



*INSTITUT ZA STANDARDIZACIJU
CRNE GORE*

ZAKON O STANDARDIZACIJI

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*INSTITUTE FOR STANDARDIZATION OF
MONTENEGRO*

LAW ON STANDARDIZATION

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I OSNOVNE ODREDBE

Predmet

Član 1

Ovim zakonom uređuje se organizovanje i djelatnost nacionalnog tijela za standardizaciju Crne Gore, donošenje, objavljivanje, povlačenje i primjena crnogorskih standarda i srodnih dokumenata i druga pitanja od značaja za standardizaciju.

Standardizacija, standardi i srodni dokumenti

Član 2

Standardizacija je skup koordiniranih aktivnosti na donošenju standarda i srodnih dokumenata.

Standard je tehnička specifikacija koju je donijelo priznato tijelo za standardizaciju za višekratnu ili stalnu upotrebu sa kojom usaglašenost proizvoda, procesa i usluga nije obavezna.

Crnogorski standard je standard koji je donijelo nacionalno tijelo za standardizaciju Crne Gore.

Srodni dokument je tehnička specifikacija, koja nije standard, koju je donijela evropska ili međunarodna organizacija za standardizaciju, za višekratnu ili stalnu upotrebu i sa kojom usaglašenost proizvoda ili usluga nije obavezna.

Tehnička specifikacija je dokument koji utvrđuje tehničke zahtjeve koje treba da ispuni proizvod, proces, usluga ili sistem i kojim se utvrđuje najmanje jedan od sljedećih elemenata:

- 1) potrebne karakteristike proizvoda koje se odnose na nivo kvaliteta, performanse, interoperabilnost, zaštitu životne sredine, zaštitu zdravlja i bezbjednosti, kao i dimenzije, uključujući zahtjeve koji se odnose na naziv pod kojim se proizvod prodaje, terminologiju, simbole, ispitivanja i metode ispitivanja, pakovanje, označavanje ili obilježavanje, postupke ocjenjivanja usaglašenosti;
- 2) metode proizvodnje i procese koji se koriste za poljoprivredne proizvode, proizvode namijenjene za ishranu ljudi ili životinja i

I GENERAL PROVISIONS

Subject-matter of the Law

Article 1

This Law shall govern organization and activity of national standardization body of Montenegro, the adoption, publication, withdrawal and implementation of Montenegrin standards and related documents as well as other matters of importance for standardization.

Standardization, standards and related documents

Article 2

Standardization shall mean a set of coordinated activities aimed at adoption of standards and related documents;

Standard shall mean technical specification adopted by recognized standardization body for multiple or general use with which compliance of products, processes and services is not mandatory.

Montenegrin standard shall mean a standard adopted by the national standardization body of Montenegro.

Related document shall mean technical specification and does not meet the requirements to be adopted as a standard; adopted by European or international standardization organization, for multiple or general use with which compliance of products, processes and services is not mandatory.

Technical specification shall mean a document that sets out the technical requirements to be met by a product, process, service or system and sets out at least one of the following elements:

- 1) the required characteristics of the product in terms of quality, performance, interoperability, environmental protection, health protection and safety, as well as dimensions, including requirements relating to the sales name of a product, terminology, symbols, tests and testing methods, packaging, marking or labelling, conformity assessment procedures;
- 2) production methods and processes used for agricultural products, products intended for human or animal consumption and medical products, as well

medicinske proizvode, kao i metode proizvodnje i procese koji se odnose na druge proizvode kada oni utiču na karakteristike proizvoda;

- 3) potrebne karakteristika usluga, kao što su nivo kvaliteta, performanse, interoperabilnost, zaštita životne sredine, zaštita zdravlja i bezbjednosti, uključujući zahtjeve primjenjive na pružaoca usluge, a koji se odnose na podatke koje treba staviti na raspolaganje primaocu; i
- 4) metode i kriterijumi za ocjenjivanje performansi građevinskih proizvoda.

Ciljevi

Član 3

Ciljevi standardizacije su:

- 1) unapređenje zaštite života, zdravlja i bezbjednosti ljudi, životinja i biljaka i zaštite životne sredine;
- 2) poboljšanje kvaliteta proizvoda, procesa i usluga, utvrđivanje njihove namjene, unificiranje/tipizacija, kompatibilnost i zamjenljivost;
- 3) razvoj i unapređenje proizvodnje i prometa proizvoda, izvođenja radova, odnosno vršenja usluga kroz razvoj međunarodno usklađenih standarda i srodnih dokumenata radi racionalnog korišćenja rada, materijala i energije;
- 4) unapređenje međunarodne trgovine, sprječavanjem ili otklanjanjem nepotrebnih tehničkih prepreka trgovini.

Načela

Član 4

Standardizacija se zasniva na sljedećim načelima:

- 1) dobrovoljnosti primjene standarda i srodnih dokumenata;
- 2) pravu na dobrovoljno učešće zainteresovanih strana u postupku donošenja crnogorskih standarda i srodnih dokumenata;
- 3) konsenzusu zainteresovanih strana;
- 4) sprječavanju prevladavanja pojedinačnih interesa nad zajedničkim interesom;

as production methods and processes related to the other products affecting the products characteristics;

- 3) indispensable services characteristics such as level of quality, performance, interoperability, environmental protection, health and safety protection, including the requirements applicable to the services providers relating to the data to be made available to the recipient; and
- 4) the methods and criteria for evaluating construction products performances.

Goals

Article 3

Standardization goals are as follows:

- 1) enhancing life protection, health and safety of humans, animals and plants as well as environment protection;
- 2) improving the quality of products, processes and services, determining their purpose, unification / typification, compatibility and substitutability;
- 3) developing and improving the production and circulation of products, construction works, namely provision of services through the development of internationally harmonized standards and related services with the aim of efficient use of labor, material and energy;
- 4) enhancing international trade by preventing and eliminating unnecessary technical barriers.

Principles

Article 4

Standardization shall be based on the following principles:

- 1) standards and related documents voluntary implementation;
- 2) the right of all interested parties to take part voluntarily in the process of Montenegrin standards and related documents adoption;
- 3) consensus of the interested parties;
- 4) prevention of the individual interests' precedence over the common interest;

- 5) transparentnosti u postupku standardizacije i dostupnost crnogorskih standarda i srodnih dokumenata;
- 6) međusobnoj usklađenosti crnogorskih standarda i srodnih dokumenata;
- 7) uzimanju u obzir stanja razvijenosti tehnike i pravila međunarodnih i evropskih organizacija za standardizaciju i relevantnih međunarodnih ugovora;
- 8) jednakom tretmanu inostranih proizvoda ili usluga i istih ili sličnih domaćih proizvoda ili usluga, u skladu sa potvrđenim međunarodnim sporazumima čiji je potpisnik Crna Gora.

Konsenzus iz stava 1 tačka 3 ovog člana je načelna saglasnost o bitnim pitanjima u postupku donošenja crnogorskih standarda, uzimajući u obzir stanovišta svih zainteresovanih strana i usaglašene suprotstavljene stavove, pri čemu ne mora postojati jednoglasnost u donošenju standarda.

Upotreba rodno osjetljivog jezika

Član 5

Izrazi koji se u ovom zakonu koriste za fizička lica u muškom rodu podrazumijevaju iste izraze u ženskom rodu.

Značenje izraza

Član 6

Izrazi upotrijebljeni u ovom zakonu imaju sljedeća značenja:

- 1) međunarodni standard je standard koji je donijela međunarodna organizacija za standardizaciju;
- 2) evropski standard je standard koji je donijela evropska organizacija za standardizaciju;
- 3) harmonizovani standard je evropski standard koji je donijet na osnovu zahtjeva Evropske komisije za primjenu harmonizovanog zakonodavstva Evropske unije;
- 4) nacionalni standard je standard koji je donijelo nacionalno tijelo za standardizaciju;

- 5) transparency of the standardization procedure and public availability of Montenegrin standards and related documents;
- 6) mutual consistency of Montenegrin standards and related documents;
- 7) taking into account development of technology and rules of international and European organizations for standardization and relevant international agreements;
- 8) non-discriminatory treatment of foreign products or services and same or similar domestic products or services, in accordance with ratified international agreements to which Montenegro is a signatory.

The consensus referred to in paragraph 1, item 3 of this Article, shall mean the agreement in principle on important issues in the process of Montenegrin standards adoption, paying regard to the views of all interested parties and agreed opposing views, whereby unanimity in the standards adoption shall not be needed.

Gender sensitive language usage

Article 5

The terms used in this Law for natural persons may be either male or female.

Terms definition

Article 6

The terms used in this Law shall have the following meaning:

- 1) international standard shall mean a standard adopted by international organization for standardization;
- 2) European standard shall mean a standard adopted by European organization for standardization;
- 3) harmonized standard shall mean European standard adopted following a request from the European Commission aimed at implementation of harmonized legislation with EU acquis;
- 4) national standard shall mean a standard adopted by national standardization body;

- 5) nacrt standarda je tehnička specifikacija o određenom predmetu standardizacije, koji se razmatra radi donošenja i koji se, u skladu sa postupkom za donošenje standarda, nakon faza pripreme, stavlja na javnu raspravu ili razmatranje;
- 6) proizvod je svaki industrijski dobijen proizvod, kao i svaki poljoprivredni proizvod uključujući proizvode od ribe;
- 7) međunarodne organizacije za standardizaciju su:
 - a) Međunarodna organizacija za standardizaciju (ISO);
 - b) Međunarodna elektrotehnička komisija (IEC);
 - c) Međunarodna unija za telekomunikacije (ITU);
- 8) evropske organizacije za standardizaciju su:
 - a) Evropski komitet za standardizaciju (CEN);
 - b) Evropski komitet za standardizaciju u oblasti elektrotehnike (CENELEC);
 - c) Evropski institut za standarde iz oblasti telekomunikacija (ETSI);
- 9) nacionalno tijelo za standardizaciju je tijelo za standardizaciju koje je priznato od strane države, a koje može biti član odgovarajućih međunarodnih ili evropskih organizacija za standardizaciju;
- 10) zainteresovana strana je organ državne uprave, nadležni organ jedinice lokalne samouprave, privredno društvo, pravno lice, preduzetnik i fizičko lice koje je iskazalo interes za standardizaciju.

II STATUS, DJELATNOST, ORGANIZACIJA I FINANSIRANJE NACIONALNOG TIJELA ZA STANDARDIZACIJU

Nacionalno tijelo za standardizaciju

Član 7

Poslove standardizacije u Crnoj Gori kao svoju osnovnu djelatnost obavlja Institut za standardizaciju Crne Gore (u daljem tekstu: Institut), kao nezavisno nacionalno tijelo za standardizaciju koje vrši poslove od javnog interesa.

- 5) draft standard shall mean a technical specification on a specific scope of standardization, which is discussed to be adopted and submitted to public enquiry or review following preparatory stage i.e. established standards adoption procedure;
- 6) product shall mean a product derived from industrial process, as well as any agricultural product including fish products;
- 7) international standardization organizations are:
 - a) International Standardization Organization (ISO);
 - b) International Electrotechnical Commission (IEC);
 - c) International Telecommunication Union (ITU);
- 8) European organizations for standardization:
 - a) European Committee for Standardization (CEN);
 - b) European Committee for Electrotechnical Standardization (CENELEC);
 - c) European Telecommunication Standards Institute (ETSI);
- 9) national standardization body shall mean standardization body recognized by its country, which may be a member of relevant international or European standardization organizations;
- 10) interested party shall mean a government body, authorized body of a local self-government unit, company, entrepreneur, consumers' organization or other legal or natural person expressing interest for standardization.

II STATUS, ACTIVITY, ORGANIZATION AND FINANCING OF NATIONAL STANDARDIZATION BODY

National standardization body

Article 7

Standardization activities in Montenegro, as its primary activity, shall be carried out by the Institute for Standardization of Montenegro (hereinafter: the Institute), an independent national standardization body performing the activities of public interest.

Osnivač Instituta je Vlada Crne Gore (u daljem tekstu: Osnivač).

Institut se upisuje u Centralni registar privrednih subjekata.

Radi objavljivanja liste nacionalnih tijela za standardizaciju, organ državne uprave nadležan za poslove standardizacije (u daljem tekstu: Ministarstvo) obavještava Evropsku komisiju o nacionalnom tijelu za standardizaciju.

Statut Instituta

Član 8

Institut ima Statut kojim se uređuje/u:

- 1) bliži djelokrug Instituta;
- 2) način i postupak odlučivanja, donošenja i objavljivanja pravila standardizacije;
- 3) način sticanja i prestanka statusa člana Instituta;
- 4) kriterijumi za utvrđivanje visine članarine;
- 5) bliži način izbora i razrješenja članova Skupštine Instituta;
- 6) način i postupak izbora i razrješenja predsjednika Skupštine Instituta;
- 7) bliži djelokrug rada Skupštine i Upravnog odbora Instituta;
- 8) način predlaganja i izbora članova Upravnog odbora koje predlaže Skupština;
- 9) uslovi za imenovanje i razrješenje Direktora i pomoćnika Direktora;
- 10) oblasti standardizacije za koje se obrazuju tehnički komiteti, srodna tijela i stručni savjeti, način njihovog obrazovanja, kao i druga pitanja od značaja za njihov rad;
- 11) bliži sadržaj godišnjeg plana donošenja crnogorskih standarda i srodnih dokumenata (u daljem tekstu: Godišnji plan);
- 12) sadržaj programa rada Instituta za narednu godinu (u daljem tekstu: Program rada); i
- 13) druga pitanja od značaja za rad Instituta.

The founder of the Institute shall be the Government of Montenegro (hereinafter referred to as: the Founder).

The Institute shall be an institution entered in the court register.

In order to bring out the list of national standardization bodies, the government body responsible for standardization affairs (hereinafter: the Ministry) shall notify the European Commission of the national standardization body.

Statute of the Institute

Article 8

Statute of the Institute shall regulate:

- 1) the scope of competences of the Institute;
- 2) modality and procedure of decision-making, adoption and publication of standardization rules;
- 3) acquiring and terminating the status of a member of the Institute,
- 4) criteria for determining the level of membership fee,
- 5) modality of appointing and relieving of duty the Institute Assembly members;
- 6) modality and procedure of electing and relieving of duty the Institute Assembly Chairperson;
- 7) the scope of competences of the Institute Assembly and Managing Board;
- 8) modality of proposing and electing the Managing Board members, following the Assembly's proposal;
- 9) terms and conditions of appointing and relieving of duty of the Institute Director and Assistants Director;
- 10) areas of standardization for which technical committees, related bodies and expert councils shall be set up, method of establishment, as well as other issues of importance for their operation;
- 11) more detailed content of the Annual Plan for the adoption of Montenegrin standards and related documents (hereinafter: the Annual Plan);
- 12) the Institute's Work Plan and Program content for the coming year (hereinafter: Work Plan and Program); and
- 13) the other issues of importance for the Institute's operating.

Na Statut Instituta (u daljem tekstu: Statut) prethodnu saglasnost daje Osnivač.

Statut Instituta objavljuje se u "Službenom listu Crne Gore".

Djelatnost Instituta

Član 9

Institut:

- 1) donosi Godišnji plan, Program rada i finansijski plan za narednu godinu (u daljem tekstu: Finansijski plan);
- 2) priprema, donosi, preispituje i povlači crnogorske standarde i srodne dokumente;
- 3) obrazuje i ukida tehničke komitete, stručne savjete i srodna tijela;
- 4) obezbjeđuje usaglašenost crnogorskih standarda i srodnih dokumenata sa međunarodnim i evropskim standardima;
- 5) vodi registar crnogorskih standarda i srodnih dokumenata u svim fazama razvoja;
- 6) učestvuje u izradi i preispitivanju standarda i srodnih dokumenata koje donose međunarodne i evropske organizacije za standardizaciju;
- 7) saraduje sa međunarodnim i evropskim organizacijama za standardizaciju i nacionalnim tijelima za standardizaciju zemalja potpisnica odgovarajućih sporazuma iz oblasti standardizacije i obavlja druge poslove u skladu sa obavezama iz međunarodnih ugovora u oblasti standardizacije koji obavezuju Crnu Goru;
- 8) dostavlja obavještenje, na zahtjev organa državne uprave, o tome da li je u oblasti koja se uređuje tehničkim propisom donijet odgovarajući crnogorski standard ili predstoji njegovo donošenje, odnosno da li postoji odgovarajući međunarodni ili evropski standard;
- 9) obezbjeđuje dostupnost javnosti informacija o crnogorskim standardima, srodnim dokumentima, publikacijama, kao i o standardima i publikacijama odgovarajućih međunarodnih i evropskih organizacija i drugih zemalja i vrši njihovu prodaju;

The Statute of the Institute (hereinafter: the Statute) shall be primarily approved by the Founder.

The Statute of the Institute shall be published in the "Official Gazette of Montenegro".

Activities of the Institute

Article 9

The Institute shall:

- 1) adopt Annual Plan, Work Plan and Program as well as Financial Plan for the coming year (hereinafter: the Financial Plan);
- 2) develop, adopt, review and withdraw Montenegrin standards and related documents;
- 3) set up and disband Technical Committees, expert councils and related bodies;
- 4) ensure the conformity of Montenegrin standards and related documents with international and European standards and related documents;
- 5) keep the register of Montenegrin standards and related documents during each development stage;
- 6) take part in developing and reviewing standards and related documents adopted by international and European standardization organizations;
- 7) cooperate with international and European standardization organizations and national bodies for standardization of the countries signatories of relevant agreements in the area of standardization and perform the standardization related tasks, in accordance with the obligations arising from ratified international agreements to which Montenegro is a signatory;
- 8) at the request of the government body, provide the information whether a relevant Montenegrin standard has been adopted in the area that is being regulated by a technical regulation, or its adoption is pending i.e. whether relevant international or European standard exists;
- 9) ensure the public availability of adopted Montenegrin standards, related documents, publications, as well as standards and publications of relevant international, European and national standardization bodies and carry out their sale;

- 10) djeluje kao informacioni centar za standarde i srodne dokumente, u skladu sa zahtjevima predviđenim odgovarajućim međunarodnim sporazumima i obavezama koje proizilaze iz članstva u odgovarajućim međunarodnim i evropskim organizacijama za standardizaciju;
- 11) zastupa interese Crne Gore u oblasti standardizacije u međunarodnim i evropskim organizacijama za standardizaciju;
- 12) odobrava upotrebu znaka usaglašenosti sa crnogorskim standardima i srodnim dokumentima, u skladu sa pravilima Instituta;
- 13) promovise primjenu crnogorskih standarda i srodnih dokumenata;
- 14) donosi pravila na osnovu kojih se donose, objavljuju, preispituju i povlače crnogorski standardi i srodni dokumenti, a koja se zasnivaju na odgovarajućim međunarodnim, evropskim i crnogorskim standardima i dokumentima međunarodnih i evropskih organizacija za standardizaciju;
- 15) priprema, prihvata i izdaje crnogorske standarde za primjenu tehničkog zakonodavstva;
- 16) uspostavlja i održava bazu podataka o crnogorskim standardima povezanim s tehničkim zakonodavstvom;
- 17) organizuje obuke korisnicima standarda i srodnih dokumenata ili pruža stručnu pomoć za primjenu odnosno ispunjavanje zahtjeva crnogorskih standarda i srodnih dokumenata;
- 18) obezbjeđuje jedinstvene tehničke osnove;
- 19) pruža usluge i obavlja izdavačku djelatnost iz oblasti standardizacije;
- 20) obavlja druge poslove, u skladu sa ovim zakonom i Statutom.

Članovi Instituta

Član 10

Članovi Instituta mogu da budu privredna društva, druga pravna lica ili preduzetnici, koji su osnovani u Crnoj Gori, odnosno fizička lica koja su državljanjani Crne Gore.

Članstvo u Institutu je dobrovoljno.

- 10) act as an enquiry point for standards and related documents, in accordance with the requirements provided by the relevant international agreements and the obligations arising from the membership in relevant international and European organizations for standardization;
- 11) represent and act in the interest of Montenegro in the area of standardization in international and European organizations for standardization;
- 12) approve the use of the mark of conformity with Montenegrin standards, in accordance with the rules of the Institute;
- 13) promote the implementation of Montenegrin standards and related documents;
- 14) adopt the rules based on which Montenegrin standards and related documents are adopted, published, reviewed and withdrawn, which are based on relevant international, European and Montenegrin standards and documents of international and European standardization organizations;
- 15) prepare, accept and publish Montenegrin standards for the technical legislation implementation;
- 16) establish and maintain a database of Montenegrin standards related to technical legislation;
- 17) organize trainings for the standards and related documents users or provide professional support for the implementation or fulfillment of Montenegrin standards and related documents requirements;
- 18) provide unique technical grounds;
- 19) provide services and carry out publication activity in the area of standardization;
- 20) perform other tasks in the area of standardization, in accordance with the Law and the Statute.

Institute members

Article 10

The members of the Institute may be: a company, other legal entity or entrepreneur established according to the applicable regulations of Montenegro, or natural persons with citizenship of Montenegro.

Membership in the Institute shall be voluntary.

Član Instituta može da učestvuje u radu organa Instituta, kao i da ostvaruje pravo na povoljnosti u odnosu na visinu cijene standarda, srodnih dokumenata i drugih publikacija i plaćanja za usluge koje Institut pruža u obavljanju poslova standardizacije, kao i na druge pogodnosti u skladu sa Statutom.

Član Instituta ima obavezu da plaća članarinu, učestvuje u ostvarivanju ciljeva, Programa rada i Godišnjeg plana, promovira primjenu crnogorskih standarda i srodnih dokumenata, u skladu sa Statutom.

Organi Instituta

Član 11

Organi Instituta su: Skupština, Upravni odbor i Direktor.

Skupština Instituta

Član 12

Skupštinu Instituta (u daljem tekstu: Skupština) čine predstavnici Osnivača i članovi Instituta koji u radu Skupštine učestvuju neposredno ili preko ovlašćenih predstavnika.

Skupštinu čini 11 članova, od kojih se šest članova Skupštine biraju iz reda članova Instituta, dok pet članova Skupštine imenuje Osnivač.

Nadležnost Skupštine

Član 13

Skupština:

- 1) donosi Statut;
- 2) donosi Program rada kao i njegove izmjene i dopune;
- 3) donosi Godišnji plan;
- 4) donosi Finansijski plan;
- 5) bira i razrješava predsjednika Skupštine;

A member of the Institute shall be entitled to participate in the work of the Institute's bodies, get a special discount for the purchase of the standards, related documents and the other publications as well as payment of the fee for other services provided by the Institute when performing standardization related tasks and other benefits in accordance with the Statute.

A member of the Institute shall pay the membership fee, participate in accomplishing the goals, Work Plan and Program and Annual Plan of the Institute, promote the implementation of Montenegrin standards and related documents, in accordance with the Statute of the Institute.

Governing bodies of the Institute

Article 11

The governing bodies of the Institute shall be: the Assembly, the Managing Board, and the Director.

The Assembly

Article 12

The Assembly of the Institute (hereinafter: the Assembly) consists of representatives of the Founder plus the members of the Institute who participate in the work of the Assembly directly or through authorized representatives.

The Institute Assembly consists of 11 members, out of which six members are appointed from among the Institute members, plus five members are appointed by the Founder.

The Assembly jurisdiction

Article 13

The Assembly shall:

- 1) adopt the Statute;
- 2) adopt the Work Plan and Program and its modifications and amendments;
- 3) adopt the Annual plan;
- 4) adopt the Financial Plan;
- 5) elect and relieve of duty the Institute Assembly Chairperson;

- 6) predlaže dva člana Upravnog odbora;
- 7) predlaže članove Stručnih savjeta iz reda članova Instituta;
- 8) obavlja i druge poslove u skladu sa ovim zakonom i Statutom.

Akte iz stava 1 tač. 1 do 4 ovog člana, Skupština donosi na predlog Upravnog odbora uz prethodno pribavljenu saglasnost Osnivača.

Mandat predsjednika i članova Skupštine

Član 14

Skupština ima predsjednika, koji za svoj rad odgovara Skupštini.

Mandat predsjednika i članova Skupštine traje četiri godine, uz mogućnost ponovnog izbora.

Na predlog Ministarstva Osnivač svoje predstavnike u Skupštini bira iz redova organa državne uprave zainteresovanih za oblast standardizacije.

Ako članu Instituta prestane članstvo u Institutu, istovremeno njegovom predstavniku u Skupštini prestaje svojstvo člana Skupštine.

Mandat novoimenovanog, odnosno novoizabranog člana Skupštine, traje do isteka mandata na koji je bio imenovan odnosno biran član iz stava 2 ovog člana, kome je prestalo članstvo.

Upravni odbor Instituta

Član 15

Upravni odbor Instituta (u daljem tekstu: Upravni odbor) ima predsjednika i četiri člana.

Predsjednika i članove Upravnog odbora imenuje i razrješava Osnivač.

Predsjednik i članovi Upravnog odbora imenuju se na period od četiri godine, uz mogućnost ponovnog imenovanja.

- 6) propose two members of the Managing Board;
- 7) propose expert councils' members from among the Institute members;
- 8) perform the other tasks in accordance with the Law and the Institute's Statute.

The acts referred to in the paragraph 1 point 1 to 4 of this Article, shall be adopted by the Assembly on a proposal of the Managing Board, with the prior consent of the Founder.

The Assembly Chairperson and its members term of office

Article 14

The Assembly Chairperson is accountable to the Assembly for his/her work.

The Assembly Chairperson and its members are elected for a four-year term of office, and may be re-elected after the expiry of that period.

Upon a proposal by the Ministry, the Founder shall elect its representatives in the Assembly from among the government bodies interested in the field of standardization.

If any member of the Institute ceases to be a member of the Institute, the member's representative in the Assembly shall simultaneously cease to be the Assembly member.

The term of the newly appointed member of the Assembly shall run until the expiry of the term to which the member whose membership has terminated, as referred to in paragraph 2, was appointed.

The Managing Board

Article 15

The Institute's Managing Board (hereinafter: the Managing Board) consists of Chairperson and four members.

Chairperson and the Managing Board members are appointed and relieved of duty by the Founder.

Chairperson and the Managing Board members are appointed for a four-year term of office, and may be re-elected after the expiry of that period.

Predsjednika i dva člana Upravnog odbora predlaže Ministarstvo, a preostala dva člana Upravnog odbora predlaže Skupština.

Prilikom predlaganja članova Upravnog odbora vodi se računa o zastupljenosti svih zainteresovanih strana.

Predsjednik i članovi Upravnog odbora za svoj rad odgovaraju Osnivaču.

Nadležnost Upravnog odbora

Član 16

Upravni odbor:

- 1) predlaže Skupštini Program rada, kao i njegove izmjene i dopune;
- 2) predlaže Skupštini Godišnji plan;
- 3) predlaže Skupštini Finansijski plan;
- 4) utvrđuje izvještaj o realizaciji Programa rada, Izvještaj o realizaciji Godišnjeg plana i Finansijski izvještaj za prethodnu godinu i dostavlja ih Osnivaču na razmatranje i usvajanje;
- 5) predlaže Skupštini Statut, uz prethodno pribavljenu saglasnost Osnivača;
- 6) donosi pravila Instituta na osnovu kojih se donose, objavljuju, preispituju, održavaju i povlače crnogorski standardi i srodni dokumenti, na predlog Direktora Instituta;
- 7) zaključuje ugovor o radu sa Direktorom Instituta, na osnovu odluke o imenovanju od strane Osnivača;
- 8) donosi odluke o raspolaganju imovinom Instituta koja predstavlja vrijednost veću od 20% knjigovodstvene imovine Instituta, na predlog Direktora Instituta;
- 9) donosi odluku kojom se utvrđuje visina članarine za svaku godinu, na predlog Direktora Instituta;
- 10) donosi odluku o visini naknada za standarde, srodne dokumente, druge publikacije i usluge Instituta, na predlog Direktora Instituta;
- 11) donosi akt o unutrašnjoj organizaciji i sistematizaciji radnih mjesta u Institutu, na predlog Direktora Instituta;

Chairperson and two members of the Managing Board are proposed by the Ministry and the remaining two members of the Managing Board are proposed by the Assembly.

When proposing the Managing Board members, the representation of all interested parties is taken into account.

Chairperson and the Managing Board members shall report to the Founder.

Jurisdiction of Managing Board

Article 16

Managing Board shall:

- 1) propose to the Assembly the Work plan and program and its modifications and amendments;
- 2) propose to the Assembly the Annual Plan;
- 3) propose to the Assembly the Financial Plan;
- 4) define the report on the implementation of the Work plan and program, the Annual Plan and the Financial Report for the previous year and submit them to the Founder for consideration and adoption;
- 5) propose to the Assembly the Statute, with the prior consent of the Founder;
- 6) adopt the rules of the Institute on the basis of which Montenegrin standards and related documents are adopted, published, reviewed, maintained and withdrawn, at the proposal of the Director of the Institute;
- 7) conclude the contract of employment with the Director of the Institute, pursuant to the Decision on Appointment by the Founder;
- 8) decide on the disposal of the Institute's assets representing a value greater than 20% of the Institute's book value of the assets, at the proposal of the Director of the Institute;
- 9) decide on membership fees for each year, at the proposal of the Director of the Institute;
- 10) decide on the schedule of fees for the standards, related documents, other publications and services, at the proposal of the Director of the Institute;
- 11) adopt the act on the internal organization and job classification, at the proposal of the Director of the Institute;

- 12) donosi akt o zaradama zaposlenih, na predlog Direktora Instituta, u skladu sa zakonom;
- 13) odlučuje o članstvu i promjeni statusa Instituta u međunarodnim i evropskim organizacijama za standardizaciju;
- 14) donosi pravilnik o članstvu u Institutu;
- 15) obavlja i druge poslove u skladu sa zakonom i Statutom.

Akte iz stava 1 tač. 10 i 12 ovog člana, Upravni odbor donosi uz prethodnu saglasnost Osnivača.

Odluka o visini naknada za standarde, srodne dokumente i druge publikacije, i visini naknada za usluge koje vrši Institut u obavljanju poslova u oblasti standardizacije objavljuje se u "Službenom listu Crne Gore".

Program rada i Godišnji plan se objavljuju na internet stranici Instituta.

Direktor Instituta

Član 17

Direktora Instituta (u daljem tekstu: Direktor) imenuje i razrješava Osnivač, na predlog Upravnog odbora.

Upravni odbor predlaže kandidata za Direktora na osnovu sprovedenog javnog konkursa.

Mandat Direktora traje četiri godine, uz mogućnost ponovnog imenovanja na još jedan mandat.

Direktor ne može biti član Upravnog odbora, kao ni član Instituta.

Direktor rukovodi radom Instituta i odgovara za zakonitost rada i poslovanja.

Za svoj rad Direktor je odgovoran Upravnom odboru.

Direktor može imati jednog ili više pomoćnika.

- 12) adopt the act on wage and salary regulation, at the proposal of the Director of the Institute, in accordance with the Law;
- 13) decide on the membership and the Institute status change in international and European standardization organizations;
- 14) adopt the rulebook on membership in the Institute;
- 15) perform the other tasks in accordance with the Law and the Statute.

Acts from paragraph 1 point. 10 and 12 of this Article, the Managing Board shall adopt with the prior consent of the Founder.

The decision on the schedule of fees for the standards, related documents and other publications and the amount of fees for services provided by the Institute in carrying out the activities in the field of standardization shall be published in the "Official Gazette of Montenegro".

The Work plan and program and the Annual Plan are posted in the Institute's website.

Director of the Institute

Article 17

Director of the Institute (hereinafter: Director) shall be appointed and relieved of duty by the Founder, on the proposal of the Managing Board.

Managing Board shall propose a candidate for the Director based on a vacancy competition.

Director shall be appointed to a four-year term and may be re-elected after the expiry of that period.

Director shall not be the Managing Board member or the Institute member.

Director shall represent and act on behalf of the Institute, as well as manage its work and operations.

Director shall report to the Managing Board.

Director may engage one or more Assistants Director.

U slučaju prestanka mandata Direktora, može se odrediti vršilac dužnosti Direktora do imenovanja Direktora, a najduže do šest mjeseci.

Vršioca dužnosti Direktora imenuje i razrješava Osnivač, na predlog Upravnog odbora.

Za vršioca dužnosti Direktora odrediće se lice koje ispunjava uslove propisane za Direktora.

Za vrijeme vršenja dužnosti, vršilac dužnosti Direktora ima ovlašćenja, prava, obaveze i odgovornosti Direktora.

Nadležnost Direktora

Član 18

Direktor:

- 1) izvršava odluke Upravnog odbora;
- 2) rukovodi radom Instituta;
- 3) stara se o zakonitosti i odgovara za zakonitost rada Instituta;
- 4) stara se o izvršavanju odluka Skupštine;
- 5) predstavlja i zastupa Institut;
- 6) priprema i dostavlja Upravnom odboru:
 - Program rada kao i njegove izmjene i dopune, Godišnji plan i Finansijski plan;
 - Izvještaj o realizaciji Programa rada, Izvještaj o realizaciji Godišnjeg plana i Finansijski izvještaj za prethodnu godinu;
- 7) donosi rješenje o donošenju odnosno povlačenju crnogorskih standarda i srodnih dokumenata;
- 8) predlaže Upravnom odboru akt o unutrašnjoj organizaciji i sistematizaciji radnih mjesta u Institutu;
- 9) predlaže Upravnom odboru akt o zaradama zaposlenih;
- 10) odlučuje o pravima i obavezama zaposlenih u Institutu, u skladu sa zakonom;

In case of termination of term of office for the Director, the Acting Director may be appointed until the appointment of the Director, and for a maximum of six months.

Acting Director shall appoint and relieve of duty by the Founder, on the proposal of the Managing Board.

Acting Director shall be person who meets the conditions prescribed for the Director.

While carrying out assigned duties, the Acting Director shall exercise the powers, rights, obligations and responsibilities prescribed for the Director.

Jurisdiction of Director

Article 18

Director shall:

- 1) enforce the decisions taken by the Managing Board;
- 2) manage the Institute's work and operations;
- 3) be accountable for the legality of the Institute's work and business operations;
- 4) take care of enforcing the decisions taken by the Assembly;
- 5) represent and act of behalf of the Institute;
- 6) prepare and submit to the Managing Board:
 - Work plan and program and its modifications and amendments Program, Annual Plan and Financial Plan;
 - Work plan and program performance report, Annual Plan performance report, as well as Financial report for preceding year;
- 7) decide on adoption and withdrawal of Montenegrin standards and related documents;
- 8) propose to the Managing Board an internal regulation on internal organization and job classification;
- 9) propose to the Managing Board wage and salary internal regulation;
- 10) decide on the Institute workers' rights in compliance with the Law;

- 11) predlaže Upravnom odboru odluku o visini članarine za svaku godinu;
- 12) predlaže Upravnom odboru odluku o visini naknada za standarde, srodne dokumente, druge publikacije i ostale usluge Instituta;
- 13) stara se o pripremi materijala za sjednice Skupštine i Upravnog odbora;
- 14) obavještava Osnivača o tome da su se stekli uslovi za imenovanje ili razrješenje članova Skupštine i Upravnog odbora, koje imenuje Osnivač;
- 15) stara se o pravima i obavezama Instituta kao člana međunarodnih i evropskih organizacija za standardizaciju;
- 16) obavlja i druge poslove u skladu sa zakonom i Statutom.

Tehnički komiteti, srodna tijela i stručni savjeti

Član 19

Institut obrazuje tehničke komitete, srodna tijela i stručne savjete na dobrovoljnoj osnovi.

Tehnički komiteti i srodna tijela obrazuju se radi donošenja standarda i srodnih dokumenata, u skladu sa pravilima Instituta.

Stručni savjeti obrazuju se po potrebi, radi usmjeravanja stručnog rada Instituta u pojedinim oblastima standardizacije u skladu sa Statutom i pravilima Instituta.

Finansiranje Instituta

Član 20

Sredstva za rad Instituta obezbjeđuju se iz budžeta Crne Gore.

Prihodi koji se ostvare naplatom članarina u Institutu, prodajom crnogorskih standarda, srodnih dokumenata i drugih publikacija, pružanjem usluga od strane Instituta i drugi prihodi ostvareni u skladu sa zakonom su prihodi budžeta Crne Gore.

Sredstva iz stava 1 ovog člana obezbjeđuju se za sprovođenje aktivnosti utvrđenih Programom rada i Godišnjim planom, plaćanje članarine

- 11) propose to the Managing Board decision on membership fees for a specific year;
- 12) propose to the Managing Board decision on schedule of fees for standards, related documents, other publications and the Institute's services;
- 13) take case of developing documents for the Assembly and Managing Board meetings;
- 14) notify the Founder of the need to appoint or relieve of duty Assembly and Managing Board members, appointed by the Founder;
- 15) take case of the powers and duties related to the Institute membership in international and European organizations for standardization;
- 16) carry out the other activities in line with the Law and Statute.

Technical committees, related bodies and expert councils

Article 19

The Institute shall set up technical committees, related bodies and expert councils on a voluntary basis.

Technical committees and related bodies shall be set up for adopting standards and related documents, in accordance with the Institute rules.

Expert councils shall be set up where appropriate, in order to address the professional work of the Institute in certain areas of standardization in accordance with the Statute and rules of the Institute.

Financing of the Institute

Article 20

The Institute shall provide the funds for its functioning from the State budget.

The State revenues shall be the revenues generated by collecting of membership fees at the Institute, selling Montenegrin standards, related documents and other publications, providing services by the Institute and other revenues generated in accordance with the Law.

The funds referred to in paragraph 1 of this Article shall be provided for the implementation of the Work Plan and Program and Annual Plan activities, payment of membership fees to international and European standardization

međunarodnim i evropskim organizacijama za standardizaciju i sprovođenje međunarodne saradnje u ime Crne Gore u oblasti standardizacije.

Institut je dužan da svoje poslovanje organizuje i vodi u skladu sa zakonom kojim se uređuje način i organizacija vođenja računovodstva u javnom sektoru.

Na finansijsko izvještavanje Instituta primjenjuju se odredbe zakona kojim se uređuje budžet i fiskalna odgovornost.

Finansijski izvještaji Instituta podliježu reviziji od strane Državne revizorske institucije.

Program rada i Finansijski plan Instituta

Član 21

Institut, donosi Program rada, najkasnije do 1. novembra tekuće za narednu godinu, uz prethodno pribavljenu saglasnost Osnivača.

Iznos sredstava za rad Instituta koji se obezbjeđuje iz budžeta Crne Gore određuje se na osnovu Programa rada i Godišnjeg plana uzimajući u obzir predviđeni prihod od članarina, prodaje crnogorskih standarda, srodnih dokumenata i drugih publikacija, prodaje usluga, kao i predviđeni prihod iz drugih izvora.

Sredstva za rad Instituta utvrđuju se Finansijskim planom, kojim se utvrđuju ukupni prihodi i rashodi Instituta.

III DONOŠENJE, POVLAČENJE, OBJAVLJIVANJE I OZNAČAVANJE CRNOGORSKIH STANDARDI I SRODNIH DOKUMENATA

Crnogorski standardi i srodni dokumenti

Član 22

Crnogorski standardi i srodni dokumenti se donose, objavljuju i povlače u skladu sa ovim zakonom i pravilima Instituta.

Pravila Instituta iz stava 1 ovog člana usklađuju se sa pravilima međunarodnih i evropskih organizacija za standardizaciju i Kodeksom dobre

organizations and implementation of international cooperation on behalf of Montenegro in the field of standardization.

The Institute shall organize and manage the work and operations of the Institute in accordance with the law regulating the procedures and organization of accounting management within public sector.

The provisions of the law governing the budget and fiscal responsibility shall be applied to the financial reporting of the Institute.

The Institute's financial statements shall be subject to audit by the State Audit Institution of Montenegro.

Work Plan and Program and Financial Plan of the Institute

Article 21

The Institute shall adopt the Work Plan and Program no later than current 1st November for the coming year, with the prior consent of the Founder.

The necessary funds for the operation of the Institute, provided from the budget of Montenegro, shall be defined on the basis of the Work Plan and Program and Annual Plan, taking into account the projected receipts from membership fees, the sale of Montenegrin standards, related documents and other publications, as well as the receipts from the provision of services and other sources.

The necessary funds for the Institute's operation shall be defined in the Financial Plan regulating the total revenues and expenditures of the Institute.

III MONTENEGRIN STANDARDS AND RELATED DOCUMENTS ADOPTION, WITHDRAWAL, PUBLICATION AND MARKING

Montenegrin standards and related documents

Article 22

Montenegrin standards and related documents shall be adopted, published and withdrawn in accordance with this Law and the rules of the Institute.

The rules of the Institute referred to in paragraph 1 of this Article shall be harmonized with the rules of international and European standardization

prakse za izradu, donošenje i primjenu standarda iz Sporazuma o tehničkim preprekama trgovini Svjetske trgovinske organizacije.

Godišnji plan

Član 23

Crnogorski standardi i srodni dokumenti donose se na osnovu Godišnjeg plana koji se utvrđuje najmanje jedanput godišnje, do 1. septembra tekuće za narednu godinu.

Godišnji plan Institut objavljuje na svojoj internet stranici.

Godišnji plan sadrži informaciju o standardima i srodnim dokumentima koje Institut planira da donese ili mijenja, koje je donio ili izmijenio na osnovu prethodnog plana donošenja crnogorskih standarda i na kojima trenutno radi, a koji nijesu nastali identičnim ili ekvivalentnim preuzimanjem međunarodnih ili evropskih standarda.

Godišnji plan sadrži i informaciju o broju međunarodnih i evropskih standarda koje će Institut preuzeti u sistem nacionalne standardizacije.

Izuzetno od stava 1 ovog člana, Institut može da predloži i nacrt standarda koji nije dio godišnjeg plana ako je neka od zainteresovanih strana predložila i obrazložila potrebu donošenja ovakvog standarda.

Postupak donošenja crnogorskih standarda i srodnih dokumenata

Član 24

Donošenje crnogorskog standarda ili srodnog dokumenta je skup aktivnosti koje započinju usvajanjem predloga za donošenje standarda ili srodnog dokumenta, a završavaju se donošenjem akta kojim se proglašava da je standard ili srodni dokument donijet.

Kao osnov za donošenje crnogorskog standarda ili srodnog dokumenta koriste se međunarodni, odnosno evropski standardi i srodni dokumenti.

organizations and the Code of Good Practice in terms of developing, adopting and implementing the standards specified in the WTO Agreement on Technical Barriers to Trade.

Annual Plan

Article 23

Montenegrin standards and related documents shall be adopted in accordance with the Annual Plan, which is determined at least yearly, no later than current 1st September for the coming year.

Annual Plan is posted in the Institute's website.

Annual Plan contains information on standards and related documents that the Institute plans to adopt or amend i.e. adopted or amended according to the previous plan for adopting Montenegrin standards the Institute currently works on, and that are not the result of identical or equivalent adoption of international or European standards.

Annual Plan shall contain the information on the number of international and European standards to be adopted by the Institute into national standardization system.

Notwithstanding paragraph 1 of this Article, the Institute may propose a draft standard that is not part of the Annual Plan if any of the interested parties has proposed and explained the need to adopt such a standard.

Adoption procedure of Montenegrin standards and related documents

Article 24

Adoption of Montenegrin standard or related document shall mean a set of coordinated activities that commence with the enactment of a proposal for adoption of a standard or related document, and end with the adoption of an act promulgating the adoption of a standard or related document.

International or European standards and related documents shall be used as the basis for adoption of Montenegrin standards or related documents.

Ako u određenoj oblasti ne postoji međunarodni odnosno evropski standard i/ili srodni dokument ili je važeći međunarodni odnosno evropski standard neodgovarajući, kao osnov za donošenje crnogorskih standarda se koriste nacionalni standardi i/ili srodni dokumenti drugih država.

Ako u određenoj oblasti ne postoje standardi ili srodni dokumenti iz stava 3 ovog člana može se donijeti izvorni crnogorski standard i/ili srodni dokument.

Obavještenje o pokretanju postupka za donošenje crnogorskog standarda, a kada je potrebno i za donošenje srodnog dokumenta, kao i obavještenje o stavljanju nacrt crnogorskog standarda ili srodnog dokumenta na javnu raspravu, Institut objavljuje na svojoj internet stranici.

Uključivanje zainteresovanih strana u predmet standardizacije

Član 25

Institut obezbjeđuje mogućnost učešća svim zainteresovanim stranama u postupku donošenja crnogorskih standarda i srodnih dokumenata, kao i pristup nacrtima i donesenim crnogorskim standardima i srodnim dokumentima.

Institut je dužan da prije donošenja standarda i srodnih dokumenata zainteresovanim stranama omogući javnu raspravu o nacrtu standarda.

Institut je dužan da razmotri sve primjedbe i sugestije dostavljene u toku javne rasprave, i navede razloge za neusvajanje određenih primjedbi i sugestija.

Institut podstiče učešće malih i srednjih preduzeća u aktivnostima standardizacije i u primjeni standarda i promoviše uključivanje nadležnih organa, a naročito organa tržišnog nadzora, u aktivnosti donošenja standarda.

Način učešća zainteresovanih strana u postupku donošenja crnogorskih standarda i srodnih dokumenata i dostupnosti neposrednog uvida u crnogorske standarde i srodne dokumente, kao i podsticaji i olakšice za mala i srednja preduzeća, udruženja potrošača i nevladine organizacije, bliže se uređuju pravilima Instituta.

In the event that international or European standard and/or or related document(s) does not exist in particular area or the existing international or European standard is unsuitable, national standards and/or related documents of other countries may be used as a basis for Montenegrin standards adoption.

If there are no standards or related documents in a certain area referred to in paragraph 3 of this Article, pure Montenegrin standard and / or related document may be adopted.

The Institute shall post in its website the notice on the instigation of procedure for adoption of Montenegrin standard and, where appropriate, for related document, as well as the notice on the placement of a draft Montenegrin standard or related document in the public enquiry process.

Interested parties' involvement in the scope of standardization

Article 25

The Institute shall arrange the opportunity for participation of all interested parties in the process of adopting Montenegrin standards and related documents, as well as insight into the drafts and adopted Montenegrin standards and related documents.

Prior to a standard and related document adoption, the Institute is bound to provide public enquiry to all interested parties for a draft standard.

The Institute is liable to consider all remarks and suggestions submitted during the public enquiry, and lay down the reasons for not adopting certain remarks and suggestions.

The Institute shall encourage the participation of small and medium enterprises in standardization activities and standards implementation and promote the involvement of competent authorities and especially market surveillance authorities in standards adoption process.

The method of the interested parties' participation in the process of adopting Montenegrin standards and related documents and the availability of direct insight into Montenegrin standards and related documents, as well as incentives and facilities for small and medium enterprises, consumer associations and non-governmental organizations are regulated by the Institute rules.

Donošenje i povlačenje crnogorskih standarda i srodnih dokumenata

Član 26

Crnogorski standard i srodni dokument se donosi i povlači rješenjem direktora Instituta.

Rješenje iz stava 1 ovog člana objavljuje se na internet stranici Instituta ili u glasilu Instituta.

Postupak donošenja odnosno povlačenja crnogorskih standarda i srodnih dokumenata bliže se utvrđuje pravilima Instituta.

Jezik standarda

Član 27

Crnogorski standardi i srodni dokumenti donose se i objavljuju na crnogorskom jeziku.

Izuzetno, kada je osnova za donošenje crnogorskog standarda odnosno srodnog dokumenta međunarodni ili evopski standard, crnogorski standard i srodni dokument mogu biti objavljeni i na jednom od zvaničnih jezika evropskih organizacija za standardizaciju, u skladu sa pravilima Instituta.

Označavanje standarda

Član 28

Crnogorski standardi i srodni dokumenti označavaju se oznakom MEST, u skladu sa pravilima Instituta.

Oznaka MEST ne smije se upotrebljavati za označavanje drugih dokumenata.

Oznaka MEST je intelektualna svojina Instituta.

Montenegrin standards and related documents adoption and withdrawal

Article 26

Montenegrin standards and related documents shall be adopted and withdrawn following the decision taken by the Institute Director.

The decision referred to in paragraph 1 of this Article shall be posted in the Institute's website or in the Institute's newsletter.

The procedure for the adoption or withdrawal of Montenegrin standards and related documents shall be determined by the rules of the Institute.

Standards language

Article 27

Montenegrin standards and related documents shall be adopted and published in Montenegrin language.

Notwithstanding, in the event the basis for the adoption of Montenegrin standard or related document is an international or European standard, the Montenegrin standard and related document may be published in one of the official languages of European standardization organizations, in accordance with the rules of the Institute.

Standards marking

Article 28

Montenegrin standards and related documents shall be marked with the designation beginning with the abbreviation MEST, in accordance with the rules of the Institute.

It shall not be allowed to use the abbreviation MEST for marking other documents.

The MEST mark is the intellectual property of the Institute.

Objavljivanje crnogorskih standarda i srodnih dokumenta

Član 29

Crnogorske standarde i srodne dokumente Institut objavljuje u štampanom i elektronskom obliku.

Autorsko pravo na crnogorskim standardima i srodnim dokumentima ima Institut, u skladu sa zakonom kojim se uređuju autorska i srodna prava.

Umnožavanje, u cjelini ili djelimično, kao i distribucija crnogorskih standarda i srodnih dokumenata dozvoljeni su samo uz saglasnost Instituta i u skladu sa pravilima Instituta.

Primjena crnogorskih standarda i srodnih dokumenata

Član 30

Primjena crnogorskih standarda i srodnih dokumenata je dobrovoljna.

Izuzetno od stava 1 ovog člana, propis koji sadrži tehničke zahtjeve može se pozvati na crnogorski standard i/ili djelove crnogorskog standarda samo kada takvi propisi primjenjuju pravnu tekovinu EU.

U slučaju iz stava 2 ovog člana crnogorski standard je obavezan i primjenjuje se kao tehnički propis.

Organi državne uprave koji razvijaju propise koji sadrže referentne oznake crnogorskih standarda i/ili djelove crnogorskih standarda dužni su da usaglase nacrt propisa sa Institutom.

Institut će notifikovati standarde iz stava 3 ovog člana u skladu sa obavezama prema međunarodnim i evropskim organizacijama za standardizaciju.

Ukoliko nema objavljenog crnogorskog standarda u odgovarajućoj oblasti, u tehničkom ili drugom propisu Crne Gore može se vršiti pozivanje na međunarodni, evropski ili nacionalni standard drugih država.

Prevođenje evropskih i međunarodnih standarda, na koje se pozivaju propisi koji sadrže tehničke zahtjeve, finansiraće državni organi zaduženi za razvoj i primjenu propisa.

Montenegrin standards and related documents publication

Article 29

Montenegrin standards and related documents shall be published in either an electronic form or as printed output by the Institute.

The Institute shall hold the copyright for Montenegrin standards and related documents, in accordance with the law governing copyright and related rights.

Any reproduction, in whole or in part, and any distribution of Montenegrin standards and related documents shall be allowed only with the consent of the Institute following its rules.

Montenegrin standards and related documents implementation

Article 30

Implementation of Montenegrin standards and related documents shall be voluntary.

Notwithstanding paragraph 1 of this Article, a regulation containing technical requirements may refer to a Montenegrin standard and / or parts of a Montenegrin standard only in the event such regulations are used to implement the *acquis communautaire*.

In case of paragraph 2 of this Article, Montenegrin standard shall be obligatory and implemented as technical regulation.

Government bodies that develop regulations containing references of Montenegrin standards and / or parts of Montenegrin standards shall be liable to harmonize the draft regulations with the Institute.

The Institute shall notify the standards in the paragraph 3 of this Article in accordance with the obligations prescribed by international and European standardization organizations.

If there is no published Montenegrin standard in the relevant field, technical or other regulation of Montenegro may refer to international, European or national standard of the other countries.

The translation of European and international standards, referred to in the regulations containing technical requirements, shall be financed by government bodies in charge of the regulations development and implementation.

Izvještavanje

Član 31

Institut objavljuje, najmanje jednom godišnje, listu standarda koji se nalaze u pripremi i standarde koji su donijeti u prethodnom periodu, kao i informacije o svim aktivnostima vezanim za učešće zainteresovanih strana, a naročito malih i srednjih preduzeća u svim aktivnostima standardizacije.

Izveštaj i informacije iz stava 1 ovog člana objavljuju se na internet stranici Instituta.

IV NADZOR

Član 32

Nadzor nad zakonitošću i cjelishodnošću rada Instituta vrši Ministarstvo.

Nadzor iz stava 1 ovog člana obuhvata:

- 1) kontrolu zakonitosti rada i postupanja u sprovođenju zakona, drugih propisa i opštih akata;
- 2) kontrolu i ocjenu efikasnosti i ekonomičnosti rada i organizacije poslova;

U vršenju nadzora iz stava 1 ovog člana Ministarstvo:

- 1) zahtijeva izvještaje i podatke o radu;
- 2) upozorava na uočene nepravilnosti, određuje mjere i rok za njihovo otklanjanje i nalaže izvršavanje utvrđenih obaveza;
- 3) pokreće postupak za utvrđivanje odgovornosti;
- 4) predlaže Vladi preduzimanje odgovarajućih mjera, i
- 5) preduzima druge mjere propisane posebnim zakonom.

Notification

Article 31

The Institute shall publish at least yearly a list of standards in preparation and standards adopted in the previous period, as well as the information on all activities related to the participation of interested parties, especially small and medium enterprises in all standardization activities.

The report and information referred to in paragraph 1 of this Article shall be posted in the Institute's website.

IV SUPERVISION

Article 32

The Ministry shall supervise the legality and operational effectiveness of the Institute.

Supervision referred to in paragraph 1 of this Article shall mean:

- 1) control of the legality of work and actions in the implementation of laws, other regulations and general acts;
- 2) control and evaluation of efficiency and cost-effectiveness and the operations organization;

In performing the supervision referred to in paragraph 1 of this Article, the Ministry shall:

- 1) require reports and work performance information;
- 2) point out observed irregularities, determine measures and deadlines for their elimination and request set up obligations realization;
- 3) initiate the procedure for determining responsibility;
- 4) propose to the Government to take appropriate measures, and
- 5) undertake other measures prescribed by a special law.

V PRELAZNE I ZAVRŠNE ODREDBE

Rok za usklađivanje Odluke i Statuta

Član 33

Institut osnovan Odlukom o osnivanju Instituta za standardizaciju Crne Gore ("Službeni list RCG", broj 21/07), nastavlja sa radom u skladu sa ovim zakonom.

Odluka o osnivanju Instituta za standardizaciju Crne Gore ("Službeni list RCG", broj 21/07), uskladiće se sa ovim zakonom u roku od 90 dana od dana stupanja na snagu ovog zakona.

Statut Instituta za standardizaciju Crne Gore, uskladiće se u roku od 90 dana od dana stupanja na snagu ovog zakona.

Do stupanja na snagu Statuta iz stava 3 ovog člana primjenjivaće se Statut Instituta za standardizaciju Crne Gore ("Službeni list CG", br. 29/08 i 57/19).

Rok za imenovanje odnosno izbor članova Skupštine, predsjednika i članova Upravnog odbora

Član 34

Članovi Skupštine u skladu sa ovim zakonom imenovaće odnosno izabraće se u roku od 60 dana od dana stupanja na snagu Statuta.

Predsjednik i članovi Skupštine koji su imenovani, odnosno birani u skladu sa Odlukom o osnivanju Instituta za standardizaciju Crne Gore ("Službeni list RCG", broj 21/07) nastavljaju sa radom do imenovanja, odnosno izbora članova Skupštine iz stava 1 ovog člana.

Predsjednik i članovi Upravnog odbora u skladu sa ovim zakonom imenovaće se u roku od 120 dana od dana stupanja na snagu Statuta.

Predsjednik i članovi Upravnog odbora koji su imenovani u skladu sa Odlukom o osnivanju Instituta za standardizaciju ("Službeni list RCG", broj 21/07) nastavljaju sa radom do imenovanja predsjednika i članova Upravnog odbora iz stava 3 ovog člana.

V TRANSITIONAL AND FINAL PROVISIONS

Deadline for complying with the Decree and Statute

Article 33

The Institute, established by the Decree on Establishing the Institute for Standardization of Montenegro ("Official Gazette of RM", No. 21/07), shall proceed with its operations according to this Law.

Decree on Establishing the Institute for Standardization of Montenegro ("Official Gazette of RM", No. 21/07), shall be complied with this Law within 90 days from the entry into force hereof.

Statute of the Institute for Standardization of Montenegro shall be complied within 90 days from the entry into force of this Law.

Until the entry into force of the Statute referred to in paragraph 3 of this Article, the Statute of the Institute for Standardization of Montenegro ("Official Gazette of Montenegro", No. 29/08 and 57/19) shall be applied.

Deadline for appointment or election the Assembly members, Managing Board Chairperson and members

Article 34

The Assembly members shall be elected or appointed within 60 days from the entry into force of the Statute.

The Assembly Chairperson and members appointed or elected in accordance with the Decree on Establishing the Institute for Standardization of Montenegro ("Official Gazette of the Republic of Montenegro", No. 21/07) shall proceed with its operations until the appointment or election of the Assembly members referred to in paragraph 1 of this Article.

Managing Board Chairperson and members shall be appointed in accordance with this Law within 120 days from the entry into force of the Statute.

Managing Board Chairperson and members, appointed in accordance with the Decree on Establishing the Institute for Standardization of Montenegro ("Official Gazette of the Republic of Montenegro", No. 21/07) shall proceed with its operations until the appointment of Managing Board Chairperson and members referred to in paragraph 3 of this Article.

Imenovanje Direktora

Član 35

Imenovanje Direktora u skladu sa ovim zakonom, izvršiće se u roku od 180 dana od dana stupanja na snagu Statuta.

Direktor koji je izabran u skladu sa Zakonom o standardizaciji ("Službeni list CG", broj 13/08), nastavlja sa radom do imenovanja Direktora iz stava 1 ovog člana.

Obavještanje

Član 36

Odredba člana 7 stav 4 ovog zakona primjenjivaće se od dana pristupanja Crne Gore Evropskoj uniji.

Prestanak važenja

Član 37

Danom stupanja na snagu ovog zakona prestaje da važi Zakon o standardizaciji ("Službeni list CG", broj 13/08).

Stupanje na snagu

Član 38

Ovaj zakon stupa na snagu osmog dana od dana objavljivanja u "Službenom listu Crne Gore".

Appointment of Director

Article 35

Director shall be appointed in accordance with this Law within 180 days from the entry into force of the Statute.

Director, elected in accordance with the Law on Standardization ("Official Gazette of Montenegro", No. 13/08), shall proceed with the operations until the Director appointment referred to in paragraph 1 of this Article.

Notification

Article 36

The provision of Article 7, paragraph 4 of this Law shall be applied from the day of Montenegro's accession to the European Union.

Termination

Article 37

The Law on Standardization ("Official Gazette of Montenegro", No. 13/08) shall cease to have effect as from the day of the entry into force of this Law.

Entering into force

Article 38

The Law shall enter into force on the eighth day from the day of its announcement in "Official Gazette of Montenegro".