

## LAW

### ON PROFESSIONAL REHABILITATION AND EMPLOYMENT OF PERSONS WITH DISABILITIES

#### I. GENERAL PROVISIONS

##### Article 1.

This law shall govern: promotion of employment to create conditions for equal participation of persons with disabilities in the labour market; assessment of capacity for work; professional rehabilitation; obligation to employ persons with disabilities, conditions for establishment and operation of enterprises for professional rehabilitation and employment of persons with disabilities and other special forms of employment and recruitment of persons with disabilities, other issues relevant for professional rehabilitation and employment of persons with disabilities.

##### Article 2.

This law is based on the following principles:

- 1) observance of human rights and dignity of persons with disabilities;
- 2) full participation of persons with disabilities in all spheres of life on an equal basis – in accordance with professional capabilities;
- 3) promotion of employment of persons with disabilities on suitable positions and under adequate working conditions;
- 4) prohibition of discrimination against persons with disabilities in accordance with the law;
- 5) equal rights and obligations;
- 6) gender equality of persons with disabilities.

##### Article 3.

For the purposes of this law, a person with disabilities shall be the person suffering permanent consequences of bodily, sensory, mental and psychiatric impairment or sickness which cannot be eliminated by any treatment or medical rehabilitation and faced with social and other limitations affecting his/her working capacity and possibility to find or retain employment and who does not have the possibilities or has reduced possibilities to be included in the labour market or apply for employment on equal terms with other persons

An unemployed person with disability shall be the person, referred to in the Paragraph 1 of the Article hereof, of 15 to 65 years of age who has no labour relations or has not otherwise achieved the right to work, who is willing to work and accept professional rehabilitation for the purposes of employment and who actively seeks employment and is registered in the unemployment records with the organization in charge of employment issues.

For the purposes of this law, employer shall be domestic or foreign legal entity or individual who employs one or several persons, i.e. the Republic of Serbia for employees in state bodies, autonomous province for employees in provincial bodies and local self-government unit for employees in the bodies of local self-government unit.

##### Article 4

Rights stipulated in this law shall be exercised by a person with disabilities with an established status of a person with disabilities.

The status of a person with disabilities shall have:

- 1) disabled war veteran;
- 2) disabled war veteran in peacetime;
- 3) disabled war veteran in civil service;
- 4) person categorised as a disabled person or any other person found to be a disabled person in accordance with the law;
- 5) person who, pursuant to the regulations on pension and disability insurance, was assigned the degree of disablement i.e. whose remaining work capacity was assessed;
- 6) person whose work capacity is assessed under this law, according to which assessment such person has the opportunity to find employment and retain such employment i.e. job.

#### Article 5

If not provided otherwise in this law, provisions regulating labour relations, pension and disability insurance, anti-discrimination, health and safety at work, employment and other areas shall apply to the rights and obligations of the persons with disabilities.

## **II. RIGHTS AND OBLIGATIONS OF PERSONS WITH DISABILITIES**

#### Article 6.

In accordance with this law, the person with disability shall be entitled to:

- 1) have her/his status established and work capacity assessed;
- 2) promotion of employment, labour and social inclusion and affirmation of equal opportunities in the labour market;
- 3) professional rehabilitation measures and activities;
- 4) employment under general conditions;
- 5) employment under special conditions;
- 6) active employment policy measures;
- 7) employment in specially organised forms of employment and recruitment of persons with disabilities;
- 8) other rights in accordance with the law.

#### Article 7.

A person with disability is obliged to:

- 1) respond to the invitation for assessment of work capacity and status establishment;
- 2) participate in education, schooling, skill improvement and professional and vocational training;
- 3) actively seek employment;
- 4) accept professional rehabilitation;
- 5) cooperate with professionals in the course of professional rehabilitation, employment and work and comply with work and technological discipline;
- 6) accept the measures of active employment policy;
- 7) accept employment in accordance to his/her professional abilities.

## **III. ASSESSMENT OF WORK CAPACITY**

#### Article 8.

Assessment of capacity for work and possibility to find employment or retain employment shall include medical, social and other criteria establishing the possibilities and capabilities of a person with disability necessary for inclusion in the labour market and performance of concrete work independently or with the assistance of support service, the use of technical aid i.e. the possibility of employment under general and special conditions.

The person with disability whose work capacity is not assessed shall have his/her work capacity assessed for the purposes of establishing the possibility to find or retain employment in accordance with this law.

#### Article 9.

Application for work capacity assessment shall be submitted to the organisation in charge of employment issues.

By way of exception, the application for work capacity assessment shall be submitted to the organisation in charge of pension and disability insurance issues – with the request for granting rights to disability pension.

Findings, opinion and assessment in connection with the work capacity and possibility to find or retain employment shall be issued by the assessment body of the organisation in charge of pension and disability insurance issues.

The decision on the assessed work capacity and possibility to find or retain employment shall be issued by the organisation in charge of employment issues, as the activity delegated to it, based on the findings, opinions and assessment of the assessment body referred to in the paragraph 3 of the Article hereof.

The Minister in charge of employment issues shall dispose of the complaint to the decision referred to in the paragraph 4 of the Article hereof.

More detailed manner, expenses and criteria for the assessment of work capacity and possibility to find or retain employment shall be prescribed by and in the mutual agreement of the minister in charge of employment issues, minister in charge of health issues and minister in charge of pension and disability insurance issues.

### **IV. PROMOTING EMPLOYMENT OF PERSONS WITH DISABILITIES**

#### Article 10.

Activities in connection with promoting employment of persons with disabilities shall be carried out by the organisations in charge of employment issues.

#### Article 11.

Activities in connection with promoting employment of persons with disabilities shall be:

- 1) affirming equal opportunities of persons with disabilities in the labour market;
- 2) organising and implementing measures and activities for professional rehabilitation;
- 3) achieving rights to active employment policy measures i.e. measures for encouragement of self-employment of persons with disabilities;
- 4) ensuring technical, professional and financial support for adjustment of activities, workplace or activities and workplace, including technical and technological aids for the purpose of enhancing possibilities for the persons with disabilities to find and retain employment;
- 5) monitoring the effects of labour and social inclusion of persons with disabilities;
- 6) cooperating with organisations and associations of persons with disabilities, employers and other bodies and organisations for the purpose of encouraging employment and inclusion of persons with disabilities;
- 7) other activities carried out with the purpose to enhance employment and include the persons with disabilities in the labour market.

### **V. PROFESSIONAL REHABILITATION**

#### Article 12.

Professional rehabilitation of persons with disabilities shall mean organising and implementing policies aimed at particular job training, employment, job retention, advancement or change of career.

#### Article 13.

Professional rehabilitation of persons with disabilities shall be carried out through the application of policies including:

- 1) vocational guidance, professional information, counselling and individual employment plan;
- 2) vocational training, additional training, retraining and programmes for acquiring, maintaining and improving working and working and social skills and capabilities;
- 3) individual and group, general and adjusted programmes for improvement of labour and social integration;
- 4) development of motivation, technical assistance, professional support, monitoring and assessment of professional rehabilitation results;
- 5) individual counselling, including assistance in accepting one's own disability from the perspective of participation in labour and particular professional rehabilitation measures;
- 6) education and training seminars for employers, professionals dealing with vocational trainings and professional rehabilitation of persons with disabilities and other persons;
- 7) proposals and training for the application of adequate technical and technological solutions to increase learning and working efficiency of persons with disabilities, as well as support services;
- 8) other activities.

More detailed conditions, criteria and standards for implementation of measures and activities of professional rehabilitation shall be prescribed by and in the mutual agreement of the minister in charge of employment issues, minister in charge of health issues and minister in charge of pension and disability insurance issues.

#### Article 14.

Main implementers of professional rehabilitation activities, in addition to the organisation in charge of employment issues, may be enterprises for professional rehabilitation and employment of persons with disabilities, educational institutions and other forms of organisations which meet the conditions, criteria and standards for implementation of professional rehabilitation measures and activities.

#### Article 15.

Professional rehabilitation measures and activities shall be implemented by the main implementers of professional rehabilitation activities based on the programme including:

- 1) description of measures and activities i.e. description of work and particular operations;
- 2) method of practical and theoretical implementation of measures and activities;
- 3) technical, spatial, programmatic, HR and organisational conditions;
- 4) programme duration;
- 5) necessary resources;
- 6) other conditions for implementation of particular measures and activities.

For the implementation of professional measures and activities referred to in the Article 13. paragraph 1. item 2), 3), 6) and 7) of this law, the main implementers of professional rehabilitation activities shall obtain the approval of the Ministry in charge of the employment issues which shall be issued upon the previously obtained opinion of the body in charge of work safety and health issues, organisation in charge of vocational education of adults and associations or organisations of persons with disabilities.

#### Article 16.

Organisation in charge of employment issues may enter into the agreement on the implementation of professional rehabilitation measures and activities with other

implementer of professional rehabilitation activities – depending on the needs of persons with disabilities and labour market.

Article 17.

Within professional rehabilitation, through consideration of all factors which may influence the improvement of working conditions and increased efficiency of a person with disabilities at a workplace, the assessment of professional capabilities shall be conducted as well as the types of measures and activities to be implemented as part of the overall rehabilitation i.e. social and labour inclusion of individuals for the purpose of employment and job retention.

Article 18.

The implementer of professional rehabilitation activities shall issue the certificate of professional rehabilitation implemented under the Article 13. item. 2) and 6) of this law.

Article 19.

The expenses for professional rehabilitation of persons with disabilities whose work capacity is reduced due to industrial injury or occupational disease which has occurred after this law has come in force, shall be borne by the employer with whom such person with disabilities was in labour relations at the time of occurrence of such industrial injury or occupational disease.

The expenses of professional rehabilitation for other persons with disabilities shall be borne by the organisation in charge of employment issues.

Article 20.

Employed person with disabilities, in the course of professional rehabilitation, shall be entitled to take absence from work with the employer with whom it has labour relations.

The employment of the employed person with disabilities may not be terminated due to absence from work as the result and in the course of professional rehabilitation.

In the course of professional rehabilitation, the employed person with disabilities shall be entitled to personal income compensation in the amount of 100% of average income earned in the previous three months before the participation in the measures and activities for professional rehabilitation, however the personal income compensation may not be less than minimum income established in accordance with labour regulations.

Article 21.

Unemployed person with disabilities shall not enter into labour relations in the course of professional rehabilitation.

In the course of professional rehabilitation, the unemployed person with disabilities included in the measures and activities of professional rehabilitation referred to in the Article 13 item 2), 3) and 7) of this law shall be entitled to subsidy, as follows:

1) for transportation expenses incurred for themselves and their escort, if necessary, up to a non-taxable amount in accordance with the law;

2) up to 20% of minimum income established in accordance with labour regulations, on a monthly basis, in the course of professional rehabilitation, if professional rehabilitation is carried out in the duration of at least 100 hours and if the person with disabilities is not a beneficiary of unemployment benefit, in accordance with the law.

The rights referred to in the paragraph 1 of the Article hereof shall be decided by the organisation in charge of employment issues, in accordance with the law governing employment issues.

## **VI. EMPLOYMENT OF PERSONS WITH DISABILITIES**

#### Article 22.

Persons with disabilities shall be employed under general or special conditions.

#### Article 23.

Employment of persons with disabilities under general conditions shall be deemed the job placement with the employer without adjusted work activities, workplace or work activities and workplace.

Employment of persons with disabilities under special conditions shall be deemed job placement with the employer with the adjustment of work activities, workplace or work activities and workplace.

Adjustment of work activities shall be adjustment of work process and work tasks.

Adjustment of workplace shall be technical and technological equipment of a workplace, instruments of labour, space and equipment in accordance with capabilities and needs of the person with disabilities.

Adjustment may also include professional assistance to support the person with disabilities in initiation to the job or a workplace, through counselling, training, assistance services and support at the workplace, work monitoring, development of personal work methods and evaluation of efficiency.

#### Article 24.

For the purposes of this law, the obligation to employ shall be the obligation of any employer with at least 20 employees to enter into labour relations with a particular number of persons with disabilities.

An employer with 20 to 49 employees shall be obliged to enter into labour relations with one person with disabilities.

An employer having 50 and more employees shall be obliged to enter into labour relations with at least two persons with disabilities, and per any subsequently started number of 50 employees, to employ one person with disabilities each.

#### Article 25.

A newly-established employer shall not have the obligation to employ referred to in the article 24. of this law, for the period of 24 months from the day of establishment.

#### Article 26.

The employer participating in financing the income of persons with disabilities in the enterprise for professional rehabilitation and employment of persons with disabilities or social enterprise and organisation shall be relieved from the obligation to employ the number of persons with disabilities whose income is financed by the employer.

Participation in financing income of persons with disabilities referred to in the paragraph 1 of the Article hereof may not be less than 50% of average income in the economy of the Republic of Serbia, according to the last published data of the Republic body in charge of the statistics.

#### Article 27.

Employer who, in public or other procurement procedure, settles financial obligations under the agreement of business and technical cooperation with the enterprise for professional rehabilitation and employment of persons with disabilities, and under the agreement of purchase of product of, or provision of services by that enterprise, with the exception of obligations that arose in the implementation of a contract in the area of wholesale trade, in the amount of 20 average incomes in the economy of the Republic of Serbia, according to the last published data of the Republic body in charge of statistics at the moment of agreement conclusion, shall be relieved from the obligation to employ one person with disability referred to in the Article 24 of this law for the subsequent 12 months from the date of the fulfilment of the obligation.

#### Article 28.

Budget fund for professional rehabilitation and employment promotion of persons with disabilities shall be established (hereinafter: „Budget Fund“).

The Budget Fund referred to in the paragraph 1 of the Article hereof shall be established for an indefinite period and managed by the ministry in charge of employment issues.

#### Article 29.

Employer who fails to employ the persons with disabilities pursuant to the Article 24. of this law shall pay the penalty the amount of which shall be the treble amount of minimum income established in accordance with labour regulations for each person with disabilities it has failed to employ.

The employer shall be obliged to pay the penalties referred to in the paragraph 1. of the Article hereof to the account prescribed for payment of public revenues of the budget of the Republic of Serbia, on payment of income and contributions, at the latest until the 30th day of the month for the previous month.

The obligation to pay the penalties shall cease in the month in which the employer has employed the prescribed number of persons with disabilities.

Funds referred to in the paragraph 2. of the Article hereof shall be the revenue of the Budget Fund and used for promotion of employment, professional rehabilitation and special forms of employment and recruitment of persons with disabilities.

### **VII. ACTIVE EMPLOYMENT POLICY MEASURES FOR PERSONS WITH DISABILITIES**

#### Article 30.

Active employment policy for persons with disabilities involves measures and incentives aimed at increasing motivation, employment and self-employment of persons with disabilities, in accordance with the law.

#### Article 31.

Employer employing persons with disabilities under special conditions may be entitled to refund of expenses incurred for adjustment of a workplace to such persons.

#### Article 32.

Employer permanently employing a person with disabilities without previous work experience, shall be entitled to income subsidy for such person for the period of 12 months.

Income subsidy referred to in the paragraph 1. of the Article hereof shall be in the amount of minimum income established in accordance with the labour regulations.

#### Article 33.

Organisation in charge of employment issues shall decide on employment incentives referred to in the Article 31. and 32. of this law, upon the application of the employer.

The application referred to in the Article 1. of this law shall be submitted within 30 days from the date of entering into labour relations with the person with disabilities.

General acts of the organisation in charge of employment issues shall stipulate more detailed conditions and rules for the achievement of rights referred to in the Article 31. and 32. of this law.

### **VIII. SPECIAL FORMS OF EMPLOYMENT AND RECRUITMENT OF PERSONS WITH DISABILITIES**

#### Article 34.

Special forms of employment and recruitment of persons with disabilities aimed at employment i.e. recruitment and improvement of the quality of life of persons with disabilities may be organised as:

- 1) enterprises for professional rehabilitation and employment of persons with disabilities;
- 2) Job Centres;
- 3) social enterprise and organisation.

### **1. Enterprise for professional rehabilitation and employment of persons with disabilities**

#### Article 35.

Enterprise for professional rehabilitation and employment of persons with disabilities is a legal entity which employs and conducts professional rehabilitation of persons with disabilities in accordance with this law.

#### Article 36.

Enterprise for professional rehabilitation and employment of persons with disabilities may be founded by the Republic of Serbia, autonomous province, local government unit, company, association of persons with disabilities or any other legal or natural person, for the purposes of creation of new jobs and job placement of persons with disabilities.

Enterprise for professional rehabilitation and employment of persons with disabilities may carry out its activities, provided that:

- 1) it has at least five persons with disabilities permanently employed;
- 2) it has at least 50% temporary employed persons with disabilities in the total number of employees out of which, at least 10% of persons with disabilities who can be employed only under special conditions;
- 3) it has the adequate space and technical and other equipment for vocational training and work of persons with disabilities;
- 4) it employs professionals for vocational training and rehabilitation of persons with disabilities, if the enterprise employs more than 20 persons with disabilities i.e. outsources professionals if the enterprise employs less than 20 persons with disabilities, as follows:
  - one person carrying out practical training for activities for which persons with disabilities are being trained,
  - one person for provision of professional assistance to the employed persons with disabilities,
  - one person – consultant for integration at a workplace;
- 5) it is licensed for carrying on the business activity.

#### Article 37.

Enterprise for professional rehabilitation and employment of persons with disabilities shall be entered into the corresponding register with previously obtained licence from the ministry in charge of employment issues.

Licence referred to in the paragraph 1. of the Article hereof shall be issued upon the obtained opinion of the ministry in charge of health issues, ministry in charge of social policy issues and ministry in charge of education issues.

The ministry in charge of employment issues shall revoke the licence from the enterprise for professional rehabilitation and employment of persons with disabilities which, in the course of its activities, ceases to fulfil the conditions stipulated in the Article 36. of this law.

#### Article 38.



If not provided otherwise in this law, the regulations governing companies shall apply to establishment, management, connection, organisation, operation and activities of enterprises for professional rehabilitation and employment of persons with disabilities.

#### Article 39.

Enterprise for professional rehabilitation and employment of persons with disabilities shall, within its activities, implement the programme of measures and activities for professional rehabilitation referred to in the Article 13. item. 2), 3) and 7) of this law:

- 1) for persons with disabilities employed in the enterprise for professional rehabilitation and employment of persons with disabilities;
- 2) high school students acquiring education according to the syllabus designed for handicapped students;
- 3) persons with disabilities included in the measures and activities for professional rehabilitation.

#### Article 40.

The enterprise for professional rehabilitation and employment of persons with disabilities shall be compensated out of the budget of the Republic of Serbia i.e. Budget Fund, per employed person with disabilities, on a monthly basis, for the participation in income in the amount of 50% of the average income in the economy of the Republic of Serbia, according to the last published data of the Republic body in charge of statistics.

#### Article 41.

Enterprise for professional rehabilitation and employment of persons with disabilities may be provided with funds for improvement of working conditions and production programmes, introduction of standards, improvement of product and service quality, adjustment of workplaces or other purposes.

Funds referred to in the paragraph 1. of the Article hereof shall be provided from the budget of the Republic of Serbia i.e. Budget Fund.

#### Article 42.

Application for granting funds referred to in the Article 41. of this law shall be submitted to the ministry in charge of employment issues and shall contain the Statement of Operations, Balance Sheet and Profit and Loss Account for the previous year, business plan for the next period, number and structure of employed persons with disabilities and other information relevant for granting and utilising funds.

Enterprise for professional rehabilitation and employment of persons with disabilities shall submit the report of utilisation of funds for designated purposes to the ministry in charge of employment issues semi-annually and upon the completion of investments.

In case of unauthorised utilisation of funds, enterprise for professional rehabilitation and employment of persons with disabilities shall be obliged to return the granted funds with corresponding legal default interest.

## **2. Job Centre**

#### Article 43.

Job Centre is a special form of institution providing recruitment as therapeutic activity to persons with disabilities who cannot be employed under general or special conditions i.e. whose performance is less than one third of performance of an employee working at a standard workplace.

Job Centre may operate provided that it recruits for therapeutic activities at least five persons with disabilities i.e. recruits for therapeutic activities at least 80% of the persons with disabilities compared to the total number of recruited and employed persons.

Recruitment of persons with disabilities in the Job Centre is a lasting form of professional rehabilitation in accordance with the physical and psychological capabilities and preferences of a person with disabilities and capacities of a Job Centre.

The Job Centre may, under the agreement concluded with the social welfare institution for accommodation of beneficiaries, with the approval of a guardian, provide recruitment of accommodation beneficiaries who meet the conditions referred to in the paragraph. 1. and 3. of the Article hereof.

In the course of recruitment of persons with disabilities at the Job Centre, a person with disability shall be entitled to subsidy referred to in the Article 21. of this law.

Recruitment as therapeutic activity of persons with disabilities may also be provided in the social protection institution for accommodation of beneficiaries and by employers with the mediation of job centre under the conditions and in the manner prescribed by the minister in charge of social policy issues.

#### Article 44.

Job Centre may be founded by the Republic of Serbia, autonomous province and local government unit, as well as organizations of persons with disabilities or organizations of their legal representatives.

Spatial and technical conditions, vocational training of employees and other conditions necessary for operation of the Job Centre shall be signed by the mutual consent of the minister in charge of employment issues and minister in charge of social policy issues.

### **3. Social enterprise and organisation**

#### Article 45.

For the purposes of this law, social enterprise shall be the company established for carrying on activities aimed at meeting the needs of persons with disabilities and which, independently from the total number of employees, employs at least one person with disabilities.

Social enterprise shall operate in accordance with the regulations governing company operation.

For the purposes of this law, social organisation is another form of organisation established for carrying on activities aimed at meeting the needs of persons with disabilities and which employs at least one person with disabilities.

Social enterprise and organisation shall be obliged to invest the portion of income earned by their operation into the improvement of working conditions, working skills, social integration, living standards and meeting the needs of persons with disabilities.

## **IX. SUPERVISION**

#### Article 46.

Ministry in charge of employment issues shall supervise the work of public authority holders in the course of activities of government administration entrusted under this law.

Inspection of the enforcement of this law shall be carried out by the ministry in charge of employment issues, through inspectors.

The minister in charge of employment issues shall prescribe the method of issuance, content and form of identification card of inspectors.

#### Article 47.

By way of exception from the Article 47. of this law, inspection of enforcement of this law in connection with exercising rights, position and protection of employed persons with disabilities shall be carried out by the Labour Inspectorate in accordance with labour, safety and health regulations, and control over the fulfilment of obligation to employ and collection of penalties shall be carried out by Tax Administration in accordance with the regulations of tax procedure and tax administration.

#### Article 48.

The manner of monitoring of fulfilment of the obligation to employ people with disabilities and the manner of evidencing the fulfilment of that obligation is prescribed with the mutual consent of the minister in charge of employment issues and minister in charge of finance issues.

### **X. PENAL PROVISIONS**

#### Article 49.

The organisation in charge of employment issues shall be fined in the amount of 200.000,00 to 1.000.000,00 Dinars if it:

- 1) fails to promote employment of persons with disabilities (Article 11);
- 2) fails to implement or implements contrary to the provisions of this law measures and activities of professional rehabilitation (Article 13);
- 3) fails to issue certificate of acquired professional skills (Article 18).

For violation referred to in the paragraph 1. of the Article hereof the responsible person in the organisation in charge of employment issues shall also be fined in the amount of 10.000,00 to 50.000,00 Dinars.

The main implementer of professional rehabilitation shall be fined in the amount of 200.000,00 to 1.000.000,00 Dinars, if such implementer:

- 1) implements measures and activities for professional rehabilitation contrary to the provisions of this law (Article 13);
- 2) implements measures and activities for professional rehabilitation without obtained approval (Article 15. paragraph 2);
- 3) fails to issue the certificate of acquired professional skills (Article 18).

For the violation referred to in the paragraph 1. of the Article hereof the responsible person of main implementer of professional rehabilitation shall also be fined in the amount of 10.000,00 to 50.000,00 Dinars.

The enterprise for professional rehabilitation and employment of persons with disabilities shall be fined in the amount of 200.000,00 to 1.000.000,00 Dinars, if it:

- 1) fails to obtain the approval for the implementation of programme measures and activities for professional rehabilitation (Article 15. paragraph 2);
- 2) operates without fulfilling the conditions prescribed under this law (Article 36. paragraph 2);
- 3) fails to implement or implements contrary to the provisions of this law measures and activities of professional rehabilitation (Article 39);
- 4) fails to use designated funds to improve working conditions and production programmes, introduce standards, improve the product and service quality, adjust workplaces or otherwise (Article 41. paragraph 1).

For the violation referred to in the paragraph 1. of the Article hereof the responsible person in the enterprise for professional rehabilitation and employment of persons with disabilities shall also be fined in the amount of 10.000,00 to 50.000,00 Dinars.

#### ARTICLE 50.

Employer shall be fined in the amount of 200.000,00 to 1.000.000,00 Dinars, if such employer:

- 1) fails to bear costs of professional rehabilitation (Article 19. paragraph 1);
- 2) fails to enable the employed person with disability the absence from work in the course of professional rehabilitation (Article 20. paragraph 2);

3) fails to fulfil the obligation to employ persons with disabilities and/or registers the employment of a person which is not considered a person with disabilities in accordance with this law (Article 24).

For the violation under the paragraph 1. of the Article hereof the responsible person of the employer shall also be fined.

## **XI. TRANSITIONAL AND FINAL PROVISIONS**

### **Article 51.**

The share of public property in the property of enterprise for professional rehabilitation and employment of persons with disabilities established in accordance with the laws in force up to the date of entry into force of this law shall be established in accordance with the Law on Resources Owned by the Republic of Serbia (Official Gazette of the RS No. 53/95, 3/96, 54/96, 32/97, 64/99, 44/99 and 101/05), within six months from the date of entry into force of this law.

Privatisation procedures for the enterprises for professional rehabilitation and employment of persons with disabilities initiated before the date of entry into force of this law shall be interrupted until the establishment of share of public property in the property of enterprise in the manner stipulated in the paragraph 1. of this Article.

### **Article 52.**

On the date of entry into force of this law, the existing enterprises for vocational training and employment of persons with disabilities shall continue to operate in the manner and under conditions according to which they have been registered.

The enterprise for vocational training and employment of persons with disabilities established prior to entry into force of this law shall harmonize its status, organisation and general acts with the provisions of this law within 60 days from the date of entry into force of this law and/or 60 days from the date of cessation of procedure for establishment of share of public property in the property of enterprise.

### **Article 53.**

On the date of entry into force of this law the Law on vocational training and employment of persons with disabilities shall become ineffective (Official Gazette of RS, No. 25/96 and 101/05).

### **Article 54.**

Relevant ministers shall pass more detailed regulations based on the powers arising from this law, within six months from the date of this law has entered into force.

Organisation in charge of employment issues shall be obliged to pass the general acts and harmonise organisation based on the powers arising from this law, within six months from the date of this law has entered into force.

### **Article 55.**

This law shall enter into force on the eighth day from the date of its publication in the Official Gazette of the Republic of Serbia.

Provisions of the Article 24. and 29. of this law shall be applied upon the expiry of one year from the date when this law has entered into force.