and provide for carrying out and development of communal activities (water treatment and distribution, atmospheric wastewaters treatment and discharge, steam and hot water production and supply, city and suburb lines for passengers road transportation, maintenance of cleanliness in the City, maintenance of dump sites, organization, maintenance and use of green markets, parks, green, recreational and other public surfaces, public parking lots, public lighting, organization and maintenance of graveyards and funerals, etc.), as well as organizational, material and other conditions for their carrying out; found public utility companies for the purpose of communal activities carrying out on its territory;
7. Care about housing buildings maintenance and safety of their use and establish the amount of reimbursement for housing buildings maintenance;
8. Care about communal order in the City
9. Pass programmes for building land structuring, organize and provide for carrying out of jobs related to structuring and use of building land and establish the reimbursement amount for structuring and use of building land;
10. Pass plans and programmes and implement the local economic development programmes, care about improvement of the general framework for doing business in the City, promote economic potentials of the City, initiate adjustment of educational profiles in schools to the needs of economy, facilitate business of the existing companies and encourage foundation of new companies and new jobs opening;
11. Organize and provide for use of business space it administers, establish the reimbursement amount for business space use and supervise the use of business space;
12. Care about living environment protection, pass programmes for use and protection of natural wealth and living environment protection programmes, that is, local action and rehabilitation plans, in accordance with strategic documents and its interests and specificities, and establish special reimbursement for protection and improvement of the living environment.
13. Organize and ensure carrying out of jobs related to building, rehabilitation and reconstruction, maintenance, protection, use, development and management of local roads, as well as streets in settlements;
14. Regulate and ensure special conditions and organization of auto-taxi passengers transportation;
15. Specify river bank parts and water areas on which there may be built hydro-structures and floating structures placed;

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16. Establish stockpiles and define their volume and structure, with approval of the competent ministry, for satisfying needs of the local population;
17. Found institutions and organizations in the fields of elementary education, culture, primary medical protection, physical culture, sports, children protection and tourism, monitor and provide for their operating;
18. Found institutions in the field of social protection (welfare), monitor and provide for their operating, grant permits for social welfare institutions operating, also found by other natural and legal persons, establish the conditions for social protection services rendering, establish norms and standards for performance of the institution activities, founded by the City, pass regulations in view of the social welfare rights and perform jobs of the state trustee;
19. Organize jobs performance related to the cultural wealth protection, significant for the City, encourage the cultural and artistic creative development, provide funds for programmes and projects financing and co-financing in the field of culture, significant for the City and create conditions for the work of museums and libraries and other cultural institutions founded by it;
20. Organize protection from natural and other major catastrophes and fire protection, creating conditions for their elimination, i.e., their consequences alleviation;
21. Pass basic regulations on protection, use and organization of agricultural land and care about their observing, specify erosive areas;
22. Establish water industry conditions, issue approvals and permits for water industry for locally significant structures;
23. Encourage and care about tourism development on its territory and establish the amount of visitors' tax;
24. Manage the City property and use state owned resources and care about their preservation and increase;
25. Organize performance of legal protection jobs related to its rights and interests protection;
26. Form bodies, organizations, and services for the needs of the City and regulate their organization and work;
27. Create conditions for improvement, exercising and protection of human rights;
28. Pass strategies and adopt special measures aimed at elimination of inequality and creation of equal opportunities for human and minority rights exercising;
29. Assist in development of various forms of self-aid and solidarity with disabled persons, as well as with persons who, essentially, are not in the same position as other citizens and encourage activities and give aid to disabled persons organizations and other socially-humanitarian organizations on its territory;
30. Care about exercising, protection and improvement of human rights and individual and collective rights of national minorities and ethnic groups members; care about exercising, protection and improvement of gender equality issues, adopt strategies, and special measures directed to creation of equal opportunities for exercising rights and elimination of inequality;
31. Care about locally significant public information and provide conditions for public information on the City territory;
32. Prescribe offences for city regulations violation;
33. Form inspection services and perform supervision over regulations and other enactments enforcement within the City authority; form the communal police, ensure and organize carrying out of communal police jobs;
34. Regulate and ensure the use of the name, the coat of arms and other symbols of the City;
35. Aid to the work of organizations and associations of citizens;
36. Regulate and create conditions for caring about the youth, pass and implement the youth policy strategy and action plan and create conditions for the youth organizing;

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37. Make the defence plans and take measures as stipulated in the Defence Law;
38. Perform other jobs, of direct interests for the citizens, in accordance with the Constitution, the Law and this Bylaw.

Article 22

Certain jobs of the City shall be carried out by the City municipalities.

The jobs, carried out by the City municipalities on behalf of the City are regulated in the Bylaw of the City.

The City municipalities shall be entitled to resources for the jobs carried out on behalf of the City, pursuant to a special decision of the City.

Article 23

The City activities shall be financed from its original or ceded revenues, transfers, incomes based on borrowing and other incomes as established by the Law.

The City decides about the amount of resources for their activities carrying out in accordance with the Law.

Resources may also be gathered through the local voluntary tax.

Article 24

The City shall have its Budget indicating its income and expenditures.

On expiration of the year for which the Budget was passed, the Annual Balance Sheet shall be made about the City Budget execution.

Upon the request of the City authority in charge, the beneficiaries of the budget resources shall be obliged to submit a Report on their work, program implementation and use of the budget resources, once a year, at least.

The Mayor is accountable to the City Assembly for the City Budget execution.

The City Administration units are obliged to regularly follow the budget execution and if deemed necessary, to report to the Mayor, two times a year, at least.

Article 25

The City of Nis has its property, independently managed by the City bodies, according to the Law.

III BODIES OF THE CITY

Article 26

The bodies of the City shall be: the City Assembly, the Mayor, the City Council, the City Administration units and the City Public Attorney's Office.

Article 27

The City jobs shall be exercised by the bodies of the City within their authority established by the Law, this Bylaw and other regulations of the City.

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If it is not established by the Law or some other regulation which body has the authority to perform activities as of the City authority, all activities related to regulation of relations within the City authority, shall be carried out by the City Assembly, while the activities, the nature of which is executive, shall be carried out by the Mayor.

If the nature of activities is such that the authority may not be established pursuant to paragraph 2 of this article, the City Assembly shall have the authority.

## 1. CITY ASSEMBLY

### Article 28

The City Assembly is the supreme body of the City, performing basic functions of the local rule, as established by the Constitution, the Law and this Bylaw.

The City Assembly shall consist of deputies, elected by the citizens in direct elections, by ballot voting, in accordance with the Law and the Bylaw of the City.

The City Assembly shall be considered constituted after the election of the Assembly President and nomination of the Assembly Secretary.

### Article 29

The City Assembly shall have 61 deputies.

The deputies shall be elected for the period of four years.

The deputies mandate shall start and terminate, respectively, under conditions and in the manner, as established by the Law.

A deputy is entitled to protection of mandate, including court protection, exercised by enforcement of a corresponding law, regulating the protection of the election right in the election procedure.

### Article 30

A deputy may not be an employee of Administration bodies, nor it could be a person nominated, i.e., appointed by the City Assembly.

In case the employee of an Administration body be elected as a deputy, his/her labour based rights and liabilities shall have a dormancy of employment status during his/her deputy mandate.

On the date of a deputy mandate confirmation, persons nominated or appointed by the City Assembly, shall cease to exercise duty previously appointed or nominated for.

### Article 31

Deputies make oath of the following contents:

"I swear that I shall observe the Constitution of the Republic of Serbia, the Law and the Bylaw of the City of Nis, and that I shall honorably and impartially exercise the duty of a deputy, taking care about the interests of the citizens during my engagement in the work of the City of Nis Assembly".

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Deputies may end their oath by saying "So, help me God".

Article 32

It shall be the right and duty of a deputy to participate in the City Assembly work; submit the draft regulations and other acts and amendments to the draft regulations and to participate in other activities of the City Assembly.

A deputy shall be entitled to deputy's initiative, as well as to raising issues related to work of the City bodies, departments and organizations of the City and to the work of enterprises and institutions, founded by the City and get the answer to the posed questions, in the very or the next Assembly meeting.

Article 33

In the City Assembly the groups of deputies shall be formed.

The manner of such deputies groups forming shall be regulated by the City Assembly Operating Procedures.

Article 34

A deputy may not be called for penal responsibility, placed in detention or punished for his/her expressed opinion or a given vote at the City Assembly meeting or a working body meeting.

Article 35

In case of the conflict of interests, a deputy is obliged to make a public statement that he/she would not participate in giving opinion on particular issue in the City Assembly meeting or working body meeting.

The conflict of interests shall be resolved in the manner provided by the Law.

Article 36

The right of a deputy to the lost earning, travel expenses and deputy's reimbursement for exercising the duty of a deputy, shall be regulated by a special regulation of the Assembly.

Article 37

In accordance with the Law, The City Assembly shall:

1. Enact the Bylaw of the City and the Operating Procedures of the City Assembly;
2. Pass the Budget and the Annual Balance of the Budget;
3. Establish the rates of original City revenues, as well as the manner and measures for determining the local taxes and reimbursements and other local incomes amounts, which belong to the City according to the Law;

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4. Submit initiative for starting the procedure of foundation, cancellation or change of the City territory;
5. Pass the programmes of the City and certain activities development;
6. Pass general plan and urban plans, structure and regulate building land use;
7. Pass regulations and other general enactments;
8. Schedule a City referendum and referendum on the City territory part, respond to the civic initiative proposals and specify a draft decision on local voluntary tax;
9. Found services, public utility companies, institutions and organizations, as established by the City Bylaw and supervise their work;
10. Nominate and release from duty Management and Supervisory boards, nominate and release from duty directors of public utility companies, institutions, and services founded by the City and approve their Bylaws in accordance with the Law;
11. Elect and release from duty the Assembly President, and the Assembly Deputy-President;
12. Appoint and release the Secretary of the Assembly and the Deputy Secretary of the Assembly;
13. Elect and release the Mayor and upon the proposal of the Mayor candidate, elect the Deputy Mayor and the City Council members;
14. Specify reimbursement for the building land regulation and use;
15. Pass the act on public borrowing of the City, according to the Law regulating the public debt;
16. Pass annual programme of real estates acquiring for the needs of the City bodies, with the approval of the Republic of Serbia Government and initiate the procedure of real estate transfer before the authorities in charge;
17. Give opinion about the Republic and Regional General Plan;
18. Establish standing and temporary working bodies to consider issues within its authority;
19. Give opinion about the laws, regulating issues of interest for the local self-government;
20. Consider the work report and approve the budget beneficiaries work programme;
21. Decide on cooperating and associating with towns and municipalities, associations, non-governmental organizations;
22. Inform the public on its work;
23. Give approval for the use of the name, the coat of arms and other symbols of the City;
24. Consider and approve annual work report of the public utility companies, institutions and other public services the founder, or the majority owner of which is the City;
25. Consider the annual report of the Ombudsman, related to realization of human and minority rights in the City;
26. Adopt ethical codex on the officials conduct;
27. Pass measures and adopt recommendations for human and minority rights improvement;
28. Perform other jobs, regulated by the Law and this Bylaw.

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Article 38

The meetings of the City Assembly shall be summoned by the Assembly President, as necessary, once within a three month period, at least.

The Assembly President shall be obliged to summon a meeting when requested in writing by the Mayor, the City Council or one third of deputies, at least, within 7 days from the date of request submission, so that the day of the session could be within 15 days at least, from the date of such request submission.

If the President would not summon the meeting, as of paragraph 2 of this article, the meeting may be summoned by the submitter of the request, and the meeting will be chaired by the deputy as specified by the submitter of the request.

The President of the Assembly may postpone the already summoned session only in case when there is no quorum necessary for work, while in other cases, postponing of the session shall be decided by the Assembly members;

Article 39

The City Assembly shall be in session if majority of the total number of deputies is present.

The decisions shall be made by the majority of votes of the deputies present, if not specified otherwise by the Law or the Bylaw.

By the majority of votes of the total number of deputies, the City Assembly shall decide in cases as follows:

- Enactment of the Bylaw and modifications of the Bylaw;
- Budget passing;
- Passing of the general plan and urban plans, development programmes of the City and of certain businesses, as well as the programme of real estates acquisition and transfer;
- Symbols, holiday and other symbols of the City;
- Change of the streets name;
- Public borrowing of the City;
- Scheduling of referendum and voluntary tax;
- Cooperation and association with other local self-government units and cooperation with local self-government units in other countries;
- Adoption of ethical codex on officials conduct;
- Election and release of the Assembly President and Deputy President;
- Election and release of the Mayor and Deputy Mayor;
- Election and release of the City Council members;
- Dismissal of the City Municipality Assembly

Article 40

The City Assembly shall be chaired by the Assembly President, who organizes its work, summons and chairs its meetings, and performs other jobs specified by the law and the Bylaw.

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The Assembly President, as proposed by at least one third of deputies, shall be elected from the row of deputies, for four-year period, by ballot voting, by majority of votes of the total number of deputies in the City Assembly.

The Assembly President may be released from duty even before the expiration of his/her mandate, in the same way as when elected.

The Assembly President may be a full-time employed in the City.

Article 41

The City Assembly President shall have a Deputy, replacing him/her when absent or prevented from performing his/her duty.

The Deputy President of the Assembly shall be elected and released in the same way as the Assembly President.

Article 42

The City Assembly shall have a Secretary who takes care about professional jobs exercising, related to summoning and holding of the Assembly meetings and its working bodies meetings and manage the administrative jobs related to their work.

The Secretary of the Assembly shall be nominated upon the proposal of the Assembly President for a four-year period with the possibility of re-nomination.

The Secretary of the City Assembly shall be a person, who graduated from the Faculty of Law, passed the state examination for work in the state administration bodies and has three years of experience, at least.

Upon the proposal of the Assembly President, the City Assembly may release the Secretary before the mandate expiry.

The Secretary shall have a Deputy, replacing him/her when absent.

The Deputy Secretary of the City Assembly shall be nominated and released in the same way and under same conditions as the Secretary.

Article 43

The way of preparation, chairing and work of the City Assembly session and other issues related to the Assembly work are regulated by its Operating Procedures.

Article 44

The City Assembly shall found standing, as well as temporary working bodies for consideration of issues within its authority.

The working bodies shall give their opinion in view of regulations and decisions proposals to be passed by the City Assembly and perform other jobs as provided by the City Bylaw.

The members of working bodies are selected from the row of deputies, as well as the citizens affirmed in the field the working body is formed for.

The mandate of working bodies members is equal to the mandate period of the City Assembly.

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The Assembly may form temporary working bodies, by a passing a specific act, to deal with certain issues or carrying out corresponding tasks within its authority.

Article 45

The standing working bodies of the Assembly are as follows:

1. Nomination Committee;
2. Mandate and Immunity Issues Committee;
3. Administrative Issues Committee;
4. Committee for Deciding on Settlements and Streets Names;
5. Gender Equality and Equal Opportunities Committee;
6. Religious Issues Committee;
7. Social Issues Committee
8. Ethical Codex Implementation Monitoring Committee
9. Youth Council;
10. Public Services Beneficiaries Council

Article 46

The Nomination Committee shall be founded in order to propose persons, the nomination and release of whom is within the City authority and perform other jobs as provided in the City Assembly Operating Procedures.

The Mandate and Immunity Issues Committee shall be founded for the purpose of establishing if the data, contained in the deputies' certificates, conform to the data of the City Election Committee decision on granting a mandate to deputies. It cares about immunity rights protection and performs other jobs as provided in the City Assembly Operating Procedures.

The Administrative Issues Committee shall be founded to regulate issues related to exercising rights and duties of deputies, as well as to decide on certain rights and duties in view of officials labour relations and perform other jobs as provided by the City Assembly Operating Procedures.

Article 47

The Committee for Deciding on Settlements and Streets Names shall propose names of streets, squares, city quarters, outskirts villages and other settled places on the City territory and perform other jobs as provided by the City Assembly Operating Procedures.

The Gender Equality and Equal Opportunities Committee shall monitor gender equality exercising, propose activities and take measures, particularly those ensuring equal opportunities policy exercising on the City level and perform other jobs as provided by the City Assembly Operating Procedures.

Religious Issues Committee shall perform jobs in regard to establishing relations and cooperation of the City with religious communities, care about realization of good inter-confessional relations, their mutual respect and religious tolerance and perform other jobs as provided by the City Assembly Operating Procedures.

The Social Issues Committee shall consider issues in the field of social welfare, propose measures and activities aimed at resolving social problems of citizens and families in

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the City territory and perform other jobs as provided by the City Assembly Operating Procedures.

The Ethical Codex Implementation Monitoring Committee shall monitor Ethical Codex implementation, give advice and opinion and propose measures related to Ethical Codex implementation and perform other jobs as provided by the City Assembly Operating Procedures.

**Article 48**

The Youth Council shall give opinion about issues significant for the youth, providing feedback on that to the City bodies, initiate and participate in creating the local youth policy in the field of education, sports, employment increase, health issues, culture, gender equality, violence and criminality prevention and other fields of interest for the youth and perform other jobs as provided by the City Assembly Operating Procedures.

The Public Services Beneficiaries Council shall discuss plans, programmes and reports of public services, and inform the City Assembly and the public about their attitude taken in that regard, consider the public services effected quality level and services volume, as well as the communal products and services prices, that is, the reimbursement amount for the public services and perform other jobs as provided by the City Assembly Operating Procedures.

**Article 49**

The City assembly shall elect and release a Chairman and members of a working body, upon the proposal of deputies' groups.

The standing body chairman may be a full-time employee of the City Assembly.

Working bodies must reflect the structure of deputies making the Assembly.

One deputy may be a member of one standing body only.

The scope of activities, number of members and the manner of working bodies operating shall be more specifically regulated by the Assembly Operating Procedures.

**Article 50**

The City Assembly shall found the City of Nis Development Council.

The City of Nis Development Council shall:

- Initiate priorities setting in the field of the City and the City municipalities development;
- Participate in making strategic and individual development plans in the fields important for the City and the City municipalities, monitor and give opinion about their implementation;
- Encourage development and follow up partnership between the City and the competent authorities and organizations, local communities and citizens associations, aimed at development projects making and implementation, and particularly the development of public-private partnership;
- Initiate and participate in establishing the local policy and measures and propose activities funding models in the fields of social protection, education, medical protection, employment, sustainable development, as well as in other fields important for the City and City municipalities development;

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- Initiate projects preparation or participation in programmes and projects aimed at services improvement and ensuring the citizens rights, within the authority of the City;
- Give opinion about the proposals of development projects in the City and the City municipalities, partially or fully financed from the City budget, follow up their realization and gives the opinion on that to the City authority in charge.

**Article 51**

The City of Nis Development Council has got 15 members, to be elected for a four-year period, and on expiration of their mandate they may be reelected.

The Council members shall be elected by the City Assembly from the rows of citizens and experts who have long-term experience and proven expertise in work, in the fields important for the development of the local self-government, upon the proposal of the Mayor, the City Council, deputies' groups, the City municipalities, local communities, citizens' associations, trade and professional associations and public services of the City, taking care about the gender equality and representation of the national minorities members.

The members of the Industrial-Economic Council shall be, ex-officio, the City of Nis Development Council members, participating in the Council work equally with the elected members.

**Article 52**

The resources for the Council work shall be provided in the City budget, and may be provided from other sources, as well, in accordance with the Law.

The way of work, election of the Chairman and other issues significant for the work of the City of Nis Development Council shall be regulated more closely by the Council Operating Procedures.

**2. EXECUTIVE BODIES OF THE CITY**

**A) MAYOR**

**Article 53**

The Mayor shall be elected by the City Assembly, from the row of deputies, for the period of four years, by ballot voting, with the majority of votes of the City Assembly deputies total number.

The Mayor shall have the Deputy, replacing him/her when absent or prevented from exercising his/her duty.

The candidate for the Mayor shall be proposed by the City Assembly President.

The candidate for the Mayor shall propose the candidate for the Deputy Mayor from the row of deputies, who shall be elected in the same way as the Mayor.

The Mayor and the Deputy Mayor are the persons full-time engaged in the City and by being elected to these functions, their deputy mandate shall cease.

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The Mayor and Deputy Mayor mandates shall cease in accordance with the Law.

In case as of the previous paragraph, the Mayor and Deputy Mayor shall remain on duty and perform current activities till the election of the new Mayor. The termination of the mandate of the Mayor shall entail the termination of the Deputy Mayor mandate, as well.

**Article 54**

The Mayor shall:

1. Represent and advocate for the City;
2. Propose the way of solving issues to be decided by the City Assembly;
3. Order the budget execution;
4. Guide and adjust the work of the City Administration Departments;
5. Found the budget inspection service;
6. Approve general enactments regulating the number and structure of employees in public services, financed by the City budget and the number and structure of employees and other persons engaged in implementation of the City budget beneficiaries' program or a part thereof;
7. Decide on granting usage, i.e., lease, as well as cancellation of the usage, i.e., lease agreement and placing mortgage on a real estate used by the City bodies, with approval of the Republic of Serbia Property Directorate;
8. Form expert counseling working bodies and found other organizational forms for certain jobs, the exercising of which is within his/her authority;
9. Appoint and release the Assistants Mayor;
10. Propose appointment and release the City Council Secretary;
11. Enact single acts, as authorized by the Law, the Bylaw or the Assembly decision;
12. Regularly report to the Assembly, upon his/her own initiative, about the Assembly decisions and other enactments enforcement, two times a year, at least;
13. Inform the public about his/her work;
14. Initiate proceedings to assess constitutionality and legality of laws or other general enactments of the Republic violating the local self-government right;
15. Lodge claims to the Constitutional Court, in case a particular act or action of the state authority, or a self-government unit would prevent the City authority exercising;
16. Perform other jobs as provided by the Bylaw and other enactments of the City.

The Mayor is accountable for due time submission of data, acts and documents, when requested by the Republic competent body, supervising the work and acts of executive bodies of the City and the City Administration.

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**B) CITY COUNCIL**

Article 55

The City Council shall consist of the Mayor, the Deputy Mayor and 9 members, elected by the City Assembly, by the majority of ballot votes of the total number of deputies, for the period of four years, in the same session in which the Mayor and his/her Deputy shall have been elected.

The candidate for the Mayor shall give proposal for the City Council candidates.

The Mayor shall be the Chairman of the City Council and his/her Deputy is the Council member ex-officio.

The City Council members may not be deputies at the same time. A deputy elected as the City Council member shall have his/her deputy mandate terminated.

The City Council members may be in charge of one or more corresponding fields within the City authority.

The City Council members may be full-time employees of the City.

Article 56

The City Council shall:

- 1) Propose the Bylaw, budget and other decisions and acts to be passed by the Assembly;
- 2) Directly execute and care about enforcement of decisions and other enactments of the City Assembly;
- 3) Make decision about temporary funding in case the City Assembly would not pass the budget before the beginning of a fiscal year;
- 4) Supervise the work of the City administration, cancel or repeal acts of the City administration, which are not in accordance with the Law, the Bylaw and other general enactments or decisions, passed by the City Assembly;
- 5) Make decisions in the administrative proceedings of the second instance in regard to rights and liabilities of citizens, companies, institutions and other organizations in legal matters which are within the City authority;
- 6) Care about exercising of entrusted authorities within the rights and liabilities of the Republic;
- 7) Nominate and release the City administration units heads;
- 8) Approve the act on internal organization and jobs classification of corresponding administration unit, i.e., section (service);
- 9) Make proposals to the City Assembly about the City Municipality assembly dismissal in accordance with the Law and the Bylaw;
- 10) Inform the public about their work and
- 11) Pass the Operating Procedures upon the proposal of the Mayor.

Article 57

The Mayor shall represent the City Council, summon and chair their meetings, he/she is responsible for legal work of the Council and is obliged to suspend any Council decision he/she considers not conformant with the Law.

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The City Council shall be in session if majority of the total number of members attend the session, and it shall make decisions by the majority of votes of the members present.

By the majority of votes of the total members present, the City Council shall decide on:

- Draft Bylaw and Draft Bylaw Amendment;
- Draft Budget
- Temporary funding in case the City Assembly would not pass the budget before the beginning of the fiscal year;
- Proposal to the City Assembly to dismiss the City Municipality assembly.

**Article 58**

The City Council shall form the Industrial-Economic Council.

The Industrial-Economic Council shall have the authority to make initiatives in regard to economic development, consider economic development strategies and plans and monitor the local economic development plans and programmes implementation.

The Industrial-Economic Council shall inform the City Assembly, the Mayor and the City Council about their initiatives and conclusions.

The tasks, way of work and decision making, as well as the number of the Industrial-Economic Council members shall be more specifically defined in the City Council Operating Procedures.

The Industrial-Economic Council Chairman and members shall be nominated by the City Council for the time period equal to the mandate of the City Council.

The Industrial-Economic Council members may be proposed by the citizens associations, City municipalities, local communities, trade associations, the University and the entrepreneurs.

The Industrial-Economic Council members must be from the rows of businessmen, experts in the field of economics and entrepreneurs, that is, from the rows of their associations.

**Article 59**

The City Council shall form the Human and Minority Rights Council, made of representatives of Serbian nation and national minorities.

The Council shall address issues related to exercising, protection and improvement of national equality rights in the City, and particularly in the fields of culture, education and information, participate in specifying the City plans and programmes significant for equality exercising and propose measures for national equality achievement; propose resources, volume and intended purpose of budget resources for national equality achievement; promote mutual understanding and good relations among all communities living in the City. A member of this Council may not be a deputy of the City Assembly, or the City Council member.

The Chairman and the members of this Council shall be nominated by the City Council for the time period equal to the City Council mandate.

Scope of activities, tasks and way of work and decision making, as well as the number of Council members shall be more specifically defined by the City Council Operating Procedures.

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Article 60

The City Council shall have its Secretary to care about professional activities performance in regard to summoning and holding of the Council and its working bodies sessions, and manage administrative jobs related to their work.

The Secretary shall be nominated by the City Council, upon the proposal of the Mayor for the period of four years with the possibility of renomination.

A person, graduated from the Faculty of Law, who passed the state examination for work in administration bodies, with three years of working experience, at least, may be nominated as a Secretary.

Upon the proposal of the Mayor, The City Council may release the Secretary even before the expiration of the mandate.

The Secretary shall have a Deputy to replace him/her when absent.

The Deputy Secretary shall be nominated and released in the same way and under the same conditions as for the Secretary.

Article 61

The organization, way of work and decision making of the City Council shall be specified in more detail in its Operating Procedures, in accordance with the Law and the Bylaw.

The City Council member's mandate shall be terminated in accordance with the Law.

In case as of the previous paragraph, the City Council member shall remain on duty and perform current activities till the election of a new member.

With termination of the Mayor's mandate, the City Council members' mandate shall also be terminated.

Article 62

With termination of the City Assembly mandate, the City executive bodies mandate shall be terminated, as well, in that, they shall keep performing their current activities until the office taking over by the new Mayor and the City Council, that is, the temporary body chairman and members, in case of the Assembly mandate termination due to the Assembly dismissal.

**3. CITY ADMINISTRATION UNITS**

Article 63

The City shall form a number of City Administration Units for corresponding fields.

The Act on City Administration Units organization shall be passed by the City Assembly upon the proposal of the City Council.

Within the Administration, there may be formed internal organizational units to perform related jobs.

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Operating Procedures in view of internal organization and jobs classification for corresponding administration unit shall be passed by such administration head, with the approval of the City Council.

Article 64

The City Administration Units shall proceed according to the professional rules, impartially and neutrally in terms of politics, and they are obliged to provide equal protection for everybody in exercising rights, obligations and legal interests.

The City Administration Units are obliged to provide for the citizens quick and effective exercising of their rights and legal interests.

The City Administration Units are obliged to give the citizens necessary data and information and render legal assistance.

The City Administration Units are obliged to cooperate with citizens and to respect personality and dignity of a citizen.

The Rule Book on employees conduct in corresponding administration unit shall be passed by such administration head.

Article 65

The City Administration shall:

- 1) Prepare draft regulations and other acts passed by the City Assembly, the Mayor and the City Council;
- 2) Enforce decisions and other acts of the City Assembly, the Mayor and the City Council;
- 3) Make decisions in the administrative proceedings of first instance, related to rights and duties of the citizens, enterprises, institutions and other organizations in the administrative matters within the City authority;
- 4) Perform administrative supervision jobs in regard to enforcement of regulations and other general acts of the City;
- 5) Enforce laws and other regulations, the enforcement of which shall have been entrusted to the City;
- 6) Report to the Assembly, the Mayor and the City Council, either upon the self-initiative or on their request, about execution of their decisions, as well as about other issues within the scope of its activities;
- 7) Perform professional and other jobs as specified by the Assembly, the Mayor and the City Council;

Article 66

The work of the Administration shall be managed by the Head of Administration.

A person, who has a corresponding University degree, in regard to the Administration field of work, who passed the examination for work in the state administration bodies and has

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five years of professional working experience, at least, may be nominated as the Head of Administration.

Article 67

The Head of Administration shall be nominated by the City Council based on the public announcement, for a five-year period.

The Head of Administration may have a Deputy, replacing him/her when absent or prevented from exercising his/her duty, that being regulated by the Act on City Administration Units Organization. The Deputy shall be nominated in the same way and under same conditions as the Head.

The Head shall nominate the chiefs of Administration organizational units.

Article 68

The Head of Administration is accountable to the City Assembly and the City Council for his/her work according to the Bylaw and Decision on City Administration Units Organization.

Article 69

The Mayor shall have five assistants.

The Assistants of the Mayor shall make initiatives, propose projects and give opinions related to issues significant for the development in the fields they shall have been nominated for.

The Assistants of the Mayor shall be nominated and released by the Mayor.

Article 70

In exercising administrative supervision, the Administration may:

- 1) Make decision, ordering execution of measures and activities within a specified term;
- 2) Deliver on the spot fine;
- 3) Bring charges to the competent authority for the committed offence or economic violation and submit request for initiation of infringement proceedings;
- 4) Issue a temporary order, i.e. a ban;
- 5) Inform other body, if there is a reason for that, to undertake measures within such body authority;
- 6) Undertake other measures for which it is authorized by the Law or other general enactment.

The authority and organization of jobs performance as of the paragraph 1 of this Article, shall be specified in detail in the City Assembly decision.

Article 71

In proceedings before the Administration, where rights, obligations and legal interests of citizens and legal entities shall be decided on, the Administrative Proceedings regulations shall apply.

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Article 72

The City Council shall resolve the authority conflicts between corresponding administration and other companies, organizations and institutions, when based on the City Assembly decision such companies, organizations and institutions decide on certain rights of citizens, legal entities or other parties, as well as between the City Administration Units in charge of certain fields.

The Head of Administration Unit shall resolve the authority conflict between the internal organizational units of such administration.

Article 73

The jobs of Administration, related to exercising rights, obligations and interests of citizens and legal entities, may be performed by persons having an adequate education, the state examination passed for work in the state administration bodies and corresponding working experience, in accordance with the Law and some other regulations.

Article 74

The City Council shall decide on the Head of Administration challenge.  
The Head of Administration shall decide on an administration officer challenge.

**4. THE CITY PUBLIC ATTORNEY'S OFFICE**

Article 75

The jobs related to legal protection of the proprietary rights and interests of the City of Nis, as well as the city municipalities, against their power of attorney, shall be exercised by the City Public Attorney's Office.

The City Public Attorney's Office, in the judicial and administrative proceedings, shall advocate for the City of Nis and its bodies, with the aim to have their proprietary rights and interests fulfilled and shall have the status of a legal representative.

To the end of exercising functions, as defined in paragraphs 1 and 2 of this Article, the City Public Attorney's Office shall undertake legal actions and use recourses of legal proceedings before the courts and other authorities in charge, give legal opinions in regard to proprietary and legal contracts making and other proprietary and legal issues, conclude judicial and extra-judicial settlements to solve disputable issues between the City of Nis, i.e., its bodies and third persons, aimed at solving the disputable relations by mutual agreement.

Article 76

The function of the City Public Attorney's Office shall be exercised by the City Public Attorney, managing this body.

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The City Public Attorney shall be nominated upon the proposal of the Assembly President or one third of deputies, at least, for a four-year period. He/she may be released before the mandate expiry by the same procedure.

The City Public Attorney shall be accountable for his/her work to the Assembly and is obliged to regularly report to the Assembly, about the City rights and interests legal protection upon his/her own initiative or as requested by the Assembly.

**Article 77**

The City of Nis direct and indirect beneficiaries shall be obliged to regularly report to the City Public Attorney about the court proceedings they have, as well as about all legal problems related to violation or endangering of proprietary-legal relations of the City of Nis.

The City Public Attorney shall undertake actions and preventive protection and report about that to the Assembly and Executive bodies of the City.

**Article 78**

A person, graduated from the Faculty of Law, who passed the judicial exam with six years of professional working experience, at least, may be nominated as the City Public Attorney.

The City Public Attorney shall have deputies, nominated by the City Assembly for the four-year period, upon his/her proposal.

The Deputy City Public Attorney must fulfill conditions prescribed for nomination of the City Public Attorney, with three years of professional working experience, at least.

**IV THE SERVICES OF THE CITY**

**1. THE CITY ASSEMBLY SERVICE**

**Article 79**

The City Assembly Service shall be founded to perform professional, administrative and organizational jobs for the needs of the City Assembly, the City Assembly President, working bodies, deputies and deputies groups. Such jobs shall include preparation for, holding and processing of the City Assembly sessions, normative-legal jobs, preventive inspection of the legality and mutual conformance of the City regulations, as well as jobs of the City of Nis Official Gazette editing and management of the City of Nis applicable regulations programme in electronic form.

The Service shall be managed by the City Assembly Secretary who shall be given all rights and duties as the head of any City administration unit in managing the Service work, employment and termination of employment of the Service employees, using of budget resources foreseen for the Service funding.

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For performance of corresponding jobs, internal organization units shall be formed within the Service, the chiefs of which shall be nominated by the City Assembly Secretary.

The Secretary shall pass the Act on Internal organization and jobs classification in the Service, which shall be approved by the City Council.

The Secretary is accountable to the City Assembly for the work of the Service.

## **2. THE MAYOR'S SERVICE**

### Article 80

The Mayor Service shall be founded to perform professional, administrative, organizational and other jobs for the needs of the Mayor, as well as jobs related to local self-governments cooperation, contractual relations, international cooperation and communications with media.

The Service shall be managed by the Head of Service who is given all rights and duties as the head of any City administration unit in managing the Service work, employees employment and termination of employment in the Service, exercising rights, duties and responsibilities of the Service employees, using of budget resources foreseen for the Service funding.

The Head of the Service shall be nominated by the Mayor.

A person, who has the University level of education, three years of working experience and passed state examination for work in administration bodies, may be nominated as the Head of the Service.

For performance of corresponding jobs, internal organization units shall be formed within the Service, the chiefs of which shall be nominated by the Head of the Service.

The Head of the Service shall pass the Act on Internal organization and jobs classification in the Service, which shall be approved by the City Council.

The Head of the Service is accountable to the Mayor for the work of the Service.

## **3. CITY COUNCIL SERVICE**

### Article 81

The City Council Service shall be founded to perform professional, administrative, organizational and other jobs for the needs of the City Council, as well as civic initiatives jobs.

The Service shall be managed by the City Council Secretary who is given all rights and duties as the head of any City administration unit in managing the Service work, employment and termination of employment of the Service employees, exercising rights, duties and responsibilities of the Service employees, using of budget resources foreseen for the Service funding.

For performance of corresponding jobs, internal organization units shall be formed within the Service, the chiefs of which shall be nominated by the City Council Secretary.

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The Secretary shall pass the Act on Internal organization and jobs classification in the Service, which shall be approved by the City Council.

The Secretary is accountable to the City Council for the work of the Service.

#### **4. INFORMATION AND COMMUNICATION TECHNOLOGY MAINTENANCE SERVICE**

##### Article 82

Information and Communication Technology Maintenance Service shall be founded to perform the jobs of current and capital maintenance, methodology and standards preparation and development, realization, maintenance and use of the unique information systems of the City and City municipalities, design and organization of documentary and specific data bases and applicative software for the needs of the City bodies work and information technology jobs related to ensuring functioning, development, improvement and protection of information system, as well as other jobs of common interests for the needs of the City bodies.

The Service shall carry out professional coordination and cooperation, organization and jobs related to introducing, development and use of information and communication technologies and communication infrastructures for the City bodies, the City municipalities, public utility companies, public institutions and other organizations.

The Service shall perform jobs as follows: installation and maintenance of network, computer and other equipment, representing a technical base of the City information system.

The Service shall be managed by the Head of Service who is given all rights and duties as the head of any City administration unit in managing the Service work, employees employment and termination of employment in the Service, exercising rights, duties and responsibilities of the Service employees, using of budget resources foreseen for the Service funding.

The Head of the Service shall be nominated by the City Council.

A person, who has a corresponding University level of education, passed state examination for work in administration bodies, and five years of professional working experience, at least, may be nominated as the Head of the Service.

For performance of corresponding jobs, internal organization units shall be formed within the Service, the chiefs of which shall be nominated by the Head of the Service.

The Head of the Service shall pass the Act on Internal organization and jobs classification in the Service, which shall be approved by the City Council.

The Head of the Service is accountable to the City Assembly and the City Council for the work of the Service.

#### **V. CITY MUNICIPALITIES**

##### Article 83

The City Municipality shall imply the City of Nis territory, where the City activities, as defined by this Bylaw, shall be exercised.

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The City Municipality shall have the capacity of a legal person.

Article 84.

In the City of Nis, the City municipalities are: Pantelej, Crveni Krst, Palilula, Medijana and Niska Banja.

The City municipalities territory comprise settlements, i.e., cadastral districts territories contained within them, as follows:

<b>City Municipality</b>	<b>Settlement</b>	<b>Cadastral district</b>
PANTELEJ	Nis - part	Nis "Pantelej"
	D.Vrezina	D.Vrezina
	G.Vrezina	G.Vrezina
	D. Matejevac	D. Matejevac I
	D. Matejevac II	
	G. Matejevac	G.Matejevac
	Kamenica	Kamenica
	Brenica	Brenica
	Cerje	Cerje
	Knez Selo	Knez Selo
	Malca	Malca
	Pasjaca	Pasjaca
	Oreovac	Oreovac
	Jasenovik	Jasenovik
	Vrelo	Vrelo
CVRVENI KRST	Nis - part	Nis "Crveni Krst"
	Medosevac	Medosevac
	Popovac	Popovac
	D.Komren	D.Komren
	G.Komren	G.Komren
	Hum	Hum
	Camurlija	Camurlija
	Trupale	Trupale
	Vrtsite	Vrtiste
	Mezgraja	Mezgraja
	G.Toponica	G.Toponica
	D.Toponica	D.Toponica
	G.Trnava	G.Trnava
	D.Trnava	G.Trnava



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Brod, border of KO Brzi Brod to the Nisava and along the river Nisava to the Iron Bridge on the Nisava, Brzi Brod.

NISKA BANJA	Niska Banja	Niska Banja
	Bancarevo	Bancarevo
	Gornja Studena	Gornja Studena
	Donja Studena	Donja Studena
	Jelasnica	Jelasnica
	Kunovica	Kunovica
	Koritnjak	Radikina Bara
	Lazarevo Selo	Lazarevo Selo
	Manastir	Prosek-Manastir
	Nikola Tesla	Niska Banja
		Prva Kutina - part
	Ostrovica	Ostrovica
	Prosek	Prosek
	Prva Kutina	Prva Kutina
	Ravni Do	Ravni Do
	Rautovo	Rautovo
	Radikina Bara	Radikina Bara
	Sicevo	Sicevo
	Cukljenik	Cukljenik

## 1. JOBS OF THE CITY MUNICIPALITY

### Article 85

The City jobs to be exercised by the City municipalities shall be as follows:

- 1) Pass the Bylaw, budget and annual budget balance of the City Municipality;
- 2) Pass programmes and implement development projects of the City Municipality and care about the general framework improvement for business activities in the City Municipality, in accordance with the City enactments;
- 3) Found a local community, i.e., other form of local self-government on obtaining the opinion of citizens, in accordance with the Law, this Bylaw and the City Municipality Bylaw;
- 4) provide opinion about the general plan and urban plans passed for the territory of the City Municipality;
- 5) Form communal inspection, care about communal order maintenance in the City Municipality and implement regulations providing for communal order, in accordance with the Law and the City enactments;

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- 6) Carry out the procedure of dislodging persons who unlawfully moved into flats or common premises of housing buildings;
- 7) Pass annual programme, undertake measures for preventing damages and participate in organization of protection from natural and other major disasters and protection from fire and create conditions for their elimination, i.e., their effects alleviation, in accordance with the City regulations;
- 8) Organize and provide for use of business space it manages, specify the amount of reimbursement for business space use and supervise the use of business space in accordance with a special decision of the City;
- 9) Participate in program making related to construction, maintenance, management and use of rural field- and other non-categorized roads;
- 10)Protect and improve the living environment and care for and ensure conditions for preservation, use and improvement of areas with natural healing capacities;
- 11)Organize and specify the way of rural waterworks, springs, public wells and water and drinking fountains use and management;
- 12)Specify cultural and sports manifestations significant for the City Municipality;
- 13)Care about development of catering, craft, tourism and trade in its territory, arrange for the working time, places where catering activities may be practiced and provide other conditions for their work;
- 14)Take care about using of pastures and decide on turning the pastures into fields for other crops growing
- 15)Arrange for and organize carrying out of jobs related to keeping and protection of domestic and exotic animals;
- 16)Stimulate and assist in development of cooperative farming;
- 17)Decide on installing preassembled structures on public surfaces in accordance with the plan and regulation of the City;
- 18)Decide on maintenance and structuring of cemeteries on its territory in accordance with the City regulations;
- 19)Propose measures for arrangement and maintenance of buildings and business structures external look, green surfaces, playgrounds, public lighting structures, and traffic signs, etc.;
- 20)Provide for legal assistance to be given to citizens for their rights fulfillment;
- 21)Arrange for organization and work of Conciliation Councils;
- 22)Assist in development of various forms of self-assistance and solidarity with disabled persons, as well as with persons who are essentially in unequal position compared to other citizens and encourage activities and assist to disabled persons organizations and other social and humanitarian organizations in its territory;
- 23)Encourage the development of cultural and artistic amateurism;
- 24)Prescribe fines for violation of the City Municipality regulations;
- 25)Organize and provide for the use of the name, the coat of arms and other symbols of the City Municipality;
- 26)Make defence plans for its territory in accordance with the City Plan;
- 27)Enforce regulations and general enactments of the City and the City Municipality;
- 28)Perform other jobs of direct interests for the citizens, in accordance with the Law, this Bylaw, other City regulations and the City Municipality Bylaw.

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**2. CITY MUNICIPALITY BODIES**

**Article 86**

The City Municipality bodies are: the City Municipality Assembly, the City Municipality President, the City Municipality Council and the City Municipality administration.

**A) The Assembly of the City Municipality**

**Article 87**

The Assembly of the City Municipality Medijana has 27 deputies.  
The Assembly of the City Municipality Palilula has 25 deputies.  
The Assembly of the City Municipality Pantelej has 23 deputies.  
The Assembly of the City Municipality Crveni Krst has 21 deputies.  
The Assembly of the City Municipality Niska Banja has 19 deputies.

**Article 88**

The Assembly of the City Municipality shall:

- 1) Pass the Bylaw, the Decision on the City Municipality Administration Organization and Operating Principles, with the approval of the City Assembly;
- 2) Pass the Budget and Annual Balance Sheet of the City Municipality;
- 3) Pass the Programme of Development of the City Municipality and of certain businesses according to the City Development Programme;
- 4) Give previous opinion about the City Development Programme, Building Land Structuring Programme, General Plan of the City, as well as urban plans, in regard to the City Municipality territory;
- 5) Decide on the City Municipality symbols and holiday and specify public awards of the City Municipality;
- 6) Decide about cooperation and associating with city municipalities in the country and abroad, with approval of the City Assembly;
- 7) Pass regulations and general enactments within its authority;
- 8) Schedule referendum in accordance with the Law, about the issues important for the local community, give a statement about proposals as contained in the civic initiatives and specify draft decision on local voluntary tax;
- 9) Elect and release the Assembly President and his/her deputy;
- 10) Nominate and release the Assembly Secretary;
- 11) Elect and release the City Municipality President, his/her Deputy and the City Municipality Council President;
- 12) Approve the use of the name, the coat of arms and other symbols of the City Municipality;

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- 13) Found local communities in villages and may establish local communities and other forms of local self-government in the City settlements (quarter, region, etc.), with the approval of the City Assembly;
- 14) Form bodies, organizations and services for the needs of the City Municipality;
- 15) Perform other jobs, in accordance with the Law, this Bylaw, other regulations of the City and the City Municipality Bylaw.

**Article 89**

By the majority of votes of the total number of deputies, the City Municipality Assembly shall decide in the cases as follows:

- Enactment of the City Municipality Bylaw and amendments of the City Municipality Bylaw;
- Passing of the City Municipality Budget;
- Giving previous opinion about the City Development Programme, Building land structuring programme, General Plan and urban plans of the City, in regard to the City Municipality territory;
- Symbols, holiday and other symbols of the City Municipality;
- Scheduling of referendum and local voluntary tax for the City Municipality territory;
- Election and resolving of the Municipality Assembly President and Deputy President;
- Election and resolving of the Municipality President and Deputy President;
- Election and resolving of the City Municipality Council members;
- Foundation of local communities and other forms of local self-government.

**B) City Municipality President**

**Article 90**

The City Municipality President is the executive body of the City Municipality.

The City Municipality President has a Deputy, replacing him/her when absent or prevented from exercising duty.

**Article 91**

The City Municipality President shall:

1. Represent and advocate for the City Municipality;
2. Propose the way of solving issues to be decided by the Assembly;
3. Order the execution of the budget;
4. Guide and adjust the work of the City Municipality administration;
5. Pass single acts as authorized by the Law, the City Municipality Bylaw or other regulation of the Assembly;
6. Regularly report to the Assembly about his/her work, on its request or upon the self-initiative;

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7. Perform other jobs as provided in the City Municipality Bylaw and other enactments of the City Municipality;

C) The City Municipality Council

Article 92

The City Municipality Council is the executive body of the City Municipality.

The City Municipality President shall chair the City Municipality Council, and his/her Deputy is the Council member ex-officio.

Article 93

The Council of the City Municipality Medijana shall have 5 members;  
The Council of the City Municipality Palilula shall have 5 members;  
The Council of the City Municipality Pantelej shall have 5 members;  
The Council of the City Municipality Crveni Krst shall have 5 members;  
The Council of the City Municipality Niska Banja shall have 5 members;

Article 94

The City Municipality Councils shall:

- 1) Propose the Bylaw, budget, decision on organization of the City Municipality administration and other decisions and acts to be passed by the City Municipality Assembly;
- 2) Directly execute and care about enforcement of decisions and other enactments of the City Municipality Assembly;
- 3) Supervise the City Municipality administration work, cancel or abolish its acts not in accordance with the Law, the City Municipality Bylaw and other general enactments or decisions passed by the City Municipality Assembly;
- 4) Decide in administrative proceedings of the second instance about the rights and obligations of citizens;
- 5) Nominate and release the Head of the City Municipality administration;
- 6) Approve the Operating Procedures on internal organization and jobs classification within the City Municipality administration;
- 7) Pass the Operating Procedures related to its work;
- 8) Regularly report to the Assembly, upon its own initiative or on its request, about enforcement of decisions and other enactments of the Assembly;
- 9) Perform other jobs as provided by the City Municipality Bylaw and other enactments of the City Municipality;

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**D) The City Municipality Administration**

**Article 95**

The City Municipality administration shall be established as a unique body, managed by the Head of Administration.

A person, who has a corresponding University degree, passed the examination for work in the state administration bodies and has at least five years of working experience in jobs related to legal profession, may be nominated as the Head of Administration.

The Head shall be nominated by the City Municipality Council, based on the public announcement, for a five-year period.

The Head of Administration may have a Deputy, replacing him/her when absent or prevented from performing his/her duty.

The Deputy Head shall be nominated in the same way and under same conditions as the Head.

**Article 96**

Within the City Municipality administration, there shall be formed internal organization units to perform related jobs.

The chiefs of organizational units within the administration shall be posted by the Head in accordance with Operating Procedures on internal organization and jobs classification.

**Article 97**

The Head is accountable for his/her and administration work to the City Municipality Assembly and to the City Municipality Council pursuant to the City Municipality Bylaw and Decision on the City Municipality administration organization.

**Article 98**

The City Municipality Administration shall:

- 1) Prepare draft regulations and other acts to be passed by the City Municipality Assembly, the President and the Council;
- 2) Execute decisions and other acts of the City Municipality Assembly, the President and the Council;
- 3) Make decisions in the administrative proceedings of first instance, related to rights and duties of the citizens, enterprises, institutions and other organizations in the administrative matters within the City Municipality authority;
- 4) Perform administrative supervision jobs in view of enforcement of regulations and other general acts of the City Municipality Assembly in accordance with the Assembly decision;
- 5) Enforce laws and other regulations, the enforcement of which shall have been entrusted to the City Municipality;

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- 6) Perform professional and other jobs as specified by the City Municipality Assembly, the President and Council;

**3. RELATIONSHIP OF THE CITY AND THE CITY MUNICIPALITIES**

**Article 99**

The City bodies shall supervise the work and acts of the City Municipality bodies in their performing of the City jobs, transferred to the City Municipality by this Bylaw.

The City Municipality competent body is obliged to submit the requested data, acts and documents to the City body in charge of supervision of such body work and acts.

The City Municipality President, i.e., the City Municipality Assembly Secretary shall be responsible for submission of the requested data, acts and documents, if the City Municipality Assembly's work and acts are to be supervised.

**Article 100**

When a regulation or some other general act of the City Municipality are not in accordance with the Law, Bylaw of the City or other City regulation, the City service in charge of regulations and legality control shall warn the City Municipality competent body about that.

In case the body of a City Municipality would not act in accordance with such warning, the City Assembly shall pronounce such regulation, i.e., general enactment null and void.

**Article 101**

When executive bodies or the City Municipality administration would not perform jobs as provided by the Bylaw of the City or some other City regulation, the City Council shall warn the executive body or the City Municipality administration and request the Bylaw of the City or other City regulations provisions to be observed and conformed to.

If such executive body or the City Municipality administration would not proceed as stated in the previous paragraph, the competent authority or the City shall take over such jobs, and the City Municipality shall have financial resources denied for such jobs performance.

**Article 102**

As proposed by the City Council, the City Assembly may dismiss the City Municipality Assembly, for all reasons provided by the Law in regard to local self-government unit assembly, when the mandate of the City Municipality executive bodies, expires, as well.

The City Municipality President shall schedule the elections for deputies of the City Municipality Assembly within 30 days from the date of the Decision on dismissal coming into effect.

The mandate of the elected deputies, as of the paragraph 2 of this article, shall last till the dismissed Assembly mandate expiry.

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Till the constitution of the City Municipality Assembly and election of executive bodies of the City Municipality, the current jobs and jobs that cannot be postponed within their authority shall be performed by the temporary body nominated by the City Council Decision.

Article 103

In exercising jobs of the City Municipality, the City Municipality bodies shall:

1. Make initiative to the City bodies for regulating relations as of the authority of the City, significant for the City Municipality;
2. Propose measures to the City bodies, important for solving issues related to the City Municipality;
3. Participate in drafting of City regulations the contents of which has particular significance for the City Municipality.

Article 104

In exercising their authority, the City bodies and services shall:

- 1) Inform the City Municipality bodies on measures taken or intended to be taken in regard to enforcement of the City regulations, legality protection, manifestations violating these and measures for their elimination;
- 2) Give professional assistance to the City Municipality bodies related to exercising their jobs, particularly in view of information system running and getting jobs introduced into the information system;
- 3) Request reports, data and information about exercising jobs falling within the scope of rights and obligations of the City and the City Municipality;
- 4) The City Council shall give approval to the City Municipality enactments, specifying the number and structure of employees in the City municipalities.

**VI. DIRECT PARTICIPATION OF CITIZENS IN EXERCISING LOCAL SELF-GOVERNMENT**

Article 105

The Citizens shall directly participate in exercising local-self-government through civic initiative, citizens' assembly and referendum.

Article 106

1. Civic Initiative

Through civic initiative, the citizens propose to the City Assembly passing of acts to regulate corresponding issues within the authentic scope of the City authority, amendment of Bylaw or other enactments and scheduling of referendum in accordance with the law.

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The City Administration Units shall be obliged to give professional assistance to the citizens in the proposals formulation, as contained in the civic initiative.

In order the civic initiative be valid, it shall be necessary that the List of signatories of the civic initiative be composed in accordance with the Law and signed by at least 5% citizens with voting right, according to the latest officially published decision on finalization of voting roll for the election of the City Assembly deputies, if not otherwise provided by the Law, or this Bylaw.

To the end of exercising the civic initiative, the citizens shall form the Steering Committee which may establish separate commissions for collecting signatures of citizens. The members of the Steering Committee shall make and sign the draft civic initiative for which the voters signatures shall be collected, and carry out further proceedings for ensuring the civic initiative effectuation in the way prescribed by the Law.

In regard to the draft civic initiative, the City Assembly shall be obliged to hold a debate and submit its explained response to the citizens within 60 days from receiving such draft.

The procedure for the civic initiative effectuation shall be regulated by the special Decision of the City Assembly.

Article 107

2. Assembly of Citizens

Assembly of citizens shall be summoned for a part of the territory of the City Municipality, settlement or a part thereof.

Assembly of citizens shall debate and give proposals related to issues within the competence of the bodies of the City and City municipalities.

Assembly of citizens, by the majority of votes of the present citizens, shall adopt requests and proposals and refer these to the City Assembly, i.e., to the City Municipality Assembly or corresponding bodies of the City, i.e., City municipalities bodies.

Within 60 days from the date of assembly of citizens, the bodies of the City, i.e., City municipalities shall be obliged to consider requests and proposals of the citizens and take their standpoint in that respect, i.e., make a corresponding decision or introduce measure and give a feedback to citizens.

The manner of summoning the assembly of citizens, its work and the way of establishing their attitudes, shall be specified by the special regulation of the City Municipality.

Article 108

3. Referendum

The City Assembly, i.e., the City Municipality Assembly may, upon their own initiative, schedule referendum to decide on issues within the authority of the City, i.e., the City Municipality.

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The bodies, as of the paragraph 1 of this article, are obliged to schedule a referendum upon the proposal submitted by at least 10% of voters from the total body of electors in the territory of the City, i.e., the City Municipality, in the way prescribed by the Law and the Bylaw.

The decision on referendum scheduling shall be announced in the Official Gazette of the City.

The period from the date of the Decision making to the date of the referendum taking place, shall not be less than 30 days and not longer than 60 days.

The Referendum shall be carried out by the Referendum Commission, formed by the City Assembly, i.e., by the City Municipality Assembly, based on a separate act, specifying the tasks of the Commission, in accordance with the Law.

The referendum decision shall be deemed passed if majority of citizens shall have voted for it, provided more than a half of the total number of citizens from the territory of the City or the City Municipality shall have voted for it.

The results of the Referendum shall be published in the Official Gazette of the City of Nis.

The Decision made in Referendum shall be mandatory and the City Assembly, i.e. the City Municipality Assembly cannot make it ineffective or change its essence by any changes or additions for the period of one year from the date of decision making.

## **VII. SELF-GOVERNMENT PROTECTION**

### **1. Judicial protection**

#### **Article 109**

The Mayor shall be entitled to initiate procedure for assessment of constitutionality of the Law, i.e., constitutionality and legality of some other regulation or general enactment, if deemed that such act would violate the rights of the City specified in the Constitution and the Law.

#### **Article 110**

The Mayor shall be entitled to make an appeal to the Constitutional Court in case a single act or action of a state body or the local self-government unit body would prevent exercising of the City authority,

### **2. Ombudsman**

#### **Article 111**

In the City of Nis, the Ombudsman shall be introduced to protect individual and collective rights of the citizens, by performing general inspection of the City Administration units, the City Municipality administration and Public Services work.

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Article 112

The Ombudsman shall be nominated by the City Assembly, for the four-year period, out of respectable and politically impartial persons, professional in legal matters, with working experience of 6 years, at least, by the majority of votes of the number of deputies present, upon the proposal of the Assembly President.

Article 113

The Ombudsman may be released even before the expiry of the period he/she is nominated for, in the same way as when nominated, in cases as follows:

- when requested by him/her;
- if sentenced for some criminal deed, making him/her indecent of performing the duty;
- if denied the working capacity based on court decision;
- if such proposal shall have come from the civic initiative.

Article 114

The Ombudsman shall warn the Administration and Public Services about unlawful and incorrect work violating the rights and interests of the citizens, forward to them recommendations and criticize them and submit Report on that to the City Assembly and the public.

Upon the request of the Ombudsman, the City Administration Units, City Municipality administration and Public Services shall be obliged to submit to him/her data and information significant for exercising his authorizations.

Article 115

The Ombudsman may not be released, nor called for criminal responsibility, placed in detention or punished for his/her publicly expressed opinion about the observed state and expressed recommendations and criticism.

Article 116

In order to exercise the jobs within his/her authority, the Ombudsman shall establish the office, in accordance with the City Assembly decision.

**VIII. PUBLIC CHARACTER OF WORK**

Article 117

The City bodies work shall be available to the public.

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Article 118

The public character of work shall be ensured through public debates and citizens assemblies in view of proposals for Bylaw enactment and modification, decision making on the City Budget, the City development programmes, general plan and urban plans of the City, building land structuring programme, real estates acquisition and alienation, and other cases, prescribed by the Law or when the City body shall have decided on that.

A body, referring an act to the public debate shall decide on procedure, the manner and term for public debate carrying out.

Article 119

The public character of City bodies work shall be ensured by publishing of regulations and other general acts of the City in the Official Gazette, i.e., by their posting on the announcement board or in some other customary way.

Regulations and other general acts of the City shall come into effect on the eighth day from the date of their announcement, except in case of justified reasons, when their coming into effect is foreseen earlier.

Article 120

The public character of work shall be ensured by the right of the citizens to have the insight into records and other acts of administration units and services, not published and announced.

Article 121

To the end of public informing about draft regulations and other acts, the media shall be sent invitation and material handouts for the City bodies sessions.

The representatives of media shall have free access to the City bodies sessions.

Radio and TV stations may have the City bodies sessions directly broadcasted.

Article 122

All persons having office in the City bodies, Ombudsman, the Deputy Group Chairman and a deputy may give a public statement and hold a press conference.

The public character of work shall be ensured via bulletins and information journals.

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**IX. BYLAW OF THE CITY  
ENACTMENT AND MODIFICATION**

Article 123

The proposal for enactment, i.e., modification of the Bylaw of the City shall be submitted by the City Council, upon their own initiative, i.e., upon the initiative of 31 deputies, at least, or the citizens according to the procedure prescribed for civic initiative carrying out.

The proposal shall be submitted in writing and explained.

The proposal for enactment or modification of the Bylaw shall be decided by the City Assembly by the majority of votes of the total number of the deputies.

The City Council shall be obliged to organize and carry out professional and public debate before establishing the draft Bylaw, i.e. the draft modification of the Bylaw.

Exceptionally, when the Bylaw shall be modified for the purpose of its conforming to the law, professional and public debate need not be carried out.

**X. TRANSITIONAL AND FINAL PROVISIONS**

Article 124

By this Bylaw of the City of Nis coming into force, the Bylaw of the City of Nis ("Official Journal of the City of Nis", nos. 26/2002, 92/2004 and 14/2008) shall become null and void.

Article 125

The City of Nis Assembly shall make special Decision on enforcement of the Bylaw of the City of Nis.

Article 126

The Bylaw shall come into force on the next day from the date of its publishing in the "Official Gazette of the City of Nis"

Number: 06-357/2008-2-02

In Nis, October 1, 2008

**CITY OF NIS ASSEMBLY**

**President**

Prof. Mile Ilic, PhD

**CERTIFIED TRANSLATION FROM SERBIAN INTO ENGLISH LANGUAGE**

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**918**

In accordance with article 128 of the City of Nis Bylaw («Official Gazette of the City of Nis», nos. 26/2002, 92/2004 and 14/2008),

The City of Nis Assembly, in the session held on October 1<sup>st</sup>, 2008 made the following

DECISION  
ON THE CITY OF NIS BYLAW ENFORCEMENT

Article 1

The City of Nis Bylaw shall apply from the date of its coming into effect, if not specified otherwise by this Bylaw and this Decision in regard to application of its corresponding provisions.

Article 2

The City bodies shall enact necessary regulations and other acts related to the City and the City municipalities bodies work, in accordance with the Law and the City Bylaw, within 6 months from the date of this Decision coming into effect and specify the beginning of their enforcement.

Article 3

Regulations and other acts of the City of Nis, applicable on the date of this City Bylaw coming into force, shall be effective till enactment of the new ones.

In case the regulations and other acts of the City of Nis, shall be in conflict with the Law and the City Bylaw, the provisions of the Law and the City Bylaw shall apply.

Article 4

The City Bylaw provisions related to the City municipalities jobs, shall apply when regulations, regulating the City municipalities funding, shall have been specified for new jobs of the City municipalities.

Article 5

The City Bylaw provisions in regard to the property of the City and communal police shall be applied after corresponding laws passing.

Article 6

The City municipalities are obliged to enact regulations and other acts in regard to organization and work of the City municipalities bodies in accordance with the City of Nis Bylaw, within six months from the date of the City of Nis Bylaw coming into effect.

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**Article 7**

Regulations and other acts of the City municipalities, applicable on the date of this City Bylaw coming into force, shall be effective till enactment of the new ones.

In case the regulations and other acts of the City municipalities, shall be in conflict with the City Bylaw, the provisions of the City Bylaw shall apply.

**Article 8**

By this Decision coming into force, the Decision on the City of Nis Bylaw enforcement („Official Gazette of the City of Nis“, No. 26/2002) shall become null and void.

**Article 9**

This Decision shall be in effect the next day after the date of its announcement in the „Official Gazette of the City of Nis“.

Number: 06-357/2008-3-02

In Nis, October 1, 2008

**CITY OF NIS ASSEMBLY**

**President**

Prof. Mile Ilic, PhD

**C O N T E N T S**

**City of Nis**

<b>917. The City of Nis Bylaw .....</b>	<b>2229</b>
<b>918. Decision on the City of Nis Mylaw Enforcement .....</b>	<b>2267</b>