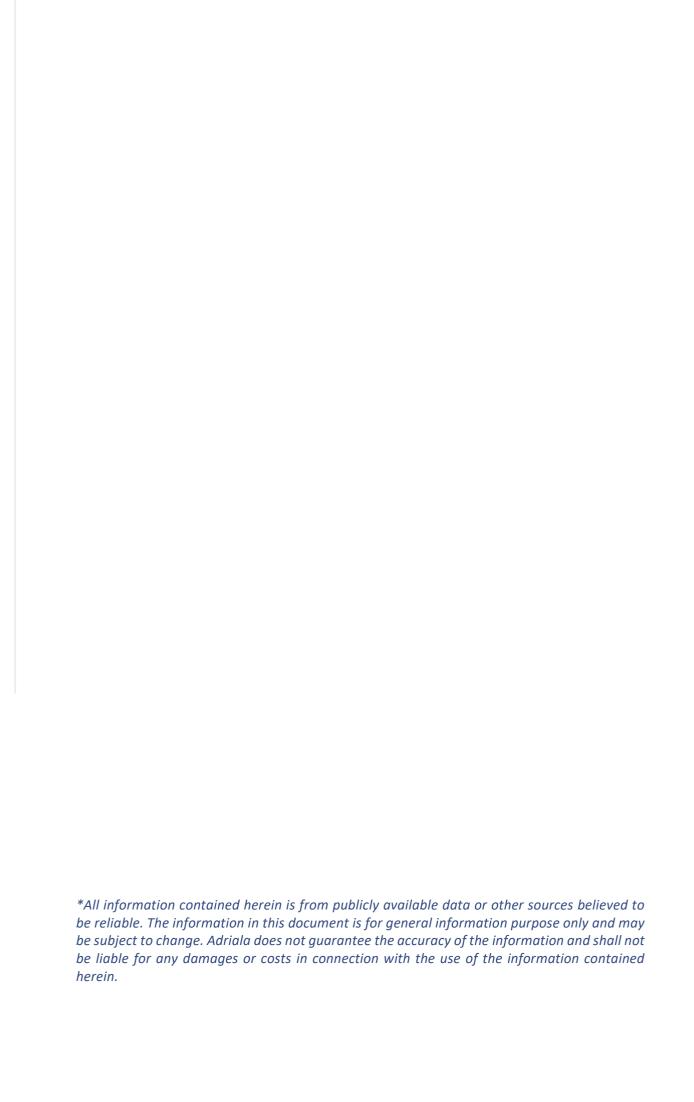


Adriala: Covid-19 Comparative Legal Guide: **Supply Chain and Distribution** 

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# **ALBANIA**

An overview of the impact COVID 19 pandemic outbreak on the Supply Chain and Distribution in Albania.

#### Is there any restriction on supply chain and distribution already in effect?

The Government has ordered the closure of all non-essential goods production facilities and related trade and supply chains. Notably, food and other essential goods production and supply industry is normally operating.

To guarantee the coverage of the domestic needs for drugs, medical goods and equipment, any exporter of such goods must previously receive a special authorization from the Minister of Health and Social Protection. Breach of such requirement is subject to administrative fines up to sequestration of the goods and suspension of the export license.

Operators in the industry of wholesale of foods and essential products for the population must keep stocks and take measures to guarantee such stock for a period up to 3 months.

In addition, drugs and medical equipment manufacturers and wholesale operators in the market, must take measures to guarantee and keep the necessary stock of goods to accommodate to the extent possible any future needs of the Government and health institutions.

#### Is there any price control mechanism in force?

The authorities are monitoring and controlling whether economic operators in the market are abusing by increasing sale prices increase for foods and essential goods and drugs and medical equipment. It will be considered that sale prices are increased abusively, in the event that the new increased price is higher than the standard market price of that good from the same period of the last year.

Exception is made when the price increase is the result of the import prices increase. Abusive prices increase is subject to administrative fine and suspension of the commercial activity up to 6 months.



# **BOSNIA AND HERZEGOVINA**

An overview of the impact COVID 19 pandemic outbreak on the Supply Chain and Distribution in Bosnia and Herzegovina.

#### Implementation of the projects

Bosnia and Herzegovina almost implemented several projects with Chinese companies, but now everything is halted because of the Covid-19. Apart consequences which citizens of Bosnia and Herzegovina already are aware of since, most of them are at home and working at home, perhaps the biggest threat to economies are those that affect supply chains, which can be seen already since there are local companies which rely on China, Italy and other countries import. Despite these problems other obstacle is that the Government is not adopting certain measures with regard amending and adopting laws which would help the legal entities in Bosnia and Herzegovina to overcome the Covid-19 impact on economy. However, it cannot be excluded that the Government would act with regard to this matter soon.



# **BULGARIA**

An overview of the impact COVID 19 pandemic outbreak on the Supply Chain and Distribution in Bulgaria.

On 24 March 2020 in the Bulgarian official journal was published the adopted at an extraordinary session of the Bulgarian Parliament (to concur with the partial veto, levied by the President on the law adopted by the Parliament on 20 March 2020) and now Bulgaria has its effective national Measures and Acts During the State of Emergency, declared by the Parliament on 13 March 2020 Act (the "COVID Act<sup>1</sup>"). The COVID Act was generally given retroactive effect as of 13 March 2020 and few other provisions became effective upon publication. It sets practical legal frame for the implementation of the Declaration of the Parliament, adopted on 13 March 2020 (the "Declaration<sup>2</sup>"). The Declaration announced 'state of emergency' until 13 April 2020 and generally authorized the Government to adopt measures in compliance with its constitutional powers. Notably, the COVID Act is not confined to 13 April 2020 (as per the Declaration), but will be applicable 'until the cancellation of the state of emergency regime and expressly delegates to the minister of public health (sometimes to the Government) to introduce other measures and restrictions on temporary basis.

After the Declaration, the Government (also endorsing most of the prescriptions of the National Anti-COVID Staff (comprising reputable medical doctors, lead by the head of the Military Academic Hospital), the minister of public health, the minister of interior, the minister of transport, the minister of foreign affairs. Heads of court institutions, municipal mayors, corporate directors, etc., implemented various ad hoc measures.

By order of the minister of public health, dated 26 March 2020 the period of restrictions was extended until 12 April 2020.

#### In result of the above:

- > Shopping malls are closed (save for the offices of banks and insurance companies (retail services) therein; Restaurants, discotheques, cinema, stadiums and similar halls are closed.
- > Shops (other than food, pharmacies and drugstores) are closed. The period between 08.30 and 10.30 is reserved for senior customers (above 60 years of age) and the younger are prohibited to shop within this lot.
- Schools and universities are closed, distant learning is implemented.
- People are invited to stay home to the extent possible.
- > Intercity transport is restricted on 'need-to-travel' basis and upon certification.

<sup>&</sup>lt;sup>2</sup> https://dv.parliament.bg/DVWeb/showMaterialDV.jsp?idMat=146931

The COVID Act provides for **only few provisions of remote relevance to import and logistic**, such as:

- The minister of public health is entitled to introduce additional temporary measures and restrictions, provided for in parliamentary legislation;
- Among other personal documents, driver's licenses, expiring between 13 March 2020 and 31 October 2020 are extended with 6 months by operation of the law;
- Periodically consumed medication (partly or fully sponsored by the National Health Security Fund) are sold by pharmacies at simplified procedures (no new prescription;
- Export of medication may be prohibited by the minister of public health;
- State Reserve and Wartime Reserve stock;
- Customs Agency may donate expropriated, retained, confiscated or left goods to hospitals, schools, kindergartens, social; institutions. Tate or municipal agencies or the Bulgarian Red Cross.

The specific effect on the sector comes through the non-parliamentary legislation and the acts of other states, which change daily or in even shorter periods. Importantly Bulgaria does not refuse to repatriate Bulgarians and validly resident foreigners.

#### **Airport Transport**

International airports are open, but for passengers only. Passengers are now tested by scanning temperature. Returning passengers are required to sign a declaration to specify the address, where each of them will spend the mandatory quarantine (currently 14 days) and to report the estimated time of arrival there. Breaches of quarantine are criminalized and prosecuted. Inspections are made at the addresses and there is a precedent of a person, arrested upon elf-reporting in Facebook. Flights substantially depend on airlines and other countries measures. Substantial number of flights were and are being cancelled.

Same rules apply to arrival by land transport and sea/river transport (to the extent such are operative).

#### **Ground transport**

Borders are open, but inspection takes more time and especially cargo trucks queue for tens of kilometers at some borders and are delayed by days. Since Serbia is closed, only special convoys are released upon diplomatic advocacy. As a rule, private cars are restricted to travel abroad, including for returning to Bulgaria.

Railroad transport operates in compliance the prescribed protection measures. Where a town is quarantined in the whole (e.g. Bansko) trains do not stop at the

stations.

Intercity bus transport has not ceased operations, but passengers substantially decreased.

Travel by private cars outside a town is restricted by purpose and presentation of document to prove need to travel is required. Roads are blocked by check points. Supply transport is allowed.



# **CROATIA**

An overview of the impact COVID 19 pandemic outbreak on the Supply Chain and Distribution in Croatia.

Have there been any measures in the Republic of Croatia to address the COVID 19 situation with regard to supply chain and distribution?

Similar to the measures undertaken by other Member States of the European Union and other countries around the world, the Republic of Croatia is adopting measures with the aim of preventing further spread of the COVID-19 and reducing the adverse impacts of COVID-19 pandemic. These measures include full lockdowns, imposing travel restrictions and sealing its borders.

#### Which measures have been enacted or announced?

In order to protect the population of the Republic of Croatia from COVID-19, the Civil Protection Headquarters of the Republic of Croatia, on 19 March 2020, adopted the Decision on the temporary ban on crossing the state border at the border crossings of the Republic of Croatia by which the passage of persons across all border crossings of the Republic of Croatia is temporarily forbidden or restricted.

Exceptions from the application of this decision relate to, among others, goods carriers and other transport personnel and only to the extent necessary.

This decision came into force on 19 March 2020 and it will remain in force for a period of 30 days.

The Civil Protection Headquarters of the Republic of Croatia rendered its second decision regarding transit traffic on 19 March 2020.

It was decided which border crossings will remain open and operative regarding the transit traffic of freight vehicles through the territories of the Republic of Croatia.

Freight transport is restricted to the following border crossings:

- Bregana and Macelj;
- Goričan and Duboševica;
- Gradiška, Šamac and Nova Sela;
- o Bajakovo.

All freight vehicles transiting through the territory of the Republic of Croatia shall be accompanied by police officers throughout their journey. The Police Directorate shall determine the directions of movement, rest stops and refueling, and truck drivers are required to follow the instructions of police officers.



These restrictions came into force on 19 March 2020 and they will remain in force for a period of 30 days.

What is the status of the announced measures?

These measures have been officially published on 19 March 2020 in the Official Gazette of the Republic of Croatia.

Have there been any measures which would impact the driving and rest hours of drivers?

Croatia has notified a temporary and limited relaxation of the enforcement of driving and rest times for the drivers of vehicles engaged in goods transport. This relaxation is granted pursuant to Article 14(2) of Regulation (EC) No 561/2006. It will apply to those drivers involved in domestic and international freight transport of products intended for purposes of living and health, such as the distribution of food and related industries, including the distribution of fuels, the transport of raw materials, the transport of food for human and animal consumption, the transport of medications and medical equipment, the distribution of equipment to hospitals and other public institutions.

Namely, the following provisions were enacted by a decision of the Ministry of Sea, Transport, and Infrastructure on 18 March 2020:

- 1. The maximum daily driving time for a driver is increased from 9 hours to 11 hours;
- 2. The maximum weekly driving time for a driver is increased from 56 hours to 60 hours;
- 3. The maximum total accumulated driving time during any two consecutive weeks is increased from 90 to 96 hours;
- 4. A driving period after which a driver must take an uninterrupted break of not less than 45 minutes is increased from four and a half hours to five and a half hours;
- 5. Daily rest period is being limited to 9 hours;
- 6. Weekly rest period after any two consecutive weeks is being limited to one reduced weekly rest period of at least 24 hours.

This decision came into force on 18 March 2020 and it will remain in force for a period of 30 days.

Have there been any measures in regard to the conduct of cargo truck drivers and train drivers?

Based on the Decision on the temporary ban on crossing the state border at the border crossings of the Republic of Croatia rendered by Civil Protection Headquarters

of the Republic of Croatia on 19 March 2020, Crisis Headquarters of the Ministry of Health, on 20 March 2020, issued additional instructions for the treatment and conduct of persons who were allowed to cross the border by the Decision, in regard to reducing the risk of contracting COVID-19 and preventing the spread of the disease.

Additional instructions also apply to cargo truck drivers, train drivers and other transport personnel. The following obligatory instructions were set out:

- 1. Cargo truck drivers, irrespective of their nationality shall transport the goods to the places of delivery and the delivered goods shall be unloaded by other workers, without the driver leaving its cabin. Afterwards, the drivers will be quarantined in the rooms provided in every Croatian County.
- 2. Companies / trades that have the capacity to accommodate their drivers in quarantine / self-isolation may request the formation of these within their business premises by county civil protection headquarters.
- 3. If a cargo truck driver goes to self-isolation in a private location (at home), he must strictly adhere to the prescribed measures and must not exit self-isolation (14 days) and must not perform transport operations for his employer (with mandatory sick leave status) within the specified period.
- 4. If the truck driver goes to quarantine / self-isolation organized by with the companies / trades he / she can be called up and sent to work by his / her employer (does not open sick leave).
- 5. Train drivers and other necessary accompanying train staff may cross the border with Slovenia, Hungary, Serbia and BiH without restriction.
- 6. The employer is required to provide all the protective equipment they are required to use when performing the business process (surgical masks, one-handed gloves and hand sanitizers).
- 7. If such persons develop symptoms of the disease, they remain in home isolation and are contacted by telephone by a family physician who determines the need for testing based on the patient's clinical condition. Outside the hours of the chosen doctor, a person with symptoms of the disease should call the emergency medical service.
- 8. If a person shows signs of a disease upon entering Croatia, the Border Police will inform the Border Sanitary Inspector and / or the Sanitary Inspector of the State or Regional Inspectorate of the State Inspectorate.

#### Have there been any measures in regard to foreign citizens?

It is important to emphasize that under additional instructions for the treatment and conduct of persons who were allowed to cross the border, issued by Crisis Headquarters of the Ministry of Health on 20 March 2020, all foreign citizens who are arriving from high risk areas will be quarantined for a period of 14 days. High risk areas are Chinese province Hubei (including Wuhan), Italy, Heinsberg County (North Rhine-Westphalia, Germany), South Korean city Daegu and Cheongdo Province, Iran, and Slovenian provinces Bela Krajina and Dolenjska.

# **KOSOVO**

An overview of the impact COVID 19 pandemic outbreak on the Supply Chain and Distribution in Kosovo.

#### Restrictions on supply chain and distributions

The restrictive measures announced by the Government in reaction to the pandemic outspread have not affected the supply chain of goods so far. Whereas the lock down of all borders crossing and commercial flights caused some among traders in the beginning, such measures do not concern the supply chain of goods.

The only restriction ordered imposed on supply chain of goods involved the absolute ban on any export of drugs, medical goods and equipment, effective March the 11th, 2020. That ban was announced by the Government earlier in the reaction to the pandemic, along with other measures intended yet to first prevent, and then prepare for the potential effect of the outspread in Kosovo.

Announcement of restrictive measures, as the outspread evolved, was always accompanied with exceptions to business operators, trying to maintain intact the supply chain of goods. Special attention has been taken to ensure the continuous supply of foods and other essential products in the market, but other production or service industries that are still operating have benefited from the exceptions too. Although all private business operators have been ordered to organize most of the work from home, not all businesses have not ordered to close down operations completely, and for those that have chosen to operate special permits to ease the transport of employees and goods during the curfew hours were issued by the Tax Administration of Kosovo.

#### Specific customs relief measures

Effective March the 20th 2020, no VAT applies in Kosovo on the import of wheat and wheat flour for un undefined period of time. This measure was taken in an attempt to ensure the supply of wheat flour throughout the pandemic crisis.

Another government decision of important effect upon the supply chain and distribution was the removal of the 100% tariff on row materials imported from Serbia and Bosnia and Hercegovina, effective as of March the 20th, 2020. This tariff applies to row materials and other products imported from these two countries since December 2018.



# **NORTH MACEDONIA**

An overview of the impact COVID 19 pandemic outbreak on the Supply Chain and Distribution in North Macedonia.

#### export

Export of medical equipment and medical supplies and materials by economic operators and manufacturers from the Republic of North Macedonia is prohibited, with exception of export with special permit issued by the Ministry of Health.

Export of wheat and wheat flour to all countries is prohibited for undefined period of time.

Monitoring of the export trend of refined sunflower oil, rice, confectionery and bakery products (pasta, biscuits, etc.) in the coming period by the Customs Office, in cooperation with the Ministry of Agriculture, Forestry and Water Economy.

#### prices

The highest prices in retail and wholesale trade for bread, salt, sugar, oil, milk and dairy products, eggs, flour, meat, pasta, medicines, personal protective equipment, personal hygiene products and disinfectants, medical devices and medical supplies and equipment to be freeze as they were on the day when World Health Organization (WHO) pronounced pandemic, up for the period of state of emergency. For the products whose import price is higher than the highest price applied on 11 March 2020, the trade margin fixed as of 11 March 2020 should be used.

Freezing the prices for lemon, orange, tangerine, grapefruit and clementine, as well as the highest trade margin for these products would be the one applicable from 01 January 2020 up to 11 March 2020 when the World Health Organization (WHO) declared pandemic of corona virus.

#### customs reliefs-import

Exemption of customs duties on all medical devices and medical supplies imported in the Republic of North Macedonia.

Simplification of the procedures for moving ethyl alcohol in an excise delay procedure in the interest of facilitating the procedure of supplying ethyl alcohol to hospitals, public and private health institutions and pharmacies with ethyl alcohol, as well as facilitating the distribution of ethyl alcohol to companies producing disinfectants.

Extension of the period of validity of the guarantees issued by banks for securing a customs debt for all customs procedures.

During the curfew, the movement of transport means within a transit procedure with a transit accompanying document T1, export of goods with an export accompanying document EXMK, as well as a common export transit procedure is permitted. Carriers moving under the simplified transit procedure (authorized consignee) and the simplified procedure, local import clearance may in no case leave the approved location during the curfew. The exemption from restriction applies to the following customs offices: Tabanovce, Blace, Deve Bair, Kafasan, Delcevo, Novo Selo, Bogorodica and Medzitlija.

100% customs clearance for: ethyl alcohol with 80% alcohol content and above, ethyl alcohol and other alcohols, toilet soaps, liquid or cream-based skin care products and preparations for retail sale with or without soap content, detergents, washing and cleaning preparations, plastic clothing and clothing accessories, textile drapes used in surgical procedures, plastic masks with textile filters, glasses with plastic glasses up tp termination of the of the state of emergency on the territory of the Republic of North Macedonia.

Extension of the deadline for four months for the meat industry to be able to import frozen duty-free meat until 31 October.

#### transport

All border crossings in the Republic of North Macedonia are closed for the passage of foreign nationals - passengers and vehicles, except for entry and transit of freight vehicles, diplomatic corps representatives in the Republic of Northern Macedonia, and other persons for whom the Ministry of Interior will give permission upon prior opinion from the Main Coordination Crisis Staff to confirm that there is a particular state or economic interest. These trucks and persons will enter the Republic of North Macedonia under special protection conditions in accordance with the protocol of the Ministry of Health.

Special permit to professional drivers of freight vehicles entering the territory of the Republic of Northern Macedonia and adhering to the special health and protocol regime adopted by the State Sanitary and Health Inspectorate (http://www.customs.gov.mk/index.php/en/2016-08-15-20-09-54/2016-08-15-05-6)

Handling/delivery chain procedures and transport of goods in international and domestic transport (<a href="http://www.customs.gov.mk/index.php/en/2016-08-15-20-09-54/2016-08-15-05-6/2527-proceduri-za-postapuvanje-vo-sindjirot-na-utovar-rastovar-i-prevoz-na-stoka-vo-megjunarodniot-i-vnatreshniot-prevoz-2">http://www.customs.gov.mk/index.php/en/2016-08-15-20-09-54/2016-08-15-05-6/2527-proceduri-za-postapuvanje-vo-sindjirot-na-utovar-rastovar-i-prevoz-na-stoka-vo-megjunarodniot-i-vnatreshniot-prevoz-2</a>).

International Airport Skopje as well as border crossing at the Airport is closed except for state, military, humanitarian, hospital, cargo and non-passenger flights with prior notice to the airport operator TAV MACEDONIA.

### **MONTENEGRO**

An overview of the impact COVID 19 pandemic outbreak on the Supply Chain and Distribution in Montenegro.

Montenegro imports most of its food products from Serbia. Montenegro was significantly affected by the decision of the Serbian Government to ban the export of basic foodstuffs and hygiene products for 30 days, which forced large retail chains to find alternative ones, primarily in Croatia and Bosnia and Herzegovina. According to official announcements by the Ministry of Economy, based on a meeting with representatives of retail chains, there are enough supplies in Montenegro for a few months.

Following border crossings in Montenegro are opened:

- (i) with the Republic of Serbia (Dobrakovo and Dracenovac);
- (ii) with the Federation of Bosnia and Herzegovina (Nudo, Ilino brdo and Krstac);
- (iii) with the Republic of Croatia (Debeli Brijeg) and
- (iv) with the Republic of Albania (Bozaj) other border crossings are closed.

International air, rail and bus traffic is closed.

# **SERBIA**

An overview of the impact COVID 19 pandemic outbreak on the Supply Chain and Distribution in Serbia.

Serbian Government adopted as a result of the state of emergency due to spread of the Covid-19 virus set of measures directly influencing Logistic and Distribution:

- Public transport (including intercity bus and rail traffic) at the territory of the Republic of Serbia stopped operating. The exemption from the ban on public transport is possible only based on a special permit. Ban does not apply to cabs, passenger vehicles (own transportation) and transportation for employees.
- All border crossings (road, river and railway) are closed. Only transport trucks and other persons with special permit can enter the territory of Serbia.
- o International airports in Belgrade and Niš have been closed for commercial traffic. The airports are still open for: cargo and mail transport, humanitarian flights, and state aircrafts and special purpose flights. Serbia's air space remains open to all overflights.
- The operation of all facilities and shops within shopping malls has been prohibited, except for grocery stores and pharmacies.
- Closure of public service counters does not apply to the Tax Administration,
  Customs Administration and the Treasury Administration.
- There is temporary export ban on sugar, flour, oil, semi-processed oil, whole sunflower seeds, and sanitizers.
- There is temporary export ban on medications, expect for medications which are produced but not registered at the territory of the Republic of Serbia (i.e. medication produced only for the foreign markets) and medications in transit statues within the Serbian customs area.

On the other hand, Serbia has not imposed any bans on import of the goods. Moreover, the Serbian Prime Minister called for the need to maintain free movement of goods and to intensify communication at a time when the whole world is confronted with the problem of the COVID-19 virus.

The COVID-19 event has hit various industries, but not all of them are affected to the same level of damage. Travel and hospitality, consumer goods, electronics and retail have been significantly impacted. It is obvious that companies will seek mechanisms different from the current models of supply and distribution, to recover from business disruption cause by COVID-19 global spread. We may see in the future the new channels of sale (for example boosting online business), diversification of suppliers, establishing its own production of row material and spare parts, etc. All those changes and developments will certainly result in need for redefining of contractual relationships between the subjects in supply chain - from a supplier to



consumer or customer, as well as with complying with legal requirements different from those which govern current dominant model of business operation.



# **SLOVENIA**

An overview of the impact COVID 19 pandemic outbreak on the Supply Chain and Distribution in Slovenia.

Temporary prohibition of sale of goods and services to consumers in the Republic of Slovenia

Sale of goods and services to consumers is prohibited in the territory of the Republic of Slovenia according to the Slovenian Government ordinance. Such goods and services include accommodation, catering, sports and recreation, cinema, culture, hairdressers, pedicure, gambling and other similar services.

The following goods/services/activities are not covered by the ordinance and are as such permitted: sale of goods and services to consumers remotely (distance sales), sale of food products (including sale of farm products at farms), pharmacies, sale of medical supplies, sale of goods related to garden and farming in stores, farmhouse sales, gas stations, banks, post, delivery services, tobacco sales and sales of newspapers and other services urgently needed to ensure public health and safety. Nevertheless, the above-mentioned prohibition does not prohibit the offering and sale of goods and services between companies nor does forbid production and similar processes.

#### Prohibition and restriction of public transport

Public transport at the territory of the Republic of Slovenia stopped operating. Pursuant to the adopted order, regular passenger transport, special passenger transport, non-scheduled regular passenger transport, occasional passenger transport and public rail passenger transport in domestic and international traffic is prohibited on the territory of the Republic of Slovenia.

The prohibition does not cover auto-taxi services, transportation required for intervention services and transportation required for other emergency services of the public sector.

#### Air traffic restrictions

Passenger air traffic is banned in Republic of Slovenia. Regular air traffic operations in EU from/to the Republic of Slovenia will be suspended until 13 April 2020 to 12 PM (the restriction is continuously extending for a period of two weeks). International air traffic from/to non-EU countries is banned until further notice.

The ban does not apply to cargo traffic, special air transports without passengers and specific government flights with humanitarian and healthcare purposes.



#### Border crossing restrictions

Please note that the measures of the Slovenian Government regarding the crossing of national borders are subject to daily changes. The current order is as follows.

#### Republic of Austria

Entry into the Republic of Slovenia from Republic of Austria is limited only to certain border crossings. Slovenian citizens and person with permanent or temporary residence in the Republic of Slovenia can enter the country without limitations, on the other hand, foreign citizens may enter the country only by submitting an appropriate medical evidence or if their body temperature is below 37,5 °C and they show no clear signs of upper respiratory tract infection.

There are no restrictions regarding the freight traffic.

Additionally, the transit of persons who are assumed to be unable to leave the territory of Slovenia due to measures taken by neighboring countries shall not be allowed.

#### Republic of Croatia

At the border with the Republic of Croatia, entry into the Republic of Slovenia is only possible through border crossings for international traffic. When entering Republic of Slovenia border control is normal. The exception represents persons, whom the Republic of Croatia has ordered a self-isolation or quarantine. Those persons are required to submit a proof of completion of the quarantine / self-isolation in the Republic of Croatia.

There are no restrictions regarding the freight traffic.

#### **Italian Republic**

Entry into the Republic of Slovenia from Italian Republic is limited only to certain border crossings. Slovenian citizens and person with permanent or temporary residence in the Republic of Slovenia can enter the country without limitations, on the other hand, foreign citizens may enter the country only by submitting an appropriate medical evidence or if their body temperature is below 37,5 °C and they show no clear signs of upper respiratory tract infection.

Road freight transport (except transport of postal items, medicines, protective equipment and medical supplies and humanitarian aid) from Italy to the Republic of Slovenia is not carried out. The exception are freight vehicles (freight transport) (i) whose final destination is the Republic of Slovenia or (ii) which are in transit and it is agreed with the neighboring country to accept such freight vehicle.

### Hungary

There are no specific controls or restrictions when entering the Republic of Slovenia from Hungary.

# **CONTACT**

ALBANIA - TASHKO PUSTINA
OBOULEVARD DËSHMORËT E KOMBIT, TWIN TOWERS, COMMERCIAL CENTER 2ND FLOOR, 1019 TIRANA - ALBANIA
<b>L</b> +355 4 238 91 90
□ +355 4 238 91 90
KEY CONTACT PERSONS:
Flonia Tashko: flonia.tashko@tashkopustina.com
Florian Hasko: florian.hasko@tashkopustina.com
BOSNIA AND HERZEGOVINA - BAROŠ, BIČAKČIĆ & PARTNERS, SARAJEVO
28 MARSALA TITA, 71000 SARAJEVO, BIH
<b>\</b> +387 33 844 808
□ +387 33 844 809
KEY CONTACT PERSONS:
Menad Baroš: nenad.baros@bblegal.ba
Feđa Bičakčić: <u>fedja.bicakcic@bblegal.ba</u>
BANJA LUKA
16 NIKOLE PASICA, 78000 BANJA LUKA, BIH
+387 51 961 780
□ +387 51 961 781
KEY CONTACT PERSON:
Predrag Baroš: predrag.baros@bblegal.ba
BULGARIA - SPASOV & BRATANOV LAWYERS' PARTNERSHIP
29A SLAVYANSKA OFFICE CENTER "SLAVYANSKA", FLOOR 2, 1000 SOFIA, BULGARIA
• +359 2 980 18 08
□ +359 2 980 25 10
KEY CONTACT PERSONS:
Georgi Spasov: georgi.spasov@sbn-law.com
Boyko Bratanov: boyko.bratanov@sbn-law.com
CROATIA - MADIRAZZA & PARTNERS ATTORNEYS AT LAW LLP
21 MASARYKOVA, 10000 ZAGREB, CROATIA
+385 1 48 77 280
$\square$ +385 1 49 20 801

KEY CONTACT PERSONS:

☑ Josip Madirazza: <u>jmadirazza@madirazza.hr</u> ☑ Tin Težak: <u>ttezak@madirazza.hr</u>

KOSOVO - TASTIKO POSTINA
FEHMI AGANI, H. 79, K. 1, No. 1, 10000 PRISTINA, KOSOVO
<b>\</b> +383 38 71 77 55
□ +383 38 71 77 55
KEY CONTACT PERSONS:
Gentian Gurra: gentian.gurra@tashkopustina.com
Floran Pustina: floran.pustina@tashkopustina.com
NORTH MACEDONIA - LAW FIRM KNEZOVIĆ & ASSOCIATES
♥ 10 KOSTA SAHOV St., 1000 SKOPJE, NORTH MACEDONIA
<b>\</b> +389 2 322 06 80
□ +389 2 322 06 90
KEY CONTACT PERSON:
Dejan Knezović: dejan.knezovic@knezovic.com.mk
MONTENEGRO - PRELEVIĆ LAW FIRM
Q 130 BULEVAR SV. PETRA CETINJSKOG KULA NCO/VII FLOOR, 81000 PODGORICA, MONTENEGRO
+382 20 510 506
□ +382 20 510 507
KEY CONTACT PERSON:
☐ Dragan Prelević: dp@prelevic.com
SERBIA – BOPA BOJANOVIC PARTNERS
2 12 VLAJKOVICEVA, 11000 BELGRADE, SERBIA
+381 11 414 52 80
□ +381 11 414 52 89
KEY CONTACT PERSON:
Vladimir Bojanović: vladimir.bojanovic@bopa.rs

#### SLOVENIA - LAW FIRM KAVČIČ, BRAČUN & PARTNERS, O.P., D.O.O.

♥ TRG REPUBLIKE 3, 1000 LJUBLJANA, SLOVENIA +386 1 244 55 00

+386 1 244 55 01

KEY CONTACT PERSONS:

Matej Kavčič: matej.kavcic@kbp.si Simon Bračun: simon.bracun@kbp.si

