

LAW ON STANDARDIZATION

I. GENERAL PROVISIONS

Subject-matter of the Law Article 1

This Law shall govern the principles and objectives of standardization in Montenegro, the establishment, organization and activities of the organization for standardization of Montenegro, the adoption, issuing and application of Montenegrin standards and related documents in the standardization area, ~~as~~ as inspectoral supervision of the implementation of this Law.

Definitions Article 2

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

- 1) Standardization shall mean activities aimed at defining provisions for general and multiple use, related to actual ~~po~~ potential problems, for the purpose of achieving the optimum level of orderliness in a given area;
- 2) Standard shall mean a document established by consensus and adopted by a recognized body, which provides, for common and repeated use, rules, guidelines or characteristics for the activities ~~the~~ results thereof, for the purpose of achieving optimal level of orderliness in a given area. Standard may also contain or exclusively relate to terminology, symbols, requirements in respect of packaging, marking or labeling if they apply to a product, method of production or processing;
- 3) International standard shall mean a standard ~~ap~~ approved by an international organization (international body) for standardization that is available to the public;
- 4) European standard

- 9) Consensus shall mean a general agreement on any important issue achieved in such a way as to take into account the views of all the interested parties and to harmonize all the conflicting views, however consensus shall not mean unanimity;
- 10) Conformity assessment with prescribed requirements shall mean any procedure used, directly or indirectly, to determine whether relevant requirements are fulfilled;
- 11) Conformity mark shall mean a mark or an indication affixed to a product in accordance with the rules of the organization for standardization of Montenegro, demonstrating its conformity with the requirements of a standard;
- 12) International organizations for standardization shall mean organizations for standardization which allow the membership of the relevant national bodies of any country, including the following:
 - International Organization for Standardization;

Activities of the Institute
Article 6

The Institute shall perform the following activities:

- 1) Adopting, developing, reviewing, amending and withdrawing Montenegrin standards and related documents;
- 2) Ensuring the compliance of Montenegrin standards and related documents with international and European standards;
- 3)

election, mandate, manner of decision making and other issues relevant for the operation of the Institute.

- (3) The Statute of the Institute shall be adopted by the Assembly of the Institute, upon the proposal of the Managing Board and subject to approval of the founder.

Article 8

- (1) A member of the Institute may be: a company, other legal person or entrepreneur established and registered according to the regulations of Montenegro, as well as a natural person who is a citizen of the Montenegro (hereinafter referred to as: an Institute member).
- (2) An Institute member participates in the operation and management of the Institute in accordance with this Law, the founding act and the Statute of the Institute.
- (3) The rights and obligations of Institute members, as well as the amount of the membership fee, shall be regulated by the founding act and the Statute of the Institute.

Funding the Activities of the Institute

Article 9

- (1) The Institute activities shall be funded from the following sources:
- 1) The sale of standards, related documents and other publications;
 - 2) Membership fees;
 - 3) Fees for services rendered;
 - 4) The Budget of Montenegro;
 - 5) Other sources.
- (2) The funds referred to in paragraph 1, item 4 of this Article shall be provided for the following:
- activities determined in annual plans for adoption of standards and related documents;
 - payment of membership fees in international and European organizations for standardization;
 - international cooperation of Montenegro in the area of standardization, including representing Montenegro in international (ISO, IEC, ITU) and European (CEN, CENELEC, ETSI) organizations for standardization.

- (3) The period referred to in paragraph 1 of this Article may be shortened or terminated in the case that urgent problems related to safety, health or environment arise or threaten to arise.
- (4) The Institute shall take into account, the further preparation of the standard, the comments received during the period for public discussion and shall provide replies as quickly as possible, with an explanation of reasons for deviation from international standards, if any.

Marking of the Standard Article 13

- (1) Montenegrin standards and related documents shall be marked with a designation beginning with the acronym MEST, which may not be used for marking other documents.
- (2) The mark MEST may be used only in accordance with the Institute rules.
- (3) The mark referred to in paragraph 2 of this Article shall be the intellectual property of the Institute.

Language of the Standard Article 14

- (1) Montenegrin standards and related documents shall be adopted and published in the Montenegrin language.
- (2) Notwithstanding the provision of paragraph 1 of this Article, Montenegrin standards and related documents may also be published in one of the official languages of European organizations for standardization in accordance with the Institute rules.

Publication of Standards Article 15

- (1) Montenegrin standards and related documents shall be published as separate publications that are protected, in accordance with the regulations of Montenegro.
- (2) Montenegrin standards and related documents shall be published in separate editions of the Institute.
- (3) documents.
- (4) The reproduction, in whole or in part, and the distribution of Montenegrin standards

Application of Standards
Article 16

- (1) The application of Montenegrin standards and related documents shall not be mandatory.
- (2) Notwithstanding the provision of paragraph 1 of this Article, when a technical regulation refers to a Montenegrin standard, such standard shall be mandatory and shall be applied as a technical regulation.

Conformity
Article 17

The conformity of products, processes and services with Montenegrin standards or related documents shall be conducted in accordance with provisions of the law governing conformity assessment of products with technical requirements.

V. INSPECTORIAL SUPERVISION

Article 18

- (1) Supervision of the implementation of this Law shall be carried out by the inspection authorities within their prescribed responsibilities.
- (2) In addition to the powers referred to in paragraph 1 of this Article, inspectors in charge may:
 - take samples of products and have them tested and assessed for conformity;
 - request removal of illegal marks.

VI. TRANSITIONAL AND FINAL PROVISIONS

Article 19

The Institute for Standardization of Montenegro shall continue its operations in accordance with this Law and the Decision on the Foundation of the Institute for Standardization of Montenegro ("Official Gazette of the Republic of Montenegro" No. 21/07).

Article 20

Yugoslav standards or related documents whose designation begins with the acronym JUS, and Serbian-Montenegrin standards or related documents whose designation begins

with the acronym SCS may be applied in Montenegro until the adoption of appropriate Montenegrin standards and related documents.

Article 21

(1) Yugoslav standards (JUS) the application of which is mandatory shall become voluntary on the day of adoption of the appropriate technical regulations, unless they have become technical regulations.

(2)