

Pursuant to Article 44 paragraph 1 of the Law on Public Enforcement Officers (Official Gazette of Montenegro 61/11), in its meeting held on 26 April 2013, the Government of Montenegro adopted the following

Decree on the Tariff of Public Enforcement Officers

The Decree was published in the Official Gazette 28/2013 of 14 June 2013 and it came into force on 22 June 2013

Article 1

Public enforcement officer shall be entitled to remuneration for his work and to reimbursement of the costs according to the tariff established in this Decree.

Article 2

Remuneration for the work of public enforcement officer shall be composed of the remuneration for preparing and conducting the cases, remuneration for undertaken actions and remuneration for successful enforcement.

Article 3

The amount of the remuneration for preparing and conducting the cases and for successful enforcement shall be determined in relation to the amount of the mainclaim, i.e. in relation to the value of what is at stake in the dispute related to non-monetary claim established in the enforceable title.

If the value of what is at stake in the dispute related to non-monetary claim is not established in the enforceable title, the amount of the remuneration for preparing and conducting the case shall amount to 35 euro, while the remuneration for successful enforcement shall amount to 300 euro.

Article 4

The amount of the remuneration for successful enforcement shall not exceed 7,500 euro.

Where enforcement is carried out in order to collect monetary claim from the account of the judgment debtor or from the account of a debtor of a judgment debtor, the amount of the remuneration for successful enforcement shall not exceed 3,500 euro.

In case of partial enforcement, remuneration for successful enforcement shall be established in relation to the value of the entire claim, but is collected in the percentage in which the enforcement was successful.

Article 5

Remuneration for successful enforcement shall be reduced:

- by 50% if the obligation was met voluntarily immediately after writ of enforcement is serviced, and before undertaking of the first enforcement action;
- by 25% if the enforcement is carried out through a transfer of funds from the account of the judgment debtor or from the account of a debtor of the judgment debtor, if the enforcement was not attempted in any other way before that.

Article 6

Remuneration for undertaken actions shall be established in relation to the type of the undertaken action and its duration (Table 2), whereby the public enforcement officer shall undertake the actions in the most cost-effective way for the parties.

Article 7

If the judgment debtor settles the claim referred to in the enforceable title after the proposal for enforcement is submitted, and before writ of enforcement is serviced, or if he/she settles the claim within the term envisaged for voluntary enforcement from Article 22 paragraph 2 and Article 41 paragraph 3 of the Law on Enforcement and Security, public enforcement officer shall collect the remuneration for preparing and conducting the enforcement procedure and remuneration for undertaken actions from the judgment debtor.

Article 8

If several judgment creditors or several judgment debtors participate in the process of carrying out the enforcement, public enforcement officer shall be entitled to a remuneration increased by 10% for every party after the first one, up to the amount which is by 50% higher than the full remuneration for one party.

Article 9

Public enforcement officer shall not be entitled to remuneration for the undertaken enforcement action that is subject of the application for elimination of irregularities, and that is repealed by a final decision of the court.

Article 10

Reimbursement of the costs of public enforcement officer shall include: the reimbursement of court and administrative fees; reimbursement of the costs of expertize and assessment; reimbursement of the expenses for storing things; reimbursement of travel expenses and of other costs actually incurred in relation to the implementation of the law.

Article 11

Public enforcement officer shall be entitled to reimbursement of travel costs for the work that is not done in the registered office:

- for long distances - in the amount of the costs of public transport;
- in the city and adjacent areas - in the amount of the costs of transport by taxi;
- for the use of his/her own car, in the amount of 15% of the price of one litre of the highest quality gasoline for every kilometre of the travel.

If public enforcement officer undertakes enforcement actions outside of his/her registered office and has to spend nights in a hotel, he/she shall be entitled to reimbursement of the costs of hotel accommodation, except for accommodation in five star hotels.

Article 12

Tables 1 and 2 make a constituent part of this Decree.

Article 13

This Decree shall enter into force on the eight day following that of its publication in the Official Gazette of Montenegro.

No. 06-1030/4
Podgorica, 26 April 2013

Government of Montenegro

Prime Minister,
Milo Đukanović

Table 1

No.	Amount of the main claim	Reimbursement for preparing and conducting the case	Reimbursement for successful enforcement
1.	up to 50 euro	5 euro	7
2.	50 to 100 euro	6euro	10
3.	100 to 300 euro	7euro	15
4.	300 to 500 euro	8euro	35
5.	500 to 1,000 euro	9euro	40
6.	1,000 to 2,000 euro	25euro	9% of the collected amount but not less than 50 euro
7.	2,000 to 3,000 euro	30euro	8% of the collected amount but not less than 60 euro
8.	3,000 to 4,000 euro	35euro	7.5% of the collected amount but not less than 100 euro
9.	4,000 to 5,000 euro	40euro	7% of the collected amount but not less than 140 euro
10.	5,000 to 7,000 euro	45euro	6.5% of the collected amount but not less than 160 euro
11.	7,000 to 9,000 euro	50euro	6% of the collected amount but not less than 210 euro
12.	9,000 to 11,000 euro	55euro	5.5% of the collected amount but not less than 240 euro
13.	11,000 to 15,000 euro	60euro	5% of the collected amount but not less than 280 euro
14.	15,000 to 25,000 euro	80euro	4% of the collected amount but not less than 380 euro
15.	25,000 to 40,000 euro	95euro	3.2% of the collected amount but not less than 480 euro
16.	40,000 to 60,000 euro	115euro	2.5% of the collected amount but not less than 640 euro
17.	60,000 to 100,000 euro	125euro	2% of the collected amount but not less than 800 euro
18.	100,000 to 200,000 euro	135euro	1.6% of the collected amount but not less than 1200 euro
19.	over 200,000 euro	150euro	1.2% of the collected amount but not less than 1,600 euro

Table 2

No.	REMUNERATION FOR UNDERTAKEN ACTIONS	AMOUNT
1.	Adoption of the writ of enforcement	20 euro
2.	Adoption of the conclusion in the enforcement procedure	15 euro
3.	Presence in public auctions and undertaking enforcement action outside of the office	45 euro for every started hour
4.	Inspection of movable and immovable property	15 euro for every started hour
5.	Inventory of immovable property where there is no cadaster of immovable property	45 euro for every started hour
6.	Priority notice instead of the inventory of movables	15 euro
7.	Presence in trials related to the application to eliminate irregularities if the application is rejected	45 euro
8.	Acquiring data on the property of judgment debtor	10 euro per request, but not more than 50 euro for all requests
9.	Acquiring data from the competent authority on the identity and address of the judgment debtor	5 euro per request, but not more than 30 euro for all requests
10.	Acquiring excerpt from public register, certificate or transcript from the court or any other state body	10 euro
11.	Service of writs that are not within the scope of work of a public enforcement officer	5 euro per service, except in cases in which the service is done within the action of enforcement
12.	Successful personal service of court writs and writs of other state bodies and public institutions	15 euro per service
13.	Supervision of the process of settling the debt in installments upon an authorization of the judgment creditor	10 euro for every installment period
14.	Issuing certificates and confirmations in the cases the public enforcement officer proceeds in	5 euro per request
15.	Additional copying of files	0.2 euro per page
16.	Transcript of the documents of public enforcement officer	0.2 euro per page