

Pursuant to Article 94, item 6 of the Constitution of the Republic of Montenegro and with regard to Article 24 of the Law on State Administration (" Official Gazette of RoM, No. 38/03), the Government of the Republic of Montenegro, on its session held on 29th July 2004, adopted

DECREE ON STATE ADMINISTRATION ORGANIZATION AND OPERATIONS

(Official Gazette 54/04 dated 9 Aug 2004, 78/04 dated 22 Dec 2004, 06/05 dated 11 Feb 2005, 61/05 dated 19 Oct 2005, 06/06 dated 3 Feb 2006, 32/06 dated 17 May 2006, 42/06 dated 7 July 2006, 56/06 dated 7 Sep 2006, 60/06 dated 29 Sep 2006, 72/06 dated 24 Nov 2006)

Article 1

This Decree shall govern the establishment of ministries and other administration bodies, the manner in which state administration operates and other issues significant for the operations of state administration.

I ORGANIZATION OF STATE ADMINISTRATION

1. MINISTRIES

Article 2

The Ministries shall be:

1. Ministry of Justice,
2. Ministry of Interior Affairs and Public Administration,
3. Ministry of Defense,
4. Ministry of Finance,
5. Ministry of Foreign Affairs,
6. Ministry of Education and Science,
7. Ministry of Culture, Sports and Media,
8. Ministry for Economic Development,
9. Ministry of Traffic, Maritime Affairs and Telecommunications,
10. Ministry of Agriculture, Forestry and Water Resource Management,
11. Ministry of Tourism and Environmental Protection,
12. Ministry of Health, Labor and Social Welfare, and
13. Ministry for Protection of Human and Minority Rights.

Article 3

Ministry of Justice shall conduct administration activities with regard to: organization and operations of courts and public prosecutor, misdemeanor bodies, the body for effectuation of criminal sanctions and notaries; criminal legislation; civil law; court proceedings and misdemeanor proceedings; provision of opinions on laws, other regulations and general acts governing the proceeding before courts, as well as the provisions of laws regulating sanctions and misdemeanor proceedings; control of effectuation of the sentence of imprisonment and security measures; mandatory

psychiatric treatment and care in the health institution, psychiatric treatment while on bail, treatment of drug addicts, treatment of alcoholics; bar examination; notary examination; international legal aid in criminal and civil matters; extradition; cooperation in the area of international criminal judiciary and with international organizations in the area of judiciary and human rights; preparation, development and effectuation of international contracts in the area of international legal aid; apostille of documents for use abroad; cooperation with international organizations in the procedure of harmonization of judiciary system with EU standards and regulations (*acquis communautaire*); administrative affairs for election of the representatives of the Republic before European court for human rights; amnesty and probation; practice of law and other forms of legal aid; permanent court interpreters; prescribing programs for training for intermediaries and the manner for its implementation; appointment and release from duty of intermediaries; records of intermediaries; monitoring of the process of accession to EU and harmonization the area of judicial system with EU standards and regulations; administrative supervision in the areas for which the Ministry is established, and other activities delegated to its competency.

Article 4

Ministry of Interior Affairs shall conduct administration activities with regard to: immigration, visa system, granting asylum, citizenship, naturalization, travel documents, ID cards, residence and register of citizens; unique ID number; personal name; registry books of citizen status; records of vehicles and drivers; procurement of weapons and parts of weapons; production, turnover and transportation of explosive materials; turnover, transportation and storage of inflammable liquids and gas, transportation of explosives; transportation of weapons, military equipment and goods of dual purpose through land and water routes; management of misdemeanor proceeding from the area of internal affairs and public administration for which pecuniary fines are prescribed; risk management, management of protection and rescue in extraordinary situations, and management of rehabilitation of consequences arising from extraordinary situations (earthquake, fire, and other natural and technical-technological catastrophes); civil protection affairs, as a part of integrated system for extraordinary situation management; analytical monitoring of the status and strategic planning in the area of fight against crime, state border security, public law and order, transportation safety and other areas of police work and actions, instructive activities for implementation of strategies and policy in these areas, supervision over performance of police affairs and procedures, expertise, legality and efficiency of performance of police affairs; area of state administration in respect of organization, manner and method of work, management, responsibility, relations, cooperation, publicity and transparency of work of state administration bodies; interpersonal relations among civil servants; state exam for work in state bodies; ensuring and monitoring of enforcement of laws and other regulations in the area of state administration in comparison with expertise and efficiency, administrative procedure, office operations, nongovernmental organizations and political parties, seals of state bodies; monitoring of the process of EU accession and harmonization of the area of state administration with EU standards and regulations from the competency of this Ministry; cooperation with international and regional organizations; keeping prescribed official and other records; organization and scope

of work of local self-government; functioning and application of regulations from the area of local self-government from the competency of this Ministry; territorial organization of local self-government; international cooperation of local self-government units with local self-government units of other countries; cooperation with international organizations and specialized bodies; enforcement of international contracts related to local self-government; provision of opinions on laws, other regulations and general acts regulating the system of state bodies and local self-government, as well as the provisions of laws regulating special administrative procedures; administrative supervision in the areas for which the Ministry is established, and other activities delegated to its competency.

Article 4a

Ministry of Defense shall conduct administration activities with regard to: enforcement of determined defense policy, planning the defense system, development and harmonization of defense plans; assessment of war and other dangers; international cooperation in the defense area, activities in the process of accession to NATO program – Partnership for Peace, NATO and other regional and European-Atlantic military-safety structures; organization, equipping, armaments, development and use of the Army of the Republic of Montenegro; production and turnover of armaments and military equipment; reserves of products with special purpose for the needs of the defense; management and disposition of the assets they use; alert and IT system for the needs of defense; training, improvement and education for the needs of defense; military-information and military-safety affairs; protection of secret data of defense; organization of special links for management, commanding and crypto-protection; planning, development and enforcement of measures of mobilization and state of alert; reinforcement and mobilization; military, work and material obligation; staffing and personnel affairs, military medical corps; status and other issues of military personnel; health care; scientific and research work for the needs of defense; system of financing and inspection affairs of defense and internal control, as well as other activities delegated to its competency.

Article 5

Ministry of Finance shall conduct administration activities with regard to: banking system; securities; restitution; real-estate system; public procurement; preparation, planning, development and execution of the budget; supervision over the generation of revenues and execution of the expenditures of the Budget of the Republic; proposing directives and mid-term macro-economic framework for preparing and planning of the budget; execution, changes and evaluation of the Budget, including analysis of requests from spending units and extra-budgetary funds for allocation of Budget resources and proposal for their changes; execution of payments based on the requests of spending units; maintaining Treasury General Ledger; management of accounting system of State receipts; preparation of year-end financial statements of the Budget; financial control (audit) by means of accounting system based on planned obligations (accrual accounting); monitoring of execution of expenditures; development and maintenance of the accounting of the Budget of the Republic and management of the IT system; preparation of regular financial reports for the needs of the Government; management of cash funds available at the Consolidated Treasury Account; management of debt originating from securities issued by the

Republic, debt originating from issued guarantees and borrowings; managing domestic and foreign debt, foreign donations, grants and loans; monitoring financial operations of extra-budgetary funds and units of local self government; regulation of financial system, system of games of chance, insurance, accounting; affairs related to international financial cooperation and realization of liabilities to the World Bank, International Monetary Fund and other international financial institutions; affairs related to international financial cooperation and EU integrations; public revenues (customs duties, taxes, contributions, fees, charges and other) used for financing public expenditures at the Republic level and at the level of units of local self-government; regulation of the system for financing of local self-government; conclusion of international contracts on avoidance of double taxation (preparation of contracts, their confirmation by the Parliament of the Republic and monitoring of standards from this area); negotiation, coordination and implementation of international conventions and agreements and harmonization with the rules of WTO, WCO and UNCTAD which relate to customs policy; regulation of the system of financing of local self-government; creation and realization of customs and tax policy; development of the system of internal financial controls in public sector in accordance with international standards; operational planning, organization and execution of tasks for audit for all users of the budget, extra-budgetary funds and units of local self-government; oversight, management and disposition of State assets; keeping the records of the property of the Republic; and other activities delegated to its competency.

Article 6

Ministry of Foreign Affairs shall conduct administration activities with regard to: carrying out determined foreign policy of Montenegro and maintaining relations of Montenegro with other countries, international organizations and institutions; monitoring of status and development of international relations as well as bilateral cooperation with other countries; monitoring and presenting of political situation and activities of the Ministries and institutions of the Republic in the process of accession to EU, Partnership for Peace, NATO and other regional European-Atlantic and global organizations and initiatives which membership strengthens political, economic and security position of the State of Montenegro; providing the initiative to the Government for establishment and termination of diplomatic relations of Montenegro with other countries, membership of Montenegro in international organizations, manner of representing the Republic in the representative offices of Montenegro in the United Nations, Organization for Security and Cooperation in Europe, European Union and Council of Europe and opening or closing of diplomatic-consular representative offices of Montenegro in other countries or international organizations; conducting diplomatic, consular and other professional activities with regard to realization of political, economic, cultural and informative and other relations of the Republic with other countries and international organizations; preparation, conclusion and implementation of international contracts and other international legal acts; protection of interests of the Republic and its citizens and legal entities abroad in cooperation with other competent bodies; undertaking measures to improve relations with Diaspora; participation in defining and realizing the foreign policy and international cooperation in all areas in cooperation with competent state administration bodies; informing the foreign public about the politics of the Republic, providing information to citizens of the Republic abroad and diaspora about politics

of the Republic and monitoring of activities of foreign media related to the Republic; organization of cooperation with scientific institutions for the purpose of studying and improving foreign policy of the Republic; preparation of participation of the representatives of the Republic in international conferences or negotiations for conclusion of international agreements and activities for implementation of international agreements; issuance of diplomatic and official identification documents and keeping prescribed records on diplomatic and official identification documents; affairs related to issuance of diplomatic approvals for overflights; processing of requests for issuance of documents from diplomatic and consular representative offices within the centralized issuance of documents and maintenance of prescribed records; cooperation in performance of consular affairs with diplomatic representatives of foreign countries and international organizations in the Republic; monitoring and coordinating activities within regional initiatives; accredited persons staying in the Republic; collecting, keeping and publishing documentation on foreign policy of the Republic; affairs in the procedure of implementation of the Agreement on succession issues; monitoring the position of the citizens of the Republic in other countries, and other activities delegated to its competency.

Article 7

Deleted. (Official Gazette of RoM, no. 72/06)

Article 8

Ministry of Education and Science shall conduct administrative activities with regard to: design, construction and development of educational system; conditions for the founding and operating of educational institutions and organizations; organization of the work of educational institutions; system of financing educational institutions and organizations; financing of supplementary instruction in the mother tongue for the children of our citizens temporarily employed or residing abroad; the adoption or approval of education curricula for pre-school education, elementary education, secondary general education and vocational secondary education, education of children with special-needs and education of adults; senior management employees in pre-school, elementary and secondary education, establishment of scale of norms on the profile and qualification level of teachers, professional associates and associates in teaching process in educational institutions, adoption of programs for professional improvement and development of teachers, professional associates and associates in teaching process in educational institutions; scale of norms for school premises, equipment and teaching aids for pre-school, elementary, special and secondary education and dormitory services; equipment, lodging and board of pupils and students, scale of norms for costs of work of educational institutions; scale of norms for non-teaching staff in educational institutions, publishing of textbooks and related literature; the supervision over the legality of work of the institutions in the area of education and science; university education; realization of educative-cultural activities of national and ethnic groups living in the Republic; professional improvement and education of the employees temporarily employed abroad and their children; the development of science and research activity; the development of science and research organizations and departments, science development and the application of science accomplishments in specific areas; activities of technological

development; the system of financing of institutions, organizations and departments in the area of science; administrative supervision in the area for which the Ministry has been established, and other activities delegated to its competency.

Article 9

Ministry of Culture, Sports and Media shall conduct administration activities with regard to: culture and artistic creative work; research in culture; provision of conditions and financial basis for improvement and development of cultural and artistic creative work and cultural activities; literature, translation, music, performance, music-performance and film creative work; creative work in the area of other audio and visual media; fine arts; publishing, theatre and film industry; intellectual property rights and related rights; status rights of independent artists; state symbols; state awards; state medals; the protection of cultural goods and inheritance; protection of natural rarities and natural inheritance, archeological research; archive, library, museum and cinematographic activities; monuments; cemeteries and graves of Montenegrin and Yugoslav war fighters and allied troops; sport; status of sportsmen and professional associates in sports; establishment and work of sports organizations; expert work in sports; performance of sports actions and activities and provision of conditions and financial support for their work and development; construction, maintenance and use of sports facilities; care of sportsmen; incentives to development of school, student, high performance, quality and recreational sports; developmental and expert tasks in sports; support to actions of Montenegrin sports unions and Montenegrin Olympic Committee; sports activities of the disabled; monitoring and support to youth activities; prevention of socio-pathological events among youths; media and radio broadcasting system; the informative activities in the area of press, radio, TV and other media; access to information in possession of the administration body; media concentration of printed media; realization of guaranteed rights of citizens to information in respect of program contents of significance for development of science, education and culture; realization of informing the persons with hearing and sight damages; realization of informing of members of national and ethnic groups; improvement and development of international cultural, sports and media cooperation; cooperation with regional and international organizations, institutions and vocational associations from the area of culture, sports and media; creation of conditions for presenting Montenegrin cultural and artistic creative work abroad and creative work of other countries and nations with us: representing our country in the area of sport; exchange and transmission of media programs and information; provision and realization of foreign donations for culture, sport and media; harmonization of local legislation with international regulations and standards; administrative supervision in the area for which the Ministry is established, and other activities delegated to its competency.

Article 10

Ministry for Economic Development shall conduct administrative activities with regard to: creation of conditions for sustainable and balanced growth and development of Montenegrin economy and its competitiveness; policy directed to support the development of economy and entrepreneurship, small and medium size enterprises and handicrafts; transition of economy; structural adjustment of economy; new production and business technologies; industrial production in whole and by individual sectors and sub-sectors; regulation of the form, registration and

insolvency of business organizations; energy policy; establishment of directions and dynamics of development of energy; preparation of energy balance sheet of the Republic; turnover of oil derivatives; concession system and award of concessions from the competency of this Ministry; exploitation of mineral and other raw materials; geological research; spatial planning and urban development; development and adoption of state planning documents (Spatial Plan of the Republic, spatial plans of the area for special purpose for coastal area resources, national parks, natural reservations, exploitation fields and other, detailed spatial plan, location study); development and adoption of the report on spatial development; development and adoption of the program of spatial planning and development; forming and maintaining IT system related to space; keeping documentation basis on space; rental of business premises, building permits and use permits for facilities under the competency of the Republic; construction of investment facilities; construction of tourist and other complexes of interest for the Republic; construction of large infrastructure systems and facilities; approval of construction and use of state roads and road facilities, railroad lines, plants and facilities on the railroad; standardization and evaluation of compliance in the area of construction and housing building; system of housing relations; strata ownership, management and maintenance of housing fund and shelters; conversion of separate and joint parts of housing building into business premises; residential cooperatives; system of development and use of construction land; coastal area resources; monitoring of the position and development of domestic and foreign trade; preparation and updating of the plan of emergency procurement; consumer protection; protection of competition; monitoring, analyzing and forecasting market conditions; development of trade balances; review of flows of goods and supply of the market; monitoring of supply of final products; prices and costs of living; proposing, establishing and implementing policy in the area of international economic relations; monitoring the impacts of economic policy and relevant legislation on foreign economic relations; proposing systemic and other incentive giving measures for improvement of foreign economic relations, and particularly for attraction of foreign investments; initiation and preparation of the promotion of development projects abroad; connecting local business associations and economic entities with foreign partners, corresponding foreign associations and potential investors; investment policy; proposing measures for giving incentives to capital investments; proposing, negotiating, concluding and implementing international economic and trade agreements; coordination of work of mixed committees and commissions for economic and industrial cooperation; negotiating and coordinating bilateral economic agreements; coordination of relations with specific countries with regard to issues of monitoring and improving economic cooperation; production and foreign trade in armaments, military equipment and dual purpose goods (controlled goods); proposing measures for improvement of foreign economic relations and attraction of foreign investments; improvement of economic cooperation with Diaspora; monitoring and analyzing the system of foreign trade exchange, as well as monitoring and proposing measures for liberalization of trade in goods and services in compliance with WTO and EU standards; monitoring and implementing liabilities with respect to international commerce-economic agreements, as well as in respect of membership in international commerce-economy associations; cooperation with regional and international economic organizations and institutions, particularly with the World Trade Organization (WTO), OECD, CEFTA and other, and other multilateral initiatives through programs for improvement of economic cooperation; infrastructure of quality (standardization,

accreditation, methodology, system of control of items of precious metals, system of evaluation of compliance; technical regulations under the competency of the Ministry); industrial ownership; monitoring and studying the conditions of operation and economic viability of industry undertakings; proposing the measures for current and development policy and analysis of their impacts on the economic position of industry undertakings in these areas; international cooperation; improvement of regulatory-administrative framework, promotional actions, preparation and realization of development plans and other planning documents, as well as other issues from the area of economic and commerce development; administrative supervision in the areas for which the Ministry is established, and other activities delegated to its competency.

11 Article

Ministry of Traffic, Maritime Affairs and Telecommunications shall conduct administrative activities with regard to: railway, road, maritime and air traffic; security and safety of railway, maritime and air traffic; determination of indicators and monitoring pollution from the means of transportation at the source (emission) and undertaking immediate measures in the case of pollution; transportation of other dangerous and non-dangerous loads, which are not under the competency of other ministries; international transportation of people and objects; public roads; railway infrastructure and infrastructure of civil air transportation; maritime and road economy and maritime traffic; inland navigation; the security of inland and international navigation; ports, marines and shipyards; monitoring and studying the economic conditions and economic status of industry undertakings in these areas; proposing the measures of current and development policy and analyses of their impact on the economic status of industry undertakings in the area of transportation and maritime affairs; monitoring the current and preparation of development policy in the area of electronic communications; activities related to development of electronic communications and IT; determination of the group of services of universal service provided by a chosen operator; cooperation with competent bodies in the area of electronic communications with regard to issues of defense and security; provision of efficient use of available radio-frequency spectrum; proposing measures for use of telecommunication networks in case of emergency circumstances and ensuring their realization; improvement of development of competitiveness in the area of electronic communications, access and use of electronic communications and information technologies; monitoring the status, current and development policy, undertaking measures and activities in the area of postal system and services and monitoring status and initiation of activities in the area of quality management; administrative supervision in the areas for which the Ministry is established and other activities delegated to its competency.

Article 12

Ministry of Agriculture, Forestry and Water Resource Management shall conduct administrative activities with regard to: current and development policy in the agriculture area; protection, use and improvement of agricultural terrain; floral production (farming, fruit growing, viticulture and plant protection); cattle raising (the production, raising, protection and development of all kinds of livestock); veterinary; development of apiculture; freshwater and saltwater fishing; development of villages;

the application of modern technique and technology in agriculture; provision of loans for current production and development; balance of basic agricultural products; agro-industry; forest husbandry, protection, development, economic use and improvement; utilization of forests, forest land and forest products; management, protection, use and improvement of game; hunting and managing the hunting areas; the protection of plants against plant diseases and pests; water and watercourses management, regime of use of waters and water supply; protection against harmful effects of water; protection of water from pollution; usage of water recourses; IT system for water resource management and water resource management cadastres; economic relations and business organizations in these areas; international cooperation, establishment of quality standards and administrative supervision in the areas for which the Ministry has been established, and other activities delegated to its competency.

Article 13

Ministry of Tourism and Environmental Protection shall conduct administrative activities with regard to: tourism development, hospitality industry, tourist offer, conditions of operations in tourism, selective types of tourism, systemic measures and measures of current economic policy in the area of tourism; connecting of costal and continental tourism; development of the private sector in tourism, formation of tourist locations and zones; categorization and classification of tourist facilities; tourist flows on domestic and foreign market; cooperation with tourist associations in the country and international organizations and institutions; human resources training programs in tourism; the protection of nature, national parks and protected natural goods and biodiversity; valorization of national parks with regard to tourist aspects and valorization of ecological advantages; monitoring of investments, organizations, intermediation and supply of tourist areas and tourist consumption structure; keeping records of the number of tourists, accommodating capacities, financial effects and results of business activities; organizing tourist informative propaganda activities; restructuring of companies from this area; organizing tourist representative offices abroad; environmental protection system; sustainable use of natural resources; protection of air, climate and ozone layer; protection of unprotected wild animal species except for hunting game, sea and river organisms; waste (except medical); protection from radioactive matters; non-ionized radiation; ionized radiation except when used for medical purposes; protection of soil against pollution; strategic evaluation of impact on environment; evaluation of impact on environment; integrated prevention and control of pollution; economic instruments and eco-management; preparation of standards for environmental protection; monitoring environmental status; environmental IT system; polluter cadastre; environmental rehabilitation programs; waste waters; system of utilities related activities; coordination of regional water-supply systems; international cooperation; administrative supervision in the area for which the Ministry is established, and other activities delegated to its competency.

Article 14

Deleted. (Official Gazette of RoM, no. 72/06)

Article 15

Ministry of Health, Labor and Social Welfare shall conduct administrative activities with regard to: realization, organization and effectiveness of the system of health protection; health insurance and the provision of health protection from public revenues; health regulation of food and imported items for general use; the protection of citizens from contagious diseases, noise and vibrations; supervision over the use of ionizing radiations for medical purposes and their safe disposal; national policy in the area of production and trade of medications and medical supplies; protection of citizens against tobacco products; issuance of approvals for transportation of poison and sources of ionized radiation for medical purposes across the State border and in the internal traffic; area of poison production and trade; area of production and trade of narcotics and precursors; transportation of radioactive matters, medical waste and biologically dangerous matters; labor relations, salaries and other employment related income; employment and monitoring education of adults for the needs of labor market in all types of labor except in State administrative bodies; employment and work of foreigners in the Republic and protection of the citizens of the Republic working abroad; proposing, negotiating, concluding and implementing agreements and other contracts from the area of labor and employment; implementation of EU obligations and directives from the area of labor and employment; protection at work; pension and disability insurance for all types of labor; participation in signing international bilateral agreements on social security; participation in preparation for ratification of agreements; implementation of international bilateral agreements on social security, monitoring the position and development of international relations of bilateral cooperation with other countries and participation in signing and ratification of international agreements and obligations of the Republic; protection of war veterans, war and peacetime military disabled persons; disabled civilian war veterans; families of veterans killed during the war and members of families of veterans who died during peacetime and disabled military persons and civilians disabled during the war, as well as realization of rights of these persons envisaged by law and other regulations; area of social security, protection of children, family protection and protection of disabled persons, protection of old persons and protection of refugees and displaced persons; development and implementation of strategic documents from the area of social security, protection of children, family protection and protection of disabled persons, protection of old persons and protection of refugees and displaced persons; ratification of international conventions and signing international agreements in the area of health care, health insurance, social security, protection of children, family protection and protection of disabled persons, protection of old persons and protection of refugees and displaced persons; cooperation with Red Cross of Montenegro; cooperation with nongovernmental organizations; cooperation with UN agencies and other international organizations; administrative supervision in the area for which the Ministry is established, and other activities delegated to its competency.

Article 16

Deleted. (Official Gazette of RoM, no. 72/06)

Article 17

Ministry for Protection of Human and Minority Rights shall conduct administrative activities with regard to: supervision of exercising and protecting of rights of minorities and their members with respect to their national, ethnical, cultural, linguistic and religious identity; improvement of the mutual relations of minorities; further improvement of inter-ethnical tolerance in the Republic, as well as the establishment and maintenance of uninterrupted contacts of the minorities and their members with citizens outside of the Republic with whom they share the same national and ethnical origin, cultural and historical inheritance and religious beliefs; the area of human rights in respect of issues outside the scope of other ministry, and other activities delegated to its competency.

2. OTHER ADMINISTRATIVE BODIES

2.1. ADMINISTRATIONS

Article 18

The Administrations shall be:

1. Tax Administration,
2. Real Estate Administration,
3. Customs Administration,
4. Maritime Security Administration,
5. Veterinary Administration,
6. Administration for Anti-Corruption Initiative,
7. Administration for Prevention of Money Laundering,
8. Forests Administration,
9. Waters Administration,
10. Human Resources Administration,
11. Police Administration,
12. Administration for Medications and Medical Supplies,
13. Administration for Civil Aviation.

Article 19

Tax Administration shall conduct administration activities with regard to: registration of taxpayers; maintenance of the unique registry of taxpayers; establishment of individual tax liabilities for all physical and legal persons; tax audit; regular and enforced collection of taxes and ancillary tax levies, initiating and conducting first instance misdemeanor proceedings and imposing fines and protective measures for tax misdemeanor acts; prevention and detection of criminal acts and commercial offences in misdemeanor proceedings; development of unique tax information technology system; maintaining tax accounting; the application of international conventions and agreements on double taxation avoidance; as well as other activities delegated to its competency.

Article 20

Real Estate Administration shall conduct administrative activities with regard to: initiation of regulation of normative-legal and other real-legal relations in respect of real estate; drafting of the standards of geodesic works in the area of terrain surveying, development of the cadastre of real estate and underground installations; conducting administrative proceedings in the area of property-legal relations and real estate cadastre and exercising of real-legal and property regulations in the Republic; evaluation of real estate; planning, designing, analyses and evaluation of the accuracy of measurement, real estate cadastre and mapmaking; photogram-metric aerial photography; studies in the area of photogram-metric and other geodesic photographing and preparation of originals and replicas of plans and maps; preparation and maintenance of geodesic network of all works; preparation, reconstruction, amendments and control of state terrain survey, real estate cadastre and registration of rights to real estate; performance and supervision of performance and maintenance of water cadastre and underground facilities; cadastre classification and quality evaluation of land; proposing the definition of base for agricultural activities tax surcharge assessment; geodesic and agronomic activities on land consolidation; preparation, maintenance and development of GIS; maintenance and development of software for preparation of digital geodesic plans and alpha-numerical data of real estate cadastre operations and supervision of these operations; monitoring and identifying the changes in the area and incorporation of the identified changes in plans and cadastre; registration of changes in rights over real estate; keeping archives of technical documentation of state terrain surveying, plans, maps and other technical documentation; defining and providing meteorological laboratory operations for photogram-metric and geodesic instruments functioning; defining and record keeping of state property consisting of real estate, and other activities delegated to its competency.

Article 21

Customs Administration shall conduct administrative activities with regard to: customs supervision, customs clearance, control of goods which import or export are specifically regulated; foreign currency control in international passenger and border area traffic with abroad, prevention and detection of customs violations and carrying out administrative proceedings and first level misdemeanor proceeding; prevention and detection of criminal acts and commercial offences in the customs procedure; prevention and detection of foreign currency violations in international passengers and border traffic with abroad; processing and monitoring statistical data on import and export, and other activities delegated to its competency.

Article 22

Deleted. (Official Gazette of RoM, no. 72/06)

Article 23

Maritime Security Administration shall conduct administrative activities with regard to: safety of navigation in the costal area seas of the Republic, navigability and

maintenance of maritime water ways, maintenance of navigability, installation of security facilities in water ways and provision of their proper functioning; radio broadcasting services for life protection and safety of navigation at the sea; broadcasting of meteorological reports for seamen; determining navigation ability of merchant navy ships, yachts, boats, fishing boats and other vessels; performance of technical supervision of construction and reconstruction of vessels and their examination during the navigation, issuing registration documents for ships and certificates in compliance with local and international regulations, determination of technical strategies and rules to provide constructional and technical ability for sailing of ships, safety of their installations, engines, equipment and material that serves for navigation security, protection at work of crew members and other persons on board, prevention of sea and environment pollution, determination of other technical rules regarding construction and technical safety of freight installations and calculation of tonnage during calibration of vessels; ensuring enforcement and application of IMO regulations and rules, and rules and regulations of other international organizations and institutions dealing with construction safety of vessels; searching and its organization and rescue on the sea, investigation and its organization with regard to navigation accidents and taking actions to prevent and monitor them and to analyze hydrographic, marine science and meteorological parameters significant for safety at the sea, their radio broadcasting and sending to interested parties, and other activities delegated to its competency.

Article 24

Veterinary Administration shall conduct administrative activities with regard to: monitoring and preventing the occurrence, detection, control and eradication of certain contagious animal diseases; carrying out veterinary prevention in animals, animal origin products, raw materials, waste, animal origin food, food for animals, seed for artificial insemination, egg-cells and inseminated egg-cells in inland and cross-border trade, carrying out of mandatory scope of animals health care, ensuring performance of activities of public interest, examination of whether veterinary and sanitary requirements for performance of veterinary activities are met and issuance of the license for performance of those activities, carrying out inspection supervision in the area of veterinary activities, development of analysis, programs and information serving as a professional base for determination and implementation of the veterinary policy, development of annual program for monitoring and preventing particular contagious animal diseases and zoonoses on the territory of the Republic (brucellosis, enzootic leukosis of cattle, tuberculosis, mastitis, anthrax, fowl plague, etc.) monitoring of realization of the program for prevention, unique register of facilities subject to veterinary and sanitary examination, cooperation and coordination with international veterinary organizations (OIE, etc.), institutions, business entities and other institutions in the veterinary field, enforcement of international agreements, and other activities delegated to its competency.

Article 25

Administration for Anti-corruption Initiative shall conduct administrative activities with regard to: advertising and preventing activities to control corruption; proposing to the Government to accept and apply European and other international standards and instruments in the field of anti-corruption initiative; improvement of business

operation transparency standards; carrying out other activities following the membership in Stability Pact for Southeastern Europe and other international organizations and institutions, and other activities delegated to its competency.

Article 26

Administration for Prevention of Money Laundering shall conduct administrative activities with regard to: detection and prevention of money laundering relating to: collection, analyses and provision of data, information and documentation necessary for detection of money laundering to competent bodies; setting forth standards and methodologies for development and implementation of policies, procedures and practices for identification of suspicious transactions; development of special programs for money laundering prevention with procedures, control programs and training of employees for identification of suspicious transactions; examination of transactions and persons for which there is reasonable doubt that money laundering is in place, temporary cancellation of transactions; initiation of amendments to the regulations relating to, or are in connection with prevention and detection of money laundering; establishment of international cooperation with authorized bodies of other countries and international organizations; participation in preparation and compilation of the list of indicators for identification of suspicious transactions; participation in training of employees and authorized persons in the competent bodies; publication of the list of countries not implementing standards in the field of prevention and detection of money laundering; publication of statistical data regarding money laundering prevention, and other activities delegated to its competency.

Article 27

Forests Administration shall conduct administrative activities with regard to: provision and improvement of forest management; measures and actions related to care, renewal, growing and forest land improvement (biological reproduction), extraction of seed contents – health examination and provision of seeds and planting material, measures and actions to preserve natural and labor built forest values, prevention and detection of harmful impact of all biotic and antibiotic factors endangering those values and rehabilitation of current conditions, protection of forest and forest land from illegal appropriation and usage, fire, etc.; providing informational and forecasting services; forest management planning realized through preparation of general and specific bases, programs and plans of forest management, contractual projects and programs and plans of forestation of waste land; preparation of programs for forest roads, tree marking, measurement and branding, and issuance of certificates on the origin of wood processed products; granting state property forests to be used by contract upon previously published advertisement, record keeping and data base maintenance (IT system) for forestry; professional development (counseling, courses, etc.), cooperation and coordination with corresponding international organizations and institutions, enforcement of international agreements and other activities delegated to its competency.

Article 27a

Waters Administration shall conduct administrative activities with regard to: provision and enforcement of measures and works on arranging waters and watercourses, protection from harmful impact of waters and protection of waters from pollution; enabling usage of waters, materials from watercourses, water land and water-supply facilities in the state ownership, through concessions and other, and development of related documentation base; maintenance of facilities for protection and defense from floods, erosion and other dangers; development of plans, programs and balances in the area of water-supply; performance of investment operations, performance of professional supervision and control of quality of delivered works; technical inspection and acceptance of delivered works; calculation of fees paid in this area and ensuring purposeful and rational usage of collected funds in that respect in accordance with Government program; organization and monitoring in water-supply, preparation of expert bases for development of regulations and adoption of water-supply acts of competent bodies, cooperation and coordination with corresponding international organizations and institutions, enforcement of international agreements and other activities delegated to its competency.

Article 28

Human Resources Administration shall conduct administrative activities with regard to: public advertisement procedure for employment in the government bodies, professional development and education of civil servants and employees; keeping relevant prescribed records regarding interpersonal relations among employees, personnel training and management, and other activities delegated to its competency.

Article 28a

Police Administration shall conduct administrative activities with regard to: protection of citizens' safety, and the freedom and rights established by the Constitution; protection of property, prevention and detection of criminal acts and violations; locating and catching the committers of criminal acts and violations and their bringing to competent bodies; maintenance of public peace and order; securing public meetings and other gatherings of citizens; securing specific persons and facilities; surveillance and control of safety in traffic; surveillance and securing the state borders and border control; control of movement and residence of foreigners; provision of conditions for uninterrupted work of courts, maintenance of order, protection of persons and property; criminal expert evaluation and research, criminal and other records; international police cooperation; generating of analyses, reports, studies and monitoring of specific safety issues, and other activities delegated to its competency.

Article 28b

Administration for Medications and Medical Supplies shall conduct administrative activities with regard to: issuance, adjustment, amendment and renewal of licenses

for releasing medications into circulation; issuance of licenses for production of medications, wholesale trade of medications and retail trade of veterinarian medications; issuance of approvals for clinical examination of medications not licensed for release into circulation; recording of clinical examinations of medications licensed for release into circulation and recording of clinical examinations of medical supplies; assessment of the risk/benefits ratio between the medications and medical supplies based on monitoring of side effects of medications and medical supplies; issuance of certificates on implementation of good production practice, good clinical practice, certificates for the needs of export of medications in accordance with the recommendations of the World Health Organization and other certificates; approval of procurement, i.e. import of non-registered medications intended for scientific and medical research, for further processing or for the treatment of a specific person or a group of persons; issuance of licenses for import and export of medications containing narcotics and psychotropic substances, in accordance with international conventions; participation in international standardization and collaboration in the area of medications and medical supplies; collecting and processing data on trade and consumption of medications; adoption of decisions on accreditation of legal entities for determination of compliance of medical supplies, decisions on revocation of accreditations and maintenance of the registry of accredited legal persons; entry into registry, removal from the registry and maintenance of the registry of producers, legal persons and entrepreneurs dealing with wholesale trade, import and export of medical supplies, as well as specialized stores; entry into registry, removal from the registry and maintenance of the registry of medical supplies that are allowed for release into circulation; classification of medical supplies in the case of combination of a medication and a medical supply or an item for general use; prohibition of circulation, i.e. suspension of circulation or withdrawal from the circulation of medications and medical supplies; inspection surveillance in the area of medications and medical supplies; maintenance of prescribed records, and other activities delegated to its competency.

Article 28v

Administration for Civil Aviation shall conduct administrative activities with regard to: safety and provision of the uniform technical – technological system of civil air transportation; the status of foreign carriers within the system of transportation of goods and people within the air space of the Republic; implementation of development plans and other plans linked with regulation, organization of the aviation system and relations within the transportation of passengers and goods; construction and use of transportation infrastructure and equipment; application of aviation safety standards; improvement and monitoring of the safety system in accordance with international standards; issuance of permits for routes, aviation staff and air traffic controllers; fulfillment of technical requirements for aerial navigation, design and production of airplanes, inspection of airports, infrastructure and equipment and issuing certificates and permits (approvals/licenses and certificates); control over performance of activities in air traffic; functioning of safety within activities of air traffic; use of the air space; application of rules and standards for use of air space including as well environmental protection standards; control of economic-financial capability of air carriers; enforcement of international contracts and bilateral agreements; preparation of expert opinions for setting the level of fees for overflight over the territory of the Republic and for terminal services at the airport;

search and rescue; investigation of airplane crashes; application of international conventions, standards and recommendations in the area of civil air traffic; inspection oversight over the application of regulations in the air traffic; keeping registries and other prescribed records and other activities delegated to its competency.

2.2. SECRETARIATS

Article 29

The Secretariats shall be:

1. Secretariat for Legislation,
2. Secretariat for Development,
3. Secretariat for European Integrations.

Article 30

Secretariat for Legislation shall conduct activities with regard to: monitoring and improving legal system of the Republic; ensuring that law, other regulations and general acts are prepared in compliance with the Constitution and the legal system; providing professional assistance and ensuring professional and methodological unity in the process of preparation of laws, other regulations and general acts; election system; organization of authorities; preparation of specific regulations and general acts, and regulations which preparation is not under the competency of the ministries and administrative bodies; providing opinions on drafts and proposals of laws and other regulations; supervision over legality of acts and legality of operations of Press Editorial Institution "Official Gazette of the Republic of Montenegro", and other activities delegated to its competency.

Article 31

Secretariat for European Integrations shall conduct activities with regard to: defining proposals and implementation of development strategy of the Republic; defining proposals for current economic policy of the Republic and monitoring its realization;

determination of proposal and implementation of strategy and policy of regional development; preparation and assessment of justification of development and investment programs of interest for the Republic of Montenegro; capital expenditure of public sector, assessment of basic economic proportions and balances; simulation, testing and assessment of effects of economic and development actions and institutional changes; development and improvement of analysis methodology and methodological instruments implementation; database design and development of IT systems useful for economic analysis; preparation and implementation of national IT society development strategy; improvement, development and functioning of IT system of state administration bodies; establishment of technological and safety IT infrastructure in the state bodies; rationalization of IT resources utilization in the state administration bodies, linking of IT systems of the state administration bodies; defining technical and other rules of utilization of IT equipment in the state administration bodies; defining professional and normative bases for accession of Montenegro to European Union in the areas of development and application of IT

and communication technology (e-Europe); performing of consolidated procurement of IT resources and internet services for the state administration bodies; keeping Central Voting Registry, application and implementation of regulations referring to electronic signature and surveillance over the implementation of those regulations, and other activities delegated to its competency.

Article 31a

Secretariat for European Integrations shall conduct activities with regard to: coordination and oversight of the process of accession and joining EU, inter-sectoral preparations for negotiations and coordination process with EU; monitoring of the process of the implementation of agreements with EU and activities of joint bodies established under such agreements; cooperation of state bodies with institutions, bodies and authorities of EU, its member countries, candidate countries, and potential candidates in the process of accession and joining EU; monitoring and coordination of the translation process and preparation of national version of *acquis communautaire* as well as monitoring and coordination of the translation of domestic languages to some of official languages of EU; realization of the process of programming, implementation and monitoring of the program of the financial support of EU, its member countries and other assistance linked with the process of accession to EU; informing the public about EU and on the process of accession and joining EU; cooperation in the process of accession and joining EU with bodies of the Parliament of the Republic of Montenegro; cooperation and direct communication with the Mission of RoM under EU and other diplomatic/consular representatives of the RoM abroad in the area of accession and joining the EU; issuing opinions on harmonization of regulations with relevant regulations of EU and rectified international conventions and other activities delegated to its competency.

3.3. INSTITUTES

Article 32

The Institutes shall be:

1. The Statistics Institute,
2. The Hydro-meteorological Institute,
3. The Institute of Seismology,
4. The Institution for International Scientific, Educational, Cultural and Technical Cooperation,
5. The School System Institute,
6. The Institute for Execution of Criminal Sanctions,
7. The State Archives,
8. The Metrology Institute,
9. The Institute for Providing for Refugees.

Article 33

The Statistics Institute shall conduct activities with regard to: organization and conduct of statistical researches; collection, processing and statistical analyses and publishing of statistical data; development, maintenance and use of legally approved

Republic registers; the preparation of statistical research methodologies, preparation of statistical research programs; cooperation and coordination in the preparation of statistical research programs with the bodies and organizations authorized to perform statistical research, harmonization and application of the unified methodological solutions; publications; application of statistical standards; development of statistical IT system; personnel statistics IT training; control of the accuracy of data of reporting units, and other activities delegated to its competency.

Article 34

The Hydro-meteorological Institute shall conduct activities with regard to: monitoring and measuring of meteorological, hydrological, ecological and agro meteorological parameters; analyzing, processing and archiving the measured and monitored parameters; the preparation of studies, elaboration documents, analyses and information on climate, soil condition, air, surface and sub-surface waters and coastal sea; forecasting and providing data from meteorological, hydrological, ecological and agro-meteorological areas; formation of the information database system of the meteorological, hydrological, ecological and agro meteorological researches; establishing and monitoring of meteorological, hydrological, ecological and agro meteorological research, establishment and maintenance of hydrological and agro meteorological units for monitoring weather conditions, water, air and soil conditions; the preparation and maintenance of the cadastre of water and air pollutants; the preparation and maintaining of the cadastre of founts, springs and water facilities; the examination of water alluviums; the control and the evaluation of the quality of surface and sub-surface waters, rainfalls, air and soil on the grounds of the physical, chemical, biochemical and radiological parameters; providing data, information and studies for the purposes of maritime, air and road traffic, electro-industry, water supply industry, agriculture, civil engineering, tourism, military, personal and property insurance, and other interested parties; aerologic and radio-sonic measurements of all upper atmospheric levels, phenological observations, indirect security of air navigation; recognition and custody of the standard measures for meteorological and hydrological instruments and calibration of instruments in the meteorological and hydrological units; fulfillment of international commitments in the field of meteorology and hydrology and quality control of air, water and other activities delegated to its competency.

Article 35

The Institute of Seismology shall conduct activities with regard to: instrumental registration of earthquakes; the analysis of seismological undulations and analysis and numeric processing of the information observed; interpretation of registered seismic activity; study of the Earth inner structural composition and earthquake geneses phenomenon; analysis of earthquake impacts on constructions, soil, watercourses and other; the drafting of regional seismological maps, seismic hazards, risks and other bases with elements of forecasting of long-term and mid-term seismic activity of the territory, and preparation of seismic micro-regional planning of urban areas and micro-localization of constructions; preparation and publication of the seismological data bulletins and graphical bases with seismic data; preparation of studies, projects and elaboration documents on the seismic parameters of the building facilities locations; keeping the seismological records,

development and innovation of seismic database; exchange of seismological information with foreign seismological centers; technical maintenance of the seismological instruments and the radio-telemetric transmission of seismic signals; modernization, enhancement and continuous improvement of technical characteristics of the seismological units network, and other activities delegated to its competency.

Article 36

The Institute for International Scientific, Educational-Cultural and Technical Cooperation shall conduct activities with regard to: planning and programming, realization, harmonization and recording of international, educational, cultural and technical cooperation of the Republic with other countries, regional associations and international organizations; providing for conducting the programs that are financed by the Republic Budget; education and professional development of foreign citizens in the Republic and Montenegrin citizens abroad; proposing and providing the performance of the Republic activities in cultural/information centers abroad; collecting, processing and distributing proposals and adequate data, information and programs from the area of international scientific, educational, cultural and technical cooperation, and other activities delegated to its competency.

Article 37

The School System Institute shall conduct activities with regard to: determination and provision of qualitative educational work in the institutions and exercising of developmental, advisory, researching and professional assignments in the field of pre-school education, elementary, secondary school and general education, general education in vocational education, education of children with special needs and education in pupil homes and determination of quality of application of educational work standards in the educational institutions; improvement of educational work in the institutions; monitoring, analysis and development of education system; preparation of educational and pedagogical and methodological standards of textbooks and handbooks; professional work in the preparation of education programs, catalogues and standards of knowledge, norms and standards of teaching aids and equipment; research; organization of professional development of teachers and principals; proposing actions for development of specific levels of education, new teaching technologies and their application; activities regarding international collaboration, and other activities delegated to its competency.

Article 38

The Institute for Execution of Criminal Sanctions shall conduct activities with regard to: execution of criminal sanctions: sentences to prison and prison for juvenile delinquency, security measures of mandatory psychiatric treatment and care in the health institution, security measures of mandatory treatment of alcoholics and drug addicts, sentences to prison imposed by misdemeanor proceedings and actions to ensure the presence of the accused in the criminal procedure – in custody, and other activities delegated to its competency.

Article 39

The State Archives shall conduct activities with regard to: collection, takeover, sorting, processing, research, protection and utilization of the archive materials and registration materials, created in the work process of the state authorities and institutions through which the Republic practices duties and authorities, i.e. which are established for the territory of the Republic; archive duties referring to the archive materials of the institutions, physical and legal persons of the importance for the Republic; professional supervision over the activities of republic bodies with regard to the archive material at their disposal; preparation of the programs of the archive activities development, professional education and training of staff; record keeping on archives activities, and other activities delegated to its competency.

Article 39a

Institute for Metrology shall conduct activities with regard to: ensuring application of the system of legal measure units; realization, keeping, maintaining and improving the standard measures of the Republic and ensuring their participation in international activities; ensuring metrological sequence for standard measures laboratories, as well as for research and control laboratories; organization of standard measures activities; evaluation of compliance of measurement instruments with metrological requirements; provision of expert opinions for authorizing laboratories for sealing of measurement instruments; representation of the Republic in international and regional metrological organizations and establishment of cooperation in the area of metrology; metrological control; control of turnover of items of precious metals, and other activities delegated to its competency.

Article 39b

The Institute for Providing for Refugees shall conduct activities with regard to: accommodation of persons asking for asylum, with recognized status of refugees, approved additional or temporary protection in the center for accommodation of persons asking for asylum or other accommodation facility; accommodation and providing for persons with special needs asking for asylum and having been approved asylum; provision of aid in realization of rights to social protection, health protection, education, humanitarian aid, legal aid, work and other legally prescribed persons asking for asylum and having been approved asylum; cooperation with United Nations High Commissioner for Refugees, other international organizations and institutions, Red Cross of Montenegro and other organizations and institutions dealing with protection of refugees; aid in connecting refugee family members; organization of educational and other programs; inclusion in social, economic and cultural life; realization of national, regional and international documents for resolution of the issue of refugees and persons with recognized status of a displaced person in the Republic; aid in realization of the right of Montenegrin citizens when coming back to the Republic in accordance with the obligations determined in the agreement on readmission; and other activities delegated to its competency.

2.4. DIRECTORATES

Article 40

The Directorates shall be:

1. The Directorate for Public Works,
2. The Directorate for Traffic,
- 2a. The Directorate for Public Procurement,
3. (deleted),
4. The Directorate for Development of Small and Medium Size Enterprises.

Article 41

The Directorate for Public Works shall conduct activities with regard to: professional activities relating to construction and reconstruction of facilities of primary technical infrastructure, state bodies' facilities, health, education, culture and sports, complexes and objects on attractive tourist locations and other facilities of public interest which construction is funded by the Republic and relating to previous and preoperational activities, studies, research works and investment programs, providing professional judgment on documentation for making investment decisions, obtaining the documents on location and zoning and technical conditions for individual facilities; preparation and technical control of technical documentation, providing the consent and approval for construction, public announcements and carrying out cession procedures; concluding construction contracts; professional supervision and quality control of performed work, installed material and equipment, technical examination, approval of performed works, acquisition of the use permit for the facility; records, payment and control of financial expenses, and other activities delegated to its competency.

Article 42

The Directorate for Traffic shall conduct activities with regard to: management, development, construction, reconstruction, maintenance and protection of state roads in the Republic; participation in preparation of strategy, mid-term program and annual plans; preparation of the tender; carrying out the cession procedure for: preparation of technical documentation, construction activity, reconstruction, regular and investment maintenance, technical assistance to participants with motor vehicles on public roads and providing information about the road condition and their serviceability; organization of professional control and quality of performed works; initiation of procedure for resolution of legal-property affairs; acquisition of the building permit, acceptance of the built state roads and their handover for use; keeping road database, records of real estate belonging to state roads; preparation of financial documentation and follow-up of financial assets spending; issuance of approval for the public road to join and intersect the roads, railroad, installation of infrastructure facilities, (pipelines, water supply system, sewage system, electric, telephone and telegraph lines, etc.) on the state road and in the protection area; lease of traffic land, issuing the approval for special transportation, digging up; issuing the approvals for posting signs and advertisements, traffic technical conditions for designing the minor roads joining the state roads and consent to

prepared technical documentation, issuance and revocation of licenses for transportation of passengers and cargo in internal and international road transportation, transportation among member states and inter-town internal transportation in road traffic; issuance and revocation of licenses for public transportation of passengers and cargo in internal and international road traffic and provision of bus station services, exchange and granting of licenses obtained for free transportation of passengers in international road traffic; categorization of bus stations and main bus stops and cargo station and compliance with the conditions for their work; prohibition of transportation in road traffic to foreign carriers on the territory of the Republic; registration and verification of compliant and valid timetables in inter-town line traffic; cancellation of current timetables for transportation among member states; management, development, modernization, reconstruction and protection of railroads in the Republic; issuance of licenses to business organizations for managing railroad infrastructure and certificates on security for managing infrastructure, licenses and certificates to carriers for public transportation and transportation for own needs; issuance of approvals for reconstruction of railroad infrastructure and construction and reconstruction of overpasses over electrified railroads; issuance of consents for construction, reconstruction, maintenance and protection of industrial railroad; award of routes and use of railroad infrastructure; adoption of timetables and keeping prescribed records, and other activities delegated to its competency.

Article 42a

Directorate for Public Procurement shall conduct activities with regard to: participation in preparation of laws, secondary legislation acts and other regulations on public procurement; establishment of corresponding standard public procurement forms (for more detailed conditions and the manner for determination of the value of public procurement, invitation to tender and advertisement, decision on award of the contract in respect of all invitations to tender, in negotiation procedure without previous advertisement of the tender, decision on small value procurement and on annulment of public tender, tender documentations, minutes on public opening of bids, minutes on review, evaluation and comparison of bids, report on the public procurement procedure, records of data on public procurement); granting prior consent to contractors on selection of the type of the procedure in negotiation procedure without prior advertisement of the tender, negotiation procedure with prior advertisement of the tender and in cases of awarding contracts through a framework agreement; provision of advisory and consulting services for the area of public procurement to contractors; participation and cooperation in organization of the training of personnel for performance of public procurement activities; announcement of the tender and the decision on awarded contracts on the web-site; improvement of the system of information to be provided to contracting authorities and bidders about regulations on public procurement and publishing and distribution of professional literature; preparation of the model for tender documentation and contract for typical public procurement; initiation and incentives to development of the practice of electronic procurement and telecommunication in the area of public procurement; submission of complaints to the State Audit Institution and other relevant bodies in cases of breach of public procurement procedures; preparation, publication and update of the list of obligors of the application of the Public Procurement Law; monitoring and analyses of the realization of the system public procurement from the

aspect of harmonization with the *acquis communautaire* and proposal of measures to provide for such harmonization; realization of international cooperation with the institutions and experts from the area of public procurement; collection of data from contracting authorities and keeping of prescribed records; issuing the bulletin on public procurement and preparation of prescribed reports, and other activities delegated to its competency.

Article 43

Deleted. (Official Gazette of RoM, no. 32/06).

Article 44

The Directorate for Development of Small and Medium Size Enterprises shall conduct activities with regard to: defining the development strategy for small and medium size enterprises, preparing and realizing development programs and projects for small and medium size enterprises, coordination of the programs, measures and activities referring to the development of small and medium size enterprises; monitoring of the realization of the programs for the financial support provided to the small and medium size enterprises development, including the foreign financial support earmarked for the development of small and medium size enterprises; research of legal and other legislation influences on the development of small and medium size enterprises; preparation of the programs for education of entrepreneurs, project development and taking care of the organization of regional and local centers for supporting small and medium size enterprises development; proposing and providing the realization of special programs for the stimulation of small and medium size enterprises development (support to the development of the franchises, leasing, technological parks, incubators, and so on), and other activities delegated to its competency.

Article 44a

The Agency shall be:

1. Tobacco Agency

Article 44b

Tobacco Agency shall conduct administrative activities with regard to: organization and implementation of public tender for business organizations, i.e. entrepreneurs, for the purpose of acquiring licenses for tobacco goods production; determination whether the requirements for participation in public tender are met and issuance of licenses for production of tobacco goods to business organizations, i.e. entrepreneurs fulfilling the prescribed requirements; determination whether the requirements for tobacco wholesale trade are met and issuance of tobacco wholesale trade licenses to business organizations, i.e. entrepreneurs, as well as importers registered with the Register of Importers of Tobacco and Tobacco Goods fulfilling the prescribed requirements; determination whether the requirements are met for tobacco retail trade and issuance of tobacco retail trade approvals to business organizations, i.e. entrepreneurs; coordination of activities of the bodies and institutions in the area of eradication of illegal trade in tobacco goods; monitoring

the position of tobacco goods in the market; maintenance of prescribed registers and other activities delegated to its competency.

Article 45

Other administrative bodies shall have the capacity of a legal entity.

Administrative bodies, within their scope of work, may provide services to legal and physical persons and charge adequate fees.

The Government shall approve the price list of services referred to in paragraph 2 of this Article.

The revenues collected on the basis of provided services shall be the assets of the Budget of the Republic.

II SUPERVISION OF ACTIVITIES OF ADMINISTRATIVE BODIES BY THE MINISTRY

Article 46

Supervision of legality and purposefulness of activities of administrative bodies shall be conducted by the ministries. In conducting the supervision referred to in paragraph 1 of this Article the Ministry shall: suspend the acts decided upon in the off administrative procedure when they are contrary to the law and other regulations and recommend to the Government to rescind or nullify them; provide proposals for appointment and dismissal of the head of the administrative body over which activities the Ministry conducts supervision; require reports and information on particular issues within the scope of administrative body activities; provide professional directions, explanations, instructions, and advice for application of regulations within the scope of authority of administrative body; organize courses and seminars to support full implementation of the regulations applied by the administrative body; provide opinion in the process of determination of acts on internal organization and systematization of administrative bodies and on reports on their activities; delegate particular tasks to the administrative body, indicate weaknesses and illegalities in the activities of the administrative body and give suggestions to overcome them; alert the administrative body about observed deficiencies in the activities, initiate termination of the administrative body which activities are supervised and carry out other control of activities and conduct of the administrative body in compliance with the regulation.

Article 47

Supervision over legality and purposefulness of the work of administrative bodies shall be conducted by:

1. Ministry of Justice over:
§ Institute for execution of criminal sanctions.

2. Ministry of Interior Affairs and Public Administration over:
 - § Human Resources Administration
 - § Police Administration

3. Ministry of Finance over:
 - § Tax Administration
 - § Administration for Real Estate
 - § Customs Administration
 - § Administration for Anti-corruption Initiative
 - § Administration for Prevention of Money Laundering
 - § Statistics Institute
 - § Public Procurement Directorate

4. Ministry of Education and Science over:
 - § The Institute for International Scientific, Educational-Cultural and Technical Cooperation
 - § The School System Institute

5. Ministry of Culture, Sports and Media over:
 - § The State Archives

6. Ministry for Economic Development:
 - § The Institute of Seismology
 - § Institute for Metrology
 - § Directorate for Public Works
 - § The Directorate for Development of Small and Medium Size Enterprises

7. Ministry of Transportation, Maritime Affairs and Telecommunication over:
 - § The Maritime Security Administration
 - § The Directorate for Civil Aviation
 - § The Directorate for Transportation

8. Ministry of Agriculture, Forestry and Water Management over:
 - § Veterinary Administration
 - § Forestry Administration
 - § Waters Administration
 - § Tobacco Agency.

9. Ministry of Tourism and Environmental Protection over:
 - § The Hydro-meteorological Institute

10. Ministry of Health, Labor and Social Affairs over:
 - § Administration for Medications and Medical Supplies
 - § Institute for Providing for Refugees.

Supervision over legality and purposefulness of the activities of the Secretariats shall be exercised by the Government as follows: over the Secretariat for European Integrations through Deputy Prime Minister for European Integration, Secretariat for

Development through Deputy Prime Minister for Economic Policy and Secretariat for Legislation through the General Secretary of the Government.

III PUBLIC ADMINISTRATION OPERATIONS

1. Work Programs of State Administrative Bodies

Article 48

The State Administration Bodies shall adopt annual work programs.

The content of the Work Program shall include but not be limited to: overview of the activities for the realization of the body' s functions (individually by each function); work executive summary; incumbents (organizational unit, team, employee and others); timeframes (monthly, quarterly, etc.); subjects of cooperation (individual appointment of subjects and forms of cooperation to be realized) and overview of funds needed for program period.

The Minister or head of the administrative body shall adopt the Work Program. The Work Program of an administrative body shall be adopted with the consent of the Ministry supervising that body.

2. Report on Work of State Administrative Bodies

Article 49

The Ministry shall, no less than once a year, provide the Government with a report on work and conditions in the areas within the scope of its authority. The report on work of the Ministry shall contain, including but not limited to the following: assessment of conditions in the administrative area; presentation of law and other regulations implementation, overview of realization of program activities and Government conclusions with their core contents and achieved effects in the realization of the functions of the administrative body (overview to be given by each function) and assessment of work of the bodies supervised.

The Report on Ministry' s activities shall also contain the report on work of administrative bodies under its supervision.

Article 50

The administrative body shall, no less than once a year, provide the Ministry with the report on work and conditions in the areas within the scope of its authority. The Report must contain the overview of execution of the law and other regulations, realization of the program and Government conclusions and actions undertaken by the administrative body and the results thereof.

Article 51

Exceptionally, the Ministry, i.e. the administrative body may submit a special work report upon the request of the Government or the Ministry.

The report referred to in paragraph 1 of this Article, upon request of the Government, shall be submitted by the administrative body to the Government through the Ministry supervising the said administrative body. The Ministry's opinion shall be enclosed to the Report.

3. The Council, Executive and Project Group

Article 52

The Council may be formed within the Ministry, as the Minister's professional-advisory body, to consider the issues under the scope of authorizations of the Ministry.

The Minister shall form the Council choosing among prominent and professional persons.

The Act on Formation of the Council shall regulate the activities, composition, compensations for the work performed in the Council, and other issues significant for the work of the Council.

Article 53

In the Ministry, i.e. administrative body the Executive may be formed as an advisory body.

The Executive, by the rule, shall consist of managers and other employees, or appointees determined by the Minister or the head of administrative body.

The Executive shall be called and managed by the Minister or the head of the administrative body.

Article 54

Project groups, teams or other forms of work may be organized for performance of the activities requiring professional cooperation of civil servants and employees from various internal organizational units.

The Project Groups, Teams or other forms of work shall be established by the Minister or the head of the administrative body.

The Act on Formation of the Project Group, Team or other form of work organization shall determine the composition, activities and timeframes within which the tasks shall be executed, funds and other conditions for their work.

Civil servants and employees from other state administrative bodies may be engaged within the Project Group, Team or other form of work organization, in which case the consent of the Minister or the head of the administrative body is needed.

The experts not working in the administrative bodies may be engaged in the Project Groups, Teams or other forms of work organization.

4. Working Hours Schedule

Article 55

Working days of the state administration shall be: Monday, Tuesday, Wednesday, Thursday and Friday.

Working hours shall start at 9:00 a.m. and finish at 5:00 p.m.

The daily break shall last 30 minutes (from 1:00 p.m. to 1:30 p.m.). The Minister or the head of the administrative body shall determine working hours schedule for the activities performed continuously or in shifts. The working hours for work with clients shall be determined in the manner that the activities related to rights and obligations of the clients shall be exercised timely and efficiently.

The administrative bodies shall be obliged to inform the public about their working hours, i.e. working hours with clients, through the media, on administrative body's notice-board or in other appropriate way.

5. Administrative Days

Article 56

The Administrative days shall be particular days in a week, when specific administrative body's activities are performed outside the main office of the administrative body, i.e. outside the main office of the internal organizational unit of the body.

The administrative days shall be determined by the Minister or the head of the administrative body by adopting a special enactment.

The enactment referred to in paragraph 2 of this Article shall determine the activities to be exercised during the administrative days, as well as the time and place of administrative days.

The enactment referred to in paragraph 2 of this Article shall be published in the media or in other appropriate manner.

IV PROVISION OF EXECUTION OF DECISIONS OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF MONTENEGRO

Article 57

Upon the request of the Constitutional Court of the Republic of Montenegro (hereinafter referred to as: Constitutional Court) the Government shall provide the execution of the decisions of the Constitutional Court through the Ministries and administrative bodies, which scope of activities includes the issues of the decision.

In the event referred to in paragraph 1 of this Article, the relevant Ministry and administrative body shall provide the execution of the Constitutional Court's decision based on the Government's order.

The Government shall inform the Constitutional Court about the provision of execution of the Constitutional Court's decision.

Article 58

In order to execute the decision of the Constitutional Court to order the suspension of the execution of a specific enactment or action undertaken on the basis of the Law, other regulation or general act which constitutionality or legality is assessed, the Ministry and administrative authority shall pass a conclusion on the execution of the decision based on the Government's order.

The conclusion from paragraph 1 of this Article shall contain the subject matter of the Constitutional Court decision, determine the responsible person in the administrative body, unit of local self government, institution or legal entity which is obliged to execute the decision, and determine the timeframe for the execution of the decision which cannot be less than 24 hours or exceed three days.

If the responsible person from paragraph 2 of this Article fails to execute the Constitutional Court's decision within the prescribed timeframe, the Ministry and administrative body shall provide for the implementation of the same.

V TRANSITIONAL AND FINAL PROVISIONS

Article 59

The Ministry of Justice, Ministry of Interior Affairs, Ministry of Finance, Ministry of Foreign Affairs, Ministry of Foreign Economic Relations and European Integrations, Ministry of Education and Science, Ministry of Economy, Ministry of Maritime Affairs and Transportation, Ministry of Agriculture, Forestry and Water Management, Ministry of Tourism, Ministry of Environmental Protection and Regional Planning, Ministry of Health, Ministry of Labor and Social Affairs, Ministry for Protection of Rights of National and Ethnic Groups Minorities, Veterinary Administration, Anti Money Laundering Administration, School System Institute and Institute for

Execution of Criminal Sanctions shall continue to operate within their scope of authorizations set forth in this Decree.

Article 60

As of the day this Decree comes into force, the following bodies shall continue to operate within the scope of their authorizations set forth in this Decree:

- Ministry of Culture, as Ministry of Culture and Media;
- Directorate of Public Revenues of Montenegro, as Tax Administration;
- Directorate of Real Estate, as Real Estate Administration;
- Customs Administration of Montenegro, as Customs Administration;
- Maritime Security Agency, as Maritime Security Administration;
- Anti Corruption Initiative Agency, as Anti Corruption Initiative Administration;
- Directorate of Forests of Montenegro, as Forests Administration;
- Republic Secretariat of Sport, as Sport and Youth Administration;
- Republic Secretariat for Legislation, as Secretariat for Legislation;
- Republic Secretariat for Development, as Secretariat for Development;
- Republic Statistics Institute, as Statistics Institute;
- Republic Hydro-meteorological Institute, as Hydro-meteorological Institute;
- Republic Seismologic Institute, as Seismologic Institute;
- Republic Institute for International Scientific, Cultural, Educational and Technical Cooperation, as Institute for International Scientific, Cultural, Educational and Technical Cooperation;
- Montenegrin State Archives, as State Archives;
- Directorate for Public Works of Montenegro, as Directorate for Public Works;
- Directorate for Construction of Highways in Montenegro, as Directorate for Construction of Highways;
- Agency for Development of Small and Medium Enterprises, as Directorate for Development of Small and Medium Enterprises.

Article 61

The heads of the administrative bodies and the deputy heads of the administrative bodies referred to in paragraph 1 of Article 60 of this Decree shall continue to work in those positions in the administrative bodies until the expiry of their appointment and nomination.

Article 62

The Human Resources Administration and Directorate for State Roads shall commence their operations within 30 days after this Decree comes into force.

Article 62a

Water Administration shall start with operations within 30 days from the effective date of this Decree.

Article 62b

Administration for Medications and Medical Supplies shall start with operations within 30 days from the effective date of this Decree.

Appointment of the director and the definition of the act on internal organization and systematization of the Administration for medications and medical supplies shall be performed within the deadline referred to in paragraph 1 of this Article.

Article 62v

As of the day of the commencement of the application of this Decree Directorate for State Roads shall continue with the operations as the Directorate for Traffic within the scope as set by this Decree.

The act on internal organization and systematization of the Directorate for Traffic shall be adopted within 30 days from the application date of this Decree.

The director and the management staff of the Directorate for State Roads shall continue the operations as the director and the management staff of the Directorate for Traffic after the expiry of their appointment or nomination.

Article 62g

Ministry of Defense shall take over business premises, objects, archives, equipment and armaments, assets, means of labor and other means which were used by the Ministry of Defense of Serbia and Montenegro and the Army of Serbia and Montenegro within the Republic of Montenegro on the effective day of this Decree.

Article 62d

The act on internal organization and systematization of the Ministry of Defense shall be adopted within 90 days from the effective date of this Decree.

Article 62đ

The Ministry of Defense shall take over employees who had employment with the Ministry of Defense of Serbia and Montenegro and the Army of Serbia and Montenegro within the Republic of Montenegro on the effective date of this Decree.

Employees referred to in paragraph 1 of this Article shall keep titles and wages until assignment in accordance with the Act of internal organization and systematization of the Ministry of Defense.

Employees who cannot be assigned in accordance with the act referred to in paragraph 2 of this Article shall realize rights in respect of labor in accordance with the regulations on civil servants and state employees.

Article 62e

The Administration for Civil Aviation shall take over documentation, equipment, financial and other assets from the Directorate for Civil Aviation of the State of Serbia and State of Montenegro.

Article 62ž

The Administration for Civil Aviation shall start with the operations within 8 days from the effective date of this Decree.

Within the deadline referred to in paragraph 1 of this Article the appointment of the director of the Administration for Civil Aviation shall be performed.

The act on internal organization and systematization of the Directorate for Civil Aviation shall be adopted within 30 days from the effective date of this Decree.

Article 62z

Ministry of Justice, ministry of Defense, Ministry of Finance and Ministry of Foreign Affairs shall continue the operations within the scope defined by this Decree.

Article 62i

On the effective day of this Decree shall continue with operation within the scope defined in this Decree:

- § Ministry of Interior Affairs as the Ministry of Interior Affairs and Public Administration,
- § Ministry of Culture and Media as the Ministry of Culture, Sport and Media,
- § Ministry for Economy as the Ministry for Economic Development,
- § Ministry of Maritime Affairs and Traffic as the ministry of Traffic, Maritime Affairs and Telecommunication,
- § Ministry of Tourism as the Ministry of Tourism and Environmental Protection,
- § Ministry of Health as the Ministry of Health, Labor and Social Welfare, and
- § Ministry for Protection of Rights of Members of National and Ethnic Groups as the Ministry for Protection of Human and Minority Rights.

Article 62j

Ministries and administrative bodies which shall, in accordance with the provisions of this Decree, take over activities of specific ministries and administrative bodies, be obliged to perform the take over of activities and civil servants and state employees performing such activities on the effective day of this Decree; and to assign equipment, inventory, assets, official documentation within 30 days.

The act on internal organization and systematization of state administration bodies referred to in paragraph 1 of this Article shall be defined within 30 days from the effective day of this Decree. The management staff and civil servants and state

employees who shall not be assigned in terms of paragraph 2 of this Article shall realize rights in accordance with the regulations on civil servants and state employees.

Article 62k

The Secretariat for European Integrations and Directorate for Public Procurement shall start with operation within 30 days from the effective day of this Decree.

Article 62l

The Institute for Providing for Refugees shall operation within 60 days from effective day of this Decree and within such deadline shall take over activities of the Commissariat of Displaced Persons of the Government of the Republic of Montenegro, employees performing such activities, as well as the equipment, inventory, assets and official documentation.

The act on internal organization and systematization of the Institute for Providing for Refugees shall be adopted within the deadline referred to in paragraph 1 of this Article.

Article 63

This Decree shall supersede the following: Decree on Public Administration Organization and Operation (" Official Gazette of the RoM" , No. 8/93, 39/93, 19/95, 13/96, 24/96, 7/97, 13/98, 27/98, 38/98, 18/99, 31/99, 59/00, 31/01/, 9/03, 19/03, 62/03, 67/03, 13/04 and 34/04), the Decree on Establishment of Anti-Corruption Initiative Agency (" Official Gazette of the RoM" , No. 2/01), Decree on Establishment of Directorate of Forests of Montenegro (" Official Gazette of the RoM" , No. 43/01), provisions of the Decree on Establishment, Internal Organization and Operations of the Institute for Execution of Criminal Sanctions which are related to the establishment of the Institute for Execution of Criminal Sanctions (" Official Gazette of the RoM" , No. 31/94, 18/95 and 26/00) and the Decision on Working Hours (" Official Gazette of the RoM" , No. 4/03).

Article 64

This Decree shall enter into force eight days after its publication in the " Official Gazette of the RoM" .

Number: 03-9241
Podgorica, November 23, 2006

Government of the Republic of Montenegro

Prime Minister
Željko Šturanović signed

PUBLISHER' S NOTE:

The clean text does not include the provisions of Articles 26 and 27 of the Decree on Amendments to this Decree (Official Gazette of RoM, no. 72/06) which read:

Article 26

As of the day this Decree comes into effect the provisions of the Decree on Providing for Displaced Persons (Official Gazette of RoM, no. 37/92) that are related to organization and the manner of providing aid in providing for displaced persons shall be rescinded.

Article 27

This Decree shall come into force on the next day from the day of publishing in the Official Gazette of RoM.

PUBLISHER' S NOTE:

The clean text does not include the provisions of Articles 17, 18 and 19 of the Decree on Amendments to this Decree (Official Gazette of RoM, no. 60/06), which read:

Article 17

The Institute for Metrology shall take over movable and immovable property, rights and obligations of the Control of measures in Podgorica – regional units of the Institute for measures and precious metals of Serbia and Montenegro.

Institute for Metrology shall commence the operations within 120 days from the effective day of this Decree.

Within the deadline referred to in paragraph 2 of this Article the director shall be appointed and the act on internal organization and systematization of the Institute for Metrology shall be defined.

By the appointment of the director of the Institute for Metrology, the Government of the Republic of Montenegro shall appoint the acting director, within 10 days from the effective day of this Decree.

Article 18

Ministries and other administration bodies which scope of work has been changed by this Decree, shall harmonize the acts on internal organization and systematization within 60 days from the effective day of this Decree.

Article 19

This Decree shall come into force on the eighth day after being published in the Official Gazette of the Republic of Montenegro.