

15 Annex - Energy

**69. DECREE ON ORGANISATION AND METHOD OF
OPERATION OF STATE ADMINISTRATION**

69. DECREE ON ORGANISATION AND METHOD OF OPERATION OF STATE
ADMINISTRATION

Pursuant to Article 24 of the Law on State Administration (Official Gazette of the Republic of Montenegro 38/03 and Official Gazette of Montenegro 22/08), the Government of Montenegro, on its session held on 23 July 2009, adopted

**DECREE ON
ORGANISATION AND METHOD OF OPERATION OF STATE ADMINISTRATION
(Official Gazette 59/09 dated 4 September 2009)**

Article 1

This Decree shall establish ministries and other administration bodies, define organisation and method of operation of state administration and regulate ensuring of enforcement of the decisions of Constitutional Court of Montenegro, as well as other issues relevant for the organisation and operation of state administration.

I ORGANISATION OF STATE ADMINISTRATION

1. MINISTRIES

Article 2

The Ministries shall be:

1. Ministry of Justice,
2. Ministry of Interior and Public Administration,
3. Ministry of Defence,
4. Ministry of Finance,
5. Ministry of Foreign Affairs,
6. Ministry of Education and Science,
7. Ministry of Culture, Sports and Media,
8. Ministry of Economy,
9. Ministry of Transport, Maritime Affairs and Telecommunications,
10. Ministry of Agriculture, Forestry and Water Management,
11. Ministry of Tourism,
12. Ministry of Health,
13. Ministry of Human and Minority Rights,
14. Ministry for Information Society,
15. Ministry of Spatial Planning and Environmental Protection,
16. Ministry of Labour and Social Welfare,
17. Ministry of European Integration.

Article 3

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The Ministry of Justice shall perform administrative affairs related to: organisation and operation of courts and state prosecutor, status questions of judges and prosecutors, authorities competent for misdemeanour offences, authorities competent for enforcement of criminal sanctions, advocacy, notaries, mediators and expert witnesses; criminal legislation; civil law, court proceedings and misdemeanour proceeding and legal aid; analytics of work of judiciary bodies; preparation and monitoring of realisation of strategic documents and projects in the field of judiciary and judicial information system; provision of opinions on laws and other regulations regulating the proceeding before courts, misdemeanour proceeding and sanctions; control of enforcement of the imprisonment sentence and other criminal sanctions in cases provided for by law; bar examination; notary examination; civil service exam; international legal assistance in criminal and civil matters; extradition; cooperation in the field of international criminal judiciary and with international organisations in the field of judiciary and human rights; preparation, drafting and enforcement of international treaties in the field of international legal aid; apostille of documents for use abroad; preparing and monitoring of laws on ratification of international treaties in the field of judiciary system; keeping register of foreign non-governmental organisations; cooperation with international organisations in the procedure of harmonisation of judiciary system with international standards; administrative affairs for appointment of agent of Montenegro before European Court of Human Rights and identification of candidates for the election of judge for the European Court of Human Rights; amnesty, conditional release and agreement on compensation for damages for unjustified deprivation of liberty; permanent court interpreters; official receivers; providing programs of training for mediators and the manner of its conducting; appointment and removal from office of mediators; record of mediators; monitoring the EU standards and legislation in the field of judicial system; administrative supervision in the field for the purpose of which this Ministry has been established, as well as other affairs falling within its competence.

Article 4

Ministry of Interior and Public Administration shall perform administrative affairs related to: immigration, visa system, granting asylum, citizenship, naturalisation, travel documents, identity cards, permanent residence and register of citizens; unique ID number; personal name; registers; register of vehicles and drivers; purchase of weapons and parts of weapons; protection of personal data; production, turnover and transport of explosive substances; turnover, transport and storage of inflammable liquids and gas; transport of the fireproof dangerous liquids and gas, transport of explosives; transport of weapons, military equipment and dual purpose goods through land and water routes; conducting misdemeanour proceeding in the field of internal affairs and public administration for which fine has been imposed; risk management, management of protection and rescue in extraordinary situations and management of restoration and repair of consequences arising from extraordinary situations (earthquakes, fires and other natural and technical-technological catastrophes); civil protection affairs, as part of integrated system for extraordinary situations management; state border security, integrated border management, organizing and financing of construction, reconstruction, modernisation and maintenance of border crossing points; shutting down side roads which intersects the land border; drafting strategy of mid-term programme and annual plans of border crossing points management; conducting works on construction, reconstruction, ordinary and investment maintenance of border crossing points; preparing financial documentation, monitoring expenditure of financial assets and giving facilities or parts of facilities at border crossing points on lease; analytical monitoring of the situation and strategic planning in the field of fight against crime, public law and order, safety of transport and other fields of police work and activities, instructive activity for implementation of strategies and policy in these fields, supervision over performance of police affairs and procedures, expertise, legality and efficiency of performance of police affairs; field of state administration in respect of organisation, manner and method of operation, management, accountability, relations, cooperation, publicity and transparency of operation of state administration bodies; civil servants relations; ensuring and monitoring of enforcement of legislation in the field of state administration in respect of expertise and efficiency, administrative procedure, office operations, non-governmental organisations and political parties, seals of state bodies; monitoring the process of EU accession and harmonisation in the field of state administration with EU standards and legislation within the

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competencies of this Ministry; cooperation with international and regional organisations; keeping prescribed official and other records; organisation and scope of work of local self-government; functioning and implementation of legislation in the field of local self-government within the competencies of this Ministry;

territorial organisation of local self-government; international cooperation of local self-government units with local self-government units of other countries; cooperation with international organisations and specialised bodies; enforcement of international treaties 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 procedure; administrative supervision in the fields for the purpose of which this Ministry has been established, as well as other affairs falling within its competence.

Article 5

Ministry of Defence shall perform administrative affairs related to: enforcement of determined defence policy; planning the defence system, development and harmonisation of defence plans, as well as coordinating defence proceedings and defence activities established by those plans; international cooperation in the field of defence; military diplomacy; activities within Partnership for Peace, regional military-safety organisations, NATO and EU accession; organizing, equipping, armaments, development and use of the Army of Montenegro; production of items and providing services of special importance for defence; spatial planning and decorating, construction, reconstruction and maintenance of military objects in military area; supplies and property it uses; training, improvement and education for the needs of defence; intelligence, counterintelligence and security activities in the field of defence; organizing electronic communication and data protection for defence system needs; protection of classified data of defence; planning, development and practising measures of mobilisation and state of alert; stuffing and mobilisation; military, work and material obligation; human resources management; army medical corps; primary health care of persons at service in the Army of Montenegro; scientific and research work and standardisation for the needs of defence; activities in international forces, peace missions and other activities abroad; activities within international agreements on armaments control; normative affairs and process of harmonisation of legal system in the field of defence with the EU legal system; assets for financing the defence system; inspection affairs in the field of defence and internal control, administrative supervision in the fields for the purpose of which this Ministry has been established, as well as other affairs falling within its competence.

Article 6

Ministry of Finance shall perform administrative affairs related to: determining current economic policy of Montenegro and monitoring its realisation; capital public expenditure of public sector, assessment of basic economic proportions and balances; simulating, testing and assessment of economic effects and developmental measures and institutional changes; banking system; securities; preparation, planning, drafting and realisation of budget; fiscal effect; supervising collection of income and realisation of the expenditures of the Budget of Montenegro; proposing guidelines and mid-term macro-economic framework for preparing and planning of the budget; realisation, amendment and assessment of the Budget, including analyse of requests from spending units and extra-budgetary funds for allocation of budgetary resources and proposal for their changes; providing opinions on laws and other regulations proposed by state administration bodies from the barriers to business aspect; execution of payments upon request of spending units; keeping Treasury General Ledger; management of accounting system of State receipts; preparing financial statement of the budget; financial control by means of use of accounting system based on planned obligations; monitoring realisation of expenditures; developing and keeping the accounting of the Budget of Montenegro and managing information system; preparing regular financial reports for the needs of the Government of Montenegro (hereinafter referred to as the "Government"); managing cash funds available at the consolidated Treasury account; managing debt originating from securities issued by the state or from issued guarantees and loans taken;

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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; establishment of cooperation and realisation of obligations towards World Bank, International Monetary Fund and other international financial institutions; affairs related to international financial cooperation and EU integrations; affairs realised through implementation of the Law on Ratification of Framework Agreement between the Government of the Republic of Montenegro and Commission of European Communities on Rules for Co-operation Concerning EC-Financial Assistance to the Republic of Montenegro in the Framework of the Implementation of IPA; adopting regulations, rules of procedure, procedures on establishment of decentralised system of managing EU projects in Montenegro; ensuring harmonisation of legislation with EU legal system; execution of tender procedure, contracting, approval of payments and financial reporting from the aspect of public procurement in the field of services, procurement, works, non-refundable aid and twinning, in terms of programmes finances by the European Union in Montenegro; ensuring implementation of rules of the European Union, regulations and procedures related to procurement in the field of services, works, equipment, twinning and non-refundable aid, proper functioning of the reporting system; control of activities within tender procedures, grants, contracting, financing, approval of payments; public revenues (customs duties, taxes, contributions, fees, charges and other) used for financing public expenditures at the state level and at the level of units of local self-government; concluding international treaties on avoidance of double taxation (preparation of treaties, their ratification by the Parliament of Montenegro and monitoring of standards in this field); negotiating, coordinating and implementing international conventions and agreements and harmonisation 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 realisation of customs and tax policy; development of the system of internal financial controls in public sector in accordance with international standards; proposing and ensuring enforcement of legislation in the field of property law matters, state property, soil survey and real estate cadastre, soil expropriation, mortgage rights, restitution and compensation for deprivation of property rights; deciding in second instance administrative procedure in the field of property rights and first instance proceedings on restitution; ensuring charging internal debt made of claims of Government through regular, bankruptcy and court proceedings, activation on mortgage rights on that ground, proposing legislation in the field of public procurement, supervising those and supervising state property; proposals in relation to management and disposal of state property, as well as other affairs falling within its competence.

Article 7

Ministry of Foreign Affairs shall perform administrative affairs related to: carrying out of determined foreign policy of Montenegro and maintaining relations of Montenegro with other countries, international organisations and institutions; monitoring the situation and development of international relations as well as bilateral cooperation with other countries; monitoring and presenting political situation and coordination of activities of the ministries and institutions of Montenegro in the process of EU accession, Partnership for Peace accession, NATO accession and accession to other regional European-Atlantic and global organisations and initiatives which membership strengthens political, economic and security position of Montenegro; providing the initiative to the Government for establishment and termination of diplomatic relations between Montenegro and other countries, membership of Montenegro in international organisations, manner of state representing in the representative offices of Montenegro in the United Nations, Organisation 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 organisations; conducting diplomatic, consular and other professional affairs related to realisation of political, economic, cultural and informative and other relations between Montenegro and other countries and international organisations; international treaties and other international legal acts; protection of interests of Montenegro and its citizens and legal persons abroad in cooperation with other competent bodies; undertaking measures to improve relations with Diaspora; participation in defining and realizing of foreign policy and international cooperation in all fields, in cooperation with competent state administration bodies; informing the foreign public about

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the politics of Montenegro; informing the citizens of Montenegro abroad and informing Diaspora about politics of Montenegro and monitoring of activities of foreign media related to Montenegro; organisation of cooperation with scientific institutions for the purpose of studying and improving foreign policy of Montenegro; preparation of participation of the representatives of Montenegro in international conferences or negotiations for conclusion of international treaties and conducting affairs for implementation of international treaties; 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 over flights; processing of requests for issuance of documents from diplomatic and consular representative offices within the centralised issuance of documents and keeping prescribed records; cooperation in performance of consular affairs with diplomatic representatives of foreign countries and international organisations in Montenegro; monitoring and coordinating activities within regional initiatives; accredited persons staying in Montenegro; collection, preservation and publication of documentation on foreign policy of Montenegro; affairs in the procedure of implementation of the Agreement on Succession Issues; monitoring the status of the citizens of Montenegro in other countries, as well as other affairs falling within its competence.

Article 8

Ministry of Education and Science shall perform administrative affairs related to: planning, creating and developing of educational system; conditions for establishing and work of educational institutions and organisations; organisation of work of educational institutions; system of financing of educational institutions and organisations for education; financing of supplementary classes in the mother tongue for the children of citizens of Montenegro temporarily employed or residing abroad; passing and/or approving of curricula for pre-primary education, primary education, general secondary education, vocational education, education of children with special needs and adult education; senior management employees in pre-school, elementary and secondary education, passing norms for the profiles and professional qualifications of teachers, professional associates and teachers assistants in educational institutions, passing programmes of advanced training and promotion of teachers, professional associates and teachers assistants in educational institutions; standard requirements for school buildings, equipment and teaching aids for pre-primary, primary, special and secondary education and dormitory services; equipment, accommodation and meals for pupils and students, norms for operational expenses of educational institutions; norms for non-teaching staff in educational institutions, publication of textbooks and educational literature; supervision over legality of work of the institutions in the field of education and science; higher education; realisation of educational and cultural activities of members of national and ethnic minority groups living in Montenegro; professional training and education of citizens of Montenegro temporarily employed abroad and their children; development of scientific and research activities; development of scientific and research organisations and services, development of science and application of scientific achievements in specific fields; technological development affairs; system of financing institutions, organisations and services in the field of science; administrative supervision in the fields for the purpose of which this Ministry has been established, as well as other affairs falling within its competence.

Article 9

Ministry of Culture, Sports and Media shall perform administrative affairs related to: development of culture and works of art; protection, preservation, evaluation and presentation of cultural heritage; realisation of public interest in culture; drafting and implementation of strategies and development programmes of culture; research in culture; provision of financial basis, conditions and stimulating measures for the development of culture; construction, maintenance, technical-technological equipping and use of cultural objects; foundation and work of cultural institutions; assessing fulfilment of conditions for conducting cultural activities; works of literature, translation, scenic, musical-scenic and motion pictures works; works of art in other audio-visual media; publishing, theatre and cinematographic activities; needed sample of publications; intellectual property rights

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and related rights; status rights of independent artists and distinguished authors in culture; stimulating work of professional associations in the field of culture; production, turnover and commercial copying of cinematographic works; protection, preservation, evaluation, categorisation and registration of cultural goods; museum, library, archive and cinematographic activities; foundation and work of libraries, museums and cinemas; professional training and specialisation of human resources for performing cultural activities; state medals; state symbols; public awards; public holidays; monuments; sport; status of sportsmen and professional associates in sports; foundation and work of sports organisations; expert work in sports; performance of sports activities and provision of conditions and financial support for their work and development; construction, maintenance and use of sports facilities; care of sportsmen; stimulation of development of school, student, high performance, quality and recreational sports; developmental and expert tasks in sports; support to activity of Montenegrin sports unions and Montenegrin Olympic Committee; sports activities of disabled persons; monitoring and support to youth activities; prevention of socio-pathological events among youth; media and radio broadcasting system; informative activities in the field of press, radio, television and other media; access to information in possession of the administration bodies; media concentration of printed media; realisation of guaranteed rights of citizens to information in respect of program contents of significance for development of science, education and culture; realisation of informing the persons with hearing and sight damages; realisation of informing of members of national and other minority groups; improvement and development of international cultural, sports and media cooperation; cooperation with regional and international organisations, institutions and professional associations in the field of culture, sports and media; creation of conditions for presenting Montenegrin cultural and artistic creative work abroad and creative work of other countries and people with us; representing our country in the field of sport; exchange and transmission of media programs and information; provision and realisation of foreign donations for culture, sport and media; accession to and use of international funds for the development of culture, sports and media; monitoring the process of EU accession and harmonisation of the legislation with EU standards and legislation; conducting misdemeanour proceeding and administrative supervision in the fields for the purpose of which this Ministry has been established, as well as other affairs falling within its competence.

Article 10

Ministry of Economy shall perform the administrative affairs related to: drafting proposals and implementation of the development strategy of Montenegro; drafting proposals and implementation of strategy and policy of regional development of Montenegro; preparation and evaluation of developing investment projects of interest to Montenegro, which fall within competence of the Ministry; creation of conditions for sustainable and balanced growth and development of Montenegrin economy and its competitiveness; policy directed to support development of economy and entrepreneurship, small and medium size enterprises and handicrafts; transition of economy; structural adjustment of economy; initiating, determining and evaluating programme of transformation and reporting on assessment of enterprises' value with methodology for assessment and giving and withholding approval for this process; monitoring realisation of duties arising from the contract on privatisation of enterprise; monitoring contracts with advisers for privatisation for the needs of Privatisation Council and tender commissions; new production and business technologies; industrial production by individual sectors and sub-sectors; energy policy; determining directions and dynamics of development of energy; preparation of energy balance sheet of Montenegro; 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; monitoring of the situation and development of domestic and foreign trade; preparation and updating of the plan of emergency procurement; consumer protection; regulation of competition; monitoring, analyzing and forecasting market conditions; review of flows of goods and supply of the market; proposing, determining and implementing policy in the field of international economic relations; monitoring the impacts of economic policy and relevant legislation on foreign economic relations; proposing systemic and other stimulating measures for improvement of foreign economic relations, and particularly for attraction of foreign investments; initiation and preparation of the promotion of development projects abroad from the competency of this Ministry; connecting

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local business associations and economic entities with foreign partners, corresponding foreign associations and potential investors; investment policy; proposing measures for stimulation of capital investments;

proposing, negotiating, concluding and monitoring implementation of international economic and trade agreements; coordination of work of mixed committees and commissions for economic and trade cooperation; negotiating and monitoring bilateral economic agreements; coordination of relations with specific countries with regard to issues of monitoring and improving economic cooperation; regime and control of foreign trade in armaments, military equipment and dual purpose goods (controlled goods); improvement of economic cooperation with Diaspora; as well as monitoring and proposing measures for liberalisation of trade in goods and services in respect of membership in international commerce economy associations; cooperation with regional and international economic organisations and institutions, especially with WTO, OECD, CEFTA and other, and other multilateral initiatives through programs for improvement of economic cooperation; infrastructure of quality (standardisation, accreditation, metrology, system of control of items of precious metals, system of conformity assessment; technical regulations within the competency of the Ministry); regulation of industrial property; monitoring and studying the conditions of operation and economic status of business entities within the competencies of the Ministry; proposing the measures of current and development policy and analysing their impacts on the economic position of business entities in these fields; international cooperation; improvement of regulatory-administrative framework, promotional activity, preparation and realisation of development plans, as well as other issues from the field of economic and business development; administrative supervision in the fields for the purpose of which this Ministry has been established, as well as other affairs falling within its competence.

Article 11

Ministry of Transport, Maritime Affairs and Telecommunications shall perform administrative affairs related to: railway, road, maritime and air traffic, telecommunications and postal activities; safety of railway, road, maritime and air traffic, telecommunications and postal activities; security of merchant ships and port for international traffic; determination of indicators, prevention and undertaking emergency measures in the case of sea pollution by watercrafts; transportation of dangerous substances in railway, maritime and air traffic and inland water in accordance with separate law; inland and international transport of people and objects; public roads; railways infrastructure, infrastructure of civil air transportation and safety navigation objects; railway, road and maritime economy; inland navigation; safety of maritime and inland navigation; ports; monitoring and studying the economic conditions and economic status of business entities in these fields; proposing current and development policy measures and analyzing their impact on economic status of business entities in the field of public roads, traffic, maritime, electronic communications and postal activities; activities related to development of electronic communications and information technologies; determination of the group of services of universal service provided by a chosen operator; ensuring efficient use of available radio-frequency spectrum; proposing measures for use of telecommunication networks in case of emergency circumstances and ensuring their realisation; improving development of competitiveness in the field of electronic communications and information technologies; monitoring the status of current and development policy; monitoring status and initiation of activities in the field of quality management; administrative supervision in the fields for the purpose of which this Ministry has been established, as well as other affairs falling within its competence.

Article 12

Ministry of Agriculture, Forestry and Water Management shall perform administrative affairs related to: determining current and development policy proposals, measures of agriculture policy, proposing and determining system solutions in agriculture and undertaking measures for their realisation; protection, exploitation and improvement of farmland; plant production; livestock breeding; organic production; phytosanitary field; veterinary medicine; food safety; apiculture;

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freshwater and sea fishery and Mari culture; rural development; application of modern technique and technology in agriculture; balance of basic agricultural products; proposing measures and analyzing their impacts on economic status and operational conditions of entities in the field of agriculture and agro industry; development policy in the field of forestry; forest husbandry, protection, economic use and improvement of forests; monitoring of planning of forest husbandry; forests healthcare; development policy in the field of hunting; game management, hunting and managing the hunting areas; development of programs and plans of game management; development policy in water management, water supply and use of waters, water terrains and water sources exploitation, protection of waters against pollution, arrangement of waters and watercourses and protection against harmful effects of water; proposing the system and other stimulating measures for the improvement of these fields; keeping registers and records; international cooperation, negotiating, coordination and implementation of international conventions and agreements; coordination of the process of EU accession in these fields; administrative supervision in the fields for the purpose of which this Ministry has been established, as well as other affairs falling within its competence.

Article 13

Ministry of Tourism shall perform administrative affairs related to: tourism development, hospitality industry, tourist offers, economic conditions in tourism, selective forms of tourism; systemic measures and measures of current economic policy in the field of tourism; connecting coastal and continental tourism; development of private sector in tourism; establishing tourist resorts and regions; categorisation and classification of tourist facilities; tourist trends at domestic and foreign markets; cooperation with national tourist associations and international organisations and institutions; programmes of education of human resources in tourism; realisations of sustainable development programs and projects; sustainable valorisation of potentials and ecological advantages of national parks and protected regions of nature with regard to tourism development aspects; realisation of programs and projects pointed towards decrease in climate changes' effects in the field of tourism; realisation of investment programmes of importance for sustainable tourism development; monitoring infrastructure projects for the development of tourism; monitoring of investments; promotions of investments in the field of tourism; coordination of activities for preparation and monitoring of tourist seasons; organisation, mediation, 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 field; organizing tourist representative offices abroad; international cooperation; administrative supervision in the fields for the purpose of which this Ministry has been established, as well as other affairs falling within its competence.

Article 14

Ministry of Health shall perform administrative affairs related to: drafting and managing policy in the field of health protection; health insurance and provision of health protection from public revenues; establishing and organizing medical institutions and laying down requirements regarding space, human resources and equipment of medical institutions; professional training and specialisation of medical staff and medical associates; sanitary safety of imported food-stuffs and things of common use; protection of citizens against contagious diseases; national policy in the field of production and trade of medications and medical supplies; protection of citizens against tobacco products; issuing approvals for the transfer of toxins over the state border and within domestic traffic; field of poison production and trade of poison; field of production and trade of narcotics and precursors; coordination and monitoring of realisation of inter-sectoral activities in the field of narcotics; management of medical waste and biologically dangerous materials; proposing, negotiating, concluding and implementing agreements and other international treaties, affairs related to international cooperation and European integrations; cooperation with international and non-governmental organisations; administrative procedure; first instance misdemeanour procedure;

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administrative supervision in the field for the purpose of which this Ministry has been established, as well as other affairs falling within its competence.

Article 15

Ministry of Human and Minority Rights shall perform administrative affairs related to: monitoring realisation and protection of rights of members of national and other ethnic minority groups in the part related to their national, ethnic, cultural, linguistic and religious identity; improvement of interrelations between national and other ethnic minority groups; further improvement of inter-ethnic tolerance in Montenegro, as well as establishing and maintaining undisturbed contacts between members of national and other ethnic minority groups with the citizens and institutions outside of Montenegro with whom they share national and ethnic background, cultural and historic heritage and religious convictions; field of human rights in respect of issues outside the scope of other ministry, field of gender equality; affairs in relation to improvement of status of Roma, Ashkali and Egyptian population and their integration in all aspects of social life, as well as other affairs falling within its competence.

Article 16

Ministry for Information Society shall perform administrative affairs related to: proposing and implementation of determined policy in the field of creation and development of information society; maintaining projects, in the field of development of information society; creation, development, implementation and functioning of information system of state administration bodies; proposing and coordination of drafting and introducing information projects which include more bodies as well as projects promoting the information society; establishment of technological and protective information infrastructure in state bodies; rationalisation of use of information resources in state administration bodies; determination of technical and other rules for use of information equipment in state administration bodies; determination of expert and normative basis for the EU accession of Montenegro in the fields of development and implementation of information and communication technologies (e-Europe); conducting unified procurement of information resources and Internet services for state administration bodies; harmonisation with international standards and recommendations in the field of information society, especially in respect of harmonisation with EU standards and recommendations; drafting legislation on standards in the field of information society and conducting proceeding of introducing standardisation in equipping and maintaining of information system; analyse of situation and resources necessary for the development of e-Government, as well as planning of total architecture of e-Government system; coordination of all activities of state administration bodies in order to execute e-Government projects; defining the set of indicators for projecting and monitoring situation of information society; preparing proposals for laws and other piece of legislation in the field of information society; preparing legislation related to standards in the field of e-Government; keeping Central Electoral Register and Central Population Register; implementation of legislation referring to electronic business operating; implementation of development policy and system improvement of construction of information and communication infrastructure in Montenegro, public access to internet services and contents, development of implementation of information and communication technology, system of electronic government, electronic education, electronic health care system and electronic business operating; providing expert assistance in implementation of information and communication technologies in state administration bodies; managing and maintaining computer network of state administration bodies; managing Internet domain system and conducting policy of managing internet domain system in accordance with the international standards and regulations in cooperation with ccTLD manager; proposing and implementation of measures for promotion and stimulation of research and development of information and communication technologies; planning possibilities of investments in the field of information and communication technologies and impact of regulations on those investments; analyse of development potentials in Montenegro in the field of information society; preparing and proposing solutions for procurement of information equipment and software; monitoring situation and preparing proposals for measures and plans for stimulation of

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development and improvement of situation of information and communication infrastructure, including computer and communication network of state administration bodies; execution of measures from Stabilisation and Association Agreement, as well as drafting expert-analytical basis for annual National Programme for Integration of Montenegro into the EU in part referring to information society and national information infrastructure; drafting proposals for stands in negotiating in the process of negotiating with the EU in chapter referring to information society; participation in planning, harmonisation and implementation of programme of cooperation and help from EU in connection with development of information society and information and communication infrastructure within EU funds (CARDS, PHARE, IPA and other pre-accession funds); monitoring of work and participation in work of international organisations, institutions and forums in the field of information society (competent bodies of the European Commission, eSEE initiative etc.), as well as their expert working bodies; cooperation with local self-government bodies and business entities, especially with small and medium sized enterprises, as well as non-governmental organisations and associations of civil sector on promotion and development of information society services and information and communication technologies; administrative supervision in the fields for the purpose of which this Ministry has been established, as well as other affairs falling within its competence.

Article 17

Ministry of Spatial Planning and Environmental Protection shall perform administrative affairs related to: integrated planning, managing and valorisation of space; sustainable development; strategic planning of space and the environment; drafting and adopting state plan documents; providing opinions and approvals on local plan documents; drafting and adopting local plan documents by the Government; drafting and adopting plans for the temporary facilities in the coastal zone and national parks; keeping documentary base on space for the purposes of monitoring situation of space and drafting of plan documents; drafting and submitting reports on situation in spatial planning; drafting and adopting programs of spatial planning; creation and keeping of information system on space in cooperation with the Ministry for Information Society; making offprints and issuing urban development and technical requirements; issuing building permits; issuing operational licences; issuing approvals and urban development and technical requirements for installation of temporary facilities; licence for performance of activity of plan documents drafting, technical documentation drafting and building of facilities; conducting development and strategic policy in the field of civil engineering; improvement of non seismic planning, designing and building; rational usage of energy and energy efficiency through system of planning and building of facilities; system of housing relations; strata ownership; managing and maintaining of housing fund; transformation of separate and common parts of apartment house into office space; housing cooperatives; improvement policy for housing fund; policy of improvement of real estate development; private-public partnership in the field of housing; coastal zones; system of integrated environmental protection; conducting measures of sustainable development in the field of environmental protection, regulating strategic assessment of effects on the environment, integrated prevention and control of pollution; protection of nature (flora and fauna, national parks, protected natural wealth, biodiversity, sustainable usage of natural sources, unprotected wild animal species, except wild game, marine and fresh water organisms); air quality; climate changes; protection of ozone layer; protection from noise and vibrations; chemicals; protection from radiation (radioactive substances and ionizing radiation); unionizing radiation; protection of soil against pollution; integrated management of coastal area; integrated protection of sea against pollution; control of industrial pollution and risk management; application of new and technologies of cleaner production; waste management and waste water management; system of communal activities; coordination of regional water supply systems; genetically modified organisms within its competence; economic instruments and eco management; hydrographical activity; drafting standards of environmental protection; monitoring the environmental situation; cooperation with international financial institutions and EU funds in part of realisation of the project in the field of environmental protection; cooperation with non-governmental organisations; proposing measures of current and development policy and analyse of their impact on economic status of business entities and entrepreneurs within the department of the Ministry; promotional activity within its

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competences; international cooperation within competence of Ministry, concluding international treaties, monitoring international standards, negotiating, coordination and implementation of international conventions and agreements; monitoring the process of EU accession and conformity with international standards, legislation and recommendations; conducting policy of human resources improvement in the activities within the department of Ministry; administrative supervision in the fields for the purpose of which this Ministry has been established, as well as other affairs falling within its competence.

Article 18

Ministry of Labour and Social Welfare shall perform administrative affairs related to: creating and conducting policy of labour relations, protection at work, earnings and other labour income; creating and conducting policy of labour market, employment and education of adults for the needs of labour market in all forms of labour, besides in state bodies; employment and labour of foreigners in Montenegro; employment of disabled persons; protection of the citizens of Montenegro employed abroad; proposing, negotiating, concluding and implementing agreements and other international treaties and ratifying international conventions; affairs related to international cooperation and European integration; creating and conducting development policy of the system of pension and disability insurance and the fields of medical care for combatants and protection of disabled persons; ensuring protection of combatants, military disabled, families of fallen combatants, disabled civilians and members of their families; creating and conducting policy in the field of social protection, protection of children, family protection and protection of disabled persons, protection of older people and protection of displaced and refugees; cooperation with the Red Cross in Montenegro, non-governmental organisations, UN agencies and other international organisations; administrative procedure; first instance misdemeanour procedure; keeping register of general and branch-level collective agreement, register of non-governmental organisations and register of representative organisations of employers associations; authorising for performing of affairs in the field of protection at work and keeping register of issued authorisations; recognition of foreign certificates in informal and formal education along with keeping of central register; administrative supervision in the fields for the purpose of which this Ministry has been established, as well as other affairs falling within its competence.

Article 19

Ministry of European Integration shall perform administrative affairs related to: managing of the process of EU association and accession of Montenegro, in part referring to monitoring of implementation of Stabilisation and Association Agreement and Interim Agreement on Trade and Trade-Related Matters between the European Community, of the one part, and the Republic of Montenegro, of the other part, as well as coordination and monitoring of operations of common bodies, established under the Stabilisation and Association Agreement; interdepartmental preparations and coordination of the process of negotiating with the European Union; preparing and regular audit of strategic documents related to EU accession process; cooperation of state bodies with institutions, bodies and agencies of European Union, its member states, candidate countries and potential candidates in the EU association and accession process; affairs of coordination of harmonisation of legislation with EU legislation, as well as confirmation of conformity table and the statement on the compatibility of legislation with the legislation of the European Union; coordination of translation, preparation and development of national version of EU legislation and coordination of expert and legal correcting of translated EU; coordination of translation of national legislation to one of official EU languages, managing basis for supporting translation process, cooperation with institutions, bodies and agencies of the European Union in the translation area, as well as cooperation with the ministries, other state bodies and institutions in Montenegro in the translation area; realisation of the process of programming, monitoring and evaluation of the programme of technical and financial support of the EU, its member states and other support referring to EU association process; informing the public about the European Union and EU association and accession process; cooperation in EU association and accession process

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with the bodies of the Parliament of Montenegro; cooperation with Permanent Mission of Montenegro to the European Union and other diplomatic-consular representative offices of Montenegro in other countries in the field of EU association and accession, as well as other affairs falling within its competence.

2. OTHER ADMINISTRATIVE BODIES

2.1. ADMINISTRATIONS

Article 20

The Administrations shall be:

1. Tax Administration,
2. Real-Estate Administration,
3. Customs Administration,
4. Maritime Safety Administration,
5. Port Administration,
6. Veterinary Administration,
7. Administration for Anti-Corruption Initiative,
8. Administration for Prevention of Money Laundering and Financing Terrorism,
9. Forest Administration,
10. Water Administration,
11. Human Resources Administration,
12. Police Directorate,
13. Administration for Protection of Competition,
14. Administration for Games of Chance,
15. Phytosanitary Administration,
16. Public Property Administration.

Article 21

Tax Administration shall perform administrative affairs related to: registration of taxpayers; keeping uniform register of taxpayers; establishing individual tax liabilities for all natural and legal persons; tax control; regular and coercive collection of taxes and secondary tax liabilities, instituting and conducting first instance misdemeanour procedure and pronouncing fines and relief for tax offences; preventing and exposing criminal offences and economic crimes within misdemeanour procedure; developing uniform tax information system in cooperation with the state administration body competent for the information society; keeping tax accounting; implementing international conventions and treaties on avoidance of double taxation, as well as other affairs falling within its competence.

Article 22

Real-Estate Administration shall perform administrative affairs related to: initiating regulation of normative, legal and other relations regarding law of real property; development of standards of geodetic works in the area of terrain survey, development of real estate cadastre and underground installations; conducting administrative procedure in the area of property law relations and cadastre

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and ensuring application and enforcement of law of things and property legislation in Montenegro; value assessment of real estates; planning, designing, analyse and evaluation of correctness of work at development of surveying, real estate cadastre and cartographic works; photogram-metric aerial photography, research and publication activity and other geodetic surveying and production of originals and reproductions of plans and maps; development and maintenance of geodetic networks of all levels; development, renewal, supplementing and control over the state survey, real estate cadastre and registering the rights to real estates; development and control over the development and maintenance of register of waters and underground structures; cadastral land sorting and quality categorisation of land; proposing the definition of base for assessment of tax on agricultural activity; geodetic and agronomic affairs at land redistribution; creation, maintenance and development of GIS in cooperation with state administration body competent for the information society; national infrastructure of geospatial data (NIGD); maintenance and development of software for production of digital geodetic plans and alphanumeric data of cadastres and control over such works; monitoring and identifying changes occurring in the space, and incorporation of the identified changes in plans and cadastre; registration of changes in the rights to real estates; keeping archives of technical documentation of state terrain surveying, plans, maps and other technical documentation; arranging and keeping records on state-owned property related to real estate, as well as other affairs falling within its competence.

Article 23

Customs Administration shall perform administrative affairs related to: customs control; customs clearance of goods; control of the goods the export and/or import of which is regulated under special terms; foreign currency control in international passengers and border traffic with other countries; preventing and detecting customs offences and conducting administrative and first instance misdemeanour procedure; preventing and exposing criminal offences and economic crimes within customs procedure; preventing and detecting foreign currency related offences in international passengers and border traffic with other countries; processing and monitoring statistical data on import and export, as well as other affairs falling within its competence.

Article 24

Maritime Safety Administration shall perform administrative affairs related to: safety of navigation in the coastal sea of Montenegro in connection to development and maintenance of motorways of the sea, setting up safety facilities on waterways and securing their proper functioning, performing affairs of radio broadcasting services on motorways of the sea for the needs of maritime traffic, by collection of hydrographical, oceanographic and meteorological data and radio broadcasting of those; determination of technical ability for sailing of ships and other watercrafts, namely: performance of technical control, issuing ship documents, books and certificates, establishing technical rules and measuring of tonnage during calibration of watercrafts; conducting technical expertise on the occasions of sea accidents happened; organizing and performing searching and rescuing at sea; protection of the sea against pollution from watercrafts; entry of yachts into the register of yachts; implementation of international and European conventions, protocols and agreements within the scope of determined competences; cooperation with authorised international organisations and authorised bodies of other states within the scope of work of state administration, as well as other affairs falling within its competence.

Article 25

Port Administration shall perform administrative affairs related to: ports of national importance; care for construction, reconstruction, maintaining, managing, protection and improvement of ports; supervision over use of ports, providing port services and conducting other activities inside of ports; control of construction, reconstruction, maintenance and protection of port infrastructure and supra-structure; providing conditions for conducting maritime traffic and port services inside of port and at the port anchor; implementation of national legislation, international agreements and

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standards referring to ports; preparation of port development plans to be adopted by the Government; ensuring operation of the port in accordance with the market principles; preparation of criteria for determining fee rate for use of port infrastructure; preparation of concession act, participation in the process of granting concession and concluding the concession contract; approving the amount of fee for port services, based on the maximum of determined fee amount; control of enforcement of concession contract; regulation and coordination of relations and activities between concessionaires; maintaining and use of state owned port supra-structure which has not been granted; preparation of content and way of keeping the register of concessions; determination of maximum amount of fees for port services; initiating proceeding for granting concession; concluding the concession contract with the chosen provider; ensuring entry of the concessionaire into the register of concessions; ensuring concessionaire with the fulfilment of conditions in accordance with the international and national legislation on protection of human lives at sea; ensuring fulfilment of conditions set out in international and national legislation on prevention of environment pollution from the ships, protection of maritime and coastal area and civil responsibility for damage caused by pollution, as well as other affairs falling within its competence.

Article 26

Veterinary Administration shall perform administrative affairs related to: monitoring and preventing occurrence of, revealing, reducing and eradication of particular contagious animal diseases; implementing preventive veterinary medicine with animals, foodstuff of animal origin, combined raw material food and food for animals, semen for artificial insemination, egg-cells and inseminated egg-cells and waste remains animal food in inland and trade across the border of Montenegro; implementing mandatory scope of animal health care and monitoring of preventive measures' realisation programme; ensuring the performance of affairs of public interest; protection of well being of animals;

establishing if the set out restrictions for performance of veterinary activities are met; performing activity of production and trade of foodstuff of animal origin, combined food, food for animals after primary production and remains animal food; keeping of the registers; development of professional basis for annual program for monitoring of the residue and preventing particular contagious animal diseases and zoo noses, annual plan of control, monitoring plan and plan for managing crisis in the field of safety of foodstuff of animal origin, combined food and food for animals and for adoption of legislation; development of analysis, programmes and information serving as a professional base for determination and implementation of the veterinary policy, food safety and protection of well being of animals; cooperation and coordination with international veterinary organisations (OIE, etc.), institutions, business entities and other institutions in the veterinary field; conducting inspection control in accordance with the law and authorisations, as well as other affairs falling within its competence.

Article 27

Administration for Anti-Corruption Initiative shall perform administrative affairs related to:

propaganda-preventive activities, such as raising the level of public awareness on the problem of corruption and conducting a search on the scope, mode of appearance, causes and mechanisms of corruption genesis; cooperation with the competent bodies in order to draft and implement legislative and policy documents of importance to the prevention and suppression of the corruption; cooperation with non-governmental and private sector in order to suppress the corruption; cooperation with state bodies in the proceedings initiated by denunciation of corruption which the administration receives from the citizens and other entities; proposing to the Government to accept and apply European and other international standards and instruments; monitoring the implementation of the recommendations of the Group of States against Corruption (GRECO) of the Council of Europe; coordination of activities originating in enforcement of the United Nations Convention against Corruption, conducting other affairs originating from the membership in

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Stability Pact for South Eastern Europe and other international organisations and institutions, as well as other affairs falling within its competence.

Article 28

Administration for Prevention of Money Laundering and Financing Terrorism shall conduct administrative affairs in connection with exposing and prevention of money laundering and financing terrorism related to: collection, analyses and submitting data, information and documentation necessary for detection of money laundering and financing terrorism to competent bodies; defining standards and methodologies for establishment and development of the policy, procedures and practice of identifying suspicious transactions; developing special programmes for the prevention of money laundering and financing terrorism along with the procedures, control programmes and training of staff to identify suspicious transactions; checking of transactions and persons for which there is a reason to suspect that they are related to money laundering and financing terrorism; temporary suspension of transactions; initiating amendments and supplements to the legislation regulating, or related to prevention and exposing of money laundering and financing terrorism; initiating international cooperation with competent bodies of other countries and international organisations; participating in preparation and consolidation of list of indicators for identification of suspicious transactions; participating in the training of employees and authorised persons within the competent bodies, determination of guidelines for drafting risk analyses; publishing of statistical data in the area of prevention and exposing money laundering and financing terrorism; supervision over implementation of the Law on Prevention of Money Laundering and Financing Terrorism, within the scope of competences set out, initiating and conducting first instance misdemeanour proceedings for disregard of the provisions of Law on Prevention of Money Laundering and Financing Terrorism and other affairs falling within its competence.

Article 29

Forest Administration shall perform administrative affairs related to: ensuring and improvement of the forests status; forest management; measures and actions on care, renewal, growing and amelioration of forests (biological reproduction), singling out seed components; health examination and control of production of reproductive material of forest trees; supplying seeds and seedlings; measures and actions for the purpose of conservation of natural and artificial forest treasures, prevention and removing harmful effects all biotic and abiotic factors endangering those treasures and rehabilitation of existing conditions; protection of forests and forestland against illegal adoption and exploitation, fires etc.; maintaining reporting-forecasting service; forest management planning implemented through drafting programmes and plans of forest management, programs of performance and programmes and plans of forestation of bare grounds; designation of trees, surveying and marking trees and issuing certificates on the origin of forest assortments; granting state property forests to be used by contract, in accordance with the law; keeping records and database for the forestry (information system) in cooperation with the state body competent for information society; professional training (consultations, courses, etc.), cooperation and coordination with relevant international organisations and institutions within the scope of its competences, as well as other affairs falling within its competence.

Article 30

Water Administration shall perform administrative affairs related to: ensuring and implementing measures and works at the development of waters and watercourses, protection against harmful effects of waters and protection of waters against pollution; providing for the exploitation of state-owned waters, material from watercourses, water land and water-management facilities, through concessions and alike, as well as drafting of related documentation base; managing water facilities for protection against harmful effects of waters; performing investment-related affairs, professional supervision and control of quality of delivered works; technical examination and acceptance of

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works carried out; issuing water documents; calculation of fees paid in this field and providing for specific and rational use of funds collected on such grounds in accordance with the Government programme; establishing and keeping water information system, water cadasters, registers of waters of importance for Montenegro and monitoring natural and other appearances in order to provide data for the protection against harmful effects of water; preparation of expert bases for the drafting of regulations, plans and programmes which adopts the Government or state administration body competent for water affairs; establishing borders of water welfare and determining the status of public water welfare; protection of water and water land against illegal appropriation and exploitation; professional training (consultations, courses, etc.), cooperation with relevant international organisations and institutions within the designated competences, as well as other affairs falling within its competence.

Article 31

Human Resources Administration shall perform administrative affairs related to: internal advertisement and open advertisement procedure for state bodies; monitoring the implementation of Law on Civil Servants and State Employees and other legislation related to civil servants and state employees; participating in drafting of secondary legislation in the field of civil servants relations; providing opinions on documents on internal organisation and systematisation of state bodies; monitoring work evaluations of civil servants and state employees; keeping records of civil servants and/or state employees included in reorganisation for labour market needs and determining possibilities of their appropriate employment; preparing and defining programmes and plans of professional training of civil servants and state employees; helping state bodies in realisation of human resources policies, trainings and human resources development; achieving cooperation with regional and international institutions and organisations in the field of human resources; enforcement, analyse and researches in the field of human resources management and human resources planning; organizing and enforcing programmes of professional training and education of civil servants and state employees; preparing and distribution of publications, brochures and other informatics-documentary materials; conducting open advertisement procedure for scholarships within state body; keeping and development of Central Registry of Human Resources on civil servants and state employees, as well as other affairs falling within its competence.

Article 32

Police Directorate shall perform administrative affairs related to: protection of citizens' safety and constitutionally established rights and freedoms; protection of property; prevention and detection of criminal acts and violations; locating and catching the committers of criminal acts and violations and their bringing before competent bodies; maintenance of public order and peace; securing public meetings and other gatherings of citizens; securing particular persons and facilities; surveillance and control of safety in traffic and conducting misdemeanour proceedings in the field of traffic safety for misdemeanours for which a fine is imposed, surveillance and securing the state borders and border control; control of movement and residence of foreigners; provision of conditions for undisturbed work of courts, maintenance of order, protection of persons and property; criminal expertise and research, penal and other records; international police cooperation; drafting of analyses, elaborates, studies and monitoring of specific safety issues, as well as other affairs falling within its competence.

Article 33

Administration for Protection of Competition shall perform administrative affairs related to: monitoring competition on the market in general and on the markets of specific business branches for which there is a possibility of relatively fast change in participation in the market as well as misuse of dominant position of particular participants in the market; allowing exemption from embargo on particular agreements; bringing decisions upon requests for the approval of

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concentration of participants; deciding in the determination proceeding of violations of competitions prescribed by law; undertaking measures against participants or associations of participants for committed violations of competition or for the purpose of preventing those, termination of already appeared violation and removal of damages to participants and consumers; analyse the situation on the market from the aspect of free and efficient competition and submitting report on determined situation to the competent ministry; preparing expert base for drafting secondary legislation, implementation of European and other international standards and instruments in the field of protection of competition; establishing cooperation with regulatory bodies and Central Bank of Montenegro; establishing international cooperation with competent bodies of other states and international organisations; publication of statistical data in the field of protection of competition, keeping registers of allowed concentrations and registering of agreements and other prescribed records, as well as other affairs falling within its competence.

Article 34

Administration for Games of Chance shall perform administrative affairs related to: deciding on character of particular game as on game of chance in accordance to Law on Games of Chance; preparing expert base for drafting legislation in the field of games of chance; approving the rules of games of chance; keeping register of organisers of games of chance; participating in the commissions for drawing and detecting prizes in lottery games of chance; supervising the capital and deposit of the game organiser when necessary, at least once in every three months, issuing approvals for holding of the risk deposit for insuring prizes payment for special games of chance; considering offers to the invitation for granting concessions for organizing games of chance, in accordance with the proceeding of granting concession and performing other expert affairs in connection to granting concession; preparing proposals for taking away the right to concession; assessing the value of prize fund for the organisation of prize plays in goods and services; proposing legislation on remaining conditions which the gaming establishment must to fulfil; issuing approvals for promotional counters which cannot be redeemed in money; determining unique financial software for betting; issuing approvals for change of location of slot clubs and/or betting offices or outlets, issuing stickers for slot machines and tables, issuing approvals and conducting control of organizing prize plays in goods and services, as well as other affairs falling within its competence.

Article 35

Phytosanitary Administration shall perform administrative and with those connected professional affairs related to: health protection of plants; materials for plants nutrition; seed and seedlings; protection of sorts of plants; food safety and GMO; preparing expert basis for annual monitoring plan of residue, annual control plan, monitoring plan and risk management plans in the fields of safety of food of plant origin at the primary production level and for adopting legislation; control and inspection control in the field falling within its competences; keeping registers and records; implementation of international conventions, treaties and exchange of information; participation in international bodies and organisations; establishment of information system in cooperation with the state administration body competent for the information society, collecting, processing and protecting data; preparing reports, analyses, information and other materials, in accordance with the legislation and international treaties and agreements, as well as other affairs falling within its competence.

Article 36

Public Property Administration shall perform administrative affairs related to: keeping unique record of state property in accordance with the international accounting standards; keeping register of state property; taking care of purposeful use of state property; care of property becoming a state property ex iure; investment and regular maintenance of buildings of state bodies, representative facilities of state bodies and diplomatic-consular representative offices of Montenegro in other

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countries; submitting request and monitoring entries into cadastre related to division of land, demarcation, exchange, preparation of draft of contracts and monitoring their realisation; charging lease; providing conditions for the protection of property; performing other affairs in connection with state administration upon order of the Government and Ministry of Finance; harmonisation of data from its own record with data from the real estate cadastre; inventory of property of former socio political organisations and ensuring its entry into the real estate cadastre; ensuring entry of property owned by Montenegro into the real estate cadastre; keeping records on concluded treaties on acquirement and disposal of real estate and movable property and other goods of higher value in state property; submitting report to the Ministry of Finance in electronic form within time limits determined by law; performing supplementary affairs necessary for functioning and operation of state bodies, as well as other affairs falling within its competence.

2.2. SECRETARIATS

Article 37

The Secretariats shall be:

1. Secretariat for Legislation.

Article 38

Secretariat for Legislation shall perform affairs related to: monitoring and improvement of the legal system of Montenegro; ensuring compliance of the laws, other regulations and general acts in the course of their preparation with the Constitution and the legal system; providing professional assistance and ensuring technical and methodological harmony in the process of preparation of laws, other regulations and general acts; electoral system; State's organisation; drafting of specific regulations and general acts, as well as legislation the drafting of which does not fall within the competence of the ministries and other administrative bodies; providing opinions on drafts and proposals of laws and other regulations; supervision over legality and effectiveness of work of Public Institution Official Gazette of Montenegro related to publication of legislation and other acts as it was laid down by law, as well as other affairs falling within its competence.

2.3. OFFICES

Article 39

The Offices shall be:

1. Statistical Office,
2. Hydrometeorological Office,
3. Seismological Office,
4. Office for International Scientific, Educational, Cultural and Technical Cooperation,
5. Education Office,
6. Institution for Enforcement of Criminal Sanctions,
7. State Archives,
8. Metrology Office,
9. Refugee Care and Support Office,
10. Intellectual Property Rights Office.

Article 40

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Statistical Office shall perform affairs related to: organisation and conduct of statistical researches; collection, processing and statistical analyses and publishing of statistical data; development, maintenance and use of state registers prescribed under the law in cooperation with state administration body competent for information society; development of statistical research methodologies; development of statistical research programs; cooperation and coordination in the preparation of statistical research programs with bodies and organisations authorised to perform statistical research, harmonisation and application of the uniform methodological solutions; publications; application of statistical standards; development of statistics information system in cooperation with state administration body competent for information society; statistical and informational training of human resources; control of accuracy of data received from reporting units, as well as other affairs falling within its competence.

Article 41

Hydrometeorological Office shall perform affairs related to: observation and measuring of meteorological, hydrological, ecological and agro-meteorological parameters; analyzing, processing and recording of measured and observed parameters; making studies, surveys, analyses and information on the climate, soil conditions, air, surface and underground waters and coastal sea; forecast and supplying data in the field of meteorology, hydrology, ecology and agro-meteorology; creation of information database system of climatological, hydrological, ecological and agro-meteorological researches in cooperation with state administration body competent for information society, founding and maintaining meteorological, hydrological and agro-meteorological stations to observe the conditions of weather, waters, air and soil; creating and maintaining the registry of air polluters; creation and keeping the register of springs, wells and water facilities; analyzing water alluviums; control and assessment of quality of surface and underground waters, precipitation, air and soil based on analyses of physical and chemical, biochemical and radiological parameters; providing data, information and studies for the purposes of maritime, air and road traffic, energy industry, water industry, agriculture, civil engineering, tourism, defence, personal and property insurance, and other interested parties; aerologic and radio-probing measurements of higher atmospheric layers, phenological observations; ensuring safety of air traffic indirectly; realisation and keeping of etalons of meteorological and hydrological instruments and calibration of instruments in the meteorological and hydrological stations; meeting international obligations in the field of meteorology and hydrology and air quality control, water, hydrographic and topographic surveys at sea and internal waterways; establishment and maintaining of official database in the field of: hydrography, cartography, navigation, geology, geophysics (sea level changes, waves, tides, termohalline, hydro acoustic and optical characteristics of the sea etc.); establishment and keeping of hydrographic information system in cooperation with the state administration body competent for the information society; designing, production, publication and maintenance of official navigation maps, publications in accordance with the standards of International Hydrographic Organisation (IHO) and International Maritime Organisation (IMO); archiving and maintaining original hydrografical-topographic surveys; production and distribution of navigation maps and editing publications in the field of hydrography; collecting, processing and exchange of hydrographic and navigation information in order to update official navigation maps and publications, as well as publication of amendments and supplements of those data in "Advertisement for Sailors"; performance of affairs of National Coordinator for Collecting, Processing and Forwarding of maritime security information (MSI) in accordance with the recommendations of IHO and IMO; organizing network of permanent and occasional stations at sea and coast for collection of hydrographic data; control of reliability of survey methods in the field of hydrographic activity; describing and laying geodetically demarked border of the sovereignty from the jurisdiction of the state at sea and Skadarsko Lake, considering the legislation on state border, as well as other affairs falling within its competence.

Article 42

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Seismological Office shall perform affairs related to: constituting, maintaining and development of modern technical infrastructure (seismic, geodynamic and accelerographic network of stations); sustained monitoring of seismic activity and kinematic processes in Earth crust through process of automatic digital register and processing of all relevant parameters of seismic activity created by contemporary tectonic processes on the territory of Montenegro, broader region, as well as documenting history of acceleration during the effects of more powerful earthquakes on ground and on buildings; creating and keeping the complex digital base of all seismological, geodynamical and accelerographic data, as well as creating and keeping of GIS for the area of seismic of Montenegro; urgent and routine quantifying of all relevant parameters of focal points of earthquakes that happened in order to form expert documentary base and inform public, especially when more powerful earthquakes occur; studying and documenting macro seismic effects on buildings and on ground; study of the Earth inner structural composition and phenomenology of earthquake geneses; development and enforcement of procedures of identifying seismic hazards, creating seismic resonance of bigger parts of state territory, as well as seismic micro ionisation of urban zones; development of studies, projects and elaborates on seismic parameters of locations required for building design; participation in development and research projects in the field of seismology, as well as other affairs falling within its competence.

Article 43

Office for International Scientific, Educational, Cultural and Technical Cooperation shall perform affairs related to: planning and programming, implementation, harmonisation and keeping records on international scientific, educational, cultural and technical cooperation between Montenegro and other countries, regional communities and international organisations; providing for the implementation of programmes financed under the Budget of Montenegro; school education and professional training of foreign citizens in Montenegro and citizens of Montenegro abroad; proposing and ensuring implementation of activities of Montenegro in cultural and information centres abroad; collecting, processing and distribution of proposals and applicable data, information and programmes in the field of international scientific, educational, cultural and technical cooperation, as well as other affairs falling within its competence.

Article 44

Education Office shall perform affairs related to: assessing and ensuring quality of educational work of educational institutions and performing developmental, advisory, research and professional affairs relating to pre-primary education, primary education, secondary and general education, general education within vocational education, education of children with special needs and education of students in dormitories, as well as assessing the quality of implementation of standards of educational work within institutions; improvement of educational work within institutions; monitoring, analysing and developing educational system; preparing educational and pedagogical and didactic standards for textbooks and handbooks; professional affairs related to preparation of curricula, catalogues and standards of knowledge, norms and standards of teaching aids and equipment; research; organizing professional advanced training of teachers and principals; proposing actions for development of each education level, new teaching technologies and their application; affairs relating to organisation of international cooperation as well as other affairs falling within its competence.

Article 45

Institution for Enforcement of Criminal Sanctions shall perform affairs related to: enforcement of criminal sanctions: imprisonment and juvenile imprisonment, safety measures which are to be enforced within Institution for Enforcement of Criminal Sanctions in accordance with the law; imprisonment sanction pronounced within misdemeanour procedure and safety measures related to the presence of the defendant in criminal procedure – detention, as well as other affairs falling within its competence.

Article 46

State Archives shall perform affairs related to: collection, taking over, arrangement, processing, analysing, protection and use of archive materials and registration materials resulting from the operations of state bodies and institutions according to which state performs rights and duties and/or which are established for the territory of Montenegro; affairs of archive activities regarding the archive materials of institutions, legal and natural persons which are of importance to Montenegro; professional supervision over the work of state bodies regarding archive materials at their disposal; preparation of development programmes for archiving activity; professional education and advanced training of human resources in this field; records in the field of archiving activity, as well as other affairs falling within its competence.

Article 47

Metrology Office shall perform affairs related to: ensuring application of the system of legal measure units; realisation, keeping, maintaining and improving the standard measures of Montenegro and ensuring their participation in international activities; ensuring metrological sequence for standard measures laboratories, as well as for research and control laboratories; organisation 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 Montenegro in international and regional metrological organisations and establishment of cooperation in the field of metrology; metrological control; control of items of precious metals, as well as other affairs falling within its competence.

Article 48

Refugee Care and Support Office shall perform affairs related to: accommodation of persons asking for asylum, with recognised status of refugees, approved additional or temporary protection in the centre 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 realisation of rights to social protection, health protection, education, humanitarian aid, legal aid, work and other rights prescribed by law to persons asking for asylum and having been approved asylum; cooperation with United Nations High Commissioner for Refugees, other international organisations and institutions, Red Cross of Montenegro and other organisations and institutions dealing with protection of refugees; aid in connecting refugee family members; organisation of educational and other programs; inclusion in social, economic and cultural life; realisation of national, regional and international documents for resolution of the issue of refugees and persons with recognised status of a displaced person in Montenegro; aid in realisation of the right of Montenegrin citizens when coming back to Montenegro in accordance with the obligations determined in the agreement on readmission, as well as other affairs falling within its competence.

Article 49

Intellectual Property Rights Office shall perform affairs related to: examination of applications and fulfilment of conditions for recognition of industrial property rights; bringing decisions on acquiring right to patent, hallmark, design, topography of integrated circuits and geographical indication (industrial property); detecting the termination of industrial property rights; publication of data related to applications for recognition of industrial property rights; providing information services with regard to applications and industrial property rights; keeping registers of applications for recognition of industrial property rights, registers of industrial property rights and registers of legal representatives of natural and legal persons in proceedings for recognition of industrial property rights; reception into deposit and register of copyright works and objects on which related rights

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exist; issuing permissions for performance of activities of organisations for collective exercising of copyright and related rights; supervision over the work of organisations for collective exercising of copyright and related rights; international cooperation in the field of intellectual property, as well as other affairs falling within its competence.

2.4. DIRECTORATES

Article 50

The Directorates shall be:

1. Public Works Directorate,
2. Transport Directorate,
3. Railways Directorate,
4. Public Procurement Directorate,
5. Directorate for Development of Small and Medium Sized Enterprises,
6. Directorate for Protection of Classified Data.

Article 51

Public Works Directorate shall perform affairs related to: professional affairs of construction and reconstruction of primary technical infrastructure, state bodies' facilities, health care, education, culture and sports, complexes and objects on attractive tourist locations and other facilities of public interest the construction of which is financed by the state, relating to preliminary and preparatory works, studies, research works and investment programmes, making professional evaluation of documents for decision-making related to investments, obtaining decisions on location and urban planning and technical conditions of certain facilities; drafting 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, obtaining certificate of approval for the use of a facility; accounting, payments and control of financial expenditure, as well as other affairs falling within its competence.

Article 52

Transport Directorate shall perform affairs related to: management, development, construction, reconstruction, maintenance and protection of state roads in Montenegro; participation in preparation of strategy, mid-term programme 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; organisation of professional control and quality of performed works; starting proceeding for deciding in property law matters; acquisition of the building permit, acceptance of the built state roads and their handover for use; keeping road database; registers 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, 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 approvals for exceptional transportation; digging up; issuing approvals for posting signs and advertisements, traffic technical conditions for designing the minor roads joining the state roads and consent to prepared technical documentation, issuing and revocation of licenses for transportation of passengers and cargo in international transportation and inter-town internal transportation in road traffic; issuing and revocation of licenses for public transportation of

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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; categorisation of bus stations and main bus stops and cargo station and fulfilment of the conditions for their work; prohibition of transportation in road traffic to foreign carriers on the territory of Montenegro; registration and verification of compliant and valid timetables in inter-town line traffic; cancellation of current timetables in international transport, as well as other affairs falling within its competence.

Article 53

Railways Directorate shall perform affairs related to: development, construction, reconstruction, maintaining and protection of railways of Montenegro; participation in drafting strategy, projects, mid-term programme and annual plans, preparation of tenders, conducting cession proceeding for drafting technical documentation, carrying out works on construction, reconstruction, regular and investment maintenance; organizing professional control and the quality of works carried out; starting proceeding for resolving property relations; providing approval for construction, acceptance of the built railways and their handover for use, register of real estate which belong to railways; preparing financial documentation and monitoring of the expenditure of financial assets; issuing approval for joining and intersecting of public roads with railroads, installation of infrastructure facilities (pipelines, water supply system, sewage system, electric, telephone and telegraph lines, etc.) on the railways and in the protection area; development, modernisation, reconstruction and protection of railroads; issuing licences to business organisations for governing the railways infrastructure and certificates on security for governing the infrastructure, licence and certificates for public carriers and transport for personal needs; issuing permissions for reconstruction of railways infrastructure and construction and reconstruction of overpasses above electrified railroads; issuing approval for construction, reconstruction, maintenance and protection of industrial railways; concluding agreements with carriers who carry out transport of public interest; issuing approval for transport of special packages, approval for production of prototype of vehicles on rails, issuing permissions for use of new materials, equipment, components and vehicles, monitoring development in the area of rail transport; determining number of large goods vehicles on rail which must have dynamic or hand brakes; drafting technical regulations, norms, standards and agreements in the field of railways infrastructure and rail transport; notified body affairs; keeping prescribed registries, as well as other affairs falling within its competence.

Article 54

Public Procurement Directorate shall perform affairs related to: participation in preparation of laws, secondary legislation 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, registry 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 to contractors for the area of public procurement; participation and cooperation in organisation of the training of personnel for performance of public procurement activities;

announcement of tender and decision on awarded contracts on the web-site; improvement of the system of informing contractors and bidders about regulations on public procurement and publishing and distribution of relevant professional literature; preparation of the model of tender documentation and contract for typical public procurement; initiation and incentives to development of the practice of electronic procurement and communication in the area of public procurement;

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informing the State Audit Institution and submitting complaints to other competent bodies in cases of breach of public procurement procedures; preparing, publishing and updating list of obliged persons of the application of the Public Procurement Law; monitoring and analyzing the realisation of the public procurement system from the aspect of harmonisation with the EU law and proposing measures to provide for such harmonisation; realisation of international cooperation with institutions and experts in the field of public procurement; collecting data from contractors and keeping prescribed registries; issuing the bulletin on public procurement and preparation of prescribed reports, as well as other affairs falling within its competence.

Article 55

Directorate for Development of Small and Medium Sized Enterprises shall perform affairs related to: defining 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 realisation of the financial support programs 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 influence on the development of small and medium size enterprises; preparation of the programs for education of entrepreneurs, project development and taking care of the organisation of regional and local centres for supporting small and medium size enterprises development; proposing and providing the realisation of special programs for the stimulation of small and medium size enterprises development (support to the development of the franchises, leasing, technological parks, incubators, etc.), as well as other affairs falling within its competence.

Article 56

Directorate for Protection of Classified Data shall perform affairs related to: ensuring application of standards and legislation in the field of protection of classified data; adopting plans for protection of classified data for extraordinary and emergency cases; organizing conducting of bodies' affairs with regard to exchange of classified data with other countries and international organisations; organizing conducting of affairs related to ensuring of protection of classified data entrusted to Montenegro by other states and international organisations; informing other countries and/or international organisation about security of foreign classified data which other country and/or international organisation handed over to Montenegro; participation in drafting plans and programmes of Montenegro for participation in international organisations in the field of ensuring protection of classified data; planning and realisation of international cooperation in protection of classified data; proposing measures for improvement of protection of classified data; initiatives for concluding international agreements with other states and international organisations in the field of classified data; conducting proceeding upon requests for issuing permissions for access to classified data; issuing permissions for access to classified data and security permission for access to classified data; organizing acceptances and communicating classified data to users; exchange of classified data with other countries and international organisations; taking measures for training of classified data users and bodies to proceed classified data in accordance with the standards and regulations; keeping registry on issued permissions to access classified data; creating and keeping of Central Registry of Classified Data and Classified Data of Other Country or International Organisation in cooperation with state administration body competent for information society, as well as other affairs falling within its competence.

2.5. AGENCIES

Article 57

The Agencies shall be:

1. Tobacco Agency,

2. Environmental Protection Agency.

Article 58

Tobacco Agency shall perform professional and connected administrative affairs related to: organizing and implementation of public tender for business organisations, and/or entrepreneurs, for the purpose of obtaining licence for the production of tobacco products; determination whether the requirements for participation in public tender are met and issuance of licenses for production of tobacco products to business organisation and/or entrepreneur fulfilling the prescribed requirements; determination whether the requirements for tobacco wholesale trade are met and issuance of tobacco wholesale trade licenses to business organisation and/or entrepreneur, as well as importer registered with the Register of Importers of Tobacco and Tobacco Products fulfilling the prescribed requirements; determination whether the requirements are met for tobacco retail trade and issuance of tobacco retail trade approvals to business organisation and/or entrepreneur for tobacco retail trade; coordination of activities of bodies and institutions in the field of suppression of illegal trade in tobacco products; monitoring conditions of tobacco products market; keeping prescribed registries and other affairs falling within its competence.

Article 59

Environmental Protection Agency shall perform professional and connected administrative affairs related to: organizing, planning and participating in monitoring of the environment including proposing of national list of indicators of environmental protection; participating in monitoring of collection of waste from ships; analyse of condition of the environment, appearances and events which could endanger environment and proposing and undertaking measures for its prevention and elimination; reporting and coordination of reporting on condition of the environment, as well as appearances and events of importance for the quality of the environment in accordance with the regulations; implementation of strategies and programmes in the field of protection of the environment; ensuring implementation and enforcement of regulations on protection of the environment; fulfilment of international agreements in part of its competences; preparing expert basis for drafting legislation in the field of protection of the environment; cooperation, communication and coordination with national and international organisations and institutions; keeping information system in the field of environment; keeping the register of polluters; conducting administrative procedure of first instance in the fields of: protection of air against pollution, climate changes, protection of ozone layer, protection against ionizing radiation and security of radioactive sources, protection against non-ionizing radiation, chemicals, protection against noise, genetically altered organisms, protection against accident which include dangerous substances, waste management, strategic evaluation of influence and evaluation of influence on the environment; issuing integrated permissions for work of facilities which must have integrated permission as it is laid down by separate law; issuing permissions for collecting, use, breeding, keeping and turnover of wild animal species; issuing permissions for picking, collecting, use, keeping and turnover of wild plant and mushroom species; issuing permissions for scientific and educational researches on protected natural wealth, permission for actions and activities in speleological facility; issuing permissions for trade and use of radioactive substances and sources of ionizing radiation; issuing permissions for import and export of substances which harm ozone layer; issuing permissions for trans-frontier waste movement; issuing permissions for installations for collecting waste in ports; inspection control affairs in the field of environment and other affairs falling within its competence.

Article 60

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

Bodies referred to in paragraph 1 of this Article, within their scope of work, may provide services to legal and natural 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 Montenegro.

II SUPERVISION OVER ACTIVITIES OF OTHER ADMINISTRATION BODIES BY THE MINISTRIES

Article 61

Supervision over legality and effectiveness of other administration bodies' operations 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 removal from office of the head of administration body over which activities the ministry conducts supervision; require reports and information on particular issues within the scope of administration body activities; provide professional directions, explanations, instructions and advice for application of regulations within the scope of competences of administrative body; organise courses and seminars to support full implementation of the regulations applied by the administration body; provide opinion in the process of determination of acts on internal organisation and systematisation of administration bodies and on reports on their activities; delegate particular tasks to the administration body; indicate weaknesses and illegalities in the activities of the administration body and give suggestions to overcome them; alert the administration body about observed deficiencies in the activities, initiate termination of the administration body which activities are supervised and carry out other control of work and conduct of the administration body in compliance with the regulation.

Article 62

Supervision over legality and effectiveness of other administration bodies' operations shall be conducted by:

1. Ministry of Justice over:

Institution for Enforcement of Criminal Sanctions.

2. Ministry of Interior and Public Administration over:

Human Resources Administration,
Police Directorate.

3. Ministry of Defence over:

Directorate for Protection of Classified Data.

4. Ministry of Finance over:

Tax Administration,
Real-Estate Administration,
Customs Administration,
Administration for Anti-Corruption Initiative,
Administration for Prevention of Money Laundering and Financing Terrorism,
Administration for Games of Chance,
Public Property Administration,
Statistical Office,
Public Procurement Directorate.

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5. Ministry of Education and Science over:

Office for International Scientific, Educational, Cultural and Technical Cooperation,
Education Office.

6. Ministry of Culture, Sports and Media over:

State Archives.

7. Ministry of Economy over:

Administration for Protection of Competition,
Metrology Office,
Intellectual Property Rights Office,
Directorate for Development of Small and Medium Sized Enterprises.

8. Ministry of Transport, Maritime Affairs and Telecommunications over:

Maritime Safety Administration,
Port Administration,
Transport Directorate,
Railways Directorate.

9. Ministry of Agriculture, Forestry and Water Management over:

Veterinary Administration,
Forest Administration,
Water Administration,
Phytosanitary Administration,
Tobacco Agency.

10. Ministry of Spatial Planning and Environmental Protection over:

Hydrometeorological Office,
Seismological Office,
Public Works Directorate,
Environmental Protection Agency.

11. Ministry of Labour and Social Welfare over:

Refugee Care and Support Office.

Supervision over legality and effectiveness of the operations of the Secretariat for Legislation shall be conducted by the Government through the General Secretary of the Government.

III METHOD OF OPERATION OF STATE ADMINISTRATION

1. Agenda of State Administration Bodies

Article 63

The State Administration Bodies shall adopt annual agendas.

The Agenda shall include, in particular: overview of the activities through which the functions of a body are realised (separately, per function); main contents of the work; holders of activity (organisational unit, team, a civil servant et.); time limits (monthly and quarterly, etc.); subjects of cooperation (individual naming of subjects and forms of cooperation) and overview of funds needed for the agenda period.

The Agenda shall be adopted by the Minister or head of other administration body.

The Agenda of other administration body shall be adopted with the consent of the Ministry supervising that body.

2. Report on Operation of State Administration Bodies

Article 64

The Ministry shall, at least once a year, submit to the Government the report on operations and situation in the fields for which it has been founded.

The report on operations of the Ministry shall include, in particular: the evaluation of situation in the administrative field; presentation on enforcement of legislation, overview of realisation of program activities and conclusions of Government along with their main contents and effects accomplished realizing the administration body functions (overview shall be given per each function) and the evaluation of operation of the administration body supervised.

The Report on operations of Ministry shall also include the report on operations of administration body under its supervision.

Article 65

Other administration body shall, at least once a year, submit to the Ministry which supervise its operations the report on operations and situation in the fields for which it has been established.

The Report must include the overview of enforcement of legislation, realisation of the programmes and conclusions of the Government and actions undertaken by the administration body and the results thereof.

Article 66

Exceptionally, the Ministry or other administration body may, upon request of the Government or the Ministry, submit a special report on operations.

The report referred to in paragraph 1 of this Article, upon request of the Government, shall be submitted by the administration body to the Government through the Ministry supervising the mentioned administration body. The Ministry's opinion shall be submitted along with the report.

3. The Council, Collegiate Bodies and Project Group

Article 67

The council may be formed within the Ministry, as the Minister's professional advisory body, to consider the issues falling under the competence of that Ministry.

The council shall be formed by the Minister from among the eminent people of science and expertise.

The act forming the council shall regulate affairs, composition, remuneration for the work performed in the Council, as well as other issues relevant for the work within the council.

Article 68

Collegiate body as an advisory body may be formed within the ministry or other administration body.

Collegiate body, en principe, shall be composed of managing persons and other civil servants or state employees nominated by the minister or the head of other administration body.

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Collegiate body shall be summoned and its work shall be administered by the minister or the head of other administration body.

Article 69

Project groups, teams or other appropriate forms of work may be formed for the performance of affairs for which professional cooperation between civil servants and state employees of different internal organisational units is required.

Project Group, Team or other forms of work shall be formed by the Vice-President of the Government, Minister or the head of other administration body.

Act forming the Project Group, Team or other form of work shall regulate the composition, activities and time limits within which the tasks shall be executed, funds and other conditions for the work.

Civil servants and state employees from other state administration bodies may be engaged within the Project Group, Team or other form of work, upon the approval of the Minister or head of other administration body.

The experts not working in the administration bodies may be engaged in the Project Group, Team or other form of work.

4. Working Hours Schedule

Article 70

Working days of the state administration bodies 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 other administration body shall determine working hours schedule of the state administration body for the activities performed continuously or in shifts. Working hours for work with clients shall be determined so as to enable timely and efficient performance of jobs related to realisation of rights and obligations of the parties.

.State administration body shall be obliged to inform the public on working hours of state administration bodies and/or the working hours of work with clients through media, at the notice board of the body or in another appropriate manner.

5. Administrative Days

Article 71

Administrative days shall be particular days in week, when specific affairs of state administration body are performed outside the registered office of the state administration body and/or outside the registered office of the internal organisational unit of the state administration body.

Administrative days shall be determined by the Minister or the head of other administration body under a special act, which shall be published through media or in another appropriate manner.

Act referred to in paragraph 2 of this Article shall specify the affairs to be performed during administrative days, as well as the place and time of administrative days.

IV ENSURING THE ENFORCEMENT OF DECISIONS OF THE CONSTITUTIONAL COURT OF MONTENEGRO

Article 72

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The Government, upon the request of the Constitutional Court of Montenegro (hereinafter referred to as the "Constitutional Court"), shall ensure the enforcement of Constitutional Court's decisions through ministries and other administration bodies, which scope of activities includes the issues of the decision.

In case referred to in paragraph 1 of this Article, the competent Ministry and other administration body shall provide the execution of the Constitutional Court's decision upon the order of the Government.

The Government shall inform the Constitutional Court about the ensuring of enforcement of the Constitutional Court's decision.

Article 73

For the purpose of enforcement of ruling brought by the Constitutional Court ordering the suspension of enforcement of an individual act or action undertaken on the basis of the law, other regulation or general act the constitutionality and legality of which is reviewed, the ministry and other administration body shall pass a conclusion on enforcement of the decision at the request of the Government.

The conclusion from paragraph 1 of this Article shall include the wording of the Constitutional Court's ruling, appointment of the responsible person in the state administration body, unit of local self-government, institution or legal person which is obliged to enforce the ruling, and determining the time limit for the enforcement of the ruling which cannot be shorter than 24 hours nor exceed three days.

If the responsible person referred to in paragraph 2 of this Article fails to enforce the Constitutional Court's ruling within the determined time limit, the Ministry and other administration body shall ensure the enforcement of such ruling.

V TRANSITIONAL AND FINAL PROVISIONS

Article 74

Ministries and other administration bodies shall continue their operations under the titles and within the scope defined by this Decree.

Ministries and other administration bodies, in accordance with the scope of work determined by this Decree, shall harmonise the acts on internal organisation and systematisation within 30 days from the day of entering into force of this Decree.

Article 75

Public Property Administration, within 30 days from the day of entering into force of this Decree and in accordance with the scope of work determined by this Decree, shall take over affairs, employees performing those affairs and official documentation from the Administration for Joint Affairs of State Authorities.

Public Property Administration, in accordance with the scope of work determined by this Decree, shall harmonise its act on internal organisation and systematisation within 60 days from the day of entering into force of this Decree.

Employed in the Administration for Joint Affairs of State Authorities not re-assigned within the meaning of paragraph 2 of this Article, shall realise their rights in accordance with the legislation on civil servants and state employees.

Article 76

69. DECREE ON ORGANISATION AND METHOD OF OPERATION OF STATE
ADMINISTRATION

This Decree shall supersede the Decree on Organisation and Method of Operation of State Administration (Official Gazette of the Republic of Montenegro 54/04, 78/04, 6/05, 61/05, 6/06, 32/06, 42/06, 56/06, 60/06, 72/06, 6/07, 25/07, 32/07 and Official Gazette of Montenegro 6/07, 16/07, 26/08, 43/08, 68/08, 81/08, 4/09, 14/09, 43/09) and Decree on Administration for Joint Affairs of State Authorities (Official Gazette of the Republic of Montenegro 17/92, 9/02).

Article 77

This Decree shall enter into force on the eighth day after its publication in the Official Gazette of Montenegro.

No. 03-8101/3

Podgorica, 23 July 2006

Government of Montenegro

Prime Minister

Milo Đukanović, m.p.