

Na osnovu člana 95 tačka 3 Ustava Crne Gore donosim

**UKAZ**

**O PROGLAŠENJU ZAKONA O PRIVREDNOJ KOMORI CRNE GORE**

**("Službeni list Crne Gore", br. 001/18 od 04.01.2018)**

Proglašavam Zakon o Privrednoj komori Crne Gore, koji je donijela Skupština Crne Gore 26. saziva, na Devetoj sjednici Drugog redovnog (jesenjeg) zasijedanja u 2017. godini, dana 26. decembra 2017. godine.

**Broj: 01-1140/2**

**Podgorica, 28. decembra 2017. godine**

**Predsjednik Crne Gore,**

**Filip Vujanović, s.r.**

Na osnovu člana 82 tačka 2 i člana 91 stav 1 Ustava Crne Gore, Skupština Crne Gore 26. saziva, na Devetoj sjednici Drugog redovnog (jesenjeg) zasijedanja u 2017. godini, dana 26. decembra 2017. godine, donijela je

## **ZAKON O PRIVREDNOJ KOMORI CRNE GORE**

### **I OSNOVNE ODREDBE**

#### **Predmet**

##### **Član 1**

Ovim zakonom uređuju se status, ciljevi, poslovi i organizacija Privredne komore Crne Gore (u daljem tekstu: Privredna komora), odnos Privredne komore sa državnim organima i institucijama i druga pitanja od značaja za rad Privredne komore.

#### **Status Privredne komore**

##### **Član 2**

Privredna komora ima svojstvo pravnog lica sa pravima, obavezama i odgovornostima koje su utvrđene zakonom i statutom Privredne komore (u daljem tekstu: Statut).

Sjedište Privredne komore je u Podgorici.

Privredna komora se ne upisuje u Centralni registar privrednih subjekata (u daljem tekstu: CRPS-a).

#### **Samostalnost i nezavisnost**

##### **Član 3**

Privredna komora je samostalna, poslovna, stručna i interesna ogranizacija nezavisna u svom radu.

#### **Ciljevi Privredne komore**

##### **Član 4**

Osnovni cilj Privredne komore je zastupanje i ostvarivanje zajedničkih interesa članova Privredne komore, odnosno cjelokupne crnogorske privrede.

Privredna komora podstiče privredne aktivnosti zasnovane na slobodnom i otvorenom tržištu, slobodi preduzetništva i konkurenciji, samostalnosti privrednih subjekata i njihovoj odgovornosti za preuzete obaveze u pravnom prometu.

Privredna komora podstiče ravnomjeran ekonomski razvoj.

#### **Poslovi Privredne komore**

##### **Član 5**

Privredna komora vrši poslove utvrđene ovim zakonom, Statutom, kao i poslove koji su u skladu sa zakonima i drugim aktima prenijeti ili povjereni na vršenje kao javna ovlašćenja.

## **Saradnja sa državnim organima i institucijama**

### **Član 6**

Privredna komora je institucionalni partner Vladi Crne Gore (u daljem tekstu: Vlada), saraduje sa Skupštinom Crne Gore (u daljem tekstu: Skupština), organima državne uprave i lokalne samouprave.

Privredna komora saraduje i sa drugim organizacijama i institucijama u izgradnji privrednog sistema, predlaganju razvojne i tekuće ekonomske politike i rješavanju drugih pitanja od značaja za privredu.

### **Pečat Privredne komore**

#### **Član 7**

Privredna komora ima pečat koji sadrži naziv: "Privredna komora Crne Gore".

### **Statut Privredne komore**

#### **Član 8**

Statutom Privredne komore naročito se utvrđuju poslovi i zadaci; sastav i broj članova organa Komore, kao i način njihovog rada; izbor, opoziv i trajanje mandata i nadležnosti organa; oblici rada i organizovanja; prava, obaveze i odgovornosti članova; način odlučivanja; saradnja sa organima i organizacijama; organizacija stručne službe; javnost rada; način obezbjeđivanja sredstava za rad; organizacija i način obavljanja stručnih i administrativnih poslova; postupak donošenja Statuta i drugih opštih akata i druga pitanja od značaja za rad Privredne komore.

Statut se objavljuje u "Službenom listu Crne Gore".

## **II ČLANOVI PRIVREDNE KOMORE**

### **Članstvo**

#### **Član 9**

Članovi Privredne komore su sva privredna društva, banke i druge finansijske organizacije, organizacije za osiguranje i preduzetnici upisani u CRPS-a.

Privredna društva, banke i druge finansijske organizacije, organizacije za osiguranje i preduzetnici koji obavljaju poslovnu djelatnost na teritoriji Crne Gore postaju članovi Privredne komore danom upisa u CRPS-a, po automatizmu.

Odlukom Upravnog odbora Privredne komore članovi Privredne komore mogu postati i nevladine organizacije, udruženja i druge organizacije koje obavljaju poslove od značaja za privredu, na njihov zahtjev.

### **Prava i obaveze članova**

#### **Član 10**

Članovi Privredne komore imaju jednaka prava i obaveze.

Privrednom komorom upravljaju članovi preko svojih predstavnika u organima Privredne komore.

Članovi Privredne komore imaju pravo da biraju i da budu birani u organe Privredne komore.

Članovi Privredne komore ostvaruju svoje interese preko granskih udruženja i drugih oblika rada i organizovanja u Privrednoj komori (grupacije, koordinacioni odbori, savjeti, centri i drugo).

## **Evidencija članova**

### **Član 11**

Privredna komora vodi evidenciju svojih članova.

Sadržina i način vođenja evidencije iz stava 1 ovog člana propisuje se aktom Privredne komore.

Za potrebe vođenja evidencije iz stava 1 ovog člana nadležni organ/tijelo ovlašćeno za vođenje CRPS-a kontinuirano dostavlja Privrednoj komori informacije o promjenama u CRPS-a.

## **III POSLOVI PRIVREDNE KOMORE**

### **Osnovni poslovi Privredne komore**

#### **Član 12**

Privredna komora vrši sljedeće poslove:

- formuliše, usaglašava, zastupa i štiti zajedničke interese svojih članova pred nadležnim državnim organima i institucijama u uređenju privrednog sistema i definisanju mjera ekonomske politike, kao i pred organima i tijelima Evropske unije;
- analizira uslove i mogućnosti poslovanja i pokreće inicijative za donošenje zakona i drugih propisa iz oblasti privrede u cilju unapređenja poslovnog ambijenta;
- daje mišljenje na propise od značaja za privredu;
- sprovodi aktivnosti na unapređenju konkurentnosti privrede u cjelini;
- doprinosi unapređenju razvoja preduzetništva;
- pruža podršku privredi u ispunjavanju obaveza koje proizilaze iz partnerstva sa Evropskom unijom i učestvuje u harmonizovanju zakonodavstva sa propisima Evropske unije;
- realizuje projekte Evropske unije važne za ekonomski razvoj;
- informiše i pruža podršku privredi u komunikaciji sa Sjevernoatlantskim savezom (NATO);
- promoviše privredne potencijale i privlači strane investicije organizovanjem poslovnih foruma i nastupa na sajmovima, izdavanjem promotivnih publikacija i kataloga, prezentovanjem privrede posredstvom interneta i drugim promotivnim aktivnostima;
- uspostavlja i unapređuje ekonomsku saradnju privrede sa inostranstvom;
- pruža podršku članovima u ostvarivanju njihovih interesa u inostranstvu;
- podstiče istraživanje, inovacije i razvoj ekonomije bazirane na znanju, inovativnosti i savremenim naučno-tehnološkim dostignućima;
- pruža podršku razvoju tehnološke infrastrukture privrede i informacionog društva;
- podržava razvoj ekološke svijesti u privredi i usaglašavanje privrednih i društvenih interesa radi ostvarivanja prava na zdravu životnu sredinu;

- učestvuje u razvoju sistema obrazovanja za potrebe privrede i izradi standarda praktičnih znanja i priprema programe poslovne edukacije u skladu sa potrebama privrede;
- organizuje formalne i neformalne oblike poslovne edukacije, usavršavanje i obuku kadrova u privredi kroz specijalizovane kurseve, predavanja, seminare, radionice i druge oblike edukacije;
- utvrđuje pravila dobrog poslovnog ponašanja svojih članova i donosi uzanse;
- podstiče društveno odgovorno poslovanje;
- podržava ekonomsko-socijalni dijalog;
- realizuje projekte za potrebe privrede;
- podstiče razvoj ženskog preduzetništva;
- pruža pomoć članovima u rješavanju međusobnih sporova;
- izdaje uvjerenja, potvrde i druge javne isprave i
- vrši druge poslove u skladu sa zakonom i Statutom.

### **Uvjerenja, potvrde i druge isprave**

#### **Član 13**

Privredna komora izdaje uvjerenja, potvrde i druge isprave o činjenicama o kojima vodi evidenciju kao i u drugim slučajevima u skladu sa propisima.

Uvjerenja i potvrde iz stava 1 ovog člana imaju svojstvo javnih isprava.

## **IV ODNOS PRIVREDNE KOMORE SA DRŽAVNIM ORGANIMA I INSTITUCIJAMA**

### **Saradnja u pitanjima od interesa za privredu**

#### **Član 14**

Privredna komora saraduje sa državnim organima, organima državne uprave, lokalne samouprave i drugim organizacijama i institucijama u vezi sa pitanjima od interesa za privredu, a naročito:

- zastupa interese svojih članova, učestvuje u pripremi zakona i drugih propisa od značaja za privredu;
- priprema i dostavlja nadležnom organu državne uprave analizu primjene pojedinačnih propisa od značaja za privredu;
- jednom godišnje dostavlja Vladi analizu poslovanja privrede i primjene propisa od značaja za privredu.

Privredna komora saraduje sa Vladom, organizacijama poslodavaca i sindikatima zaposlenih po pitanjima iz oblasti radnih odnosa i drugim pitanjima od zajedničkog interesa.

Privredna komora saraduje sa naučno-istraživačkim i obrazovnim institucijama u zemlji i inostranstvu, radi obezbjeđivanja savremenog i kontinuiranog poslovnog obrazovanja svojih članova.

Privredna komora ima članove u radnim tijelima Vlade i, po pozivu, može učestvovati u radu radnih tijela Skupštine, čiji rad se odnosi na privredu.

Organi državne uprave i lokalne samouprave nadležni za poslove registracije privrednih subjekata, carine, statistike, poreza, tržišta rada i drugo, dostavljaju Privrednoj komori podatke od značaja za privredni sistem, bez naknade.

## **V MEĐUNARODNA SARADNJA**

### **Saradnja sa drugim privrednim komorama, međunarodnim komorskim asocijacijama i međunarodnim organizacijama**

#### **Član 15**

Privredna komora saraduje sa drugim privrednim komorama, međunarodnim komorskim asocijacijama i međunarodnim organizacijama čija su područja djelovanja vezana za ostvarivanje ciljeva Privredne komore.

Privredna komora zastupa interese privrede u međunarodnim asocijacijama i organizacijama.

### **Predstavništva Privredne komore i centri spoljne trgovine**

#### **Član 16**

Privredna komora može osnivati svoja predstavništva u drugim državama.

Privredna komora može, u saradnji sa Vladom, osnivati centre spoljne trgovine, radi zastupanja ekonomskih interesa i promocije privrede u inostranstvu.

Privredna komora i Vlada posebnim aktom uređuju status, poslove i način osnivanja centara spoljne trgovine u inostranstvu.

### **Predstavništvo privredne komore druge države**

#### **Član 17**

Privredna komora druge države može da osnuje predstavništvo u Crnoj Gori u cilju unapređivanja poslovnih veza i privredne saradnje između privrednih subjekata tih država.

### **Registar predstavništava privrednih komora drugih država**

#### **Član 18**

Predstavništvo privredne komore druge države može da obavlja poslove u Crnoj Gori nakon upisa u Registar predstavništava privrednih komora drugih država (u daljem tekstu: Registar) koji se vodi kod Privredne komore.

Sadržinu i način vođenja Registra, uz prethodno pribavljeno mišljenje organa državne uprave nadležnog za poslove ekonomije, propisuje Privredna komora.

## **VI IMOVINSKA PRAVA I OBAVEZE**

### **Imovina**

#### **Član 19**

Privredna komora ima svoju imovinu.

Imovinu Privredne komore čini pravo svojine na pokretnim i nepokretnim stvarima, pravo industrijske svojine i druga imovinska prava.

Privredna komora slobodno upravlja, koristi i raspolaže svojom imovinom u skladu sa zakonom.

### **Odgovornost za obaveze**

#### **Član 20**

Privredna komora za svoje obaveze odgovara cjelokupnom svojom imovinom.

Privredna komora ne odgovara za obaveze svojih članova, a članovi Privredne komore ne odgovaraju za njene obaveze.

## **VII ORGANI I ORGANIZACIJA PRIVREDNE KOMORE**

### **Organi Privredne komore**

#### **Član 21**

Organi Privredne komore su Skupština, Upravni odbor, Nadzorni odbor i Predsjednik.

Privredna komora ima i potpredsjednike i generalnog sekretara.

### **Skupština Privredne komore**

#### **Član 22**

Skupština je najviši organ Privredne komore.

Skupštinu Privredne komore čine predstavnici članova Privredne komore koja se obrazuje po principu odgovarajuće teritorijalne zastupljenosti i zastupljenosti svih oblasti privrede, na način i po postupku koji je utvrđen Statutom.

Skupština Privredne komore donosi Statut, program rada i finansijski plan; usvaja izvještaj o radu i finansijski izvještaj; utvrđuje stavove i daje smjernice za rad Privredne komore u oblasti ekonomskog razvoja i privrednog sistema; bira i razrješava članove Upravnog odbora i Nadzornog odbora, Predsjednika, potpredsjednika i generalnog sekretara; vrši druge poslove od značaja za rad Privredne komore u skladu sa ovim zakonom i Statutom.

### **Upravni odbor**

#### **Član 23**

Upravni odbor je organ upravljanja Privrednom komorom.

Upravni odbor usvaja predloge akata za Skupštinu Privredne komore; izvršava odluke i zaključke Skupštine Privredne komore; donosi opšta i druga akta utvrđena Statutom; vrši i druge poslove u skladu sa ovim zakonom i Statutom.

### **Nadzorni odbor**

#### **Član 24**

Nadzorni odbor vrši poslove nadzora utvrđene Statutom.

Nadzorni odbor vrši kontrolu sprovođenja Statuta i drugih opštih akata Privredne komore i kontrolu finansijsko-materijalnog poslovanja Privredne komore.

## **Predsjednik**

### **Član 25**

Predsjednik Privredne komore predstavlja i zastupa Privrednu komoru; odgovoran je za zakonitost rada Privredne komore; rukovodi i usklađuje rad i vrši i druge poslove u skladu sa ovim zakonom i Statutom.

Predsjednik Privredne komore je predsjednik Upravnog odbora.

Predsjednik Privredne komore za svoj rad odgovara Skupštini Privredne komore.

## **Potpredsjednik**

### **Član 26**

Privredna komora može imati jednog ili više potpredsjednika koje na predlog Predsjednika bira Skupština Privredne komore.

Potpredsjednik koordinira, usmjerava i organizuje rad u Privrednoj komori na način kako to odredi Predsjednik.

Potpredsjednik za svoj rad odgovara Skupštini Privredne komore i Predsjedniku Privredne komore.

## **Generalni sekretar**

### **Član 27**

Privredna komora ima generalnog sekretara koga na predlog Predsjednika bira Skupština Privredne komore.

Generalni sekretar zastupa Privrednu komoru u imovinskim i drugim pravnim poslovima; stara se o izvršavanju finansijskog plana Privredne komore; stara se o izvršavanju odluka organa

Privredne komore i vrši poslove koje na njega prenese Predsjednik kao i druge poslove u skladu sa Statutom.

Generalni sekretar za svoj rad odgovara Skupštini Privredne komore i Predsjedniku.

## **VIII RJEŠAVANJE SPOROVA PRI PRIVREDNOJ KOMORI**

### **Arbitražni sud**

#### **Član 28**

Pri Privrednoj komori se obrazuje Arbitražni sud.

Arbitražni sud sprovodi arbitražni postupak u skladu sa zakonom kojim se uređuje arbitraža, priznanje i izvršenje arbitražnih odluka.

Organizaciju poslova i uslove za rad Arbitražnog suda obezbjeđuje Privredna komora.

### **Sud časti**

#### **Član 29**

Pri Privrednoj komori obrazuje se Sud časti.

Sud časti odlučuje u postupku protiv članova Privredne komore zbog povrede pravila dobrog poslovnog ponašanja.



Privredna komora svojim aktom uređuje organizaciju, sastav, postupak, način rada, mjere koje izriče Sud časti i druga pitanja od značaja za rad Suda časti.

## **IX FINANSIRANJE**

### **Sredstva za rad Privredne komore**

#### **Član 30**

Sredstva za rad Privredne Komore obezbjeđuju se od članskog doprinosa koji plaćaju članovi Privredne komore, prihoda dobijenih po osnovu vršenja javnih ovlašćenja, prihoda od naknada za usluge koje vrši Privredna komora u okviru svoje djelatnosti i drugih izvora.

### **Članski doprinos**

#### **Član 31**

Osnovicu, stopu članskog doprinosa, način i rokove plaćanja doprinosa koji plaćaju članovi Privredne komore odlukom utvrđuje Skupština Privredne komore.

Odluka iz stava 1 ovog člana objavljuju se u "Službenom listu Crne Gore".

Kontrolu plaćanja članskog doprinosa iz stava 1 ovog člana vrši organ državne uprave u čijoj nadležnosti su poslovi utvrđivanja, naplate i kontrole poreza.

### **Finansiranje posebnih aktivnosti**

#### **Član 32**

Za finansiranje posebnih aktivnosti iz programa rada Privredne komore zainteresovani članovi mogu da ulažu sredstva.

Korišćenje i način upotrebe sredstava iz stava 1 ovog člana vrši se saglasno odluci članova koji ulažu sredstva i opštim aktima Privredne komore.

## **X PRELAZNE I ZAVRŠNE ODREDBE**

### **Rok za donošenje propisa**

#### **Član 33**

Podzakonski akti za sprovođenja ovog zakona donijeće se u roku od šest mjeseci od dana stupanja na snagu ovog zakona.

Do donošenja podzakonskih akata iz stava 1 ovog člana primjenjivaće se propisi koji su donijeti na osnovu Zakona o Privrednoj komori Crne Gore ("Službeni list RCG", broj 42/98).

### **Prestanak važenja**

#### **Član 34**

Danom stupanja na snagu ovog zakona prestaje da važi Zakon o Privrednoj komori Crne Gore ("Službeni list RCG", broj 42/98).

## **Stupanje na snagu**

### **Član 35**

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

Broj: 06-1/17-1/7

EPA 301 XXVI

Podgorica, 26. decembar 2017. godine

Skupština Crne Gore 26. saziva

Predsjednik,

Ivan Brajović, s.r.

Pursuant to Article 95 item 3 of the Constitution of Montenegro, I hereby issue the

**DECREE**

**PROMULGATING THE LAW ON THE CHAMBER OF ECONOMY OF MONTENEGRO**

**("Official Gazette of Montenegro", No. 001/18 from 04.01.2018)**

I hereby promulgate **the Law on the Chamber of Economy of Montenegro** passed by the 26<sup>th</sup> Parliament of Montenegro, at the Ninth sitting of the Second ordinary (autumn) session in 2017, on 26 December 2017.

**No. 01-1140/2**

**Podgorica, 28 December 2017**

**The President of Montenegro**

**Filip Vujanović**

Pursuant to Article 82 item 2 and Article 91 paragraph 1 of the Constitution of Montenegro, the 26<sup>th</sup> Parliament of Montenegro, at the Ninth sitting of the Second ordinary (autumn) session in 2017, on 26 December 2017, has adopted

## **LAW ON THE CHAMBER OF ECONOMY OF MONTENEGRO**

### **I. BASIC PROVISIONS**

#### **Subject matter**

##### **Article 1**

This Law shall regulate status, aims, activities and organisation of the Chamber of Economy of Montenegro (hereinafter referred to as “CEM”), the relationship between CEM and state authorities and institutions and other matters relevant to the work of CEM.

#### **Status of CEM**

##### **Article 2**

CEM has legal personality with rights, obligations and responsibilities defined by the law and the CEM statute (hereinafter referred to as the “Statute”).

The seat of CEM is in Podgorica.

CEM shall not be registered in the Central Registry of Business Entities (hereinafter referred to as the “CRBE”).

#### **Autonomy and Independence**

##### **Article 3**

CEM is an autonomous, business, professional and interest-based organisation which is independent in its work.

#### **Aims of CEM**

##### **Article 4**

The main aim of CEM is to represent and pursue common interests of the members of CEM, i.e. of the entire Montenegrin economy.

CEM shall encourage economic activities based on free and open market, freedom of entrepreneurship and competition, autonomy of economic entities and their liability for obligations assumed in legal transactions.

CEM shall encourage balanced economic development.

#### **Activities of CEM**

##### **Article 5**

CEM shall carry out the activities set out in this Law, the Statute and the activities that have been delegated or entrusted to be exercised as public powers in accordance with laws and other acts.

## **Cooperation with State Authorities and Institutions**

### **Article 6**

CEM shall be an institutional partner of the Government of Montenegro (hereinafter referred to as the "Government"), shall cooperate with the Parliament of Montenegro (hereinafter referred to as the "Parliament"), state administration bodies and local self-government bodies.

CEM shall also cooperate with other organisations and institutions in developing economic system, proposing development policy and current economic policy and resolving other issues important to the economy.

### **Seal of CEM**

#### **Article 7**

CEM shall have a seal which shall contain the name "The Chamber of Economy of Montenegro".

### **Statute of CEM**

#### **Article 8**

The Statute of CEM shall define in particular the activities and tasks; composition and number of members of the CEM bodies and manner of their work; selection, dismissal and duration of terms of office and responsibilities of the bodies; forms of work and organisation; rights, obligations and responsibilities of the members; manner of decision making; co-operation with the authorities and organisations; organisation of administrative service; transparency of work; manner of provision of funding for the work; organisation and method of discharge of professional and administrative activities; the procedure for adoption of the Statute and other general acts and other issues relevant to the work of CEM.

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

## **II. MEMBERS OF CEM**

### **Membership**

#### **Article 9**

All companies, banks and other financial organisations, insurance organisations and entrepreneurs entered in the CRBE shall be members of CEM.

The companies, banks and other financial organisations, insurance organisations and entrepreneurs engaged in the business activity in the territory of Montenegro shall become automatically the members of CEM on the date of entry in the CRBE.

Non-governmental organisations, associations and other organisations conducting the activities important to the economy may, at their request, become members of CEM by means of a decision of the Managing Board of CEM.

### **Rights and Obligations of Members**

#### **Article 10**

The members of CEM shall have equal rights and obligations.

CEM shall be managed by members through their representatives in the CEM bodies.

The members of CEM shall have the right to elect and be elected to the CEM bodies.

The members of CEM shall pursue their interests through branch associations and other forms of work and organisation within CEM (groups, coordination boards, councils, centres etc.).

### **Records on Members**

#### **Article 11**

CEM shall keep records on its members.

The content and method of keeping the records referred to in paragraph 1 of this Article shall be prescribed by an act of CEM.

For the purpose of keeping the records referred to in paragraph 1 of this Article, the competent authority/body authorised to maintain CRBE shall continuously submit to CEM the information on changes in the CRBE.

### **III. ACTIVITIES OF CEM**

#### **Principal Activities of CEM**

##### **Article 12**

CEM shall carry out the following activities:

- formulating, coordinating, representing and protecting common interests of its members before competent state authorities and institutions with regard to the regulation of the economic system and defining of measures of economic policy, including before the authorities and bodies of the European Union;
- analysing conditions and possibilities for doing business and launching initiatives for the adoption of laws and regulations in the field of economy with a view to improving business environment;
- issuing opinion on legislation important to the economy;
- undertaking activities with a view to promoting competitiveness of the economy as a whole;
- contributing to the improvement of development of entrepreneurship;
- providing support to the economic sector in meeting the obligations resulting from the partnership with the European Union and participating in the harmonisation of legislation with the *acquis* of the European Union;
- implementing the European Union projects important to the economic development;
- informing and providing support to the economic sector in the communication with the North Atlantic Treaty Organization (NATO);
- promoting economic potentials and attracting foreign investments by organising business fora and presentations at fairs, by issuing promotional publications and catalogues, by presenting economy via the Internet and by other promotional activities;
- establishing and improving economic cooperation of the economic sector with the rest of the world;
- providing support to the members in achieving their interests abroad;
- encouraging research, innovation and development of economy based on knowledge, innovation and state-of-the-art scientific and technological achievements;

- providing support to the development of technological infrastructure of the economic sector and information society;
- supporting development of environmental awareness in the economic sector and reconciliation of the economic and social interests so as to achieve the right to healthy environment;
- participating in the development of the education system as needed by the economy and in the drafting of standards of practical knowledge and preparing programmes of business education in accordance with the needs of the economy;
- organising formal and informal forms of business education, further development and training of human resources in the economy through specialised courses, lectures, seminars, workshops and other forms of education;
- defining rules of good business conduct of its members and defining business ethics and good business customs;
- encouraging corporate social responsibility;
- encouraging economic and social dialogue;
- implementing projects needed by the economy;
- encouraging development of female entrepreneurship;
- providing support to the members in resolving mutual disputes;
- issuing certificates, confirmations and other public documents; and
- performing also other activities in accordance with the law and the Statute.

### **Certificates, Confirmations and Other Documents**

#### **Article 13**

CEM shall issue certificates, confirmations and other documents on the facts of which it keeps records and in other cases in accordance with the legislation.

The certificates and confirmations referred to in paragraph 1 of this Article shall have the character of public documents.

## **IV. RELATIONSHIP OF CEM WITH STATE AUTHORITIES AND INSTITUTIONS**

### **Cooperation in Matters of Interest to the Economy**

#### **Article 14**

CEM shall cooperate with state authorities, state administration bodies, local self-government bodies and other organisations and institutions in matters of interest to the economy and it shall in particular:

- represent interests of its members, participate in the drafting of laws and other legislation important to the economy;
- draft and submit to the competent state administration body an analysis of application of individual pieces of legislation important to the economy;
- submit to the Government, on an annual basis, the analysis of business operations of the economic sector and of application of legislation important to the economy.

CEM shall cooperate with the Government, employers' organisations and trade unions of employees in matters related to employment relationships and other matters of common interest.

CEM shall cooperate with scientific and research and educational institutions in the country and abroad in order to ensure modern and continuous business education of its members.

CEM shall have members in the working bodies of the Government and, upon invitation, may participate in the work of the parliamentary working bodies whose work relates to the economy.

State administration bodies and local self-government bodies competent for the activities related to the registration of business entities, customs, statistics, taxes, labour market etc. shall submit to CEM information relevant to the economic system free of charge.

## **V. INTERNATIONAL CO-OPERATION**

### **Co-operation with Other Chambers of Economy or Commerce, International Associations of Chambers and International Organisations**

#### **Article 15**

CEM shall co-operate with other chambers of economy or commerce, international associations of chambers and international organisations whose scopes of activity relate to the pursuit of the aims of CEM.

CEM shall represent the interests of the economy in international associations and organisations.

### **Missions of CEM and Foreign Trade Centres**

#### **Article 16**

CEM may establish its missions in other countries.

CEM may, in cooperation with the Government, establish foreign trade centres to represent economic interests and promote the economy abroad.

CEM and the Government shall, by means of a special act, regulate status, activities and manner of establishment of foreign trade centres abroad.

### **Mission of a Chamber of Economy or Commerce of Another Country**

#### **Article 17**

A chamber of economy or commerce of another country may establish a mission in Montenegro with a view to improving business connections and economic cooperation between economic entities of those countries.

### **Register of missions of chambers of economy or commerce of other countries**

#### **Article 18**

A mission of a chamber of economy or commerce of another country may carry out activities in Montenegro following its entry in the Register of Missions of Chambers of Economy or Commerce of Other Countries (hereinafter referred to as the "Register") maintained at CEM.

CEM shall, subject to obtaining a prior opinion of the state administration body competent for economy, stipulate the content and method of maintaining the Register.



## **VI. PROPERTY RIGHTS AND OBLIGATIONS**

### **Property**

#### **Article 19**

CEM shall have its property.

The property of CEM shall consist of ownership right to movable and immovable assets, industrial property rights and other property rights.

CEM shall freely manage, use and dispose with its property in accordance with the law.

### **Liability for Obligations**

#### **Article 20**

CEM shall be liable for its obligations with all its property.

CEM shall not be liable for the obligations of its members and the members of CEM shall not be liable for CEM's obligations.

## **VII. BODIES AND ORGANISATION OF CEM**

### **CEM Bodies**

#### **Article 21**

The CEM bodies shall be the Assembly, the Managing Board, the Supervisory Board and the President.

CEM shall also have Vice-Presidents and a Secretary-General.

### **Assembly of CEM**

#### **Article 22**

The Assembly shall be the highest body of CEM.

The Assembly of CEM shall be composed of the representatives of members of CEM and it shall be formed based on the principle of appropriate territorial representation and representation of all sectors of economy, in the manner and according to the procedure defined by the Statute.

The Assembly of CEM shall adopt the Statute, work programme and financial plan; it shall adopt work report and financial report; it shall adopt positions and provide guidelines for the work of CEM in the field of economic development and economic system; it shall elect and dismiss the members of the Managing Board and of the Supervisory Board, the President, Vice-President and Secretary-General; it shall perform other activities relevant to the work of CEM in accordance with this Law and the Statute.

### **Managing Board**

#### **Article 23**

The Managing Board shall be a body managing CEM.

The Managing Board shall adopt proposals for acts to be adopted by the Assembly of CEM; it shall enforce decisions and conclusions of the Assembly of CEM; it shall adopt general and other acts

set out in the Statute; it shall perform also other activities in accordance with this Law and the Statute.

### **Supervisory Board**

#### **Article 24**

The Supervisory Board shall perform supervisory activities defined in the Statute.

The Supervisory Board shall exercise control over the implementation of the Statute and other general acts of CEM and control over financial and material operations of CEM.

### **President**

#### **Article 25**

The President of CEM shall represent and act on behalf of CEM; he/she shall be responsible for the lawfulness of work of CEM; he/she shall manage and coordinate its work and perform also other tasks in accordance with this Law and the Statute.

The President of CEM shall be a chairperson of the Managing Board.

The President of CEM shall be accountable for his/her work to the Assembly of CEM.

### **Vice-President**

#### **Article 26**

CEM may have one or more vice-presidents who shall be elected by the Assembly of CEM on a proposal from the President.

A Vice-President shall coordinate, direct and organise the work in CEM in the manner defined by the President.

A Vice-President shall be accountable for his/her work to the Assembly of CEM and to the President.

### **Secretary-General**

#### **Article 27**

CEM shall have a Secretary-General who shall be elected by the Assembly of CEM on a proposal from the President.

The Secretary-General shall represent CEM in property-related and other legal matters; he/she shall be responsible for the implementation of the financial plan of CEM; he/she shall be responsible for the enforcement of decisions of the bodies of CEM and perform the tasks delegated to him/her by the President and other tasks in accordance with the Statute.

The Secretary-General shall be accountable for his/her work to the Assembly of CEM and to the President.

## **VIII. DISPUTE RESOLUTION AT CEM**

### **Arbitration Court**

#### **Article 28**

An Arbitration Court shall be formed at CEM.

The Arbitration Court shall conduct arbitral proceedings in accordance with the law governing arbitration, recognition and enforcement of arbitral awards.

CEM shall ensure that the activities of the Arbitration Court are organised and shall ensure the conditions necessary for the work of the Arbitration Court.

### **Court of Honour**

#### **Article 29**

A Court of Honour shall be formed at CEM.

The Court of Honour shall rule in proceedings against the members of CEM for violation of the code of good business conduct.

CEM shall, by means of its act, regulate organisation, composition, procedure, method of work, measures imposed by the Court of Honour and other matters relevant to the work of the Court of Honour.

## **IX. FINANCING**

### **Funding the Work of CEM**

#### **Article 30**

The funds for the work of CEM shall be provided from the membership fee paid by the members of CEM, income earned from the exercise of public powers, income from the fees for services provided by CEM within the scope of its activities and other sources.

### **Membership Fee**

#### **Article 31**

The base and rate of membership fee, method of payment and time limits for payment of the fee to be paid by the members of CEM shall be determined, by means of a decision, by the Assembly of CEM.

The decision referred to in paragraph 1 of this Article shall be published in the *Official Gazette of Montenegro*.

The control of the payment of the membership fee referred to in paragraph 1 of this Article shall be exercised by the state administration body competent for the activities of determining, collecting and controlling taxes.

### **Financing Special Activities**

#### **Article 32**

Interested members may invest funds for the financing of special activities provided for in the work programme of CEM.

The use and method of use of the funds referred to in paragraph 1 of this Article shall be effected in accordance with a decision of the members investing the funds and the general acts of CEM.

## **X. TRANSITIONAL AND FINAL PROVISIONS**

### **Time Limit for the Adoption of Regulations**

#### **Article 33**

Implementing acts for the implementation of this Law shall be adopted within six months from the date of entry into force of this Law.

#### **Repeal**

#### **Article 34**

The Law on the Chamber of Economy of Montenegro (Official Gazette of the Republic of Montenegro 42/98) shall be repealed on the date of entry into force of this Law.

#### **Entry into Force**

#### **Article 35**

This Law shall enter into force on the eighth day following that of its publication in the *Official Gazette of Montenegro*.

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EPA 301 XXVI

Podgorica, 26 December 2017

The 26<sup>th</sup> Parliament of Montenegro

The Speaker

Ivan Brajović