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Committee on Trade Facilitation

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**NOTIFICATIONS UNDER ARTICLES 1.4, 10.4.3, 10.6.2 AND 12.2.2
OF THE AGREEMENT ON TRADE FACILITATION**

COMMUNICATION FROM MONTENEGRO

The following communication, dated 11 June 2019, is being circulated at the request of the delegation of Montenegro for Members' information.

Montenegro hereby makes the following notifications based on Articles 1.4, 10.4.3, 10.6.2 and 12.2.2 of the Agreement on Trade Facilitation.

Article 1, paragraph 4

The Law on Publication of Regulations and Other Legal Acts (Official Gazette of Montenegro, No. 05/08) and the Decree on the manner and deadlines for submitting regulations and other acts for publication in the Official Gazette of Montenegro (OG MNE No. 33/08) govern procedures for publishing in the Official Gazette (including type of legal acts, competent authorities based on the type of the act, the manner of publishing in the printed and electronic version of the Official Gazette). The Decree on Legal - Information System of Montenegro (OG MNE No. 21/11) contains procedures for exchange and submitting data and information for publication online in the Legal - Information System. The Official Gazette of Montenegro (OGM) is available at <http://www.sluzbenilist.me>.

In addition to the Official Gazette, all state authorities, ministries and border agencies publish information on their websites, in Montenegrin and partly in English. Also, the Ministry of Economy has established a special WTO related web page (<http://www.minekon.gov.me/sto>) as a hub of information on the most important trade regulations. The regulations are available at <http://www.mek.gov.me/sto/biblioteka>. There are several parts within this page as follows:

- The part Montenegrin legislation contains the legal and sub-legal acts that Montenegro applies in the area of trade in goods, services and trade aspects of intellectual property rights;
- The part Draft legislation contains drafts of regulations and other measures, in order to enable all interested parties to provide comments;
- The part Trade agreements contains free trade agreements, economic cooperation agreements and agreements on promotion and reciprocal protection of investments;
- The part Other refers to all other trade-related documents and measures which are not covered by the three aforementioned parts - e.g. strategies.

This webpage is updated regularly in coordination with the line institutions.

(a) The official place(s) where the items in subparagraphs 1.1(a) to (j) have been published

In "PART A" of the sub-points below, references are provided to Montenegrin legislation published in the OGM.

1.1(a) procedures for importation, exportation, and transit (including port, airport, and other entry-point procedures), and required forms and documents;

PART A		
http://www.mek.gov.me/sto/biblioteka/tr_aktuelna_legislativa/ http://www.mif.gov.me/en/library		Different laws regulating importation, exportation, and transit
http://www.mek.gov.me/sto/biblioteka/tr_aktuelna_legislativa/carine1 http://www.mif.gov.me/en/library/zakoni?alphanet=lat		Customs Law
http://www.mek.gov.me/sto/biblioteka/tr_aktuelna_legislativa/carine1 http://www.mif.gov.me/en/library/uredbe		Decree on implementation of the Customs Law
PART B		
Customs Administration of Montenegro	http://www.upravacarina.gov.me/biblioteka	Guidelines for inward processing
Customs Administration of Montenegro	http://www.upravacarina.gov.me/ruбрика/aktuelnosti/187721/Procedure-za-operatere-brze-poste.html	Guidelines for express shipments in air transport
CEFTA ¹ Transparency Pack	http://cefta.int/trade-info-centre/transparency-pack	Procedures on importation, exportation, and transit

1.1(b) applied rates of duties and taxes of any kind imposed on or in connection with importation or exportation;

PART A		
http://www.mek.gov.me/sto/biblioteka/tr_aktuelna_legislativa/carine1 http://www.mif.gov.me/en/library/zakoni		Customs law, Article 19a to 22 regulates Customs Tariffs
http://www.mek.gov.me/sto/biblioteka/tr_aktuelna_legislativa/carine1 http://www.mif.gov.me/en/library/zakoni		Law on Customs Tariff
http://www.mek.gov.me/sto/biblioteka/tr_aktuelna_legislativa/carine1 http://www.mif.gov.me/en/library/uredbe		Decree on Customs Tariffs
PART B		
Customs Administration	http://taric.carina.co.me/TariCG/public/Sections.jsp	TARICG is an integrated database containing national customs rates, tariff rate quotas, and all other trade related measures.

¹ CEFTA – Central Europe Free Trade Agreement. Regional database.

1.1(c) fees and charges imposed by or for governmental agencies on or in connection with importation, exportation or transit;

PART A	
http://www.mek.gov.me/sto/biblioteka/tr_aktuelna_legislativa/carine1 http://www.mif.gov.me/en/library/zakoni	Law on Administrative Fees
PART B	
In accordance with Montenegrin legislation a fee for services provided in the customs procedure cannot be higher than the actual costs of the customs authority and it cannot represent indirect protection of domestic products or indirect taxation on import and export.	

1.1(d) rules for the classification or valuation of products for customs purposes;

PART A		
http://www.mek.gov.me/sto/biblioteka/tr_aktuelna_legislativa/carine1 http://www.mif.gov.me/en/library/zakoni http://www.mif.gov.me/en/library/uredbe	Customs law, Article 29 to 45 regulate rules for valuation of goods	
http://www.mek.gov.me/sto/biblioteka/tr_aktuelna_legislativa/carine1 http://www.mif.gov.me/en/library/zakoni	Customs law, Articles 19a to 22 regulate rules for classification of goods	
http://www.mek.gov.me/sto/biblioteka/tr_aktuelna_legislativa/carine1 http://www.mif.gov.me/en/library/uredbe	Decree on Customs Tariffs	
PART B		
Customs Administration of Montenegro	http://www.upravacarina.gov.me/ResourceManager/FileDownload.aspx?rid=311418&rType=2&file=Uredba%20o%20Carinskoj%20tarifi%20za%202018.%20godinu%20(SICG%205-2018).pdf http://taric.carina.co.me/TariCG/public/Sections.jsp	Tariff classification rules
	http://www.upravacarina.gov.me/ru_brike/carinske-informacije/89991/4595.html http://www.upravacarina.gov.me/ru_brike/carinske-informacije/90005/173833.html http://www.upravacarina.gov.me/ru_brike/carinske-informacije/158624/UPOZORENJE-NA-ODGOVORNOST-OBAVEZU-PRIJAVLJIVANJA-ISTINITE-I-TACNE-TRANSAKCIJSKE-VRIJEDNOSTI-VAzNO.html	Customs valuation rules

1.1(e) laws, regulations, and administrative rulings of general application relating to rules of origin;

PART A		
http://www.mek.gov.me/sto/biblioteka/tr_aktuelna_legislativa/carine1 http://www.mif.gov.me/en/library/zakoni http://www.mif.gov.me/en/library/uredbe		<p>Customs law, Articles 23-28 regulate rules of origin</p> <p>Decree on implementation of the Customs law, Articles 13-67 regulate rules of origin</p>
PART B		
Ministry of Finance	http://www.mif.gov.me/en/library/zakoni http://www.mif.gov.me/en/library/uredbe http://www.upravacarina.gov.me/ru_brike/aktuelnosti/183241/ObavezujUCA-informacija-o-porijeklu-robe.html	Rules of origin including types of certificates (EUR1. CT1 etc.)
Customs Administration of Montenegro	http://www.upravacarina.gov.me/biblioteka/dokument?pagerIndex=6 http://www.upravacarina.gov.me/biblioteka/dokument?pagerIndex=6 http://www.upravacarina.gov.me/biblioteka/dokument?pagerIndex=5 http://www.upravacarina.gov.me/biblioteka/obrasci?pagerIndex=2	
Customs Administration of Montenegro	http://www.upravacarina.gov.me/ru_brike/carinske-informacije/170448/OBAVJEStENJE-Primjena-Regionalne-konvencije-o-Pan-Euro-Mediteranskim-preferencijalnim-pravilima-o-porijeklu-robe-VAzNO.html http://www.upravacarina.gov.me/ru_brike/carinske-informacije/162820/Obavjestenje-Primjena-Regionalne-konvencije-o-Pan-Euro-Mediteranskim-preferencijalnim-pravilima-o-porijeklu-robe-izmedu-Evropske.html http://www.upravacarina.gov.me/ru_brike/carinske-informacije/158934/Podsjecanje-na-uslove-za-ostvarivanje-prava-na-preferencijalni-status-robe-koja-se-uvozi.html	Preferential arrangements

1.1(f) import, export or transit restrictions or prohibitions;

PART A		
The URL links in part B contain links to the legal basis of the different import, export and transit restrictions and prohibitions. The legal basis differs depending on the nature of the goods and the risks involved.		
PART B		
Ministry of Economy of Montenegro	http://www.mek.gov.me/sto/biblioteka/tr_aktuelna_legislativa/ogranice_nja1 http://www.mek.gov.me/sto/biblioteka/tr_aktuelna_legislativa/sanitarn_e	Sanitary, phytosanitary, environmental, product safety requirements, control of medicines and organic farming products
Ministry of Agriculture and Rural Development	http://www.mpr.gov.me/biblioteka	
National Authority for Food Safety, Veterinary and Phytosanitary Issues	http://www.ubh.gov.me/biblioteka	
Environmental Protection Agency	http://www.mrt.gov.me/biblioteka/zakoni https://epa.org.me/regulativa/ http://www.mek.gov.me/sto/biblioteka/tr_aktuelna_legislativa/ogranice_nja1	Restrictions applied with the purpose of environment protection
Ministry of Economy of Montenegro	http://www.mek.gov.me/sto/biblioteka/tr_aktuelna_legislativa/ogranice_nja1	Import and export restrictions, including prohibitions, quotas and licensing systems
Ministry of Economy of Montenegro	http://www.mek.gov.me/sto/biblioteka/tr_aktuelna_legislativa/sanitarn_e1	SPS measures

1.1(g) penalty provisions for breaches of import, export, or transit formalities;

PART A	
http://www.mek.gov.me/sto/biblioteka/tr_aktuelna_legislativa/carine1 http://www.mif.gov.me/en/library/zakoni	Penalties are specified in the Customs law, Articles 237-279a, as well as in other relevant acts.

1.1(h) procedures for appeal or review;

PART A	
http://www.mek.gov.me/sto/biblioteka/pr_aktuelna_legislativa/ http://www.mif.gov.me/en/library/zakoni	<p>Article 20 of the Constitution of Montenegro stipulates that everyone has the right to submit an appeal against a decision deciding on his/her lawful or legally based interests.</p> <p>The Law on General Administrative Procedure and the Law on Administrative Disputes govern the right to appeal in the second instance with the respect to decisions issued in the administrative procedures, as well as the judicial review. These two laws apply to all authorities.</p>

	<p>Customs law, Art. 8</p> <p>SPS laws also provide for a right of appeal. For example, Law on Plant Health Protection OGM, No. 28/2006 and OGM, No. 28/2011): Article 26; Veterinary Law (OGM, No. 30/2012): Article 6, 24, 37 and 70.</p>
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1.1(i) agreements or parts thereof with any country or countries relating to importation, exportation, or transit; and

PART A		
The URL links in part B contain links to the agreements concluded by Montenegro on customs and trade related matters.		
PART B		
Ministry of Economy	http://www.mek.gov.me/EN/WTO/LIBRARY/free_trade	Free Trade Agreement
Customs Administration of Montenegro	http://www.sluzbenilist.me	List of treaties related to Customs
Customs Administration of Montenegro	http://www.sluzbenilist.me	Mutual Administrative Assistance in customs matters

1.1(j) procedures relating to the administration of tariff quotas.

PART A		
http://www.mek.gov.me/sto/biblioteka/tr_akt_uelna_legislativa/zakon_o_spoljnoi http://www.mif.gov.me/en/library/zakoni		Customs law Article 19a regulates Tariff Quotas
PART B		
Customs Administration of Montenegro	http://taric.carina.co.me/TariCG/public/QuotaSearch.jsp	Tariff Quotas

(b) The Uniform Resource Locators of website(s) referred to in paragraph 2.1

In PART B of the sub-points above, Uniform Resource Locators (URL-s) of websites providing guidelines and further explanations of the procedures are indicated.

(c) The contact information of the enquiry points referred to in paragraph 3.1

Contact information on enquiry points is:

Ministry of Economy	<p>Email: trade.facilitation@mek.gov.me</p> <p>Official site: http://www.minekon.gov.me/ministarstvo</p>	<p>Enquiries on trade policy and all the necessary information related to import, export or transit procedures as well as necessary certificates, applied tariffs, rules of origin, customs valuation, etc. may be required here</p>
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Ministry of Finance	Email: mf@mif.gov.me ; snezana.vujanovic@mif.gov.me Official site: http://www.mif.gov.me/ministarstvo Telephone: +382 20 242 835	All the necessary information related to customs procedures as well as trade facilitation issues may be required here
Customs Administration	Email: scpp@carina.gov.me Official site: http://www.upravacarina.me/uprava	All the necessary information related to import, export or transit procedures as well as necessary certificates, applied tariffs, rules of origin, customs valuation, etc. may be required here
National Authority for Food Safety, Veterinary and Phytosanitary Issues	Email: zorka.prljevic@ubh.gov.me Official site: http://www.ubh.gov.me	All the necessary information related to import, export or transit procedures under SPS rules
Ministry of Agriculture and Rural Development	Email: kristina.lapcevic@mpr.gov.me Official site: http://www.mpr.gov.me	All the necessary information related to import, export or transit procedures for agricultural products, except SPS issues

Article 10, paragraph 6.2

Measures are provided in Chapter 2 of the Customs Law (OG MNE 71/17). The Law is available at <http://www.mif.gov.me/biblioteka/zakoni>.

Article 12, paragraph 2.2

Customs Administration of Montenegro		
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