

November 2015

SERBIA: Employers with More Than 10 Employees Must Adopt an Internal "Whistleblower Act"

The Serbian Law on the Protection of Whistleblowers¹ (the **Whistleblower Law**), applicable as of 5 June 2015, introduced rules governing the rights and obligations of both employers and employee whistleblowers; on the same date, the Ministry of Justice also adopted a bylaw to further regulate internal procedures regarding whistleblowers for all employers with more than 10 employees² (the **Bylaw**).

The relevant internal act must contain the applicable internal procedures to be followed in case of whistleblowing, i.e. the rules on how information should be delivered to the employer; how an employer should act upon the receipt of such information; and the measures that the employer must undertake in order to (i) determine and eliminate the irregularities disclosed by such information, and (ii) protect the whistleblower from any adversity that could arise as a reaction to the whistleblowing involved.

The Whistleblower Law requires all employers with more than 10 employees to adopt, by **4 December 2015**, an internal act to regulate internal procedures with respect to whistleblowing and to publish such act on the company's bulletin board and web page.

Any company that fails to comply with these new rules may be fined by up to RSD 500,000 (approx. EUR 4,200), with the possibility of a fine of up to RSD 100,000 (approx. EUR 830) being imposed on the company's official representative.

¹ *Law on the Protection of Whistleblowers* (Official Gazette of the Republic of Serbia, No. 128/2014).

² *Bylaw on Method of Internal Whistleblowing, Method of Determining the Authorized Person at the Employer, As Well As Other Issues of Importance for Internal Whistleblowing at the Employer with More Than Ten Employees* (Official Gazette of the Republic of Serbia, No. 49/2015).

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For further information, please feel free to contact us at any time.

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In reliance on the information contained in this memorandum.

If you would like to know more about the topics covered in this memorandum or our services generally, please get in touch with any of the above named contact persons.
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