

NEW CODE OF MISDEMEANOR AND INNOVATIONS
IN GENERAL SECTION OF MISDEMEANOR LAW

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Summary: The new Code on misdemeanor of the Republic of Serbia, which came into force on March 1st this year, has brought a number of innovations in our misdemeanor law. Although the biggest changes were introduced into misdemeanor procedure along with part of the code that deals with procedure for enforcement of misdemeanor sanctions, there are also many new solutions related to institutes from the general section of misdemeanor law. They are in most cases designed to represent compliance with the provisions of the Criminal Code. However, there are opposite instances where innovations were introduced in order to emphasize the specificity of the misdemeanors as a special kind of offenses and make their delimitation from criminal offences. This paper analyzes the particular provisions relating to the concept of misdemeanor, misdemeanor liability, exceeding the limits of selfdefense and extreme necessity, force and threat, mental incompetence, mistake of fact and law, complicity and certain provisions relating to misdemeanor sanctions. Most of the new solutions present an important step towards better regulation of certain important institutes of the General Part of the misdemeanor law, but there are also those that contain certain inaccuracies and inconsistencies that should be removed or changed *de lege ferenda*.

Keywords: Code of Misdemeanor, Criminal Code, Misdemeanor, Misdemeanor liability, Misdemeanor Sanctions.

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