

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 well as insp T(i)8(TJ/TT2 1 Tf6.8946 0 TD.003 Tc.2714 Tw[s)6.6(h)-.9(a)9.8(1)-1.9(1)8 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 adopted by an international organization (international body) for standardization that is available to the public;
- 4) **European standard** shall mean a standard adopted by European organizations for standardization that is available to the public;
- 5) **Montenegrin standard** shall mean a standard adopted by the organization for standardization of Montenegro that is available to the public;
- 6) A **related document in the area of standardization** (hereinafter referred to as: **related document**) shall mean a document adopted by the organization for standardization that is available to the public, but does not meet the requirements to be adopted as a Montenegrin 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 (ISO);
 - International Electro-technical Commission (IEC);
 - International Telecommunications Union (ITU).
- 13) **European organizations for standardization** shall mean organizations for standardization in which it is possible for relevant national bodies from European countries to become members, including the following:
 - European Committee for Standardization (CEN);
 - European Committee for Electro-technical Standardization (CENELEC);
 - European Telecommunication Standards Institute (ETSI).

II. PRINCIPLES AND OBJECTIVES OF STANDARDIZATION

Principles Article 3

Standardization in Montenegro shall be based on the following principles:

- 1) the right to voluntary participation and contribution of all interested parties in the process of adopting Montenegrin standards and related documents;
- 2) consensus of interested parties;
- 3) prevention of domination of individual interests over the common interest of the interested parties;
- 4) transparency of the standardization procedure and the availability to the public of Montenegrin standards and related documents;
- 5) mutual conformity of Montenegrin standards and related documents;
- 6) taking into account the stage of development of technology and rules of international and European organizations for standardization and relevant international agreements;
- 7) that the product or service from a country that is a signatory to the relevant international agreement is accorded the identical treatment as that accorded to the similar domestic product or service, and to the similar product or service from any other country;
- 8) ensuring that standards are not prepared, adopted or applied with a view to create unnecessary obstacles to international trade;
- 9) use of international standards or their relevant parts as the basis for Montenegrin standards;

- 10) where appropriate, specifying standards based on product requirements in terms of performance rather than design or descriptive characteristics.

Objectives
Article 4

The objectives of standardization shall be:

- 1) The promotion of protection of human, animal and plant life, health and safety, and of the environment;
- 2) The promotion of quality of products, processes and services, determining their purpose, unification, compatibility and commutability;
- 3) The provision of a uniform technical basis;
- 4) The development and promotion of production and trade in goods, performing construction works, or providing services through development of internationally harmonized standards and related documents aimed at the rational use of labor, materials and energy;
- 5) The promotion of international trade through preventing or eliminating unnecessary technical barriers.

**III. ESTABLISHMENT, ACTIVITIES, GOVERNING BODIES,
MEMBERSHIP AND FUNDING OF THE INSTITUTE
FOR STANDARDIZATION OF MONTENEGRO**

Establishment of the Institute
Article 5

- (1) For the purpose of achieving the objectives referred to in Article 4 of this Law and adopting Montenegrin standards and related documents, the Institute for Standardization of Montenegro (hereinafter: the Institute) shall be established as an independent non-profit organization.
- (2) The Government of Montenegro (hereinafter referred to as: the Founder) shall adopt the founding act of the Institute.
- (3) The Institute shall be a legal person registered in the Central Register of the Commercial Court.
- (4) The Institute may have organizational units detached from its territory.

- 1) Adopting, developing, reviewing, amending and withdrawing Montenegrin standards and related documents;
- 2)

- (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

- (1) Montenegrin standards and related documents shall be adopted and issued in accordance with this Law and the rules of the Institute. The rules of the Institute must be in compliance with the rules of international and European organizations for standardization, as well as the Code of Good Practice for the Preparation, Adoption and Application of Standards of the World Trade Organization Agreement on Technical Barriers to Trade.
- (2) Montenegrin standards and related documents may be adopted based on international or European standards and related documents, or national standards and related documents of other countries.
- (3) The Institute shall publish in its official journal notification of the initiation of a procedure for adoption of Montenegrin standards, and, if necessary, for related documents, as well as notifications on their publication or withdrawal.
- (4) Acts on adopting or withdrawing Montenegrin standards shall be published in the “Official Gazette of Montenegro”.

**Report
Article 11**

- (1) At least once in every six months, the Institute shall publish a report that will include the standards being prepared and the standards that have been adopted in the previous period.
- (2) The report referred to in paragraph 1 of this Article shall be publicized on the Internet website of the Institute and the information on report in the official journal of the Institute.

**Publicizing
Article 12**

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- (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

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.