

24 Annex - Justice, freedom and security

**185. RULEBOOK ON THE METHOD OF APPROVAL OF
TEMPORARY STAY AND PERMANENT SETTLEMENT AND
ISSUANCE OF TRAVEL AND OTHER DOCUMENT TO
FOREIGNERS**

185. RULEBOOK ON THE METHOD OF APPROVAL OF TEMPORARY STAY AND PERMANENT SETTLEMENT AND ISSUANCE OF TRAVEL AND OTHER DOCUMENT TO FOREIGNERS

Pursuant to Article 32 paragraph 7, Article 39 paragraph 5, Article 40 paragraph 4, Article 52 paragraph 7, Article 56 paragraph 4, Article 58 paragraph 7, Article 70 paragraph 3, Article 73 paragraph 5, Article 77 paragraph 3, Article 78 paragraph 5, Article 79 paragraph 2, Article 80 paragraph 4, Article 87 paragraph 4, Article 88 paragraph 5 and Article 97 paragraph 4 of the Law on Foreigners (Official Gazette of Montenegro 82/08), the Ministry of Interior and Public Administration adopted the following

RULEBOOK ON THE METHOD OF APPROVAL OF TEMPORARY STAY AND PERMANENT SETTLEMENT AND ISSUANCE OF TRAVEL AND OTHER DOCUMENT TO FOREIGNERS

(Official Gazette of Montenegro 58/09 from 28 August 2009)

I INTRODUCTORY PROVISION

Article 1

This Rulebook shall define the details concerning issuance of approvals for temporary stay or prolongation of temporary stay, approval for permanent settlement and travel documents for foreigners, and registering the cancellation of the stay of up to 90 days, stay on the basis of long-stay visa (visa D), temporary stay, permanent settlement and refuse of entry in the travel document of foreigners, rules of stay and house order in reception centre for foreigners (hereinafter referred to as: the Reception centre), and method of collection of the cost of stay in the Reception centre and forced expelling, contents and appearance of the form, and contents and method of keeping records.

Terms hereby used to denote the masculine gender for the physical persons shall imply feminine gender as well.

II GRANTING TEMPORARY STAY

Article 2

The foreigner shall submit the application for granting or prolonging the temporary stay in person.

A parent or legal representative shall submit the application referred to in paragraph 1 of this Article for a minor or person incapable to work.

A form of the application referred to in paragraph 1 of this Article shall contain the following: name of the institution to whom the application will be submitted, space for submission date, title APPLICATION FOR TEMPORARY STAY, application number and bar code, purpose, space for data about the applicant (master citizen number, sex, surname, name, surname at birth, date and place of birth, country of birth, citizenship, marital status, educational qualifications, occupation), space for entering date of entry to Montenegro, period of validity of the last previously granted temporary stay, planned duration of stay, residence, address in other country, data about the head of household, number and period of validity of the applicant's travel document and name of the issuing authority, data about the applicant's parents, space for applicant's statement about truthfulness of entered data, obligation to notify about the change of personal data and consent that his data will be processed electronically, space for phone number and signature of the applicant

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(Form 1).

Form of application referred to in paragraph 1 of this Article shall be filled in print letters and clear script.

Article 3

In addition to the application referred to in Article 2 of this Regulation, the foreigner shall submit a verified copy of a valid travel document that contains entry stamp, if the application is submitted in Montenegro or a stamp of a previously granted temporary stay, evidence about means for sustenance, evidence on provided accommodation, evidence on health insurance, and evidence on justifiability of the application.

Article 4

The evidence about funds for sustenance during the temporary stay in Montenegro is any certificate or other evidence about the foreigner's bank account balance with any Montenegrin or foreign bank, evidence on personal income, amount of scholarship, evidence about ensured cost of medical treatment, evidence on possession of real estate in Montenegro that may serve as grounds for support, statement by which a legal or physical person obliges to bear the cost of foreigner's stay, or evidence that the foreigner has an evidence that his sustenance has been ensured in some other way.

Article 5

Any document about the right to ownership of real estate or closed lease agreement, or a statement in writing by a person from whom the foreigner has provided accommodation or a certificate on accommodation with an enterprise or entrepreneur registered as a provider of accommodation shall be considered as the evidence of provided accommodation.

Article 6

Evidence on health insurance shall be travel health insurance taken from an authorised insurance company in other country, health insurance taken under international treaties or health insurance exercised under terms and methods defined by a separate law.

Article 7

Any foreigner who submits the application for approval or prolongation of the temporary stay for the purpose of employment and work, secondary school education or university education, participation in programs of international exchange, additional training, professional development or in-work training, scientific work or medical treatment shall submit evidence on justifiability of the application for temporary stay referred to in Articles 41-47 of the Law on Foreigners.

Article 8

Any foreigner requesting for approval of temporary stay for the purpose of family reunification shall submit a document which proves that he is a member of immediate family of a citizen of Montenegro or the foreigner who has been approved to permanently or temporarily reside in

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Montenegro and other evidence on justifiability of the application.

Article 9

Temporary stay for humanitarian reasons shall be approved on the basis of adequate evidence of a legal entity (international organisation, non-governmental organisation or state body) that provides assistance and protection to a victim, or evidence of a state body that confirms the victim cooperates in solving criminal acts.

Article 10

Documents that prove that the foreigner meets conditions for approval of temporary stay shall be either original or a verified copy, with a translation into Montenegrin language and verified by an authorised translator.

Article 11

Identity of the foreigner shall be determined when he submits the application for approval, or for prolongation of temporary stay, as well as whether the travel document or any other document that proves identity is regular and valid, whether the application has been filled with accurate data and in clear script and whether appropriate evidence has been submitted in addition to the application.

Article 12

Certificate shall be issued to the foreigner who submits the application for granting the first temporary stay in Montenegro or for prolongation of temporary stay. The certificate shall contain the following data: name of issuing authority, title CERTIFICATE OF SUBMITTED APPLICATION, bar code, space for applicant's name and surname, date, place and country of birth, number of travel document and issuing country, note that the certificate is to prove legal stay in Montenegro until the final decision upon the application has been made, that the certificate is valid for 30 days and prolongable, space for entering issue date, signature of the officer and seal of the competent body (Form 2).

Article 13

When rendering decision upon application for temporary stay the following shall be checked: whether the foreigner is in possession of a valid travel document, whether he reported his residence in Montenegro, exception t this is when the application is submitted for the first temporary stay in a diplomatic or consular representation and whether there are any legal impediments for approval, and whether every condition for entry, movement and stay in Montenegro has been met.

Additional clarifications may be asked from an applicant for a temporary stay in respect of the data stated in the application.

Article 14

Approval for a temporary stay shall be registered in the valid travel document of the foreigner by imprinting the seal sized 105mm x 81 mm, which shall have the title Montenegro in upper left corner and name of issuing authority, title TEMPORARY STAY APPROVAL shall be in the middle,

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and the space for entering purpose of the temporary stay, validity period and signature of authorised officer shall be below the above mentioned title (Form 3).

Authorised officer shall put his signature at determined place in the form of the stamp and seal it on the right side of the stamp, by covering a part of the stamp and part of page of travel document and thus enable a free view of data in the stamp.

III

PERMANENT SETTLEMENT APPROVAL

Article 15

The foreigner shall submit the application for permanent settlement in person.

The application referred to in paragraph 1 of this Article shall contain the following: name of the body to which the application is submitted, space for date of submission, title APPLICATION FOR PERMANENT SETTLEMENT, number of application and bar code, space for entry of data about the applicant (master citizen number, sex, surname, name, surname at birth, date and place of birth, country of birth, citizenship, marital status, educational qualifications, occupation), space for data about residence in Montenegro, address in another country and the head of household and his consent to use the data, approved temporary residence of the applicant, number and period of validity of the travel document and issuing authority, data about applicant's father and mother, space for applicant's statement about truthfulness of entered data and consent that his data may be processed electronically, space to register phone number and applicant's signature (Form 4).

Form of application referred to in paragraph 1 of this Article shall be filled in print letters and in clear script.

Article 16

In addition to the application for approval of permanent settlement, foreigner shall enclose an evidence about approved temporary stay in Montenegro of uninterrupted period of five years before the application has been submitted, verified copy of a valid travel document, evidence on possession of means for sustenance, evidence that accommodation has been provided, evidence of health insurance, evidence that he has not been sentenced for a criminal act for which he is prosecuted ex officio, as well as an evidence that no criminal procedure has been initiated against the applicant for such criminal act.

As for an approval of permanent settlement to a minor, an evidence about permanent settlement of one parent and consent of the other parent shall be required.

Article 17

The provisions referred to in Article 2 paragraph 2 and Article 13 of this Rulebook shall be applied to the submission of application of a person under 18 years of age or of person incompetent for work, and to determine identity of the foreigner and to check his travel or other document that proves identity and applications and evidence enclosed to the application.

Article 18

The approval of permanent settling shall be registered in the travel document of the foreigner by

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imprinting a stamp of size 105 mm x 81 mm, which shall contain the title Montenegro in upper left corner and name of issuing authority, title APPROVAL OF PERMANENT SETTLEMENT shall be placed in the middle and below is the space for issue date and signature of authorised officer (Form 5).

Competent officer shall sign the predefined space in the stamp and place seal on the right side of the stamp, by covering a part of the stamp and part of the page of travel document and thus ensure free view of the data in the stamp.

The stamp of approval of temporary stay shall be annulled by stamping the stamp of approved permanent settlement in the travel document by the stamp ANNULLED.

Article 19

Any foreigner who replaces the travel document due to expiry of period of validity, damage or any other reason shall submit application for a new stamp without any delay.

IV CANCELLATION OF STAY AND PERMANENT SETTLEMENT

Article 20

Cancellation of a stay of up to 90 days, or stay on the grounds of the long-stay visa (Visa D), cancellation of a temporary residence and permanent settlement and refuse on entry shall be entered in the travel document of the foreigner by a stamp, once the decision on cancellation becomes executed.

The form of the stamp referred to in paragraph 1 of this Article shall contain: cancellation of stay or permanent settlement and space for registering data by when the holder of travel document has to leave Montenegro, date by when he is not allowed to enter Montenegro, data about the decision maker, number of decision and date of issuing, seal and signature of a competent person (Form 6).

When a visa is affixed to the travel document of a foreigner, sprint of stamp on cancellation of the stay shall be placed next to the sticker that holds the visa, and where the foreigner did not need a visa to enter Montenegro, stamp print shall be placed next to the last entry stamp.

In case the temporary stay or permanent settlement has been cancelled, the stamp of approval of temporary stay or permanent settlement shall be annulled by stamping the stamp ANNULLED.

V TRAVEL DOCUMENTS

1) Travel document for a stateless person

Article 21

Application for a travel document for a stateless person shall be submitted by the foreigner in person.

The form of application referred to in paragraph 1 of this Article shall contain the following: name of body to whom application is submitted, space for date of submission, title APPLICATION FOR TRAVEL DOCUMENT FOR A STATELESS PERSON, application number and bar code, space for data about the applicant (master citizen number, sex, surname, name, surname at birth, date and place of birth, country of birth), space for data about applicant's mother and father and temporary residence in Montenegro, space for applicant's statement about truthfulness of data and consent that his data may be processed electronically, space for phone number and signature of the applicant (Form 7).

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The form referred to in paragraph 1 of this Article shall be filled in print letters and in clear script.

Article 22

The travel document form for a stateless person shall be rectangular, size 125 mm x 88 mm and shall contain a cover, one poly-carbon page and 32 numbered pages sewn through by a special thread. The cover shall be made of non-fluorescent 120 gms special protective paper, chemically sensitised to reach against acids, alkalis and other organic solvents which contains both visible and non-visible UV fibres. The cover shall be brown.

The black-and-white photograph, dimensions 32mm x 41mm, of the person to whom the travel document will be issued shall be laser engraved on the data page of the travel document as well as any other data on that page.

Article 23

The front outer page of the cover shall have the title Montenegro, Coat of Arms of Montenegro, title Travel document for a stateless person and the symbol of electronic passport, all of which printed in the gold (Form 8).

Stylised map of Europe where the territory of Montenegro in white shall be on the front inside side of the cover. Title Montenegro shall be in the foreground, as well as stylised area of Montenegro with the flag of Montenegro, sign MNE and protective element in the shape of stylised *ćemer* (decorative belt of women's folk clothes) (Form 9).

Article 24

The first page of the polycarbonated page is not numbered and it shall contain the title Montenegro, Coat of Arms of Montenegro and the title Travel document for a stateless person (Form 10).

Second page of the polycarbonated page, which is not numbered, shall be made of multilayered polycarbonate with built in protective elements and shall contain a non-contact chip. Foregrounded on the surface of the polycarbonate shall be engraved borders of Montenegro with the title Montenegro along the border, sign MNE and Coat of Arms of Montenegro. The page with data shall contain the following: machine readable part where the data are entered, in line with standards for machine readable documents and separate regulation, title Travel document for stateless person, Coat of Arms of Montenegro, electronic mark of the passport, title Montenegro and the space for: type, code of issuing country and number of travel document. The upper right corner shall be the application in the form of stylised territory of Montenegro, printed in optically variable ink that changes into two colours, green and red. The place for the photograph shall be on the left side, dimensions 32 mm x 41 mm. On the right side of the photograph shall be the optically variable safety element (kinegram), with motives in the shape of map of Montenegro, Coat of Arms of Montenegro and sign MNE. The lower right part shall contain the oval protective element of the special structure (MLI). On the right side of the photograph shall be the place for the following: surname, name, date of birth, master citizen number, sex, place of birth, issue date, issuing authority, validation and signature. The form of the data page shall be printed in three derived colours of blue, green and brown (Form 11).

Article 25

Inside pages of the travel document, the numbered ones, are made of non-fluorescent 90 gms protective paper, chemically sensitized to react against acid, alkalis and other organic solvents, which contains visible and non-visible UV fibres, in three derived pastel colours of blue, green and brown, with embedded protective features, as well as an ornament with the Coat of Arms of

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Montenegro, stylised territory of Montenegro and a laser imprinted serial number of the travel document. Inside pages shall contain the watermark in the shape of the Coat of Arms of Montenegro and territory of Montenegro and back grounded is the stylised motive whose basis is a detail from male folk costume (*toke*).

Numbered pages 3-33 shall contain the inscription Visas and inscription Convention from 28 September 1954. Numbered pages are bound together with UV reactive thread, which contains three colours, visible under ordinary light and two fluorescent colours, visible under UV light.

The last numbered page 34 shall contain the following text: This document contains sensitive electronics. To avoid damage, please do not bend, break, expose to high temperatures or moisture (Form 12).

Article 26

The last inside page of the cover of travel document shall contain the text: 'This document has been issued to be given to the holder as a travel document that may serve as a replacement for national travel document. It does not prejudice or affect the holder's citizenship. The holder is entitled to return to Montenegro within the period of validity of the document. In case of a settlement in another country, and for the purpose of travel, the holder shall submit the application for a new document to a competent body in a country of new residence.' and the text: 'This travel document is property of Montenegro. It contains 34 pages.'

The foreground of the inside page of the cover is an ornament with the Coat of Arms of Montenegro and a stylised territory of Montenegro. In lower part is the protective motif in print - a part from *ćemer*, below is the last serial number of the travel document imprinted by laser (Form 13).

Article 27

The provisions of the Rulebook on method and terms of taking photographs, fingerprints and signature in the procedure of issuing travel document (Official Gazette 41/08) shall be applied accordingly to the process of taking photographs, fingerprints and signature in the procedure of issuing travel document for the stateless person.

Provisions of the Rulebook on contents of mechanically readable records of travel documents (Official Gazette of Montenegro 41/08) shall be applied accordingly to the contents of mechanically readable records of travel documents that are registered in the travel document referred to in paragraph 1 of this Article.

Provisions referred to in Articles 3,5,8,9,10 and 12 of the Rulebook on the method of issuing passport (Official Gazette of Montenegro 73/08) shall be applied accordingly to the procedure of issuing travel document referred to in paragraph 1 of this Article

Travel document for foreigners

Article 28

Application for a travel document for the foreigner shall be submitted by the foreigner in person.

The form referred to in paragraph 1 of this Article shall contain the following data: name of authority to whom the application is submitted, title APPLICATION FOR TRAVEL DOCUMENT FOR FOREIGNERS, application number and bar code, space for data about the applicant (master citizen number, sex, surname, name, surname at birth, date and place of birth, country of birth, citizenship), space for entering data about applicant's father and mother and residence in Montenegro, space for applicant's statement about truthfulness of data and consent that his

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personal data may be processed electronically, space for phone number and signature (Form 14).

Article 29

In addition to the application for a travel for the purpose of going to another country, the foreigner whose citizenship of Montenegro has ceased shall enclose a verified copy of a decision about cancellation of Montenegrin citizenship.

The foreigner whose foreign travel document has been stolen or lost, and foreigner's country of citizenship does not have a diplomatic or consular representation in Montenegro, nor other authorised country represents interests of the foreigner's country of citizenship, shall enclose an evidence of reported loss or theft of the travel document to the application.

The competent body shall determine identity of the foreigner in case referred to in paragraph 2 of this Article.

Article 30

Form of the travel document for the foreigner shall have the form of a paper sized 362 mm x 125 mm, which is folded in four parts and contains eight pages. The form is made of protective paper with a watermark of Montenegro and printed in three derived colours brown, green and blue.

The first page shall contain the title Montenegro, Coat of Arms of Montenegro and the title Travel Document for the foreigner in offset print and below is the nine-figure perforated serial number.

Second page of the travel document, that is not numbered, shall have the space for data about the foreigner and space for a photograph. Numbered pages 3-8 of the travel document for the foreigner shall contain the title Visas in the upper part (Form 15).

VI IDENTIFICATION CARD FOR FOREIGNERS

Article 31

Application for the identification card for the foreigner shall be submitted in person in a form that contains the following: name of institution to which the application is submitted, space for date, title APPLICATION FOR IDENTIFICATION CARD FOR A FOREIGNER, application number and bar code, space for data about the applicant (master citizen number, sex, surname, name, surname at birth, date and place of birth, country of birth, citizenship), space for data about applicant's father and mother and temporary residence in Montenegro, space for applicant's statement of truthfulness of the entered data and consent that applicant's data shall be processed electronically, space for applicant's phone number and signature (Form 16).

In addition to the application for identification card, the foreigner shall enclose the decision about approved permanent settlement or evidence of approved temporary stay and a valid travel document.

Article 32

The form of identification card for the foreigner shall be rectangular, in the form of a card, dimensions 86 mm x 54 mm, made of multi-layer polycarbonate, in derived shades of blue, with built in protective elements.

The form of identification card shall be done in line with ISO/IEC 7810 for dimensions and physical characteristics and ISO/IEC 10373 for testing physical characteristics.

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The identification card form for foreigners shall contain the Coat of Arms of Montenegro in the upper left corner on the front page, and inscription Montenegro and inscription Identification card for foreigner. Upper right corner shall have the inscription Montenegro in microprint. On the left form of the form, below the Coat of Arms of Montenegro is the place for the photograph, dimensions 24 mm x 33 mm. On the right of the photograph is the space for the following: surname, name, sex, citizenship, date of birth, identification card number, validity date and signature.

The form of the identification card for foreigner on the back side, in upper left corner, shall have the space for: master citizen number, issue date and name of issuing authority, and application in the shape of borders of Montenegro with delineated rivers in the right upper corner (Form 17).

Article 33

The provisions of the Rulebook on the method and conditions of taking photographs, fingerprints and signature shall be applied accordingly in the process of taking photographs, fingerprints and signature in the procedure of issuing identification card (Official Gazette 28/08).

Provisions of Articles 3,5,7,8 and 12 of the Rulebook on the method of issuing identification cards and the price of form of identification card shall be applied accordingly to the process of issuing identification cards for foreigners (Official Gazette of Montenegro 28/08).

VII RECEPTION CENTRES FOR FOREIGNERS

Article 34

Admittance of foreigners to the Reception centre shall be recorded in the admittance form and file of the foreigner.

Admittance form is rectangular, A4 form, with title Police directorate, Reception Centre for Foreigners, space for a photograph size 30 mm x 35 mm, title ADMITTANCE FORM, space for data about the foreigner admitted to the Reception Centre (surname, surname at birth and name, parents' name, sex, date, place and year of birth, place and country of birth, citizenship), number of travel document, issuing authority, issue date and place and validity period, number of decision about admittance to the Reception centre, date and time of admission, data about health, funds and objects in possession of the foreigner, date of discharge from the Reception Centre and notes, as well as time and place of filling in the admission form, foreigner's signature, signature of the authorised person and seal (Form 18).

The file of the foreigner is rectangular, A4 form, with inscription Police Directorate, Reception Centre for Foreigners, space for a photograph size 30 mm x 35 mm, inscription FOREIGNER'S FILE, space for data about the foreigner being admitted to the Reception Centre (surname, name and surname at birth, parents' name, sex, date of birth, place and country of birth, citizenship, personal description and special marks), data about health, notes, place and date of filling in the file and signature of a competent person (Form 19).

Article 35

At admission and accommodation, foreigner shall be interviewed about his health and psychophysical condition. Where there is contagious disease or fears of existence of contagious diseases, the foreigner shall be accommodated in a separate room and stay there until a doctor determines the health condition.

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Police officer of the Reception Centre shall advise a doctor and manager of the Reception Centre, or any other person the latter appoints, about the findings of the psychophysical condition of the foreigner.

Article 36

Police officers in the Reception centre shall take any papers and documents of the foreigner upon his admission to the Reception Centre, including the baggage and objects in possession of the said person.

The papers and documents of the foreigner being admitted to the Reception Centre shall contain the following: decision about granting accommodation in the Reception Centre, decision on expulsion, or said protective measure of expulsion, information in writing about taking to and accommodating into the Reception Centre, which is submitted by the competent unit of the police, three photographs of the foreigner to be used for personal documents, official records about the conducted medical check-up and about possession of funds, certificate of seized objects and funds, medical records, if any and decision about appointment of a legal representative if the said person is a minor or person incapable to work.

To find identity documents, funds and objects suitable for an attack, escape or self-injury, the foreigner and his belongings may be searched.

Police officer of the same sex shall conduct the search.

Article 37

A procedure of establishing identity shall be conducted where the foreigner is not in possession of an identity document.

Article 38

Upon admittance and accommodation of the foreigner into the Reception Centre, police officers shall interview the foreigner about the method and reasons to come to Montenegro, inform him about the accommodation and the procedure of expulsion or voluntary return to the domicile country and about the right on a visit by a representative of his country in Montenegro.

Article 39

At admittance of the foreigner in the Reception Centre, sex, age and citizenship of the foreigner shall be taken into account so as to accommodate same sex in same rooms, minors with their legal representatives and a family into a separate room.

Article 40

The foreigner in the Reception Centre may not be in possession of a higher amount of money (counter value exceeding 200 euro a month), mobile phone, jewellery or objects of higher value or other objects suitable for attack, escape or self-injury. In case any of the given objects were found, they shall be seized and placed in a separate room in the Reception Centre and a certificate about temporary seizure shall be issued.

Certificate referred to in paragraph 1 of this Article shall contain: title Police Directorate, Reception

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Centre for Foreigners, title Certificate about seized travel and other documents, travel tickets, objects and finances', space for data about the foreigner (name and surname, date, place and country of birth), number of a travel document and issuing country, space for data about seized documents and objects, issue date of the certificate and signature of the competent officer (Form 20).

During the stay in the Reception Centre, the foreigner may use temporarily seized finances and he shall verified any takeover of the finance by a signature.

Temporarily seized funds of the foreigner who left the Reception Centre without approval shall be used to cover the cost of accommodation and the remaining amount shall be paid in to the Budget of Montenegro.

Article 41

Foreigner may move through common rooms in the Reception Centre.

Foreigner is entitled to a pre-announced 30-minute long visit, with consent of the manager of the Reception Centre or a person authorised by the manager.

At admittance to the Reception Centre, the foreigner is entitled to free phone calls to his family and diplomatic-consular representation of the domicile country.

Foreigner may communicate with a person outside the Reception Centre using public phone box and in letters. Foreigner may receive packages and money. Foreigner shall open packages in presence of a police officer. Foreigner is entitled to freedom of religious affiliation.

Article 42

Where the foreigner disobeys house rules, warnings or orders of police officers in the Reception Centre, attempts to escape or avoid leaving the country by any other means, the manager of the Reception Centre or a person authorised by the manager shall render a decision about enhanced surveillance in separate rooms.

The measure of enhanced surveillance shall be revoked when the reasons that caused the rendering of the decision cease to exist.

Article 43

The cost of accommodation in the Reception Centre (cost of conveying to a diplomatic or consular representation or Reception Centre, cost of stay in the Reception Centre, cost of procuring travel and other documents, travel tickets and cost of transit) and forced expulsion (cost of conveying to the border of the country where the foreigner is expelled to and other cost related to expulsion such as police escort, fuel, cost of treatment and so on) shall be collected by the competent body conveying the foreigner, from temporarily seized funds of the foreigner, and the certificate shall be issued regarding the said procedure, and the remainder of money shall be returned to the foreigner.

Article 44

The form of a separate identity document for the foreigner to whom mandatory stay at a separate place outside the Reception Centre has been pronounced shall be rectangular in the form of a card, dimensions 86 mm x 54 mm, made of multilayered polycarbonate in derived shades of mostly blue colour, with protective elements built in.

The form referred to in paragraph 1 of this Article shall be produced in line with ISO/ IEC 7810 for

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dimensions and physical characteristics and ISO/IEC 1373 for testing physical characteristics.

The form of a separate identity document for a foreigner, on the front page in the upper left corner shall contain the Coat of Arms of Montenegro and the inscription Identity document for a foreigner. Inscription Montenegro shall be written in microprint in the upper right corner. The space for the photograph shall be on the left side of the form, under the Coat of Arms of Montenegro, dimensions 24 mm x 33 mm. The space for the following: surname, name, sex, citizenship, date of birth, number of identity document, date of validity and signature shall be on the right side of the photograph.

The form of the identity document on the back, in the upper left corner shall contain the space for the following: master citizen number, issue date and issue authority, and the application in the shape of borders of Montenegro with delineated rivers in the upper right corner (Form 21).

VIII RECORDS

Article 45

The records of the Ministry of Interior and Public Administration shall contain the following:

- 1) Records about issued travel documents for stateless persons: name and surname, master citizen number, reason for the stay in Montenegro, date since the foreigner has been in the country, issue date, type and number of travel document and validity period;
- 2) Records about issued and replaced identification cards for a foreigner: name and surname, date and place of birth, citizenship, reason and grounds for stay in Montenegro (number and date of approval of permanent settlement and a number and date of approval of permanent stay), issue date, number and validity period of identification card;
- 3) Records about issued travel documents for foreigners (name and surname, date and place of birth, citizenship, reason for issuing, issuing authority, date since the foreigner has been in the country, date of issuing emergency travel documents for foreigners: name and surname, date and place of birth, citizenship, reason for issuing, issuing authority, date since the foreigner has been in the country, issue date, type and number of the document and validity period;
4. Records about foreigners to whom permanent settlement has been cancelled or terminated: name and surname, citizenship, type and number of the document, date since the foreigner has been in Montenegro, reason to cancel or terminate the permanent settlement, date of cancelling the permanent settlement and the time period when the foreigner has to leave the country and duration of the refuse on entry to Montenegro;

Records of the body of public administration competent for police affairs shall contain the following:

- 1) Records about foreigners to whom stay has been cancelled and entry to Montenegro was refused: name and surname, citizenship, type and number of the travel document, reason to stay, period since when the foreigner has been in Montenegro, reason to cancel the stay and period by when the foreigner has to leave the country and time of refuse on entry to Montenegro;
- 2) records on foreigner to whom exit from Montenegro has been refused: name and surname, citizenship, type and number of the travel document, reason for the stay, date since the foreigner has been in the country, reason to cancel the stay and period by when the foreigner has to leave the country and duration of refuse on entry to Montenegro.
- 3) Records on visas issued at border crossings, denied visa applications, annulled and shortened visas: name and surname, citizenship, issue date, type and number of travel document where the visa has been affixed, type and validity period of the visa and issuing authority;
- 4) Records about reported missing documents for identification of foreigners: name and

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surname, citizenship, reason for the stay, date of submission the report about the loss or missing of the document, type, and, where possible, number of the document, method of establishing foreigner's identity, number and date of issuing the certificate on missing identification, number and date of the certificate on missing document, number and date of the certificate announcing the missing document in the Official Gazette of Montenegro.

- 5) Records about temporarily seized documents: name and surname, date and place of birth, citizenship, number of travel document, issuing authority, validation period, reason for the temporary seizure of the travel document, period of seizure, name of authority that seized the document, period of seizure, number and date of issuing certificate on seizure.

Article 46

Records referred to in Article 47 of this Rulebook shall be electronic.

At border crossings that do not have technical capacities to run records in a method referred to in paragraph 1 of this Article, records referred to in Article 47 paragraph 2 item 3 of this Rulebook shall be run as a separate book that has to be stamped, sewn, with numbered pages, and which shall be closed at the end of the calendar year on the page of the last registered foreigner or after every page has been filled in.

Article 47

Forms 1-21 are printed and enclosed to this Rulebook and make an integral part hereto. Forms 1, 4, 7-17 and 21 are printed in both Montenegrin and English language.

IX CLOSING PROVISIONS

Article 48

As of the day of coming into force of this Rulebook, provisions of the Rulebook of issuing travel and other documents and visas to foreigners and forms of those documents and visas (Official Gazette of SFRJ 44/81 and Official Gazette of SFRJ 23/00, 24/00 and 67/01) and Instructions about enforcement of the Law on Movement and Stay of Foreigners (Official Gazette of SFRJ –Confidential Gazette 13/90), excepting the provisions on visa issuing.

Article 49

This Rulebook shall enter into force on the eight day from the day of publishing in the Official Gazette of Montenegro.

No: 01-2347/1

Podgorica, 31 July 2009

Minister,

Ivan Brajović, m.p.

NOTE OF PUBLISHER:

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The forms that make integral part of this Regulation have not been published for technical reasons. Please find them in scanned copies of the Official Gazette of Montenegro for 2009, 58/09 from 28 August 2009, pages 8-30.