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ON CINEMATOGRAPHY

I GENERAL PROVISIONS

Article 1

Cinematography, for the purposes of this Law, includes the activities of film production, circulation, copying, lease for use, and public presentation.

A film may be recorded, for the purposes of this Law, on any media from which audio-visual reproduction can be performed.

Article 2

The business activity of film production, circulation, copying, lease for use, and public presentation, may be pursued by legal and natural persons, on the terms prescribed by this Law.

Article 3

Activities of general interest related to the cinematography include production of films of significance for the development and promotion of the culture of the Republic of Montenegro (hereinafter: the Republic), produced films presentation in the country and abroad, cinema network modernization and extension, audio-visual communications development of, and providing support for young talents in the area of cinematography.

The funds for the implementation of the activities of general interest shall be provided from:

- Contributions of stakeholders;
- Budget of the Republic; and
- Other sources (sponsorships, donations, sales of films, etc).

Article 4

The funds from the budget of the Republic

Article 5

Provisions of this Law do not apply to production, circulation, copying, lease of use and public presentation of the films produced by the companies, institutions, and other legal persons for their own needs and with the aim of furthering their performance and occupational safety, to the information films and the films produced by natural persons for their own needs, unless otherwise provided by this Law.

II FILM PRODUCTION

Article 6

Film production includes preparing for recording, recording, and processing of the films intended for public presentation.

Article 7

In order to pursue this business activity, a producer of domestic films is required to have:

Article 11

Film produced in cooperation with a foreign producer, from a country with which there

Film circulation shall be carried out by the distributor.

Distributor may be a legal or natural person (hereinafter: distributor).

Article 17

In order to pursue the film circulation, a distributor shall be required to have:

- Annual film importation and exportation program;
- Suitable professional staff;
- Available equipment and premises; and
- Available funds for commencement of activities.

Detailed regulations with regard to the requirements referred to in paragraph 1 of this Article shall be adopted the Republic administrative authority in charge of cultural issues.

Film exportation and importation may be pursued by the distributor, provided he is registered for pursuing the activity of foreign trade.

Article 18

Distributor shall be entered in the register.

1. Film Copying and Renting

Article 19

Legal and natural persons may copy domestic and foreign films to video tapes (video cassettes) and lease such films for use, provided they have purchased the copyrights and are registered for pursuing this business activity.

Article 20

Legal and natural person may lease for use the domestic and foreign films recorded on video tapes (video cassettes), provided:

- They have concluded a contract with the company, institution, or other legal person authorized to copy films on video tapes and lease them for use;
- They have available suitable premises; and
- They have available the required equipment for carrying out these activities.

The contract referred to in paragraph 1, indent 1, of this Article shall describe the level of the fee for the assigned right to use a particular film, the period of film use, number of copies of the film (video cassettes) that are leased, etc.

IV PUBLIC PRESENTATION OF FILM

Article 21

Public presentation of the film shall be deemed to be any presentation of the film that is accessible to general public on equal terms and in public premises, namely public area.

Presentation of the film on television and in the means of public transportation shall be deemed to be public presentation.

Producers of films and other film material shall be under obligation to provide for their permanent storing.

Article 27

Producers of the films intended for public presentation shall be under obligation to, within 30 days from the beginning of film exploitation, notify the Yugoslav Cinematheque (hereinafter: the Cinematheque) about it and deliver the best copy of each film that was produced to be stored, accompanied with related documentation.

A distributor who imports the film shall be under obligation to, upon expiry of the film license, immediately deliver the best copy of each imported film to be stored in the Cinematheque.

Copy of the imported film shall not be delivered to be stored if so provided by the contract on procurement of the film or an international agreement.

Article 28

Inspection control over the activities of video clubs shall be carried out by the Republic administrative authority in charge of trade issues.

VI PENAL PROVISIONS

Article 29

A person pursuing a business activity without the approval of competent authority shall be fined with _____ for such offence (Art. 8 and 18).

For the offence referred to in paragraph 1 of this Article, the responsible person in the legal person shall be fined with _____.

For the offence referred to in paragraph 1 of this Article, natural person shall be fined with _____.

***) Note: the fines were not adjusted to 27/94.
See Intermex annotation**

Article 30

Foreign producer which in the territory of the Republic records a film without the approval, or contrary to the approval, shall be fined for the offence with _____ (Article 12).

***) Note: the fines were not adjusted to 27/94.
See Intermex annotation**

Article 31

Legal person shall be fined for the offence with _____ if:

- 1) Copying and leasing for use a video cassette with a recorded film for which he has not concluded a contract on video rights using (Article 20);
- 2) Within 30 days after commencement of film exploitation, failing to notify the Cinematheque and failing to deliver a copy of each produced film to be stored, with the corresponding documentation (Article 27).

For the offence referred to in paragraph 1 of this Article, the responsible person in legal person shall be fined with _____.

For the offence referred to in paragraph 1 of this Article, natural person shall be fined with _____.

***) Note: the fines were not adjusted to 27/94.
See Intermex annotation**

Article 32

Mandatory fine in the amount of _____ shall be imposed on the responsible person in legal person, and natural person, if they copy and lease for use a video cassette with the recorded film for which they have not entered into a contract on video rights using (Article 20).

***) Note: the fines were not adjusted to 27/94.
See Intermex annotation**

VII TRANSITIONAL AND FINAL PROVISIONS