

Fee for the protection and improvement of the environment (eco-tax)

Amendments to the Law on Charges for the Use of Public Goods ("Official Gazette of the RS", no. 95/2018, 49/2019...92/2023 and 120/2023 - harmonized din. pron., "the Law") changed provisions concerning the fee for the protection and improvement of the environment (eco-tax).

The Law now stipulates that, in addition to legal entities and entrepreneurs, **branches of foreign legal entities** that perform activities that affect the environment are also liable for paying these fees.

The performance of activities is understood as the performance of the activities of a legal entity, entrepreneur, and branch of a foreign legal entity in the headquarters and separate business units.

Separate business unit means business premises outside the headquarters where the taxpayer performs activities, as well as land and premises on the land used for the performance of activities.

The performance of activities on the construction site for a continuous duration longer than 12 months is also considered a separate business unit.

Determining the fee amount is carried out by the local self-government unit whose competence is the determination, control and collection of public revenues, **and the amendments to the Law provide for a different payment dynamics**.

Thus, **the fee will be paid quarterly** in the amount determined by the decision, in proportion to the number of days in the quarter for which the fee is paid in relation to the

obligation determined for the calendar year, within 15 days from the end of the quarter to the prescribed payment account of public revenues.

The taxpayer is obliged to submit an application with data important for determining the fee to the competent authority in whose territory the payer performs the activity **by April 30, unlike the previous legal solution, according to which the deadline was July 30.**

A taxpayer who has started to perform an activity, or has registered a temporary interruption or stopped performing an activity is obliged to submit to the competent authority, within 15 days from the day of registration of the change, on the prescribed form, data relevant for determining the fee.

Exemptions are also prescribed, so the fee for protection and improvement of the environment **is not paid by:**

- 1) direct and indirect beneficiary of budget funds, housing associations and mandatory social insurance organizations;
- 2) an entrepreneur during the interruption of the activity that he registers in accordance with the law on registration;
- 3) association - non-profit organization, church and religious community, which is financed exclusively from membership fees, membership contributions, donations, grants, subsidies, etc.;
- 4) manager of the national park, a public company that manages forests and forest land.

For any additional consultation or legal assistance, you can contact the Tasić & Partners team by email at office@tasiclaw.com or by phone at +381116302233.