

Универзитет Привредна академија у Новом Саду
University Business Academy in Novi Sad

Факултет за примењени менаџмент, економију и финансије Београд
Faculty of Applied Management, Economics and Finance Belgrade

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МЕЂУНАРОДНА НАУЧНО-СТРУЧНА КОНФЕРЕНЦИЈА

INNOVATION AS AN INITIATOR OF THE DEVELOPMENT

ИНОВАЦИЈЕ КАО ПОКРЕТАЧ РАЗВОЈА

BOOK OF ABSTRACTS

ЗБОРНИК АПСТРАКАТА

INNOVATIONS

**December 7th
Belgrade, 2023**

Универзитет Привредна академија у Новом Саду

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Факултет за примењени менаџмент, економију и финансије, Београд

Faculty of Applied Management, Economics and Finance, Belgrade

Међународна научно-стручна конференција

International Scientific & Professional Conference

МЕФкон 2023 / MEFkon 2023

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INNOVATION AS THE INITIATOR OF DEVELOPMENT

ЗБОРНИК АПСТРАКАТА СА МЕЂУНАРОДНОГ СКУПА

INTERNATIONAL CONFERENCE BOOK OF ABSTRACTS

Београд, 7. децембар 2023. године

Међународна научно-стручна конференција

МЕФкон 2023:

„Иновације као покретач развоја“

Зборник апстраката са међународног скупа

** апстракти су објављени у изворном облику*

Belgrade, December 7th 2023

International Scientific & Professional Conference

MEFkon 2023:

“Innovation as an Initiator of the Development”

International Conference Book of Abstracts

** abstracts were published in the original form*

Издавач / Publisher

Факултет за примењени менаџмент, економију и финансије Београд
Faculty of Applied Management, Economics and Finance Belgrade

За издавача / For the Publisher

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Дизајн / Design

Strahinja Vidojević, Bsc

Штампа / Print

Факултет за примењени менаџмент, економију и финансије Београд
Faculty of Applied Management, Economics and Finance Belgrade

Тираж / Number of copies

50

ISBN 978-86-84531-70-6



Republic of Serbia

**MINISTRY OF SCIENCE,
TECHNOLOGICAL DEVELOPMENT AND INNOVATION**

International Scientific & Professional Conference “Innovation as the initiator of development” is financially supported by the Ministry of Science, Technological Development and Innovation of the Republic of Serbia.



Република Србија

**МИНИСТАРСТВО НАУКЕ,
ТЕХНОЛОШКОГ РАЗВОЈА И ИНОВАЦИЈА**

Међународна научно-стручна конференција “Иновације као покретач развоја” финансијски је подржана од стране Министарства науке, технолошког развоја и иновација Републике Србије.

Организатор / Organizer:

Факултет за примењени менаџмент, економију и финансије, Београд
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САДРЖАЈ / CONTENT

АПСТРАКТИ СА КОНФЕРЕНЦИЈЕ

CONFERENCE ABSTRACTS

Darjan Karabašević Dragiša Stanujkić Gabrijela Popović	Optimizing the performance of deep neural networks by using advanced gradient methods in the context of machine learning	1
Vuk Mirčetić Marko Mihić	A step towards the setting of a comprehensive leadership measurement model: Gap, necessity, and proposal	2
Aram Mohammed-Amin Qadir Hawkar Rashid Arab	The virtual living room: Stakeholders and strategies in home decor marketing within the metaverse	3
Stefan Milojević Snežana Knežević Miljan Adamović	The forensic professional's perspective on insurance fraud detection	4
Maja Stanujkić Dragiša Stanujkić Florentin Smarandache	Observing the benefits and shortcomings of the PIPRECIA, PIPRECIA-S, and PIPRECIA-E methods	5
Kristina Jauković Jocić Goran Jocić	The influence of affiliate marketing on improving the process of expanding sales product range	6
Adriana Radosavac Ružica Đervida Siniša Berjan	The concept of sustainable tourism development with reference to rural tourism (Republic of Srpska)	7
Stefan Milojević Miljan Adamović Miloš Milošević	Financial education and digital financial literacy of university students	8
Kristina Jauković Jocić Goran Jocić	The execution of digital branding within the realm of e-commerce: a nuanced exploration of obstacles and advantages	9

Vuk Mirčetić Svetlana Vukotić Gabrijela Popović	Contemporary terminological challenges in management: Human resources vs. human capital	10
Maja Stanujkić Dragiša Stanujkić Cipriana Sava	Personnel selection based on an MCDM approach	11
Đorđe Pucar	Predicting student performance: A comparative analysis using linear regression and random forest models	12
Aleksandra Fedajev	Characteristics of economic development in transition economies: Insights from South-Eastern Europe	13
Ružica Đervida Srđan Šuput Goran Mihajlović Isidora Timkov Glumac	Ethics in business as part of the socially responsible concept	14
Vesna Tornjanski Snežana Knežević Vuk Mirčetić	Human-centric society: A holistic overview of sustainable and vibrant future of humanity and the world	15
Olgica Milošević	Abuse of the right to free access to information of public importance	16
Gordana Petrović	Analysis of accommodation capacities in rural tourism	17
Cem Congar	United States sanctions on the maritime sector: Comprehensive impact and enduring consequences	18
Olgica Milošević	Application of the deductible franchise in travel health insurance	19
Milica Lakić Miloš Grujić	Investment funds on the capital market of the Bosnia and Herzegovina	20
Svetlana Marković	Application of internal financial control in the public sector	21
Milica Lakić	Comparative analysis of credit activity of the banking sector of the region	22

Svetlana Marković Dragan Doljanica	Business consulting in the function of consumer behavior	23
Stanislav Radonjić	User satisfaction with road assistance services	24
Svetlana Marković Dragan Doljanica	The importance of knowledge management as a function of consumer behavior	25
Darjan Karabašević Dragiša Stanujkić Gabrijela Popović	Automated software testing by using Python	26

Abuse of the right to free access to information of public importance

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Abstract: One of the supreme legal principles is the prohibition of abuse of rights, which is the exercise of rights with the intention of harming another or the exercise of rights contrary to his goal. Objective of The Law on Free Access to Information of Public Importance represents the achievement and protection of the public's interest in knowing and the achievement of a free democratic order and an open society. The prerequisites for the legal abuse of this Act were created in 2021, when the provision regulating the abuse of free access to information of public importance was deleted from the Act. Based on the position of the Administrative Court from June 2022, according to which the public authorities are obliged to reimburse costs when the commissioner determines that the appeal is founded, the possibility was created for the abuse of the right to free access to information of public importance and the appearance of professional appellants represented by lawyers. Their goal is not to obtain the information they are looking for, but to make a financial profit using legal means. By submitting a request for access to information of public importance and a complaint to the Commissioner for dishonest and dishonorable motives, they manage to collect the costs of the procedure for the appeal before the Commissioner, that is, for the lawsuit before the Administrative Court.

Keywords: Abuse of rights, information of public importance, costs of the procedure, public's interest.

CIP - Каталогизација у публикацији
Народна библиотека Србије, Београд

001.895(048)(0.034.2)
658:[007:004(048)(0.034.2)
330(048)(0.034.2)

МЕЂУНАРОДНА научно-стручна конференција МЕФкон Иновације као покретач развоја (2023 ; Београд)

Зборник апстраката са међународног скупа [Електронски извор] / Међународна научно-стручна конференција МЕФкон 2023 Иновације као покретач развоја, [Београд, 7. децембар 2023. године] ; [организатор Факултет за примењени менаџмент, економију и финансије ... [и др.]] = International conference book of abstracts / International scientific & professional conference MEFkon 2023 Innovation as the Initiator of Development, [Belgrade, December 7th 2023] ; [organizer Faculty of Applied Management, Economy and Finance ... et al.] ; [уредници, editors Darjan Karabašević, Svetlana Vukotić, Gabrijela Popović]. - Београд : Факултет за примењени менаџмент, економију и финансије = Belgrade : Faculty of Applied Management, Economy and Finance, 2024 (Београд : Факултет за примењени менаџмент, економију и финансије = Belgrade : Faculty of Applied Management, Economy and Finance). - 1 електронски оптички диск (CD-ROM) : текст, слика ; 12 cm

Системски захтеви: Нису наведени. - На насл. стр.: Универзитет Привредна академија у Новом Саду. - Тираж 50.

ISBN 978-86-84531-70-6

а) Иновације -- Технолошки развој -- Апстракти б) Предузећа -- Пословање -- Информациона технологија -- Апстракти в) Економија -- Апстракти

COBISS.SR-ID 144594953

