

Questionnaire on the organization and operation of Official Gazettes in the EU

Answers by the 'Sluzben vesnik na RM', Macedonia

I. Organizational data

MK		1. Identification and contact person(s)
1.1	Organization:	Javno pretprijatie Sluzben vesnik na RM c.o. Skopje
		Public Enterprise Official Gazette of the Republic of Macedonia
		the abbreviation "c.o" means "unlimited liability company"
1.3	Address :	Partizanski odredi, 29. 1000 Skopje Republika Makedonija
1.5	Internet :	http://www.slvesnik.com.mk
MK		2. Data on the organization and its overall tasks
2.1	Form and nature:	- Public Enterprise owned by the Government under authority of the Ministry of justice
2.2	Legal basis for publishing:	- special law (lex specialis)
		Zakon za objavuvanje na zakonite i na drugite propisi i akti vo "Sluzben vesnik na RM" ("Sluzben vesnik na RM" br.56/99, 43/02).
		Law on publishing the laws and other regulations and acts in the Official Gazette of the Republic of Macedonia (OG RM, No. 56/99, 43/02).
2.3	Year of the found.:	1945
		Functioning as public enterprise since 1999.
2.4	Legal basis for co-operation:	- law - decisions, etc.
		Law on publishing the laws and other regulations and acts in the Official Gazette of the Republic of Macedonia (OG RM, No. 56/99, 43/02). Decisions for prices of the PE OG of The RM products - 3 decisions (OG RM, No.5/05).
		Decisions for prices of PE OG of the RM products, are determined by the Managing Board, based on a Governmental approval.

2.5	Main tasks of the organisation	tasks of public interest, administrative-technical tasks	
2.5.1	Publ. of laws/regulations:	- laws and regulations - treaties and internal agreements - consolidated law - paper publ. - parliamentary documents - Constitutional Court decisions - individual measures - legal notices - calls for tenders - legal notices - company data - legal notices - other - collective agreements - inform. on EU legislation (Council of the EU Declarations, Common positions, etc, that RM accepted upon EU invitation, Resolutions of the UN Security Council for sanctions against states, entities or individuals). - Registry	mandatory mandatory mandatory mandatory mandatory mandatory mandatory mandatory mandatory mandatory mandatory
		- legal literature - other publications	mandatory not mandatory not mandatory
2.5.2	Operation of databases	Databases containing all the texts published in OG, and an extensive archive of almost all the regulations that are in force, dating back from 1945 to date. Operation is not mandatory. Macedonia doesn't have the specific law or regulation on information databases for regulations, only the Law on publishing the laws and other regulations and acts in the Official Gazette of the Republic of Macedonia (OG RM, No. 56/99, 43/02), in the article 11 par.2 says that "the PE Official Gazette of RM organizes unique network system of overall information on laws, by-laws and other regulations and acts that are in force in the legal system of RM, for the needs of the state organs."	
2.5.3	Others (e.g. forms ...)		
2.6	What language(s) is/are used	Macedonian language	
		Albanian language is also used for promulgation of law.	
		International Agreements are published in other languages.	
2.7	Activities of public or private companies		

2.7.1	Subcontracts in isolated cases for	- CD-ROM/DVD duplication - others (consultants, etc.)
2.7.2	Contracts for instit. or regular work	- printing
2.8	Other off. gazettes	Yes, for local community regulations. They could be published also in local papers.
		Local Government by-laws shall be proclaimed in such official publication as is determined by the local government body concerned (Local Government law of the Republic of Macedonia - Article 62, OG RM, No.5/02).
2.9	Annual budget (global) of the organisation	
		Self financing
2.10	Do you have in-house	- online publishing facilities
2.11	How much of the following work is subcontracted	
	pre-press	0
	printing	100
	dissemination	100
2.12	How is the head of the organ. appointed	The head of the PE Official Gazette of the Republic of Macedonia is appointed by the Government.
2.13	Number of staff of the organ.	33
2.14	Which services are offered by the organ.	- information on documents - bookshop

II. Details concerning the publication of legislation and of calls for tender

(public procurement)

A. Publication of legislation

MK		3. Publication procedures
3.1	Official Gazette:	
3.1.1	Full title of the official gazette:	Sluzben vesnik na Republika Makedonija usual abbreviations are: Sluzben vesnik na RM or Sl.v. na RM
		The Official Gazette of the Republic of Macedonia
3.1.2	Contents:	The Official Gazette of the Republic of Macedonia is composed of the following parts: - National Legislation - International Treaties - Public Procurement and other notices.
		National Legislation The Official Gazette publishes the Constitution, laws and other acts passed by the National Assembly, acts by the President of the Republic, regulations and other acts by the Government and ministers, general acts for execution public procurements, decisions of the Constitutional Court. This part has a working title of Regulations Part. International Treaties Ratified international treaties and notifications of the opening date for their application are published in this part. Other Publications/ legal notices /announcements/ The Other Publications part contains the publication of: invitations to tender, court announcements, bankruptcy, notary acts, cancellations and other publications which have to be published in the Official Gazette by law or are being published at request.
3.1.3	Address: (URL)	http://www.slvesnik.com.mk <u>Object registry:</u> Part I to XIX: National Legislation, Part XX to XXII: International Treaties. <u>Other Publications part/ announcements /legal notices:</u> Public Procurement, court announcements, notary announcements , etc.
3.2	Organisation	- executive authority / electronic

	of the exchange:	- executive authority / on paper - legislative authority / electronic - legislative authority / on paper	
3.3	Is electronic transmission part an integrated and seamless workflow:	no	
3.4	Techniques based on XML or SGML:	yes - in progress	
	If yes, does a program exist	as XML schema	
		it is an internal component of the software	
3.5	Binding deadlines for publishing legislation:	Accordingly to the article 52 par.2 of the Constitution of the RM, laws and other regulations are published in the OGRM at most seven days after the day of their adoption. The Law on publishing the laws and other regulations and acts in the Official Gazette of the Republic of Macedonia (OG RM, No. 56/99, 43/02) stipulates the following: "... in the first issue to follow, if timely submitted." (article 6).	
MK		4. Details of the publication procedures for legislation	
4.1	The legal basis for publication of legislation:	Ustav na Republika Makedonija - clen 52 ("Sluzben vesnik na RM", br. 52/91-805) Zakon za objavuvanje na zakonite i na drugite propisi i akti vo "Sluzben vesnik na RM" ("Sluzben vesnik na RM" br.56/99, 43/02).	
		The Constitution of the Republic of Macedonia - article 52 (OG RM, No. 52/91-805) Law on publishing the laws and other regulations and acts in the Official Gazette of the Republic of Macedonia (OG RM, No. 56/99, 43/02).	
4.2	Year of establishment of the official gazette:	1945	
4.3	How is publication of legislation financed:	- by own revenues It is important to be stressed that in The Official Gazette of the Republic of Macedonia legislation acts are publishing free of charge (Assembly acts, Governmental acts, ministry acts and the other. Only subscription for	- paper - online (database/web - CD/DVD

		these acts is paid. The majority part of income originates from the subscriptions to the Official Gazette of the Republic of Macedonia, as well as, the payments for publications (courts announcements, notary announcements, public procurement tenders, etc), according to the valid price list stipulated by the Managing Board decisions, based on Governmental approval, and for the sale of books, according to the price stipulated by the Managing Board decisions.	
		combination: publishing price for legal notices, calls for tender, etc. All the items on the pricelist are determined by the Governmental approval.	
4.4	On what medium(a) is legislation legally binding:	- paper	
		only paper	
4.5	Problems, if legislation is (in future) legally binding in electr. form:	- questionable in terms of democracy - threat to legal certainty - technical difficulties (images, tables, etc.) - costs	
4.6	On what media and from when onwards is legislation offered to end-users:	- on paper from 1945 - on CD-ROM/DVD from 2001 - via online (database/web) from 2003	
4.7	Availability of the online edition of legislation:		
4.7.1	In which format and from when onwards is legislation offered to end-users:	- ON Line PDF from 2001 - CD/DVD from 2001 (pdf)	

4.7.2	Can the online edition be downloaded?:	yes	
4.8	On what financial terms is legislation offered to end-users:	- at cost	- online (database/web
		- below cost (what percent is covered)	- online (database/web
		- at cost	- paper
		- at a profit	- CDROM/ DVD
		For subscription at cost, fully information of the legislation in Macedonia is offered in PDF format.	
4.9	Electr. formats, legislation is offered to the private sector for further processing and commercial use:	- PDF	
		PDF - subscription	
4.10	Is legislation available to all private sector companies under the same conditions:	yes	
4.11	What price is charged to the private sector for the electr. version of leg. for further processing and comm. use:	- 12 months ~ 200 Euro - 1 Month ~ 20 Euro More information: http://www.slvesnik.com.mk/public-pretplata.htm	- PDF
		- at costs	- PDF
4.12	Copyright status of legislation in your country:	- no copyright protection claimed for the information itself (content)	

		in principle, no copyright protection; under certain conditions, protection with the related right of a maker of a non-original database - Copyright law (OG RM, No.23/05-consolidated text).
4.13	Copyright status of the official gazette lay-out/format in your country:	- no copyright protection for the lay-out/format
		no copyright protection; under certain conditions, protection under the rules of unfair competition and the Copyright law (OG RM, No.23/05-consolidated text).
4.14	The owner of the content of legislation, if published by a private company:	- other

B. Calls for tender (public procurement)

MK		<u>5. Details of the publication procedures for calls for tender</u>	
5.0	Competent organisation(s):	We publish public tenders among other legal notices in a special part of the Official Gazette called "Oglasen Del" (in omm. h: Other publications)	
5.1	Organisation of the exchange of information on what medium(a) is legislation legally binding:	- electronic - on paper	
		- legally binding - only paper edition	
5.2	Binding deadlines for publishing this information:	yes	
5.3	The legal basis for publication of public tenders:	Zakon za javnite nabavki (Sluzben vesnik na RM, br.19/04).	
		Public Procurement Act (OG, No. 19/04).	
5.4	How is publication of calls for tender	- a combination	- paper - online (database/web

	financed:		
		combination: publishing price for legal notices. All the items on the pricelist are determined by the Managing Board decisions, based on Governmental approval	
5.5	On what medium(a) is the information on public tenders deemed authentic:	- paper	
5.6	On what media is the information on publ. tenders offered to end users:	- paper - via online (database/web)	
5.7	On what financial terms is the information on public tenders offered to end users:	- below cost (what percent is covered) Mitre, Toni	- online (database/web)
		- at cost	- paper
5.8	Electr. Formats of the public tenders, which are offered to the private sector for further processing and commercial use:		
5.9	What price is charged to the private sector for the electr. Version of the public tenders for further processing and omm.. Use:		

5.10	Copyright status of this information in your country:	
		no copyright protection; under certain conditions, protection with the related right of a maker of a non-original database - Copyright law (OG RM, No.23/05-consolidated text).
5.11	Copyright status of the official gazette lay-out/format for this information in your country:	- no copyright protection for the lay-out/format
		no copyright protection;
5.12	The owner of the content of calls for tender, if published by a private company:	- no

III. Future developments and strategies

MK		<u>6. Anticipated changes and other plans or discussed issues</u>
6.1	Changes in your country in short (1-2 years) or medium term (3-5 years):	The Public Enterprise Official Gazette of the Republic of Macedonia. is a public company established by the Government. All the property of the company is in states hands, which means that R.Macedonia is the owner of this company. The main activity of the company is publishing the laws, other regulations and acts in the Official Gazette of the Republic of Macedonia, as well as issuing of an official journal "The Official Gazette of the Republic of Macedonia", as a public interest activity. It is important to be stressed that in The Official Gazette of the Republic of Macedonia legislation acts are publishing free of charge (Assembly acts, Governmental acts, ministry acts and the other) according to the Law on publishing the laws and other regulations and acts in the Official Gazette of the Republic of Macedonia (art.10 par.1). Only subscribe for this kind of acts is paid. The majority part of income originates from the subscriptions to the Official Gazette of the Republic of Macedonia, the legal registry, as well as, the payments for

		publications (courts announcements, notary announcements, public procurement tenders, etc), according to the valid price list stipulated by the Managing Board decisions, based on Governmental approval, and for the sale of books according to the price stipulated by the Managing Board decisions. The laws, other regulations and acts are publishing in a paper form since 1945, and in a electronic form since 2003. PE Official Gazette of the Republic of Macedonia has an extensive archive of almost 7000 titles from all the regulations that are in force, dating back from 1945 to date. At the moment, we are preparing to apply XML standards in our work. We see a great opportunity in exploring the electronic information published in OJ. We are thinking over selected marketing on information, which are interested for extended circle of end-users.
6.2	Other plans or discussed issues:	Changes on major items from the questions above are being expected in year 2005. Any intervention in our founding Act could change many things. The company was established in accordance with the Law on publishing the laws and other regulations and acts in the Official Gazette of the Republic of Macedonia (OG RM, No. 56/99, 43/02). However all decisions on potential changes are dependent on governmental decisions. Te company could initiate certain changes. Changes on major items of our founding Act are expected in the end of the year 2005, so it could change many things in the organization and functioning of the company.