

16 Annex - Taxation

**113. DECREE ON THE MANNER AND PROCEDURE FOR
DETERMINING THE MOST POPULAR PRICE OF
CIGARETTES**

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POPULAR PRICE OF CIGARETTES

Pursuant to Article 50a paragraph 4 of the Excise Tax Law (Official Gazette of the Republic of Montenegro 65/01 and 76/05 and Official Gazette of Montenegro 76/08), at its session held on 16 April 2009 the Government of Montenegro adopted the following

DECREE

**ON THE MANNER AND PROCEDURE FOR DETERMINING THE MOST POPULAR PRICE OF
CIGARETTES**

Article 1

This Decree shall regulate the manner and procedure for determining the most popular price of cigarettes, which shall be used to determine the amount of excise tax on cigarettes.

Article 2

The most popular price of cigarettes shall be determined on the basis of retail prices of cigarettes' price categories that have the biggest sales volume in Montenegro in the previous year.

The sales volume of cigarettes, referred to in paragraph 1 of this Article, shall be determined on the basis of realised sales of cigarettes according to each price category, according to retail prices that were published in the Official Gazette of Montenegro for the period from January to October, and on the basis of their future sale assessment for the period from November to December in the current year.

Article 3

Manufacturers or importers of cigarettes are obliged to submit the information about sales volume of cigarettes, referred to in Article 2 paragraph 2 of this Decree, to the Tobacco Agency, until 15 November in the current year.

Tobacco Agency, based on data referred to in paragraph 1 of this Article, shall make a proposal of the amount of the most popular price of cigarettes, by forming price categories for all brands of cigarettes that shall contain all cigarettes that have the same retail price, regardless of the fact that they belong to different brands.

Tobacco Agency shall file the proposal of the amount of the most popular price of cigarettes to the Ministry of Finance by the end of November in the current year

Article 4

A fine that is ten to hundred times larger than the amount of a minimal wage in Montenegro shall be imposed on a legal person or entrepreneur who does not provide information about sales volume of cigarettes within the prescribed period referred to in Article 3 paragraph 1 of this Decree.

For the offence referred to in paragraph 1 of this Article, a fine, two to ten times larger than the amount of a minimal wage in Montenegro, shall be imposed on the responsible person within the legal person.

Article 5

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

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GOVERNMENT OF MONTENEGRO

No _____

Podgorica, 16 April 2009

PRIME MINISTER,

Milo Đukanović