



Republic of Serbia  
**COMMISSION FOR  
PROTECTION OF  
COMPETITION**

25/IV Savska Street, Belgrade

Number: 9/0-02-656/2023-2

Date: September 18, 2023

**MINISTRY OF FINANCE**

20 Kneza Miloša Street  
Belgrade

The Ministry of Finance submitted to the Commission for the Protection of Competition the Draft Law on Amendments and Supplements to the Law on Public Procurement, with the accompanying addenda, for the purpose of giving an opinion (hereinafter: Draft Law).

The Council of the Commission for the Protection of Competition, based on Article 22 and in connection with Article 21, Paragraph 1, item 7) of the Law on the Protection of Competition ("Official Gazette of the RS", no. 51/09 and 95/13), at the 132th session as of September 18, 2023, renders the following:

**OPINION**

The Council of the Commission considered the submitted Draft Law and assessed that it is very important that the provision of Article 183, paragraph 1, item 11) of the Law on Public Procurement ("Official Gazette of the RS" 91/19) be supplemented with the words "to the Commission for the Protection of Competition", that is, to provide the Commission for the Protection of Competition with access to the database of the Public Procurement Portal. Until now, the Office for Public Procurement, the Republic Commission for the Protection of Bidders' Rights in Public Procurement Procedures, the State Audit Institution and the Republic Public Prosecutor's Office have had this opportunity for the purposes of performing tasks within their jurisdiction. The proposed amendment is important for more efficient implementation of both the Law on Public Procurement and the Law on Protection of Competition and the performance of tasks within the competence of the Commission for Protection of Competition, primarily the detection and processing of competition infringement.

Following the consideration of the Draft Law and the accompanying material, it was assessed that from the perspective of the competence of the Commission for the Protection of Competition, there are no objections to the text of the Draft Law in question.

**PRESIDENT OF THE COMMISSION**

Nebojša Perić, m.p.