



Izmenjen set Zakona Vezanih za Izgradnju
Amendments of the Set of Laws Related to Construction

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Narodna skupština Republike Srbije je na sednici održanoj 26. jula 2023. godine usvojila više predloženih zakona u oblasti izgradnje.

To su:

1. Zakon o izmenama i dopunama Zakona o planiranju i izgradnji, koji je stupio na snagu 4. avgusta 2023. godine; zatim
2. Zakon o dopunama Zakona o ozakonjenju objekata, koji je stupio na snagu 28. jula 2023. godine; i
3. Zakon o prestanku važenja Zakona o posebnim postupcima radi realizacije projekata izgradnje i rekonstrukcije linijskih infrastrukturnih objekata od posebnog značaja za Republiku Srbiju, koji je stupio na snagu 4. avgusta 2023. godine.

The National Assembly of the Republic of Serbia adopted several proposed laws related to construction during its session on 26 July 2023.

These are:

1. The Law on Amendments and supplements to the Law on Spatial Planning and Construction, which came into force on 4 August 2023; then
2. The Law on supplements to the Law on Legalization of Buildings, which came into force on 28 July 2023; and
3. The Law on Cessation of Validity of the Law on Special Procedures for Realization of Projects of Construction and Reconstruction of Linear Infrastructural Objects of Special Importance of the Republic of Serbia, which came into force on 4 August 2023.

Najveća pažnja posvećena je izmenama i dopunama Zakona o planiranju i izgradnji, o kojima smo već govorili kada su izmene i dopune ovog zakona bile još u fazi predloga (tekst našeg partnera, Ivana Petrovića, možete pročitati na [linku](#)).

Najznačajnije izmene i dopune Zakona o planiranju i izgradnji tiču se pitanja konverzije, odnosno pretvaranja prava korišćenja na građevinskom zemljištu u pravo svojine bez naknade.

Obaveza plaćanja naknade za konverziju je sada ukinuta u odnosu na značajno širi krug lica nego ranije. O ovome smo više govorili u tekstu dostupnom na gornjem linku.

The highest level of attention is given to the amendments and supplements to the Law on Spatial Planning and Construction. We have already discussed these amendments while the same was still in the phase of law proposal (text prepared by our Partner, Mr. Ivan Petrović, can be found at the following [link](#)).

The most significant amendments and supplements to the Law on Spatial Planning and Construction address the matter of conversion, i.e. conversion of the right of use of the construction land to ownership right without remuneration.

The obligation to pay conversion fees is now abolished for a significantly larger group of entities than before. This matter was discussed in more detail in the text available at the above link.

Pored ove izmene, izmene i dopune Zakona o planiranju i izgradnji veliku pažnju posvećuju pitanjima energetske efikasnosti „zelene agende“ i zaštiti prirodnih i kulturnih dobara. Tako će, primera radi, sada biti obavezno pribavljanje sertifikata o energetskim svojstvima zgrade, odnosno posebnog dela zgrade za potrebe overe ugovora o kupoprodaji nepokretnosti, kao i za zaključenje ugovora o zakupu nepokretnosti.

Pojačano je i učešće nadležnih organizacija za zaštitu prirode i organizacija za zaštitu nepokretnih kulturnih dobara, posebno u postupcima pripreme i donošenja planskih dokumenata.

Zakon uvodi pojmove „zelene gradnje“, „sertifikata zelene gradnje“, kao i „zelene infrastrukture“.

Besides this amendment, the amendments and supplements to the Law on Spatial Planning and Construction give special attention to the matters of energy efficiency, green agenda and to the protection of natural resources and cultural heritage. For example, now it shall be mandatory to obtain the certificate on energy properties of the building, i.e. separate part of the building, for the purposes of certification of the real estate sale-purchase agreement, as well as for the purposes of execution of the agreement on real estate lease.

The participation of competent organizations for the protection of nature and organizations for the protection of immovable cultural heritage is enhanced, especially in the procedures of preparation and adoption of spatial planning documents.

The law introduces the notion of “green building”, “green building certificate”, as well as the notion of “green infrastructure”.

Mere podsticaja zelene gradnje bi, na osnovu ovlašćenja sadržanog u zakonu, trebalo da utvrdi Vlada Republike Srbije na predlog Ministarstva Građevinarstva, saobraćaja i infrastrukture.

Investirori objekata će imati podsticaj za zelenu gradnju u vidu umanjenja iznosa doprinosa za uređenje građevinskog zemljišta ukoliko je za izgrađene objekte izdat sertifikat zelene gradnje.

Izmenama i dopunama Zakona o planiranju i izgradnji je predviđeno formiranje Agencije za prostorno planiranje i urbanizam Republike Srbije kao javne agencije, i uvođenje glavnog republičkog urbaniste i glavnog urbaniste autonomne pokrajine, kao lica koja će sprovoditi stručnu kontrolu dokumenata prostornog i urbanističkog planiranja.


Takođe, proširen je krug lica koji mogu izdati informaciju o lokaciji.

The Government of the Republic of Serbia should, on the basis of the proposal of the Ministry of Construction, Traffic and Infrastructure, and pursuant to the authorization granted to it by the law, determine the incentives for green building.

The investors shall be incentivized to pursue green building through the reduction of contributions for the development of construction land for facilities for which the green building certificate is issued.

The amendments and supplements of the Law on Spatial Planning and Construction introduce the establishment of the Agency for Spatial Planning and Urbanism of the Republic of Serbia, as the public agency, the establishment of a chief state urban planner and chief urban planner of the autonomous province, who shall be in charge for control of spatial and urban planning documents.

Also, the amendments extend potential entities that are authorized for issuance of the information on location.



“ These laws aim to regulate and address various aspects of construction and spatial planning in Serbia.

The specific details and provisions of each law would need to be examined for a more comprehensive understanding of their impact on the construction sector in Serbia. ”

Takođe, paralelno sa usvajanjem Zakona o prestanku važenja Zakona o posebnim postupcima radi realizacije projekata izgradnje i rekonstrukcije linijskih infrastrukturnih objekata od posebnog značaja za Republiku Srbiju, izmenama i dopunama Zakona o planiranju i izgradnji su u ovaj zakon implementirane odredbe kojima se uređuju pojedina pitanja od značaja za izgradnju linijskih infrastrukturnih objekata koji su prepoznati kao linijski infrastrukturni objekti od posebnog značaja za Republiku Srbiju.

Kada je reč o Zakonu o dopunama Zakona o ozakonjenju objekata, usvojene dopune su dobra vest za vlasnike nezakonito izgrađenih objekata, a pre svega za vlasnike nezakonito izgrađenih porodičnih stambenih objekata, i vlasnike stanova u nezakonito izgrađenim objektima, koji su kupovinom takvih objekata trajno rešavali stambeno pitanje.

Njihovi objekti mogu biti privremeno priključeni na komunalne i elektroenergetsku mrežu javnih preduzeća, bez obzira na vreme izgradnje.

Also, simultaneously with the adoption of the Law on Cessation of Validity of the Law on Special Procedures for Realization of Projects of Construction and Reconstruction of Linear Infrastructural Objects of Special Importance of the Republic of Serbia, the amendments and supplements of the Law on Spatial Planning and Construction implement thereof provisions that tackle certain important matters for construction of linear infrastructural objects that are recognized as linear infrastructural objects of special importance for the Republic of Serbia.

As per the Law on supplements to the Law on Legalization of Buildings, the adopted supplements are good news for the owners of illegally constructed facilities, and especially for the owners of illegally constructed residential buildings, or of the apartments in the illegally constructed buildings.

Their buildings may be temporarily connected to the utility and electric grid network of public companies, regardless of when these buildings were constructed.

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