

20151393915

GOVERNMENT OF THE REPUBLIC OF MACEDONIA

Pursuant Article 30 paragraph (8) of the Law on Customs Measures for Protection of Intellectual Property Rights ("Official Gazette of the Republic of Macedonia" No. 88/15), the Government of the Republic of Macedonia, at its session held on 12.8.2015, adopted

**REGULATION ON THE MANNER OF ALLOCATION OF GOODS ABANDONED BY STATE
AUTHORITY FREE OF CHARGE AND ON THE FORM OF A REPORT ON GOODS
ABANDONED BY A STATE AUTHORITY FREE OF CHARGE**

Article 1

This Regulation shall prescribe the manner of allocation of goods abandoned by a state authority free of charge and the form of the Report on goods abandoned by a state authority free of charge.

Article 2

(1) The state authority responsible for allocation of the goods infringing intellectual property rights (hereinafter: the goods), shall notify its organizational units (hereinafter: organizational units) about the type of the abandoned goods free of charge determined in the Decision on abandoning goods infringing intellectual property rights free of charge, adopted by the Government of the Republic of Macedonia.

(2) Within three working days following the receipt of the notification of paragraph (1) of this Article, the organizational units shall submit to the state authority a request containing data on the type and quantity of goods that are needed, according to the data from the records on end users - social assistance recipients and families with income not exceeding the amount of 1.5 minimal salary determined for the past year.

(3) The allocation of the goods of the organizational units is made on grounds of a Decision adopted by the state authority.

(4) When receiving the goods from the state authority, the organizational units shall verify if the kind and quantity of the received goods correspond to the description in the Decision on allocation of those goods and shall draft a Report.

(5) The organizational units receiving the goods shall notify the potential end users on the possibility for submitting an application for social assistance of this type of goods, through a publicly displayed notice on a notice board at the premises of the organizational unit that is in charge of allocation or through an announcement published on the website of the organizational unit.

(6) The application of paragraph (5) of this Article shall be lodged to the organizational unit by the holder of the right to social assistance for the members of his family i.e. a member of a family whose monthly income does not exceed the amount of 1.5 minimal salary determined for the past year.

(7) In addition to the application of the paragraph (5) of this article, the families whose monthly income does not exceed 1.5 minimal salary determined for the past year, shall also enclose acknowledgement on income, issued by the Public Revenue Office shall be also submitted in attachment to the application.

Article 3

(1) The organizational units allocate the goods to the end users on grounds of the following data of the Records on users of the rights to social welfare:

- identification data on the members of the family/household;
- number of members of the family/household;
- situation of the movable property and real estate of the family/housekeeping;
- data on the material situation, income of the family/household and
- data on the housing living conditions.

(2) During the allocation of the goods to the end users, the organizational units shall take into consideration the suitability of the goods that should correspond to the applicants' needs.

(3) The organizational units shall allocate the goods on grounds of a Decision for allocation of goods to the end users.

(4) Within five working days of the day of allocation of the goods, the organizational units shall notify the state authority on the type and quantity of goods allocated to the end users and on the legal grounds on which the allocation was made.

(5) When certain goods cannot be allocated to the end users due to poor quality, the organizational units shall draft a report indicating this fact and shall notify the state authority referred to in Article 2 paragraph (1) of this Regulation.

Article 4

(1) The state authorities participating in the crisis management system shall allocate the goods to the end users hit by natural disasters on grounds of s Decision for abandoning goods infringing intellectual property right that is adopted by the Government of the Republic of Macedonia.

(2) In cases of mitigation of natural disasters, the state authorities of paragraph (1) of this Article that are responsible for allocation of goods, within three days of the entrance into force of the Decision for abandoning goods infringing intellectual property right adopted by the Government of the Republic of Macedonia shall notify the units of the local self-government on the kind of the freely abandoned goods,

(3) The unit of the local self-government that is hit by a natural disaster, within three working days of the day of receipt of the notification of paragraph (1) of this Article, shall submit an application with data on the type and quantity of the goods that are needed.

(4) The allocation of goods to the units of the local self-government is made on grounds of a Decision adopted by the state authority of paragraph (1) of this Article.

(5) The units of the local self-government, when receiving the goods from the state authority shall verify if the type and quantity of received goods corresponds to the description in the Decision of paragraph (4) of this Article and shall draft a Report.

Article 5

(1) The units of local self-government shall allocate the goods to the end users on the basis of:

- data on gravity of the damage caused by the natural disaster, determined in the Report of the Commission for assessment of damages;
- data on the social status of the applicant;
- data on living conditions of the applicant and
- data on the number of members of his family, i.e household.

(2) During the allocation of the goods to the end users, the units of local self-government shall take into consideration the suitability of the goods that should correspond to the applicants' needs.

(3) The units of local self-government shall allocate the goods on grounds of a Decision on allocation of goods to end users.

(4) Within five working days following the day of allocation of the goods, the units of local self-government shall notify the state authority of Article 4 paragraph (1) of this Regulation on the type and quantity of goods allocated to the end users and on the legal ground for allocation.

(5) When certain goods cannot be allocated to end users due to poor quality, the units of local self-government shall indicate this fact in a Report and shall notify the state authority of Article 4 paragraph (1) of this Regulation.

Article 6

(1) Within 15 days following the day of allocation of goods to the end users, the state authorities of Article 2 paragraph (1) and Article 4 paragraph (1) of this Regulation that received the abandoned goods shall submit a Report on abandoned goods free of charge to the Government of the Republic of Macedonia.

(2) The Report on abandoned goods free of charge is issued on A4 size white sheet of paper.

(3) The form and the contents of the Report of paragraph 1 of this Article are presented in the Appendix which is a constituent part of this Regulation.

Article 7

With the entry into force of this Regulation, the Regulation on the manner of allocation of goods abandoned by a state authority free of charge and on the form of Report on goods abandoned by a state authority free of charge ("Official Gazette of the Republic of Macedonia" No. 143/13) shall cease to be valid.

Article 8

This Regulation shall enter into force on the eight day following that of its publication in the "Official Gazette of the Republic of Macedonia".

No. 42-8288/1
12 August 2015
Skopje

Deputy Prime Minister
of the Republic of Macedonia
Vladimir Peshevski, MA (signed)