

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 ~~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 ~~code~~ 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~~ public, but does not meet the requirements to be adopted as a Montenegrin standard;
- 7) **Adoption of a standard or a related document** shall mean the set of coordinated activities beginning with the adoption ~~of~~ proposal for adopting the standard or the related document, and ending with the adoption of an act on its promulgation;

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- 8) **Interested party** shall mean any company, other legal person, entrepreneur, or natural person that is interested in standardization;
- 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 organizat foa8e Tf .3.2()5.seT4

- 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, ACTIVI

(4) The Institute may have organizational units detached from its headquarters.

Activities of the Institute

Article 6

The Institute shall perform the following activities:

- 1) Adopting, developng,-9.5(h)-2.3(,)5.9(-91(revh)-i-4.8a)5.6.7(w)-7(s)(h)-24(ve)4.am.6.(n)(

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IV. ADOPTION, ISSUANCE AND APPLICATION OF MONTENEGRIN STANDARDS AND RELATED DOCUMENTS

Adoption of Standards and Providing of Information

Article 10

- (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 g11

- (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. (h)-6.7/(TTki)7.6b

Application of Standards
Article 16

- (1) The application of Montenegrin standards and related documents shall not be mandatory.

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) All standards the application of which is mandatory, except standards referred to in Article 16, paragraph 2 of this Law, shall become voluntary on the day of accession of Montenegro to the World Trade Organization.

Article 22

On the effective date of this Law, the Law on Standardization ("Official Gazette of Serbia and Montenegro", No. 44/05) shall cease to apply.

Article 23

This Law shall become effective on the eighth day after being published in the "Official Gazette of Montenegro".