EU INTEGRATION PERSPECTIVES OF THE CANDIDATE COUNTRIES

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Reviewer: dr hab. Izabela Krasnicka, prof. UwB,
Faculty of Law, University of Białystok

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Slobodan Vukadinović, Ph.D.,
Associate Professor[300]
Faculty of Law, Union University Belgrade;
Serbia, Belgrade

SERBIAN CONSUMER LAW: CHARACTERISTICS AND EVOLUTION

Abstract: The paper proceeds from the legal and political commitment of the Republic of Serbia to harmonise its legislation with that of the European Union, stemming from the Stabilisation and Association Agreement (SAA) concluded in 2008. Under the Agreement, Serbia assumed the obligation to ensure a policy of active consumer protection in accordance with the acquis communautaire and to align its consumer protection legislation with the level of protection in force within the European Union. The paper examines the legislative approach to the regulation of the consumer protection system in Serbia, the authorities responsible for its implementation, current challenges, and the present state of consumer rights protection. The analysis of the legal framework starts from the process of constitutionalisation, given that the Constitution of the Republic of Serbia of 2006 contains a specific provision according to which the Republic of Serbia protects consumers. The development of consumer protection law in Serbia is critically analysed through different periods and phases, beginning with the first Consumer Protection Act adopted at the federal level in the Federal Republic of Yugoslavia in 2002. The paper then examines the innovations introduced by the Consumer Protection Act of 2010, followed by the system established by the Consumer Protection Act of 2014. Particular attention is devoted to the solutions introduced by the Consumer Protection Act of 2021, as well as to the new Consumer Protection Act of 2026. Special consideration is given to the harmonisation of Serbian law with Directives (EU) 2019/770, 2019/771 and 2019/2161. The paper also highlights the decision of the Constitutional Court that annulled the provisions of the Civil Procedure Act governing proceedings for the protection of collective rights and interests, thereby effectively preventing collective consumer actions before Serbian courts.

1. Introduction

Consumer protection is an increasingly important field in all countries and one that is developing very dynamically. Its development is directly linked to the functioning of the market, and consumer protection itself is based on market principles. At the same time, however, it is also a reflection of social responsibility and fairness.

[300] ORCID: https://orcid.org/0000-0002-4692-321X; slobodan.vukadinovic@pravnifakultet.edu.rs

Today, consumer protection is regarded as one of the key areas of contemporary democratic societies. In the European Union, consumer protection has reached such a high level that practically all other sectoral policies must be aligned with consumer protection requirements. This paper presents the main characteristics of Serbian consumer law and analyses the development of the consumer protection system in the Republic of Serbia.

2. Characteristics of the Consumer Protection System in the Republic of Serbia:

1. Consumer protection is a constitutional category in the Republic of Serbia. Article 90(1) of the Constitution of the Republic of Serbia expressly provides: "The Republic of Serbia shall protect consumers." Paragraph 2 of the same Article further stipulates that activities directed against the health, safety and privacy of consumers, as well as all unfair market practices, shall be prohibited.[301] In addition, significance should also be attributed to the constitutional provision according to which the Republic of Serbia regulates and ensures the exercise and protection of the rights and freedoms of citizens.[302] This situation is consistent with contemporary trends towards the constitutionalisation of consumer protection. The fact that consumer protection has become an integral part of constitutional matters in modern constitutions indicates that its significance extends beyond individual interests and concerns society as a whole, that is, the public interest. Constitutionalisation and the elevation of consumer protection to the level of constitutional values and guarantees are achieved in modern constitutions through two principal approaches. The first is an indirect form of consumer protection, whereby consumer interests are protected through constitutional provisions prohibiting impermissible conduct that may restrict or endanger consumer rights. The second is a direct form of protection, where the constitution expressly imposes a duty on the state to provide protection to consumers.[303] The need for a more active role of the state in ensuring consumer protection has, in many countries, stimulated the establishment of specialised institutions dedicated to the protection of consumer rights.

2. The consumer protection system in the Republic of Serbia has developed substantively under the influence of European consumer law and the substantive legal solutions contained in EU legislation. This state of affairs is a consequence of the legal and political commitment of the Republic of Serbia to harmonise its legislation with that of the European Union. However, the process of aligning Serbian legislation with EU law is not merely the result of a legal and political choice; it is also based on binding legal provisions governing these obligations. Namely, under the Stabilisation and Association

[301] See Article 90 of the Constitution of the Republic of Serbia, Official Gazette of the Republic of Serbia, No. 98/2006 and 115/2021.
[302] See Art. 97(2) of the Constitution of the Republic of Serbia, Official Gazette of the Republic of Serbia, No. 98/2006 and 115/2021.
[303] Slobodan Vukadinović, Constitutionalization and the ombusman in the function of consumer protection, in: *Scientific work of academician Miodrag Jovičić: proceedinges of the scientific conference held on 3 and 4 June 2025* (eds, Kosta Čavoški, Marijana Pajvančić, Jovica Trkulja), Serbian Academy od Sciences and Arts, Belgrade, 2026, str. 686.

Agreement between the European Communities and their Member States, of the one part, and the Republic of Serbia, of the other part, concluded in 2008 and ratified by the Law on the Ratification of the Stabilisation and Association Agreement,[304] the Republic of Serbia assumed a number of obligations, including the commitment to ensure an active consumer protection policy in accordance with Community law and to harmonise its consumer protection legislation with the level of protection in force within the European Community.[305]

On 13 October 2004, the National Assembly of the Republic of Serbia adopted the Resolution on Accession to the European Union. The Resolution sets out guidelines for the activities of the legislative and executive authorities of the Republic of Serbia aimed at meeting the Copenhagen criteria. Among other things, the National Assembly committed itself to giving priority to the harmonisation of Serbian legislation with the acquis communautaire in its legislative work, including the introduction of special procedures designed to improve the efficiency of that process.[306]

With regard to the harmonisation of national legislation with EU law, the Uniform Methodological Rules for Drafting Legislation provide that, when submitting a draft law, the proposer shall attach a statement indicating whether the draft law is aligned with EU legislation, whether no obligation of alignment exists, or whether alignment with EU law is not possible.[307] Within the Government's legislative procedure, the Rules of Procedure of the Government require the proposer of a draft law or regulation to submit, as accompanying documents, a statement on the alignment of the proposed legislation with EU law and a table of concordance demonstrating its alignment with EU legislation, in accordance with the forms prescribed by a separate governmental act.[308] With respect to draft laws, draft regulations and draft decisions aimed at aligning the legislation of the Republic of Serbia with EU law, the proposer is required to obtain the opinion of the Office for European Integration, particularly regarding whether the statement on the alignment of the proposed legislation with EU law and the table of concordance with EU legislation have been completed correctly. The opinion of the Office for European Integration must also be obtained in relation to proposed development strategies.[309]

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[304] Official Gazette of the Republic of Serbia – International Agreements, No. 83/2008.
[305] See Art. 78 of the Stabilisation and Association Agreement (SAA).
[306] See the Resolution on Accession to the European Union, Official Gazette of the Republic of Serbia, No. 112/2004.
[307] See Art. 60 of the Uniform Methodological Rules for Drafting Legislation, Official Gazette of the Republic of Serbia, No. 21/2010.
[308] The statement on the alignment of legislation with EU law and the table of concordance with EU legislation must also be submitted together with a draft decision aimed at aligning the legislation of the Republic of Serbia with EU law. See Art. 39a(1)–(2) of the Rules of Procedure of the Government, Official Gazette of the Republic of Serbia, No. 61/2006 – consolidated text, 69/2008, 88/2009, 33/2010, 69/2010, 20/2011, 37/2011, 30/2013, 76/2014 and 8/2019 – other regulation.
[309] See Art. 46(4) of the Rules of Procedure of the Government, Official Gazette of the Republic of Serbia, No. 61/2006 (consolidated text), 69/2008, 88/2009, 33/2010, 69/2010, 20/2011, 37/2011, 30/2013, 76/2014 and 8/2019 – other regulation.

At the end of 2013 (16 December), the National Assembly of the Republic of Serbia adopted the Resolution on the Role of the National Assembly and the Principles in the Negotiations on the Accession of the Republic of Serbia to the European Union. The Resolution reaffirmed that the objective of the Republic of Serbia in the accession negotiations was to achieve full membership in the European Union at the earliest possible date and called upon the Government, as the body responsible for conducting and coordinating the accession negotiations, to do so in a responsible and efficient manner while safeguarding national interests. Among other things, the Resolution emphasised the importance of coordinated action by state authorities throughout the accession process, particularly with regard to the alignment of national legislation with the acquis communautaire. The Resolution also calls upon the Government to continue implementing the National Programme for the Adoption of the Acquis, while the National Assembly, in accordance with the established timetable, undertakes to adopt the legislation envisaged by the National Programme for the Adoption of the Acquis and to monitor its implementation. Furthermore, in the course of the analytical examination and assessment of the alignment of Serbian legislation with the acquis communautaire and its implementation (screening) under individual negotiating chapters, the Government is required to submit to the Committee on European Integration a report on the results of the bilateral screening for each negotiating chapter.[310]

Serbia opened accession negotiations with the European Union in 2014. Specifically, the first Intergovernmental Conference between Serbia and the European Union was held in Brussels on 21 January 2014, thereby formally launching the accession negotiation process at the political level.[311]

3. Serbian consumer law has developed through the adoption of special legislation governing this field. Its development has proceeded in several stages, marked by the enactment of successive Consumer Protection Acts, as well as their subsequent amendments. Through these special consumer protection statutes, a distinct, that is, parallel legal regime for consumers was established alongside the general legal regime set forth in the Law on Obligations, which was adopted in 1978. The legal framework for consumer protection in Serbia has been shaped through the adoption of **special legislation governing this field**, reflecting the legal and policy choices of the legislator. This approach has enabled consumer protection to be regulated in a comprehensive and systematic manner, taking into account the level of development of consumer law at the time of the

[310] Resolution on the Role of the National Assembly and the Principles in the Negotiations on the Accession of the Republic of Serbia to the European Union, Official Gazette of the Republic of Serbia, No. 112/2013. For a more detailed analysis of the alignment of Serbian legislation with the acquis communautaire in the field of consumer protection, see Slobodan Vukadinović, "European Consumer Law and Its Influence on the Development of Serbian Consumer Law", in: 65 Years since the Treaties of Rome: The European Union and the Prospects of Serbia's European Integration (eds. Jelena Ćeranić Perišić, Vladimir Đurić, Aleksandra Višekruna), Institute of Comparative Law, Belgrade, 2023, pp. 190–191.

[311] For a detailed overview of the historical development of relations between Serbia and the European Union, see the Ministry for European Integration of the Republic of Serbia, available at: https://www.mei.gov.rs/srl/srbija-i-eu/istorijat-odnosa-srbije-i-eu/, and the Mission of the Republic of Serbia to the European Union in Brussels, available at: https://eu-brussels.mfa.gov.rs/lat/evropska-unija/pregovaracki-proces.

preparation of each legislative proposal. Furthermore, the adoption of dedicated **Consumer Protection Acts** implies that these statutes **contain both public law and private law provisions**. Such an approach, combined with the fact that consumer protection is a field undergoing continuous development and frequent regulatory change, has resulted in numerous amendments to existing legislation, as well as the enactment of new Consumer Protection Acts that regulate the same subject matter while repealing the previously applicable legislation.

When it comes to consumer contract law, the legislator could have regulated the special rights of consumers and the specific features of the legal regime governing contracts concluded between consumers and traders through amendments to the Law on Obligations. This is because the Law on Obligations, in addition to establishing the general legal framework for contractual relations, already contains special rules applicable to commercial contracts, that is, contracts concluded between traders, where such differentiation is considered necessary and justified. However, consumer contract law has instead been regulated through special legislation, namely the Consumer Protection Act, which also governs a wide range of other issues relevant to consumer protection and not merely contractual relations. In addition, Serbia has enacted a separate Law on the Protection of Users of Financial Services.

Consumer law has had a significant influence on the development of modern contract law. Today, consumer contract law is widely regarded as being inseparably connected with, and in some cases forming an integral part of, general contract law. This is particularly true in European Union law, as well as in Serbian law, which has developed under the influence of European legal standards. In this respect, the introduction of a special legal regime for consumer contracts may be achieved through two legislative approaches, reflecting a legal and policy choice between two alternatives: either by incorporating specific consumer protection provisions into an existing law or code governing contractual relations, or by adopting a separate statute specifically designed to regulate consumer rights and consumer protection. In Serbia, the legislator opted for the latter approach, resulting in the enactment of dedicated Consumer Protection Acts, which must be taken into account whenever contractual relations involve a consumer on one side and a trader on the other. European consumer law, and more broadly European contract law, is of particular importance not only because Serbian law belongs to the continental European legal tradition, but also because the Republic of Serbia has formally adopted legal and policy instruments expressing its commitment to European integration, accession to the European Union, and the harmonisation of national legislation with the acquis communautaire.[312]

Starting from the fact that the Constitution of the Republic of Serbia of 2006 contains a specific provision on consumer protection, it may be regarded as an adequate legal, indeed constitutional, basis for the separate regulation of consumer protection, as well as for the establishment of a special legal regime applicable to consumers in relation

[312] Vukadinović, Slobodan, *Građansko pravo: opšti deo, priručnik za polagane pravosudnog ispita*, Pravni fakultet Univerziteta Union u Beogradu, Beograd, 2026, p. 30.

to the general law of obligations. More specifically, this concerns Article 90 of the Constitution, which is itself entitled “Consumer Protection”. Pursuant to this constitutional provision, the Republic of Serbia shall protect consumers. The accelerated development of consumer contract law in Serbia since 2010 is considered the most significant fragmentation of the general contractual regime. This means that contracts qualifying as consumer contracts are primarily governed by the rules of consumer law, while the provisions of the Law on Obligations apply only insofar as a particular issue is not regulated by the special legislation governing consumer contractual relationships. Even in such cases, the Law on Obligations may be applied only provided that its application does not reduce the level of protection guaranteed to consumers under the special consumer protection legislation.[313]

4. With regard to the **key institutions** responsible for consumer protection in the Republic of Serbia, it should first be noted that, since 2007, a specialised organisational unit dealing with consumer protection issues has existed within the ministry responsible for trade, which forms part of the executive branch, that is, the Government. Today, this function is performed by the Consumer Protection Sector. Although the name of the ministry has changed several times over the years, the **Consumer Protection Sector** currently operates **within the Ministry of Internal and External Trade**, whose responsibilities include, inter alia, consumer protection matters.[314]

The establishment of a specialised unit within the ministry responsible for consumer protection began in 2007 with the creation of the Consumer Protection Division as a subordinate internal unit within the then Ministry of Trade and Services. The subsequent development of the consumer protection system in Serbia was reflected in the evolution of this unit. In 2009, it was upgraded into a larger organisational structure, the Consumer Protection Department, whose responsibilities included the formulation and implementation of consumer protection policy. Five years later, in 2014, the Consumer Protection Sector was established.[315] With regard to its competences, the Consumer Protection Sector performs tasks relating to the formulation and implementation of consumer protection policy; the preparation of national and annual consumer protection programmes and the monitoring of their implementation; the proposal of systemic solutions and measures aimed at developing and implementing consumer protection policy; the preparation of expert bases for drafting consumer protection legislation; monitoring the application of consumer protection legislation and providing expert opinions on its implementation; monitoring market developments, particularly the identification of unfair commercial practices and unfair contract terms in

[313] Marija Karanikić Mirić, *Obligaciono pravo*, JP Službeni glasnik, Beograd, 2024, p. 69, who points out that the term ‘consumer context’ refers not only to the Consumer Protection Act, but also to legislation governing the protection of users of financial services, legislation protecting policyholders as consumers, and other sector-specific consumer protection regulations.

[314] See Art. 9 of the Law on Ministries, Official Gazette of the Republic of Serbia, No. 128/2020, 116/2022 and 92/2023 – other law.

[315] For a more detailed analysis of the development of the Consumer Protection Sector, see: https://www.zastitapotrosaca.gov.rs/o-nama#.

consumer contracts; proposing measures to remedy systemic deficiencies in the domestic market from a consumer protection perspective; initiating and conducting proceedings for the protection of collective consumer interests; carrying out activities related to the harmonisation of national legislation with European Union consumer protection law; providing expert and administrative support to the National Consumer Protection Council as an advisory and consultative body; integrating consumer protection policy into other public policies; initiating and proposing the adoption and amendment of legislation aimed at ensuring effective consumer protection; participating in interministerial working groups and other bodies dealing with consumer protection issues; cooperating with national and international institutions and organisations active in the field of consumer protection; cooperating with provincial and local authorities in the development of consumer protection; participating in the preparation of programmes and projects financed through European Union pre-accession assistance and other forms of international support; as well as performing other tasks within this field.

Within the Consumer Protection Sector, two subordinate organisational units have been established: the Consumer Protection Department and the Consumer Protection Policy Implementation Group. **The Consumer Protection Department** performs tasks relating to the formulation and implementation of consumer protection policy; monitoring the application of consumer protection legislation and providing expert opinions on its implementation; preparing national and annual consumer protection programmes and monitoring their implementation; proposing systemic solutions and measures for the development and implementation of consumer protection policy; monitoring and analysing market participants' conduct, particularly with regard to the identification of unfair commercial practices and unfair contract terms in consumer contracts; initiating and conducting proceedings for the protection of collective consumer interests; preparing expert bases for drafting consumer protection legislation; carrying out activities related to the harmonisation of national legislation with European Union consumer protection law; providing expert support for the work of the National Consumer Protection Council as an advisory and consultative body; enhancing cooperation with consumer protection associations; participating in interministerial working groups and other bodies dealing with consumer protection issues; cooperating with national and international consumer protection institutions and organisations; participating in the preparation of programmes and projects financed through European Union pre-accession assistance and other forms of international support; promoting and implementing educational and awareness-raising activities aimed at increasing the knowledge and awareness of consumers, traders and other stakeholders regarding the importance of consumer protection policy; as well as performing other tasks within this field.

Within the Consumer Protection Department, the following subordinate organisational units have been established: (1) the Group for Consumer Protection Policy Development and the Protection of Collective Consumer Interests, and (2) the Group for Education and the Promotion of Cooperation in the Field of Consumer Protection. **The**

Group for Consumer Protection Policy Development and the Protection of Collective Consumer Interests performs tasks relating to the proposal of systemic solutions and measures aimed at developing and improving consumer protection policy; the preparation of expert bases for drafting consumer protection legislation; monitoring the application of consumer protection legislation and providing expert opinions on its implementation; monitoring and analysing the conduct of market participants, particularly with regard to the identification of unfair commercial practices and unfair contract terms in consumer contracts; initiating and conducting proceedings for the protection of collective consumer interests; carrying out activities related to the harmonisation of national legislation with European Union consumer protection law; preparing and implementing consumer protection programmes and projects; providing expert support for the work of the National Consumer Protection Council; as well as performing other tasks within this field.[316] The website of the Consumer Protection Sector contains a section entitled "Archive of Decisions in Proceedings for the Protection of Collective Consumer Interests", which provides public access to **30 decisions** adopted in collective consumer interest protection proceedings between 2015 and 2024.

The Group for Education and the Promotion of Cooperation in the Field of Consumer Protection performs tasks relating to the proposal and implementation of measures aimed at raising the general level of knowledge concerning consumer rights and consumer education; carrying out activities intended to educate consumers, traders and other stakeholders involved in the implementation of consumer protection policy; preparing studies, analyses, reports and other materials in the field of consumer protection; supporting the work and development of consumer protection associations and proposing measures to enhance cooperation between the governmental and non-governmental sectors in the field of consumer protection; cooperating with relevant institutions at the local, regional and international levels in matters relating to consumer protection; as well as performing other tasks within this field. **The Consumer Protection Policy Implementation Group** performs tasks relating to the more effective implementation of consumer protection policy; analysing the conduct of market participants in the application of consumer protection legislation; managing the consumer complaints database; analysing consumer complaints and proposing measures to remedy systemic deficiencies in the domestic market from a consumer protection perspective; monitoring the handling of consumer complaints by consumer advisory centres and competent inspection authorities; monitoring the implementation of projects carried out by consumer protection associations; analysing reports on the activities of consumer protection associations; as well as performing other tasks within this field.[317]

5. The role of other institutions. The Role of the National Bank of Serbia in the Protection of the Rights of Users of Financial Services. The Law on the Protection of Users of Financial Services regulates the rights of users of financial services provided by banks, financial leasing providers, payment institutions, electronic money institutions,

[316] See: https://must.gov.rs/tekst/sr/406/sektor-za-zastitu-potrosaca.php.
[317] See: https://www.zastitapotrosaca.gov.rs/o-nama#S1.

the public postal operator and traders, as well as the conditions and procedures governing the exercise and protection of those rights. The current Law was enacted in 2025.[318] The Law expressly authorises the National Bank of Serbia to determine whether a service provider has engaged in unfair commercial practices or has incorporated or applied unfair terms in contracts concluded with users of financial services.[319]

The Law grants users of financial services the right **to submit a complaint** with the National Bank of Serbia. As a first step, a user of financial services has the right to submit a written complaint to the service provider if the user believes that the provider has failed to comply with the provisions of this Law, other regulations governing financial services, its general terms and conditions, and/or obligations arising from the contract concluded with the user. If the user is dissatisfied with the response to the complaint, or if no response is provided within the prescribed time limit, the complainant may, prior to initiating court proceedings, submit a written complaint to the National Bank of Serbia.

If the complainant is dissatisfied with the response to the complaint, or if no response is provided within the prescribed time limit, the dispute between the complainant and the service provider may alternatively be resolved through **mediation conducted by the National Bank of Serbia**. For the sake of clarity, it should be noted that the initiation and conduct of complaint proceedings, proceedings upon a complaint submitted to the National Bank of Serbia, or mediation proceedings under this Law are not a condition for the exercise of the user's right to judicial protection in accordance with the law, nor do they exclude or otherwise affect the exercise of that right.[320]

The Court of Honour of the Serbian Chamber of Commerce does not adjudicate consumer disputes. However, it is competent to determine liability and impose measures in proceedings against members of the Serbian Chamber of Commerce and other business entities operating in the territory of the Republic of Serbia for violations of good business practices and business ethics in commercial relations, as well as for conduct that undermines the unity of the market.[321] Acts of members of the Serbian Chamber of Commerce may also, depending on the circumstances of the particular case, be regarded as violations of good business practices where they cause harm to society, other business

[318] , Law on the Protection of Users of Financial Services, Official Gazette of the Republic of Serbia, No. 19/2025. Upon the commencement of its application on 1 July 2025, the previously applicable Law on the Protection of Users of Financial Services, Official Gazette of the Republic of Serbia, No. 36/2011 and 139/2014, ceased to be in force.

[319] A contractual term in a financial services contract that has not been individually negotiated shall be regarded as unfair if, contrary to the principle of good faith and fair dealing, it causes a significant imbalance in the rights and obligations of the contracting parties to the detriment of the user. A contractual term shall be deemed not to have been individually negotiated where it has been drafted in advance and the user was unable to influence its substance, particularly in the case of pre-formulated standard form contracts or contracts of adhesion.

[320] See Art. 66 of the Law on the Protection of Users of Financial Services, Official Gazette of the Republic of Serbia, No. 19/2025.

[321] See: https://pks.rs/strana/sud-casti. For a more detailed discussion of the Code of Business Ethics and the role of the Court of Honour, see Slobodan Vukadinović, “Mechanisms of Collective Protection of Consumers against Unfair Contract Terms”, in: Protection of Collective Consumer Interests (ed. Katarina Ivančević), Union University Faculty of Law, Belgrade, 2021 (Вукадиновић Слободан, Механизми колективне заштите потрошача од неправичних уговорних одредаба, у: *Заштита колективних интереса потрошача* (ур. Катарина Иванчевић), Правни факултет Универзитета Унион у Београду,), 2021, pp. 250-253.

entities or consumers, circumvent the spirit and purpose of laws and other regulations, or damage the reputation of the country abroad.

The Commission for the Protection of Competition does not have direct competences in the field of consumer protection and does not deal with individual consumer complaints or disputes. However, Article 1 of the Serbian Competition Protection Act provides that the purpose of the Act is to ensure the protection of competition in the market of the Republic of Serbia with a view to promoting economic progress and social welfare, particularly the welfare of consumers.[322] Consequently, although the Commission does not directly protect consumer rights, consumer welfare constitutes one of the ultimate objectives of competition protection policy.

No specialised Consumer Ombudsman has been established in the Republic of Serbia, although the need for such an institution has been widely discussed in both academic literature and public discourse. This is particularly significant given that many countries have established specialised bodies and institutions whose role extends beyond protecting consumer rights once they have been violated and includes preventive action aimed at avoiding violations of consumer rights. Effective consumer protection requires not only reactive but also preventive mechanisms, particularly with regard to safeguarding collective consumer interests through various instruments, including market monitoring and oversight. It is important to recognise that consumers' awareness of the effective protection of their rights not only strengthens confidence in the legal system but also enhances trust in the market, thereby encouraging greater consumer participation and activity in the marketplace, which ultimately contributes to economic development.

6. The Role and Importance of Consumer Protection Associations.

In the current consumer protection system of the Republic of Serbia, an important role is played by consumer protection associations and their federations, which are established in accordance with the Law on Associations and pursue consumer protection objectives. These associations and federations operate independently in the pursuit of consumer protection goals and are required to act exclusively in the interests of consumers. Their activities include providing information and education; offering advice and legal assistance to consumers in resolving consumer-related issues; receiving, recording and handling consumer complaints; conducting independent testing and comparative analyses of the quality of goods and services and publicly disseminating the results; carrying out research and studies in the field of consumer protection and publishing their findings; and cooperating with relevant authorities and organisations at both the national and international levels. Consumer protection associations and their federations are required to publish an annual report on their activities, including a detailed overview of all revenues, sources of funding and expenditures, and to submit that report to the Ministry of Internal and External Trade no later than 31 March of the current year for the preceding year. It should also be noted that the Consumer Protection

[322] See Art. 1 of the Competition Protection Act, Official Gazette of the Republic of Serbia, No. 51/2009, 95/2013 and 35/2026 – other law.

Act provides for the establishment of the Consumer Council, composed of representatives of all consumer associations and federations registered with the Ministry. Conceived as a body for discussing matters of common interest and formulating joint positions of consumer associations, the Council is entrusted with the following activities: coordinating the positions of consumer associations; proposing representatives of consumer associations for membership in the National Consumer Protection Council and other bodies; adopting the Code of Ethics for consumer associations and monitoring its implementation; providing opinions to the Ministry in proceedings concerning registration in and deletion from the Register; and issuing recommendations regarding the removal of associations and federations from the Ministry's Register. It should also be noted that the Ministry maintains a **Register of consumer protection associations and federations**. Entry in the Register is available to associations and federations that: (1) have been established and registered in accordance with the Law on Associations, that is, are registered with the Serbian Business Registers Agency; (2) pursue consumer protection objectives as their principal activity; (3) have been active in the field of consumer protection for at least three years; (4) possess adequate human, material and technical resources necessary for carrying out consumer protection activities; and (5) have the requisite experience, expertise and skills in the field of consumer protection. In order for a federation to be entered in the Register, it must consist of at least three associations. Associations and federations seeking registration must submit an application to the Ministry, while the conditions for registration are prescribed by the Rulebook on the Content of the Application, the Method of Maintaining the Register of Consumer Protection Associations and Federations, and the Conditions for Registration.[323] If an association or federation satisfies the prescribed requirements, the Ministry issues a decision and enters it into the Register. Registered associations and federations are entitled to: (1) apply for Ministry funding through programmes serving the public interest; (2) initiate proceedings for the protection of collective consumer interests; (3) represent consumer interests in judicial and alternative dispute resolution proceedings; (4) represent consumer interests in consultative bodies dealing with consumer protection at the national, regional and local levels; (5) participate in working groups established for the preparation of legislation and strategic documents relating to consumer rights; (6) access and use the National Consumer Complaints Register; and (7) participate in the work of the Consumer Council. As of 14 May 2026, the list of registered consumer protection associations published on the Ministry's website contains 12 associations.[324]

Regional consumer advisory centres also operate within the Serbian consumer protection system. Under the Consumer Protection Act, a registered consumer protection

[323] Rulebook on the Content of the Application, the Method of Maintaining the Register of Consumer Protection Associations and Federations, and the Conditions for Registration, available at: https://must.gov.rs/extfile/sr/634/Prilog%2012%20-%20Pravilnik%20o%20sadrzini%20prijave,na%C4%8Dinu%20vo%C4%91enja%20Evidencije%20udru%C5%BEenja%20i%20saveza%20udru%C5%BEenja%20za%C5%A1titu%20potro%C5%A1a%C4%8Da%20i%20uslovima%20za%20upis1.pdf.

[324] See: https://zastitapotrosaca.gov.rs/udruzenja#S1.

association or federation is authorised to represent consumer interests before consultative bodies in the field of consumer protection, in judicial and alternative dispute resolution proceedings, and in proceedings before other public authorities. As a result, associations and federations registered with the Ministry may apply for funding allocated from the budget of the Republic of Serbia to support the operation of consumer advisory centres that provide information, advice and legal assistance to consumers. In this regard, consumers in the Belgrade region may seek assistance from the National Consumer Organisation of Serbia, the Consumer Protection Association, the Republic Consumer Union, the Consumer Organisation Hram and the Consumer Centre of Serbia. In the Vojvodina region, consumer advisory services are provided by the Consumer Protection Association of Vojvodina, the Prosperitet Consumer Rights Protection Association (Novi Sad) and the Consumer Association of Kikinda. For the region of Šumadija and Western Serbia, consumers may contact the Consumer Organisation of Kragujevac, while in Southern and Eastern Serbia advisory services are provided by the FORUM Centre for Consumer Protection and Improvement of Citizens' Quality of Life.

7. National Consumer Complaints Register

The Republic of Serbia has established a National Consumer Complaints Register, an online platform that enables consumers to obtain information about their rights and to submit complaints where they believe that their consumer rights have been violated. The Register, which provides for the electronic submission of consumer complaints and is intended to offer consumers efficient support in the protection of their rights, is maintained by the Ministry of Internal and External Trade pursuant to the Consumer Protection Act.

A consumer completes an electronic form available at: https://zapotrosace.gov.rs, which requires the submission of four categories of information through a four-step process. These include: (1) information relating to the consumer, enabling further communication and feedback; (2) a description of the consumer's request or complaint; (3) information concerning the trader where the complaint relates to purchased goods or services; and (4) the selection of a consumer protection association that will handle the submitted complaint.

An analysis of the data on the number of complaints recorded in the National Consumer Complaints Register[325], classified according to the place of purchase and by year, reveals the following trends:

Year	**2021.**		**2022.**		**2023.**		**2024.**	
Place of Purchase	Complaint Numbe	Percentage	Complaint Numbe	Percentage	Complaint Numbe	Percentage	Complaint Numbe	Percentage

[325] Source of the tabular presentation of the above data: Final Report on the Implementation of the Consumer Protection Strategy for the Period 2019–2024, p. 26, available at: https://must.gov.rs/extfile/sr/18058/Izvestaj%20o%20sprovodjenju%20Akcionog%20plana%20Strategije%20zastite%20potrosaca%20-%20ZAVRSNI.%20Final.pdf.

	r		r		r		r	
In a Retail Store	21.205	90,34%	20.716	90,59%	16.768	87,92%	10.888	83,95%
Online	1.673	7,12%	1.604	7,01%	1.806	9,47%	1.684	12,98%
Door-to-door Sale	291	1,23%	269	1,18%	239	1,25%	205	1,58%
Telephone Sales	165	0,70%	161	0,70%	136	0,71%	87	0,67%
Off-premises Sales (promotional events)	118	0,51%	102	0,45%	105	0,55%	94	0,73%
Catalogue Sales	12	0,06%	13	0,06%	9	0,05%	10	0,08
Television Sales	8	0,04%	4	0,01%	9	0,05%	1	0,01%
Total	**23.472**	100,00 %	**22.869**	100,00 %	**19.072**	100,00 %	**12.969**	100,00 %

When examining the number of consumer complaints between 2021 and 2024, a decline can be observed in the number of complaints submitted to consumer protection associations. This development should be viewed in light of the growing number of alternative dispute resolution proceedings in consumer matters. It should be borne in mind that the initiation of such proceedings is contingent upon the prior submission of a complaint to the trader and does not require the filing of a complaint with a consumer protection association.[326]

8. The "Do Not Call" Register

Since January 2024, the Republic of Serbia has maintained a register of telephone numbers known as the "Do Not Call" Register, in which individuals may register their telephone numbers if they do not wish to be contacted by companies for commercial purposes. The Register is intended to protect consumers from unsolicited marketing calls, as well as from SMS and MMS messages sent for the purpose of promoting or selling goods and services. The "Do Not Call" Register is maintained by the Regulatory Authority for Electronic Communications and Postal Services (RATEL), and the website: www.nezovi.rs provides a facility for verifying whether a particular telephone number has been registered.

[326] See Final Report on the Implementation of the Consumer Protection Strategy for the Period 2019–2024, p. 24.

Registration in, and removal from, the “Do Not Call” Register may be requested only by the holder of the telephone number. Requests may be submitted through the application, electronically, or at the business premises of the telecommunications operator with whom the consumer has concluded a service contract. The application form for registration in, and removal from, the “Do Not Call” Register is publicly available on the website[327] of the Ministry of Internal and External Trade, the authority responsible, among other matters, for consumer protection policy and legislation. The introduction of the “Do Not Call” Register obliges traders to verify, prior to making marketing calls, whether the telephone number concerned has been entered into the Register by a person who has opted not to receive calls promoting goods or services. The legislation further provides for monetary penalties to be imposed on traders who contact individuals whose telephone numbers are included in the Register.

According to data provided by the Regulatory Authority for Electronic Communications and Postal Services (RATEL), by the beginning of October 2025 a total of 45,150 citizens had registered their telephone numbers in the “Do Not Call” Register. After an initial surge in registrations during the first two months following the Register’s establishment (January and February 2024), when approximately 8,500 citizens enrolled, the number of new registrations stabilised at around 2,500 per month throughout the remainder of 2024. In 2025, registrations continued at a more moderate rate, averaging approximately 1,700 new registrations per month.[328]

9. Alternative Dispute Resolution in Consumer Disputes

The previously applicable Consumer Protection Act of 2021 introduced an obligation for traders to participate in alternative dispute resolution proceedings where the dispute could not be resolved by other means. In this context, it is particularly important to note that the 2021 Act required traders to inform consumers, in a clear and comprehensible manner and in the Serbian language or the language of a national minority, about the possibility of resolving disputes through alternative dispute resolution mechanisms.

Alternative dispute resolution proceedings for consumer disputes in the Republic of Serbia are **free of charge for both consumers and traders**. In order to facilitate access to alternative dispute resolution mechanisms, the Republic of Serbia has established a dedicated **online platform** for the resolution of consumer disputes, available at: https://vansudsko.must.gov.rs. The alternative dispute resolution procedure may be initiated regardless of the nature or value of the dispute. However, a **prerequisite** for submitting a request is that the consumer has previously contacted the trader and submited a complaint. Consequently, a consumer may initiate alternative dispute resolution proceedings where he or she considers that the trader has unjustifiably and unlawfully rejected the complaint. The procedure is initiated by completing an online

[327] See: https://must.gov.rs/extfile/sr/4124/Obrazac%20zahteva%20za%20REGISTAR%20NE%20ZOVI.pdf.
[328] See Final Report on the Implementation of the Consumer Protection Strategy for the Period 2019–2024, pp. 3–4, available at: https://must.gov.rs/extfile/sr/18058/Izvestaj%20o%20sprovodjenju%20Akcionog%20plana%20Strategije%20zastite%20potrosaca%20-%20ZAVRSNI.%20Final.pdf.

application form available on the platform. In doing so, the consumer provides three categories of information: (1) information relating to the consumer; (2) information concerning the trader; and (3) a description of the dispute together with details of the rejected complaint. The alternative dispute resolution procedure for a consumer dispute between a consumer and a trader is conducted before an **independent third party**, namely a body for the alternative resolution of consumer disputes entered on the List of ADR Bodies. Such bodies must satisfy the requirements prescribed by the Consumer Protection Act, while the List is maintained by the Ministry of Internal and External Trade. As of 10 May 2026, the List of ADR Bodies for Consumer Disputes contains 70 natural persons (mediators), together with their contact details, including their names, addresses, e-mail addresses, telephone numbers and the languages in which they conduct proceedings. The List is publicly available at: https://vansudsko.must.gov.rs/adrbodies. If the parties do not reach a settlement, the ADR body may, where it considers it appropriate, issue a recommendation on the resolution of the dispute. The recommendation shall be issued in writing, accompanied by reasons, and delivered to the parties to the proceedings.[329]

The practical functioning of the alternative dispute resolution system for consumer disputes may be assessed through the data presented in the table below, which provides an overview of the total number of registered disputes and resolved disputes during the period 2022–2024. It should be borne in mind that the ADR platform was launched and became operational on 27 July 2022.

Year	Number of Registered Disputes	Number of Resolved Disputes	Percentage of Resolved Disputes
2022.	565	556	98,4%
2023.	2.270	1.813	79,9%
2024.	4.026	3.802	94,4%[330]

For a comprehensive assessment of the system, it is also necessary to examine the different ways in which disputes are resolved. Once a request for the alternative resolution of a consumer dispute has been submitted, the proceedings may be concluded in one of four ways: (1) by reaching a settlement agreement; (2) by termination of the proceedings where their continuation is deemed inappropriate or no longer justified; (3) by the issuance of a recommendation on the resolution of the consumer dispute by the ADR body; or (4) by the rejection of the request.

[329] As examples of good practice, two recommendations are publicly available on the website of the Consumer Protection Sector of the Ministry of Internal and External Trade of the Republic of Serbia: https://zastitapotrosaca.gov.rs/Portals/0/Resources/%D0%9F%D1%80%D0%B5%D0%BF%D0%BE%D1%80%D1%83%D0%BA%D0%B0%201.pdf?ver=2023-04-18-110435-870&timestamp=1681808762024 and: https://zastitapotrosaca.gov.rs/Portals/0/primer%20preporuke_000151.pdf?ver=2025-05-20-123659-727.

[330] Source of the above data: Ministry of Internal and External Trade of the Republic of Serbia. For further details, see the Explanatory Memorandum to the Draft Consumer Protection Act of 2026, p. 158

Resolution Outcome	2022.		2023.[331]		2024.	
	Number of Cases	Share (%)	Number of Cases	Share (%)	Number of Cases	Share (%)
Settlement Agreement Reached	194	34,9	709	39,1	1.375	36,1
Decision to Terminate the Proceedings	226	40,6	719	39,7	1.836	48,3
Recommendation Issued	96	17,3	197	10,9	158	4,2
Request Rejected	40	7,2	188	10,3	433	11,4
Total	556[332]	100,0	1.813	100,0	3.802	100,0[333]

The above data demonstrate a steady increase in the number of settlements concluded in consumer disputes, rising from 194 in 2022 to 709 in 2023 and 1,375 in 2024. However, their proportion within the total number of resolved ADR consumer disputes has remained relatively stable, representing slightly more than one third of all resolved cases throughout the observed period (34.9%, 39.1% and 36.2%, respectively).[334] In 2024, the average duration of ADR proceedings was 39 days, while the number of mediators included on the List of ADR Bodies increased to 68.[335]

10. Market Inspection

Consumers may contact the Market Inspection, whose powers are prescribed by the Consumer Protection Act. The Market Inspection is competent to act in situations where a trader: (1) fails to respond to a consumer complaint within the statutory period[336] of

[331] More detailed data for 2023 are available in: Ministry of Internal and External Trade, Consumer Protection Sector, Report – Statistical Indicators of the ADR Platform's Performance in the Period 1 January 2023 – 31 December 2023, available at: https://zastitapotrosaca.gov.rs/Portals/0/Resources/%D0%90%D0%94%D0%A0-%D0%B8%D0%B7%D0%B2%D0%B5%D1%88%D1%82%D0%B0%D1%98%20%D0%B7%D0%B0%202023%20%D0%B3%D0%BE%D0%B4%D0%B8%D0%BD%D1%83.pdf?ver=2024-01-23-155542-650.
[332] See Ministry of Internal and External Trade, Consumer Protection Sector, Report – Statistical Indicators of the ADR Platform's Performance in the Period 27 July 2022 – 31 December 2022, available at: https://zastitapotrosaca.gov.rs/Portals/0/Resources/%D0%90%D0%94%D0%A0-%D0%B8%D0%B7%D0%B2%D0%B5%D1%88%D1%82%D0%B0%D1%98%20%D0%B7%D0%B0%202022%20%D0%B3%D0%BE%D0%B4%D0%B8%D0%BD%D1%83.pdf?ver=2024-01-23-155257-633.
[333] See also the Explanatory Statement to the Draft Consumer Protection Act of 2026, p. 159.
[334] The data presented above are based on the annual reports, namely the statistical indicators of the operation of the ADR platform, published on the website of the Ministry of Internal and External Trade and publicly available to interested users.
[335] See Ministry of Internal and External Trade, Consumer Protection Sector, Report – Statistical Indicators of the ADR Platform's Performance in the Period 27 July 2022 – 31 December 2022, available at: https://zastitapotrosaca.gov.rs/Portals/0/Resources/%D0%90%D0%94%D0%A0-%D0%B8%D0%B7%D0%B2%D0%B5%D1%88%D1%82%D0%B0%D1%98%20%D0%B7%D0%B0%202022%20%D0%B3%D0%BE%D0%B4%D0%B8%D0%BD%D1%83.pdf?ver=2024-01-23-155257-633.
[336] Such conduct by a trader is subject to a monetary fine under the Consumer Protection Act. It should be emphasised that the Market Inspection is not empowered to assess the merits of a consumer complaint. While it may order a trader to provide a response, it cannot dictate the content of that response or require the trader to uphold the complaint. The assessment of the complaint remains the responsibility of the trader.

eight days[337], 2) misuses the term “guarantee”; (3) engages in unfair commercial practices; (4) sends unsolicited goods to consumers; or (5) sells, serves or gives tobacco products, alcoholic beverages, beer or pyrotechnic products to minors. On the website of the Ministry responsible for trade and consumer protection, within which the Market Inspection operates, an explanatory note addressed to citizens states that the relationship between a trader and a consumer arising from a contract for the sale of goods or the provision of services constitutes a contractual relationship governed by civil law and, therefore, falls outside the competence of the Market Inspection as a public administrative authority. The explanation further notes that this approach is common throughout Europe and neighbouring countries, as it is based on the principle of non-interference by the state in contractual relationships and thus does not disrupt market relations between participants. More specifically, this means that where a consumer is unable to resolve a dispute or enforce his or her rights, first through direct communication with the trader and subsequently with the assistance of consumer protection associations, judicial protection remains available as the final means of redress. In disputes with a value not exceeding RSD 500,000, court fees are not payable in respect of either the claim or the judgment..[338] It is also important to note that the Consumer Protection Act of 2021 introduced **fixed-penalty notices**, i.e. the power of market inspectors to impose fixed monetary fines. A trader who pays 50% of the imposed fine within 8 days from the delivery of the notice is released from the obligation to pay the remaining 50% of the fineSince the adoption of the Consumer Protection Act of 2021, the number of misdemeanour orders issued has developed as follows:[339]

Inspection Supervision Concerning the Application of the Consumer Protection Act / Year	2022	2023	2024
Regular Inspection Supervision			
Total Number of Inspections		2.690	3.141

[337] The eight-day period referred to above is prescribed by the Consumer Protection Act of 2026. A trader is required to respond to a consumer complaint in writing or by electronic means without undue delay and no later than eight days from the date of receipt of the complaint. The trader’s response must indicate whether the complaint is accepted, provide reasons if the complaint is rejected, address the consumer’s proposed method of resolution, and, where the complaint is accepted, include a specific proposal indicating how and within what period the complaint will be resolved. The time limit for resolving a complaint may not exceed 15 days from the date of its submission, or 30 days in the case of technical goods and furniture. See Art. 63(9) of the Consumer Protection Act, Official Gazette of the Republic of Serbia, No. 35/2026.
[338] See: https://zastitapotrosaca.gov.rs/za-potrosace, (accessed on 15 April 2026). At the same time, it is pointed out that the majority of consumer complaints relate to the lack of conformity of goods or services.
[339] The data on the number of misdemeanour orders issued were provided by the Market Inspection Sector. See Final Report on the Implementation of the Consumer Protection Strategy for the Period 2019–2024, p. 3, available at: https://must.gov.rs/extfile/sr/18058/Izvestaj%20o%20sprovodjenju%20Akcionog%20plana%20Strategije%20zastite%20potrosaca%20-%20ZAVRSNI.%20Final.pdf.

Total Number of Inspections Conducted	1.715	4.089	4.706
Misdemeanour Orders Issued	**122**	**786**	**1.053**
Extraordinary Inspection Supervision			
Total Number of Inspections	3.112	1.832	1.789
Total Number of Inspections Conducted	3.871	2.767	3.303
Misdemeanour Orders Issued	**736**	**898**	**1.093**

11. The Non-Existence of Judicial Collective Consumer Redress

The protection of collective consumer interests in the Republic of Serbia is ensured through administrative proceedings conducted before the competent public authority, namely the ministry responsible for consumer protection matters. Traditionally, this has been the ministry primarily responsible for trade. Judicial collective consumer redress was provided for under Serbian law, but only for a relatively short period of time. More specifically, the Consumer Protection Act of 2010 introduced collective consumer redress into the Serbian legal system for the first time, to be pursued through civil court proceedings. With regard to the initiation of such proceedings, that is, standing, the legislator assigned a significant role to consumer protection associations. The Consumer Protection Act of 2010 provided that the procedural rules governing collective consumer redress would be those applicable to civil litigation, namely the Civil Procedure Act, which contained an entire chapter regulating proceedings for the protection of the collective rights and interests of citizens. However, neither the Consumer Protection Act nor the Civil Procedure Act provided a precise definition of the concept of collective interest within the framework of these special proceedings, a legislative omission that attracted criticism in legal scholarship. From a positive law perspective, judicial collective consumer redress in Serbia proved to be short-lived. The provisions of the Civil Procedure Act governing proceedings for the protection of the collective rights and interests of citizens were declared unconstitutional by the Constitutional Court and ceased to be in force in 2013.[340] As a consequence, bringing a collective action and conducting such judicial proceedings are currently not possible in Serbia.

12. Judicial Protection in Individual Consumer Disputes. If none of the previously described mechanisms for resolving consumer disputes produces a satisfactory outcome, consumers always retain the possibility of seeking judicial protection. At the time of writing (May 2026), such protection in the Republic of Serbia is available only through individual legal proceedings.

[340] See Decision of the Constitutional Court of the Republic of Serbia, Case No. IUz-51/2012, 23 May 2013, Official Gazette of the Republic of Serbia, No. 49/2013. See: https://www.ustavni.sud.rs/sudska-praksa/baza-sudske-prakse/pregled-dokumenta?PredmetId=8915.

Consumer disputes are adjudicated by a single judge.[341] In consumer disputes, jurisdiction is vested not only in the court of general territorial jurisdiction (determined by the domicile or registered office of the defendant), but also in the court within whose territorial jurisdiction the consumer has his or her domicile or residence.[342] Chapter XXXV of the Civil Procedure Act lays down special procedural rules for consumer disputes. Under these provisions, the general rules of civil procedure apply mutatis mutandis to disputes arising from contractual relationships between consumers and traders, unless otherwise provided by this Chapter or by a special law.[343] In consumer disputes, the statement of claim is not served on the defendant for the submission of a statement of defence. Rather, it is served together with the summons to the main hearing. No preparatory hearing is scheduled or conducted in consumer disputes. The main hearing must be scheduled and held within 30 days from the date of receipt of the statement of claim by the court. The summons to the main hearing must, inter alia, inform the parties that the claimant will be deemed to have withdrawn the claim if he or she fails to appear at the main hearing, and that, should the defendant fail to appear, the court will proceed with the hearing and render its judgment on the basis of the facts established in the proceedings. The court must also inform the parties that all facts and evidence must be presented no later than the conclusion of the first main hearing, that no new facts or evidence may be introduced on appeal, and that the judgment may be challenged only on the grounds of substantial violations of the rules of civil procedure or incorrect application of substantive law. If the claimant fails to appear at the main hearing and has been duly summoned, he or she shall be deemed to have withdrawn the claim. If the defendant fails to appear at the main hearing and has been duly summoned, the court shall hold the hearing and render its decision on the basis of the established facts.

Judgments in consumer disputes are pronounced immediately after the close of the main hearing. Upon pronouncing the judgment, the court shall briefly state the reasons for its decision and inform the parties of the requirements for filing an appeal. The written judgment shall set out the facts established by the court, identify the evidence on which those findings are based, and specify the legal provisions forming the basis of the judgment. In consumer disputes, an interlocutory appeal is permitted only against a decision terminating the proceedings. Other decisions[344] that may be subject to a separate appeal under the Civil Procedure Act may be challenged solely in an appeal against the decision by which the proceedings are concluded. The parties may lodge an appeal against

[341] See Art. 35 of the Civil Procedure Act, Official Gazette of the Republic of Serbia, No. 72/2011, 49/2013 (CC), 74/2013 (CC), 55/2014, 87/2018, 18/2020 and 10/2023 (other law).
[342] See Art. 45 of the Civil Procedure Act, Official Gazette of the Republic of Serbia, No. 72/2011, 49/2013 (CC), 74/2013 (CC), 55/2014, 87/2018, 18/2020 and 10/2023 (other law).
[343] By way of exception to paragraph 1 of this Article, the provisions of this Chapter shall not apply to disputes arising from death, personal injury or impairment of health, the provision of healthcare or legal services, or the transfer of rights in immovable property. Where, due to the complexity of the subject matter of the dispute or the evidence proposed, a consumer dispute cannot be adjudicated in accordance with the provisions of this Chapter, the court shall issue a decision ordering that the proceedings continue under the rules of ordinary civil procedure. No appeal shall be permitted against such a decision.
[344] Such decisions are not served on the parties but are pronounced at the hearing and included in the written text of the final decision.

a first-instance judgment or decision within eight days. The period for filing an appeal shall run from the date of pronouncement of the judgment or decision. Where the judgment or decision is served on a party, however, the period shall run from the date of service.[345]

3. Development of the Consumer Protection Legislative Framework in the Republic of Serbia

3.1. The First Consumer Protection Acts Applied in Serbia

The first statute dealing specifically with consumer protection was adopted at the federal level, rather than at the level of the Republic of Serbia, in 2002. This was the Consumer Protection Act enacted in the Federal Republic of Yugoslavia.[346] The first consumer protection statute adopted at the republican level, that is, in the Republic of Serbia, was the Consumer Protection Act (hereinafter: CPA), enacted in 2005.[347]

3.2. The Consumer Protection Act of 2010

The CPA 2010[348], which entered into force on 1 January 2011, marked a significant step in the harmonisation of Serbian consumer protection law with European Union standards and the EU acquis, taking into account the obligations arising from the 2008 Stabilisation and Association Agreement. The Act substantially transposed into Serbian law the key provisions and regulatory solutions contained in approximately ten EU consumer protection directives.

In addition to individual consumer protection, the CPA 2010 introduced, for the first time, a mechanism for collective consumer redress into the Serbian legal system, to be exercised through civil litigation.[349] With regard to the initiation of proceedings, that is, standing, the legislator assigned a significant role to consumer protection associations. As regards procedural matters, the CPA 2010 provided for the mutatis mutandis application of the rules governing civil litigation, namely those contained in the Civil Procedure Act, which included an entire chapter regulating proceedings for the protection of the collective rights and interests of citizens. However, neither the CPA 2010 nor the Civil Procedure Act provided a precise definition of the concept of collective interest within the framework of these special proceedings for the protection of

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[345] See Arts. 488–493 of the Civil Procedure Act, Official Gazette of the Republic of Serbia, No. 72/2011, 49/2013 (CC), 74/2013 (CC), 55/2014, 87/2018, 18/2020 and 10/2023 (other law).
[346] Official Gazette of the Federal Republic of Yugoslavia.
[347] For a more detailed discussion of the stages in the development of Serbian consumer law, see Slobodan Vukadinović, "European Consumer Law and Its Influence on the Development of Serbian Consumer Law", in: 65 Years since the Treaties of Rome: The European Union and the Prospects of Serbia's European Integration (eds. Jelena Ćeranić Perišić, Vladimir Đurić and Aleksandra Višekruna), Institute of Comparative Law, Belgrade, 2023, pp. 202–207. This chapter provides the foundation for the part of the present article dealing with the normative framework of consumer protection in the Republic of Serbia, which has been updated to reflect legislative developments and the enactment of new consumer protection legislation in the intervening period.
[348] Official Gazette of the Republic of Serbia, No. 73/2010.
[349] For a detailed analysis of the collective consumer protection mechanism under the CPA 2010 and its comparison with the newly adopted CPA 2014, see B. Babović, "Protection of Collective Consumer Interests", Annals of the Faculty of Law in Belgrade, No. 2/2014, pp. 215–228.

collective rights and interests, a legislative omission that attracted criticism in legal scholarship.[350] Collective consumer redress through judicial proceedings in Serbia proved to be short-lived from a positive law perspective. The provisions of the Civil Procedure Act regulating proceedings for the protection of the collective rights and interests of citizens ceased to be in force in 2013 pursuant to a decision of the Constitutional Court, which found them to be unconstitutional.[351] The CPA 2010 also brought significant changes to Serbian consumer contract law, notably with regard to consumer protection in distance and off-premises contracts (including e-commerce transactions), the nullity of unfair contract terms, specific consumer rights in contracts for the sale of goods and the provision of services, particularly the trader's liability for lack of conformity, as well as special consumer rights in the field of tourism services.[352]

3.3. The Consumer Protection Act of 2014

One of the most significant innovations introduced by the CPA 2014 (subsequently amended several times)[353] was the introduction of administrative proceedings for the protection of collective consumer interests. Such proceedings could be initiated against the use of unfair contract terms and unfair commercial practices. Registered consumer protection associations were assigned an important role in this framework. The operation of the collective consumer protection mechanism under the CPA 2014 yielded concrete results in addressing both unfair contract terms and unfair commercial practices.[354]

The CPA 2014 further introduced a specific mechanism applicable to public utility companies, requiring the establishment of advisory bodies within those entities and providing for the inclusion of representatives of registered consumer protection associations in the membership of such bodies. A particularly important and practical innovation introduced by the CPA 2014, and one that was highly beneficial to consumers, was the possibility for consumers to submit a complaint even when they no longer possessed the original packaging of the goods. This was formally achieved by providing that a consumer's inability to present the packaging in which the goods had been sold could neither constitute a condition for handling a complaint nor serve as grounds for refusing to remedy a lack of conformity. Furthermore, consumers were given the right to choose between repair and replacement of defective goods. Under the CPA 2014, during the first six months following the purchase, repair of the goods was

[350] M. Jovanović Zattila, "The Concept of Collective Consumer Protection – The Road Less Travelled", Annals of the Faculty of Law of the University of Zenica, No. 14/2014, p. 50.
[351] Decision of the Constitutional Court of the Republic of Serbia, Case No. IUz-51/2012, 23 May 2013, Official Gazette of the Republic of Serbia, No. 49/2013.
[352] See M. Karanikić Mirić, "What Is New in Serbian Contract (Consumer) Law?", in: Serbia's Legal Capacity for European Integration (ed. Stevan Lilić), Belgrade, 2010, p. 131 et seq. The author also points out that the Serbian legislator at that time missed the opportunity to provide consumers with specific protection in the exercise of rights arising from consumer credit agreements.
[353] Official Gazette of the Republic of Serbia, No. 62/2014, 6/2016 (other law) and 44/2018 (other law).
[354] See S. Vukadinović, "Mechanisms of Collective Protection of Consumers against Unfair Contract Terms", in: Protection of Collective Consumer Interests (ed. Katarina Ivančević), Union University Faculty of Law, Belgrade, 2021, p. 234.

permissible only with the consumer's express consent. In addition, the Act granted consumers the right to withdraw from distance and off-premises contracts within 14 days without stating any reason. The CPA 2014 introduced a different legal regime governing consumer complaints, most notably by significantly reducing the period within which traders are required to respond to a complaint. Under the CPA 2014, traders were required to respond within eight days, whereas the corresponding period under the CPA 2010 had been fifteen days. The CPA 2014 also provided a more precise framework regarding the time limit for resolving complaints. While the CPA 2010 referred only to a "reasonable period", the CPA 2014 specified exact deadlines, namely 15 days for resolving complaints and 30 days in the case of furniture and technical goods. In addition, the Act introduced an obligation for traders to maintain a dedicated register of consumer complaints containing all information necessary to provide a complete record of the handling and resolution of each complaint.

The CPA 2014 also introduced the National Consumer Complaints Register, administered by the ministry responsible for consumer protection. Under the Act, the term consumer complaint encompasses any submission or grievance through which an alleged violation of consumer rights under the Consumer Protection Act or other legislation is reported.[355]

3.4. The Consumer Protection Act of 2021

The Government of the Republic of Serbia, acting as the authorised proposer[356] of the Consumer Protection Act of 2021[357], stated in the Explanatory Statement accompanying the Draft Act submitted to the National Assembly that the reasons for adopting a new consumer protection statute lay in the shortcomings identified during the implementation of the CPA 2014. According to the Government, these shortcomings hindered the full application of the existing legislation in practice and prevented the provision and guarantee of a satisfactory level of consumer protection in Serbia, primarily due to: (1) the absence of a functional institutional framework for alternative dispute resolution in consumer disputes; (2) the lack of reliable data on the number of consumer disputes pending before the courts; (3) insufficient protection of passengers (consumers) in the tourism sector; (4) the absence of effective penalties with a deterrent effect; (5) the need to ensure a higher level of accountability and transparency in the work of consumer protection associations and federations; and (6) the lack of harmonisation of Serbian consumer law with the new EU rules on package travel and linked travel arrangements, which provide a higher level of consumer protection.[358] The new Act was therefore

[355] See Art. 139 of the Consumer Protection Act, Official Gazette of the Republic of Serbia, No. 62/2014, 6/2016 (other law) and 44/2018 (other law).
[356] The Ministry of Trade, Tourism and Telecommunications was responsible for preparing the Draft Consumer Protection Act..
[357] *Official Gazette of the Republic of Serbia, No. 88/2021.*
[358] See Draft Consumer Protection Act, Explanatory Statement, Part II – Reasons for the Adoption of the Act, pp. 83–84, available at: http://www.parlament.gov.rs/upload/archive/files/lat/pdf/predlozi_zakona/2021/1290-21%20-%20lat..pdf.

prepared with the aim of addressing these shortcomings and achieving harmonisation with the relevant EU directive.[359]

In the same year in which the Act was adopted, legal scholarship pointed out that the legislator had failed, in the CPA 2021, to transpose into Serbian law the EU approach concerning certain categories of travellers who, under EU law, are not formally regarded as consumers. These include natural persons travelling for business purposes, such as representatives and employees of small and start-up enterprises, self-employed persons, members of the liberal professions and other individuals travelling for professional reasons. The argument advanced in legal scholarship was that such persons occupy a bargaining position in the travel market comparable to that of consumers, as they purchase tickets and book accommodation through the same channels and under similar conditions. Consequently, they should be afforded the same level of protection as consumers.[360]

A significant innovation introduced by the CPA 2021 was the establishment of a comprehensive framework for alternative dispute resolution (ADR) in consumer matters. Under the Act, a consumer may initiate ADR proceedings only if he or she has previously submitted a complaint or claim to the trader. The Act expressly provides that traders are obliged to participate in ADR proceedings before the competent ADR body and must clearly and visibly display at their business premises a notice informing consumers of this statutory obligation. ADR proceedings[361] may last no longer than 90 days from the date on which the request is submitted,[362] while the consumer remains free to withdraw from the procedure at any time before its conclusion.[363] In substance, the mechanism operates as a form of mediation,[364] and the services provided by the ADR body are free of charge for

[359] According to the Statement of Compliance with European Union Law, which forms an integral part of the Draft Consumer Protection Act, the reasons given for partial harmonisation, or non-harmonisation, were that the market conditions required for full alignment with the Package Travel and Linked Travel Arrangements Directive had not yet been established. See Draft Consumer Protection Act, Statement of Compliance with European Union Law, p. 157.

[360] M. Karanikić Mirić, „Zakonodavna hiperaktivnost i delotvorna zaštita potrošača”, in: *Perspektive implementacije evropskih standarda u pravni sistem Srbije* (ed. Stevan Lilić), Belgrade, 2021, pp. 118–119 (and footnote 44). The author points out that, for precisely these reasons, Recital 7 of the Directive provides that the Directive should also apply to such persons and that all persons enjoying protection under the Directive should be referred to as travellers rather than consumers, in order to ensure that natural persons travelling for business purposes are also covered by that protection. Under current Serbian law, a traveller is defined as a consumer who purchases, or on whose behalf a tourism service is purchased, while a consumer is defined as a natural person who acquires goods or services on the market for purposes not related to his or her business or other commercial activity. The same author further notes that the Directive is not intended to protect natural persons who organise their business travel on the basis of an ongoing commercial relationship with a service provider, and that partial harmonisation also exists with regard to Recitals 14, 17 and 43 of the Directive.

[361] For a more detailed analysis of the justification for excluding the insurance sector from mandatory consumer-initiated mediation, see: N. Petrović Tomić, „Vansudsko rešavanje sporova iz osiguranja u režimu Zakona o zaštiti potrošača – privilegija izuzeća ili diskriminacije osiguranja?!”, *Pravo i privreda* 2/2022, pp. 275–296.

[362] Exceptionally, in justified cases where the subject matter of the dispute is complex, the 90-day period may be extended by no more than a further 90 days. The ADR body shall notify the consumer and the trader of such extension without undue delay.

[363] See Art. 151 CPA 2021, Official Gazette of the Republic of Serbia, No. 88/2021.

[364] Furthermore, pursuant to Art. 150(2)–(3) of the CPA 2021, ADR bodies for consumer disputes are mediators, within the meaning of the legislation governing mediation, who hold a law degree, have acquired at least two

the parties involved in the dispute.[365] More broadly, ADR mechanisms in the field of consumer law began to emerge in EU Member States in the late 1960s, while the key EU instruments on alternative dispute resolution and online dispute resolution were adopted in 2013.

When it comes to consumer redress mechanisms, it is important to highlight another feature characteristic of both the European Union and Serbia, namely the protection of collective consumer interests, although the manner in which such protection is implemented differs significantly. Legal scholarship and national legal systems have adopted different approaches regarding whether collective consumer interests are more effectively protected through judicial proceedings or through administrative mechanisms. Under the current Serbian legal framework, collective consumer interests are protected exclusively through administrative proceedings, as no mechanism of judicial collective consumer redress is presently available.

Although the National Consumer Complaints Register had already existed and was retained under the CPA 2021[366], one of the important innovations introduced by the Act was the establishment of the register popularly known as the "Do Not Call" Register. More specifically, the CPA 2021 introduced a prohibition on making telephone calls and/or sending messages for promotional or telemarketing purposes to consumers whose telephone numbers are entered in the register of consumers who do not wish to receive such communications. This mechanism was introduced with the aim of strengthening consumer privacy and protecting consumers from unsolicited commercial communications.[367]

3.5. Consumer Protection Secondary Legislation

In addition to the Act itself, several items of secondary legislation were adopted pursuant to the CPA 2021, including:

- Rulebook on the Content and Maintenance of the Register of Consumer Protection Associations and Federations and the Conditions for Registration (Official Gazette of the Republic of Serbia, No. 9/2022);

years of post-graduation experience in civil law matters, and are entered on the List of ADR Bodies established and publicly maintained by the Ministry.

[365] See Art. 167(2) of the Consumer Protection Act, Official Gazette of the Republic of Serbia, No. 88/2021. Pursuant to paragraph 1 of the same Article, each party to ADR proceedings bears its own costs, including representation costs, travel expenses and other related expenses.

[366] For the purposes of the CPA 2021, a consumer complaint is defined as any submission or grievance through which a consumer reports an infringement of rights provided for under the Consumer Protection Act or other legislation. See Art. 147 of the Consumer Protection Act, Official Gazette of the Republic of Serbia, No. 88/2021. The National Consumer Complaints Register is established and maintained by the ministry responsible for consumer protection matters, currently the Ministry of Internal and External Trade (until 22 October 2022, the Ministry of Trade, Tourism and Telecommunications). Within the Ministry, a dedicated Consumer Protection Sector has been established (see: https://www.zastitapotrosaca.gov.rs) which operates an online platform enabling consumers to obtain information about their rights and to submit complaints where they consider that their consumer rights have been infringed. The National Consumer Complaints Register is available at: https://zapotrosace.gov.rs.

[367] The Register is maintained by the Regulatory Authority for Electronic Communications and Postal Services (RATEL). See Art. 37 of the Consumer Protection Act, Official Gazette of the Republic of Serbia, No. 88/2021..

- Rulebook on the Form and Content of the Withdrawal Form for Distance Contracts and Off-Premises Contracts (Official Gazette of the Republic of Serbia, No. 21/2022);
- Decision Establishing the National Consumer Protection Council;
- Rulebook on the Register of Consumers Who Do Not Wish to Receive Calls and/or Messages for the Purposes of Direct Marketing and/or Telephone Sales (Official Gazette of the Republic of Serbia, No. 118/2023);
- Rulebook Amending the Rulebook on the Operation of ADR Bodies for Consumer Disputes (Official Gazette of the Republic of Serbia, No. 68/2025).[368]

For the period 2019–2024, the Republic of Serbia adopted the Consumer Protection Strategy 2019–2024, together with two implementing action plans: the Action Plan for the Implementation of the Consumer Protection Strategy for the Period 2019–2022 and the Action Plan for the Implementation of the Consumer Protection Strategy for the Period 2023–2024. The Strategy, the action plans, and the annual reports on the implementation of the Action Plans are publicly available on the website of the Ministry of Internal and External Trade.[369] The above-mentioned reports demonstrate that the proportion of complaints relating to online purchases has been steadily increasing relative to the total number of consumer complaints. This development is hardly surprising, given the growing prevalence of e-commerce and the continuous expansion of online shopping in recent years.

3.6. New Legislation of 2026

he new Consumer Protection Act of 2026 forms part of a broader legislative package in the field of trade, recently adopted with the objective of enhancing the protection of consumers and purchasers, as well as primary agricultural producers, whose bargaining position is frequently weaker than that of other market participants. Furthermore, all three Acts contribute to increasing transparency in market relations, strengthening legal certainty and fostering fair and balanced commercial practices.[370] The package consists of three statutes: the amended Trade Act, the new Consumer Protection Act and the Act on Trading Practices for Certain Products, the latter representing a novel legislative instrument in Serbian law, having been enacted for the first time in 2026.

The Act on Trading Practices for Certain Products[371] introduced a novel enforcement mechanism into Serbian law in the form of a cooperating individual in trade

[368] The secondary legislation adopted on the basis of the Consumer Protection Act and referred to above is available at: https://must.gov.rs/tekst/sr/410/podzakonski-akti.php.
[369] See: https://must.gov.rs/tekst/411/strategije.php#.
[370] On the growing importance of transparency in consumer law, and particularly in consumer contract law, see: Vukadinović, S., Jovičić, K., "The Development of Transparency in Public and Private (Contractual) Law: From Requirement to Principle", *Collected Papers of the Faculty of Law of the University of Rijeka*, vol. 45, No. 3, 2024, pp. 595-607.
[371] Official Gazette of the Republic of Serbia, No. 35/2026 of 23 April 2026.

proceedings. This refers to a natural person who submits relevant evidence concerning an unfair trading practice and who, in return, is entitled to a monetary reward[372] amounting to 5% of the value of the protective measure imposed, as well as protection of his or her identity during the administrative proceedings.[373] The overall objective of this Act is to establish transparent and balanced relationships within the supply chain from the very outset of commercial dealings, while also eliminating distortions and irregularities that exist in the market. In particular, the Act seeks to prevent unfair trading practices arising from unequal bargaining power among market participants. The new legislative framework classifies trading practices into two categories. The first category consists of practices that are prohibited in all circumstances and therefore constitute a so-called "black list". The second category comprises the so-called "grey list", which includes trading practices whose permissibility depends on the fulfilment of certain conditions, that is, practices that are presumed to be prohibited unless proven otherwise.[374]

The legislator identifies commercial retaliation as a particularly serious form of unfair trading practice. In this regard, any form of commercial retaliation, or threat of retaliation, by a buyer against a supplier is prohibited where the supplier exercises its contractual or statutory rights and obligations or refuses to accept formal or informal offers or conditions imposed by the buyer. In particular, prohibited retaliation includes: (1) the delisting of the supplier's products from the buyer's assortment or promotional campaigns; (2) the reduction of ordered quantities or the frequency of orders, as well as delays in the acceptance, receipt or processing of orders or products; (3) the suspension, restriction or termination of services that the buyer normally provides to the supplier within the framework of their commercial relationship, such as marketing, promotional or additional product display services; and (4) other forms of retaliation capable of directly affecting the supplier's business operations.[375]

One of the principal innovations of the Act, designed to eliminate the previously widespread and unsustainable practice of payment periods extending to as much as 120 days, was the introduction of mandatory payment deadlines. Pursuant to the Act, payment for perishable agricultural products must be made within 30 days, while payment for other agricultural and food products must be made within 60 days. The relevant period is calculated from the later of the following two dates: the expiry of the delivery period or the issuance of the relevant accounting document.[376] The Act also introduced a stringent system of sanctions aimed at combating unfair trading practices. Furthermore, the Commission for Protection of Competition is obliged to publish annual

[372] A person who has submitted a false report, intentionally altered or unlawfully obtained evidence, or incited the commission of an unfair trading practice shall not be entitled to identity protection or a monetary reward.
[373] See Article 23 of the Act on Trading Practices for Certain Types of Products (Official Gazette of the Republic of Serbia, No. 35/2026 of 23 April 2026).
[374] See Articles 6–7 of the Act on Trading Practices for Certain Types of Products (Official Gazette of the Republic of Serbia, No. 35/2026 of 23 April 2026).
[375] See Article 8 of the Act on Trading Practices for Certain Types of Products (Official Gazette of the Republic of Serbia, No. 35/2026 of 23 April 2026).
[376] See Article 6 of the Act on Trading Practices for Certain Types of Products (Official Gazette of the Republic of Serbia, No. 35/2026 of 23 April 2026).

reports containing not only a summary of detected infringements but also a form of "black list" identifying traders and other market participants whose involvement in unfair trading practices has been established. The publication of such information is expected to have significant reputational implications for the undertakings concerned and thereby enhance the preventive and deterrent effects of the legislation.[377] The Market Inspection is responsible for supervising compliance with certain provisions of the Act, whereas proceedings concerning the determination of unfair trading practices fall within the jurisdiction of the Commission for Protection of Competition..[378]

When it comes to the **Consumer Protection Act of 2026**, the principal innovation in comparison with the CPA 2021 lies in the transposition of three important EU directives: Directive (EU) 2019/770 on certain aspects concerning contracts for the supply of digital content and digital services; Directive (EU) 2019/771 on certain aspects concerning contracts for the sale of goods; and Directive (EU) 2019/2161 on better enforcement and modernisation of Union consumer protection rules. Harmonisation with these EU instruments and standards was undertaken in response to technological developments and the challenges associated with them, as well as the exponential growth of online markets and digital commerce. These trends became particularly pronounced during the COVID-19 pandemic, when public health measures accelerated the shift of many economic and social activities, especially consumer purchasing, towards the digital marketplace. Statistical data demonstrate the growing importance of e-commerce in the Republic of Serbia. According to information provided by the Ministry of Internal and External Trade, approximately 110 million online transactions were carried out in 2025, representing an average of around 303,000 online purchases on a daily basis.[379] In this respect, the online marketplace in Serbia is undergoing continuous development, while simultaneously generating a range of new challenges that require an appropriate regulatory framework. Addressing these challenges is essential in order to ensure effective consumer protection and to secure a higher level of consumer protection in the changing digital marketplace.

The Consumer Protection Act of 2026 introduced several important innovations into Serbian consumer law. Most notably, it regulates, for the first time, the provision of digital services and the rights and obligations arising from contracts for the supply of digital content. It also addresses related issues, including the trader's liability for failure to supply digital content or digital services, as well as liability for lack of conformity both at the time of supply and during a period of two years following the conclusion of the contract. Another innovation is the introduction of the category of goods with digital elements. The Act further modernises the concept of conformity by distinguishing

[377] See the Ministry of Internal and External Trade of the Republic of Serbia, News/Announcements, 20 April 2026, available at: https://must.gov.rs/vest/19142/lazarevic-zakon-ce-prvi-put-prepoznati-nepostene-trgovacke-prakse.php.
[378] On the Commission for Protection of Competition of the Republic of Serbia, see:https://kzk.gov.rs/en.
[379] See the Ministry of Internal and External Trade of the Republic of Serbia, News/Announcements, 29 April 2026, available at: https://must.gov.rs/vest/19387/ministarka-lazarevic-set-trgovinskih-zakona-donece-vecu-zastitu-i-boljitak-za-potrosace.php.

between subjective and objective conformity requirements. It also expressly requires that goods be supplied together with all necessary updates, accessories and instructions, including installation instructions, as well as appropriate customer support. Furthermore, the Act explicitly prohibits fake consumer reviews and the manipulation of reviews, a practice that has become increasingly widespread worldwide and that undermines transparency in online commerce. The Act also prohibits misleading practices involving the marketing of the same product with different levels of quality depending on the Member State or country in which it is sold (the so-called "dual quality" practice). In addition, the Act strengthens the system of sanctions for non-compliance by increasing the applicable monetary penalties. Alongside the improvement of existing consumer protection mechanisms, it also introduces enhanced protection for minors in relation to the sale of tobacco products.

Given that the Act was adopted on 23 April 2026, entered into force on 1 May 2026, and will start to apply on 1 August 2026, it is expected that the secondary legislation required for its implementation will be adopted in the coming period.

4. Conclusion

Consumer protection law has undergone intensive development in contemporary legal systems and is characterised by several distinctive features. Serbian consumer law is, first and foremost, distinguished by the fact that consumer protection enjoys constitutional status. Article 90 of the Constitution of the Republic of Serbia expressly provides that the Republic of Serbia shall protect consumers. The substantive development of the Serbian consumer protection system has been strongly influenced by European consumer law and the substantive legal solutions contained in EU legislation. This state of affairs is a consequence of Serbia's legal and political commitment to harmonising its legislation with that of the European Union. Serbia signed the Stabilisation and Association Agreement with the EU in 2008 and formally opened accession negotiations in 2014. From an institutional perspective, the establishment of a specialised governmental structure dealing with consumer protection began in 2007, when the Consumer Protection Department was created as a specialised internal unit within the then Ministry of Trade and Services. Since then, the institutional framework has gradually evolved and expanded, reflecting the growing importance of consumer protection as a distinct area of public policy and regulation.

In 2009, it evolved into a larger organisational unit: the Department for Consumer Protection. Five years later, in 2014, the Consumer Protection Sector was established. Today, it forms part of the Ministry of Internal and External Trade, which performs, inter alia, activities relating to consumer protection. When discussing the role of other institutions, it is important to consider the National Bank of Serbia and its role in the protection of financial service consumers. The Law on the Protection of Users of Financial Services (latest version of 2025) provides that the National Bank of Serbia may determine whether a financial service provider has engaged in unfair commercial practices or negotiated and applied unfair contractual terms. The Law guarantees the right to lodge a complaint with the National Bank of Serbia. A user of financial services must first submit a written objection to the service provider. If the user is dissatisfied with the response, or if no response is provided within the prescribed time limit, the complainant may, prior to initiating court proceedings, lodge a written complaint with the National Bank of Serbia. In addition, disputes between the complainant and the service provider may also be resolved through mediation conducted by the National Bank of Serbia. It is important to note that initiating and conducting objection, complaint or mediation proceedings under this Law is not a precondition for judicial protection, does not exclude the right to judicial protection, nor does it affect that right in any way. It should also be noted that Serbia has the Court of Honour of the Serbian Chamber of Commerce, which does not decide consumer disputes. However, it is competent to determine responsibility and impose measures in proceedings against members of the Serbian Chamber of Commerce and other business entities operating in the Republic of Serbia for violations of good business practices, business ethics, and conduct undermining the unity of the market. The Court of Honour of the Serbian Chamber of Commerce does not decide consumer disputes. However, it is competent to determine responsibility and impose measures in proceedings against members of the Serbian Chamber of Commerce and other business entities operating in the Republic of Serbia for violations of good business practices, business ethics and conduct undermining the unity of the market. The Commission for Protection of Competition does not have direct competences relating to consumer protection and does not resolve individual consumer complaints or claims. However, Article 1 of the Serbian Competition Protection Act provides that the purpose of the Act is to protect competition in the market of the Republic of Serbia with the aim of promoting economic progress and the welfare of society, particularly the benefits enjoyed by consumers. This means that the ultimate indirect objective of competition protection is also directed towards consumer welfare. No Specialised Consumer Ombudsman in Serbia. At present, the Republic of Serbia does not have a specialised Consumer Ombudsman institution, although the need for such a body has increasingly been discussed both in professional circles and among the wider public. Consumer protection associations and their federations play an important role in the current consumer protection system of the Republic of Serbia. They are established in accordance with the Law on Associations, and their primary field of activity is the pursuit of consumer protection objectives. Their activities include informing and educating consumers, providing counselling and legal assistance in resolving consumer disputes, receiving and processing consumer complaints, conducting independent testing and comparative analyses of the quality of goods and services and publishing the results, carrying out research and studies in the field of consumer protection, and cooperating with relevant domestic and international authorities and organisations. The Republic of Serbia has established a National Consumer Complaints Register, which serves as an electronic platform enabling consumers to obtain information about their rights and to submit complaints where they believe that their consumer rights have been violated. The Register, which allows the online submission of complaints with the aim of providing consumers with efficient support in the protection of their rights, is maintained by the Ministry of Internal and External Trade in accordance with the Consumer Protection Act. Consumers may submit complaints electronically through the website: https://zapotrosace.gov.rs by completing an electronic form consisting of four categories of information entered in four steps: (1) consumer information, intended to enable feedback communication; (2) an explanation of the consumer's request or complaint; (3) information concerning the trader in relation to the purchased goods or services; and (4) the selection of a consumer protection association responsible for handling the complaint.

Since January 2024, the Republic of Serbia has introduced a telephone number register known as the "Do Not Call" Register, allowing citizens to register their telephone numbers if they do not wish to be contacted by companies for commercial and marketing purposes, including unsolicited telephone calls and SMS/MMS messages promoting goods or services. The "Do Not Call" Register is maintained by the Regulatory Authority for Electronic Communications and Postal Services (RATEL). Through the website www.nezovi.rs, traders may verify whether a telephone number has been registered. Only the owner of a telephone number may request registration or removal from the Register. Requests may be submitted through an application, electronically, or directly at the premises of the telecommunications operator with whom the consumer has concluded a contract. The establishment of the "Do Not Call" Register obliges traders to verify, before making commercial calls, whether a particular number is included in the Register. Financial penalties are prescribed for traders who contact consumers whose numbers have been registered. By the beginning of October 2025, a total of 45,150 citizens had registered their numbers in the "Do Not Call" Register. Following the highest number of registrations during the first two months after its introduction (January and February 2024), when approximately 8,500 citizens registered, the trend during the remainder of 2024 stabilised at around 2,500 registrations per month, while in 2025 registrations continued at a more moderate pace, averaging approximately 1,700 citizens per month.

The Consumer Protection Act of 2021 introduced an obligation for traders to participate in alternative dispute resolution (ADR) proceedings where the dispute could not otherwise be resolved. The Act also requires traders to inform consumers, in a clear and understandable manner and in the Serbian language or the language of a national minority, about the possibility of out-of-court dispute resolution. ADR proceedings in consumer disputes in the Republic of Serbia are free of charge for both consumers and traders. Serbia has established an online ADR platform available at: https://vansudsko.must.gov.rs ADR proceedings may be initiated regardless of the type or value of the dispute, provided that the consumer has first submitted a complaint to the trader. Proceedings are initiated by completing an online request through the platform, where the consumer provides: (1) personal information, (2) information concerning the trader, and (3) a description of the dispute together with information regarding the rejected complaint. Consumer ADR proceedings are conducted before a neutral third party — an ADR body registered on the official List of ADR Bodies maintained by the

Ministry of Internal and External Trade. ADR bodies must satisfy the conditions prescribed by the Consumer Protection Act. As of 10 May 2026, the List contained 70 registered mediators, together with their contact details and languages spoken. The List is publicly available at: https://vansudsko.must.gov.rs/adrbodies. If the parties fail to reach an agreement, the ADR body may issue a non-binding recommendation on the resolution of the dispute where it considers such a recommendation appropriate. The recommendation must be issued in writing and contain reasons. With regard to the practical functioning of consumer ADR in Serbia, the following table presents the total number of registered and resolved disputes during the period 2022–2024, bearing in mind that the ADR platform became operational on 27 July 2022. Consumers may contact the Market Inspectorate, whose powers are regulated by the Consumer Protection Act. The Market Inspectorate acts in situations where a trader: (1) fails to respond to a consumer complaint within the statutory period of 8 days (the time limit for resolving a consumer complaint may not exceed 15 days, or 30 days for technical goods and furniture); (2) misuses the term “guarantee”; (3) engages in unfair commercial practices; (4) sends unsolicited goods to consumers; or (5) sells, serves, or provides tobacco products, alcohol, beer, or pyrotechnic products to minors.

Protection of collective consumer interests in the Republic of Serbia is currently exercised through administrative proceedings conducted by the Consumer Protection Sector within the Ministry of Internal and External Trade. Since 2015, the Consumer Protection Sector has issued a total of 30 decisions in collective consumer interest protection proceedings. Judicial collective consumer protection was provided for by law, but only for a relatively short period. The Consumer Protection Act of 2010 introduced collective consumer redress into the Serbian legal system for the first time through civil court proceedings. Consumer associations were granted a particularly important role in initiating such proceedings. The Act referred to the corresponding application of the Civil Procedure Act, which at that time contained a separate chapter governing proceedings for the protection of collective rights and interests. However, neither the Consumer Protection Act nor the Civil Procedure Act provided a precise definition of the collective interest. In 2013, the provisions of the Civil Procedure Act regulating collective actions were annulled by the Constitutional Court, which found them unconstitutional. As a result, collective consumer actions before Serbian courts are currently unavailable. Individual consumer disputes are adjudicated by a single judge. In addition to the court of general territorial jurisdiction (determined by the defendant’s domicile or registered seat), jurisdiction also lies with the court in whose territory the consumer has his or her domicile or residence. Chapter XXXV of the Civil Procedure Act contains special procedural rules governing consumer disputes. No preliminary hearing is held, and the main hearing must be scheduled within 30 days of the receipt of the claim. Judgments in consumer disputes are pronounced immediately after the conclusion of the main hearing. The court briefly explains its decision and informs the parties of their right to appeal. Appeals against first-instance judgments or decisions may be lodged within 8 days.

When discussing the development of the legislative framework of consumer protection in the Republic of Serbia, it should be noted that the first law dealing with consumer protection was adopted at the federal level, rather than at the level of the Republic of Serbia, in 2002. It was the Consumer Protection Act enacted in the Federal Republic of Yugoslavia. The first consumer protection law adopted at the republican level, that is, in the Republic of Serbia, was the Consumer Protection Act of 2005. It was followed by the Consumer Protection Act of 2010, the Consumer Protection Act of 2014, and the Consumer Protection Act of 2021. The new Consumer Protection Act of 2026 forms part of a broader package of trade-related legislation recently adopted with the aim of improving the position of consumers and primary agricultural producers, who are often in a weaker position vis-à-vis other market actors. The legislative package consists of three acts: the Trade Act (Amendments), the Act on Trading Practices for Certain Types of Products, adopted for the first time in Serbia, and the Consumer Protection Act. With regard to the Consumer Protection Act of 2026, the most significant changes compared with the 2021 Act concern the transposition of three EU directives: Directive (EU) 2019/770 on certain aspects concerning contracts for the supply of digital content and digital services; Directive (EU) 2019/771 on certain aspects concerning contracts for the sale of goods, amending Regulation (EU) 2017/2394 and Directive 2009/22/EC, and repealing Directive 1999/44/EC; and Directive (EU) 2019/2161 on better enforcement and modernisation of Union consumer protection rules.