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

DECREE

ON THE PROMULGATION OF THE LAW ON AMENDMENTS TO THE LAW ON SPATIAL PLANNING AND CONSTRUCTION OF STRUCTURES

(“Official Gazette of Montenegro”, No. 082/20 of August 6, 2020)

I hereby promulgate the Law on Amendments to the Law on Spatial Planning and Construction of Structures, adopted by the Parliament of Montenegro of the 26th convocation, at the eighth session of the first regular (spring) sitting in 2020, on July 30, 2020.

Number: 01-1592 / 2

Podgorica, July 31, 2020

The President of Montenegro,

Milo Đukanović, m.p.

Pursuant to Article 82, paragraph 1, item 2 of the Constitution of Montenegro and Amendment IV, paragraph 1 to the Constitution of Montenegro, the Parliament of Montenegro of the 26th convocation, at the eighth session of the first regular (spring) sitting in 2020, on July 30, 2020, adopted the following

LAW

ON AMENDMENTS TO THE LAW ON SPATIAL PLANNING AND CONSTRUCTION OF STRUCTURES

Article 1

In the Law on Spatial Planning and Construction of Structures (“Official Gazette of Montenegro”, No. 64/17, 44/18 and 63/18), in Article 4, paragraph 1, the words: “electronic business and the present law” shall be replaced by the words: “electronic administration, electronic identification, electronic signature and electronic document and this law”.

Article 2

In Article 5, paragraph 1, item 16, after the words: “state administration”, the words: “administrative body” shall be added, and after the word “transport” the words: “tourism, economy” shall be added.

In item 26, after the words “construction,” the words: “performs their communal equipment,” shall be added.

Article 3

After Article 11, a new article shall be added to read as follows:

Article 11a

The Ministry, at the request of the interested person, shall issue an excerpt from the planning document from the Registry, within eight days from the day of submitting the request.

A fee in the amount prescribed by the Government of Montenegro (hereinafter: the Government) shall be paid for the issuance of the excerpt referred to in paragraph 1 of this Article.

Article 4

In Article 13, paragraph 7, the words: “of Montenegro (hereinafter: the Government)” shall be deleted.

Article 5

In Article 17, paragraph 2, the words “shall cover” shall be replaced by the words: “shall be adopted for”.

Article 6

In Article 26, paragraph 2, after the word “rights”, the words: "as well as to the structures referred to in Article 109a of this Law" shall be added.

Article 7

Article 37 shall be amended to read as follows:

The Ministry shall submit the proposal of the planning document referred to in Article 36 of this Law to the state administration body responsible for environmental protection, administrative bodies responsible for transport and protection of cultural heritage, legal entities responsible for connection conditions to infrastructure for approval, and local self-government units for opinion.

The consent or opinion referred to in paragraph 1 of this Article shall be given within 30 days from the day of submission of the planning document.

If the consent, i.e., opinion is not submitted within the deadline referred to in paragraph 2 of this Article, it shall be considered that the entities referred to in paragraph 1 of this Article agree with the decisions of the planning document. "

Article 8

In Article 42, paragraph 2, the words: “the entire planning document or coverage” shall be deleted.

Article 9

In Article 49, paragraph 9 shall be amended to read as follows:

The land allotment study shall be made on cadastral plans in 1: 2500, 1: 1000 and 1: 500 scale.

Article 10

In Article 51, paragraph 1, after the word “space”, the words: “composed of one polygon” shall be added.

Article 11

Article 54 shall be amended to read as follows:

An open competition for structures shall have to be called for the development of the conceptual architectural design, on the basis of which the technical documentation is prepared, for the needs of state bodies, local self-government, health care, educational, scientific, cultural, sports and social welfare structures that are state-owned.

Notwithstanding paragraph 1 of this Article, the public competition shall not be obligatory for:

- structures that are fully or partially financed from donations or loans from international financial institutions or from other countries through interstate cooperation and assistance projects,
- Reconstruction of structures.

The open competition set out in paragraph 1 of this Article shall be called for and held by the Ministry.

Notwithstanding paragraph 3 of this Article, for structures that are fully or partially financed from the local self-government budget, a public tender shall be called for and held by the competent local government body.

The manner and procedure of calling for and holding the open competition set out in paragraph 1 of this Article shall be prescribed by the Ministry.

Article 12

In Article 55, paragraph 2, item 3, after the word “area”, the words: “in accordance with the national architecture development guidelines” shall be added.

After paragraph 2, a new paragraph shall be added to read as follows:

The zoning and technical specifications for the piazza, square, promenade and city park, in addition to the conditions set out in paragraph 1 of this Article, also contain guidelines for the design and materialization of space in accordance with the national architecture development guidelines.

Article 13

In Article 72a, after paragraph 1, two new paragraphs shall be added as follows:

Notwithstanding paragraph 1 of this Article, cultural-historical structures with the status of immovable cultural heritage may be connected to the infrastructure on which conservation measures are carried out in accordance with the law governing the protection of cultural heritage and structures for which a request for legalization has been submitted in accordance with this law.

For the purposes of connecting the structure set out in paragraph 2 of this Article, the technical conditions of connection shall be obtained by the owner, i.e., the holder of the cultural heritage.

Article 14

In Article 80, paragraph 2, the words: “cultural property protection,” shall be deleted

Article 15

Article 81 shall be amended to read as follows:

Review of the final design shall be mandatory for all structures.

The review of the final design shall include verification of:

- design compliance with zoning and technical specifications, the present Law, separate regulations and rules of profession in relation to matters not regulated by the present Law, as well as ToR;
- fulfilment of the basic requirements for the structure;
- mutual compliance of all parts of engineering documents, as well as extended bill of quantities of all structure building works

Final design review shall also include a verification of compliance of the project with the conceptual design to which the consent of the chief state architect was given and verification of fulfillment of the conditions for the structure adaptation to persons with reduced mobility and persons with disabilities

A report shall be drawn of review conducted, signed by the responsible reviewer.

The review report set out in para. 4 of this Article may be positive or negative.

The employer shall appoint the responsible reviewer.

Review costs shall be borne by the employer.

The manner of performing the review of the final design shall be prescribed by the Ministry.

Article 16

Article 82 shall be amended to read as follows:

In the process of final design review, the responsible reviewer shall obtain from the body in charge of technical specifications a copy of the cadaster plan and immovable property certificate, approvals, opinions and other evidence set forth by law.

The body in charge of technical specifications shall respond and deliver the requested evidence, within 15 days of the receipt of application from the responsible reviewer.

Notwithstanding paragraph 2 of this Article, the deadline set by the law regulating cultural heritage shall apply to the submission of responses and evidence of the administrative body responsible for the protection of cultural heritage for the area under UNESCO protection.

If the body in charge of technical specifications does not deliver evidence set out in para.1 of this Article within the prescribed time limit, it shall be deemed to agree with the reviewed final design that was submitted.

There shall be no fee, tariff or other issuance costs charged for the issuance of evidence set out in para.1 of this Article.

Article 17

Article 87 shall be amended to read as follows:

In order to implement National Architecture Development Guidelines the Ministry shall appoint the chief state architect.

The chief state architect shall be appointed by the Government, at the proposal of the Minister.

The chief state architect may be a Bachelor of Science in Architectural Engineering in possession of at least VII 1 of the sub-level of the qualification framework, with at least ten years of work experience in urban planning and architectural practice.

The chief state architect shall:

- 1) give his approval to the conceptual design of the building, piazza, square, promenade and city park in terms of compliance with:
 - guidelines for design and materialization referred to in Article 55, paragraph 2, item 3 and paragraph 3 of this Law; and
 - basic urban parameters (construction index, occupancy index, number of floors or height of the building and the relationship to the construction line);
- 2) give approval to the conceptual design of the architectural design of the temporary structure for which the main design is prepared in relation to the program referred to in Article 116 of this Law, which is harmonized with the National Architecture Development Guidelines;
- 3) prepare ToR for the urban design;
- 4) provide approval to the urban design;
- 5) give approval to the Program of temporary structures in the part of design and materialization;
- 6) determine the guidelines for harmonization of the external appearance of structures referred to in Article 154 of this Law

Notwithstanding paragraph 4, item 1 of this Article, the chief state architect shall not check:

- the first-prize-winning conceptual architectural design, i.e., the best-ranked design on the basis of which the main design is made, which was the subject of the public competition referred to in Article 54 of this Law;
- conceptual design for the reconstruction of a cultural-historical structure that has the status of an immovable cultural heritage, i.e., a building within a cultural-historical whole, in accordance with the law prescribing the protection of cultural heritage;

- conceptual design for the reconstruction of the building, which does not envisage changes in the external appearance

The approval set out in paragraph 4, items 1, 2, 4 and 5 of this Article shall be given by means of a decision, within 15 days from the date of submission of the application and shall be an integral part of the main design.

The Ministry shall publish on the website the approval application and the approval set out in paragraph 6 of this Article, as well as the guidelines from paragraph 4, item 6 of this Article within one day as of the date of submission of the application or approval-granting.

Article 18

The tasks of the chief state architect referred to in Article 87, paragraph 4, item 1 of this Law, which refer to buildings up to 3000 m² of gross construction area, except for hotels or tourist settlement with four or five stars and tourist resort, as well as the tasks referred to in Article 87, paragraph 4, item 2, 3, 5 and 6 shall be devolved to the local self-government unit.

After paragraph 1, a new paragraph shall be added to read as follows:

The tasks of the chief state architect referred to in Article 87, paragraph 4, item 1 of this Law, which refer to buildings with a gross construction area of 3000 m² and more, a hotel or tourist settlement with four or five stars and a tourist resort, may be delegated to a local government unit.

In paragraph 6, the words: “from paragraph 2 of this Article” shall be replaced by the words: “from paragraph 3 of this Article”.

Paragraph 7 shall be amended to read as follows:

The chief city architect shall publish the conceptual design, the application and the approval referred to in Article 87 of the present Law on the website of the local self-government within one day from the day of submitting the application or approval-giving referred to in Article 87 of this Law.

The previous paragraphs from 2 to 7 become paragraphs from 3 to 8.

Article 19

In Article 90, paragraph 2, after the words “intended works”, a comma and the words: “as well as an overview of the technical specifications for the materials they intend to install” shall be added.

In Article 90, paragraph 3, the words: “Articles 89, 91 and 92” shall be replaced by the words: “Articles 89, 91, 92 and 109a”.

Article 20

In Article 91, paragraph 3, item 6, after the words: “build on land”, the words: “(immovable property certificate, concession agreement, decision on determining the public interest)” shall be added.

Paragraph 4 shall be removed.

The previous paragraph 5 shall become paragraph 4.

Article 21

In Article 93, after paragraph 3, a new paragraph shall be added to read as follows:

If during the construction of the structure there is a change of contractor, i.e., engineering supervisor, the employer shall notify the competent inspection body in writing within three days from the day of the change, and submit the contract on hiring the contractor, i.e., engineering supervisor to the competent inspection body within three days from the date of signing.

Article 22

In Article 97, paragraph 2 shall be amended to read as follows:

If the engineering supervisor notices deficiencies in the reviewed final design, i.e., assesses that the contractor's remarks set out in paragraph 1 of this Article are justified, they shall order the employer to change the final design and review it without delay and notify the competent inspection body.

Article 23

In Article 100, paragraph 4 shall be amended to read as follows:

The costs of engineering supervision shall be borne by the employer.

Article 24

After Article 109, a new article shall be added to read as follows:

Reconstruction of the structure until its designated use

Article 109a

On the existing structure that was built in accordance with the law, within the existing dimensions, reconstruction may be approved in accordance with its designated use, until the location is brought to its designated use according to the appropriate planning document.

Article 25

In Article 110, paragraph 1, item 3, the words: “from Article 98” shall be replaced by the words: “from Articles 97 and 98”.

Article 26

In Article 116, paragraph 1, after the words “Program”, the words: "harmonized with the national architecture development guidelines” shall be added.

Paragraphs 3 and 4 shall be amended to read as follows:

The Program shall be adopted by the local self-government unit for a five year period, based on the previously obtained approval of the Ministry and the state administration body responsible for tourism and administration bodies responsible for cultural property protection and environmental protection in relation to protected areas, as well as administrative body responsible for transport in relation to temporary structures along the state road and local government body responsible for transport in relation to temporary structures along the municipal road.

Notwithstanding paragraph 3 of this Article, for areas of marine property, i.e., national park, the Program shall be adopted by the Ministry, upon previously obtained opinion of the local self-government unit, state administration body responsible for tourism and administrative bodies responsible for cultural property protection and environmental protection, as well as administrative body responsible for transport in relation to temporary structures along the state road and the local government body responsible for transport in relation to temporary structures along the municipal road.

Article 27

Article 117 shall be amended to read as follows:

The employer may erect or build a temporary structure on the basis of the application and documentation prescribed by this Law.

The documentation referred to in paragraph 1 of this Article shall contain:

- 1) evidence of right to ownership or another right over the land;
- 2) evidence of regulation of relations regarding the payment of local utility fees for the use of public areas;

- 3) engineering documents developed in compliance with urban conditions from the Program and technical conditions obtained from the body in charge of technical conditions and
- 4) approval referred to in Article 87, paragraph 7 of this Law

Documents set out in paragraph 2, item 3 of this Article may be a standard design or other kind of design, depending on the type and designated use of the temporary structure.

The employer shall file the application and documents set out in paragraphs 1 and 2 of this Article to the competent inspection authority within 15 days prior to the commencement of erecting or building.

The provision of the paragraph 2, items 3 and 4 of this Article shall not refer to a temporary structure that was built or erected in accordance with the regulations that were valid before the adoption of the Program and which is harmonized with the urban conditions from the Program.

The urban conditions referred to in paragraph 2, item 3 of this Article, in relation to the external appearance of the temporary structure shall be issued in accordance with the national architecture development guidelines.

Article 28

Article 119 shall be amended to read as follows:

Auxiliary structures shall be deemed to be:

- 1) auxiliary structures that serve for the use of residential or business structures (garages, swimming pools or store rooms which are not part of the main structure, septic tanks, wells, fences, boundary walls, underpinnings, retaining walls and the like);
- 2) access ramps, elevators and similar structures for access and movement of persons with reduced mobility and persons with disabilities;
- 3) economic structures on an agricultural holding (structures for animal breeding, auxiliary structures for animal breeding, structures for storing animal fodder, structures for storing agricultural machinery, tools and implements, structures for storing agricultural products and other similar structures);
- 4) auxiliary structures for protection and valorization of immovable cultural property (protective structures, visitor centers, info desks, presentation spaces); and
- 5) Photovoltaic panels for the production of electricity from renewable sources, up to 10 kW, on the roof of the main or auxiliary structure.

Article 29

In Article 120, paragraph 4, after the words: “inspection authority”, the words: “local administrations” shall be added.

Article 30

Article 121 shall be amended to read as follows:

Business organization, legal entity or entrepreneur (hereinafter: Business organization) that meets the requirements defined by the present Law may engage in activities of engineering documents development, engineering documents review, construction of structures or execution of specific structure building works and engineering supervision.

Notwithstanding paragraph 1 of this Article, engineering documents review and engineering supervision for the construction of infrastructure structures or state-owned structures, which are built for the needs of state bodies and legal entities founded by the state, may be performed by the commission set out in Article 124 paragraph 5 of this Law, as well as a state-owned business organization if it meets the requirements established by this law.

Notwithstanding paragraph 1 of this Article, engineering documents review and engineering supervision for the construction of infrastructure structures or for structures over which local self-government units have property rights, which are built for the needs of local self-government bodies, local government bodies, organizations and public services that are founded by local self-government unit, may be performed by a business organization owned by a local self-government unit, if it meets the requirements established by this Law.

Two or more local self-government units may organize the joint performance of activities set out in paragraph 3 of this Article, in accordance with the law.

A foreign business organization may also engage in activities of engineering documents development, construction of structures or execution of specific structure building works, if it meets the requirements established by the present Law.

Article 31

In Article 123, paragraph 1 shall be amended to read as follows:

A chartered engineer may be a natural person performing the tasks of engineering documents development or structure building, of appropriate profession, holding at least VII 1 sub-level of the qualification framework, with at least three years of work experience in the professional tasks of engineering documents development and/or structure building, has passed the professional exam and is a member of the Chamber of Engineers of Montenegro (hereinafter: the Chamber).

Article 32

Article 124 shall be amended to read as follows:

The business organization performing engineering documents review (responsible reviewer) or the business organization performing engineering supervision over the construction of the structure (engineering supervision) shall have at least one employed reviewer for the performance of the activity of engineering documents review and engineering supervision for: architectural, construction, electrotechnical and mechanical design.

Notwithstanding paragraph 1 of this Article, the business organization referred to in paragraph 1 of this Article shall have at least one employed reviewer for an architectural or construction design for buildings with a gross construction area of up to 300 m²; at least one employed reviewer for the architectural and construction design for buildings with a gross construction area of 300 to 1,000 m²; at least one employed reviewer for an architectural, construction and electrotechnical design for buildings with a gross construction area of 1,000 to 10,000 m², and for engineering structures that are not complex engineering structures, at least one employed reviewer for two designs referred to in Article 78 paragraph 3 of this Law.

The responsible reviewer and the engineering supervisor shall be responsible for compliance of engineering documents with the zoning and technical specifications, the present Law and separate regulations, and for the compliance of the structure built with the reviewed final design, as well as for the damage that might occur to the employers or third persons.

The responsible reviewer and the engineering supervisor shall appoint a reviewer to manage the review of the entire engineering documents and a reviewer for each separate part of engineering documents, as well as a reviewer managing engineering supervision over the construction of structure in its entirety and a reviewer for specific structure building works.

Notwithstanding paragraph 1 of this Article, for structures that are fully or partially financed from: the state budget, donations, loans from international financial institutions, funds of other countries through international cooperation and assistance projects, review or engineering supervision may be performed by a commission consisting of natural persons who meet the requirements of Article 194 of this Law.

In the case referred to in paragraph 5 of this Article, the commission shall be determined by the Ministry at the proposal of the employer.

A natural person who is a member of the commission referred to in paragraph 5 of this Article shall, before starting the work, conclude an agreement on professional liability insurance for damage that may occur to employers or third parties from performing his activity and submit evidence of the concluded insurance contract to the competent inspection body.

The minimum amount of insurance for which the contract referred to in paragraph 7 of this Article is concluded, the manner of determining the insured amount and the amount of remuneration for the work of the commission referred to in paragraph 5 of this Article shall be prescribed by the Government.

Article 33

In Article 125, at the end of paragraph 1, the full stop shall be replaced by a comma and the words: “has passed the professional exam and is a member of the Chamber” shall be added.

Article 34

After the Article 125 two new articles shall be added to read as follows:

Professional Development

Article 125a

Chartered engineer or reviewer shall have the right and obligation of professional development training in order to acquire professional knowledge by participating in courses, seminars, symposia, congresses and other professional and scientific gatherings in the country and abroad and other types of professional development within its scope, as well as the obligation to continuously keep track of and adopts modern knowledge.

Chartered engineer or reviewer who is in professional development training in accordance with paragraph 1 of this Article shall acquire the appropriate number of points during the professional development during one year.

The business organization where the person referred to in paragraph 1 of this Article is employed shall provide the conditions for professional development referred to in paragraph 1 of this Article.

The professional development program for chartered engineers and reviewers referred to in paragraph 1 of this Article shall be determined by the Chamber.

The manner of evaluation of professional development referred to in paragraph 2 of this Article shall be prescribed by the Ministry.

Professional exam

Article 125b

A natural person of architectural, construction, electrotechnical and mechanical profession with at least VIII sub-level of the qualification framework for performing activities referred to in Article 123 of this Law, shall have passed the professional exam.

The professional exam shall test the knowledge of regulations in the field of construction of structures.

The program and manner of taking the professional exam shall be prescribed by the Ministry.

Article 35

Article 131 shall be amended to read as follows:

A business organization engaged in the activity set out in Article 112 of the present Law shall conclude an agreement on professional liability insurance for the damage that may occur to employers or third parties, prior to the commencement of performing their activities.

The head of drafting the planning document referred to in Article 22 of this Law shall conclude the agreement on professional liability insurance as well.

The insurance set out in paragraphs 1 and 2 of this Article shall cover the risk of liability for damage inflicted upon parties, damage to structures and financial loss.

The minimum amount of insurance and the manner of determining the insured amount set out in paragraph 3 of this Article shall be prescribed by the Government.

Professional liability insurance contracted in the country in which the foreign entity from an EEA country has its seat shall be recognized if it is concluded in accordance with this Law and if this insurance covers the damage that may be caused in Montenegro.

Article 36

In Article 132 paragraph 1, words: “and structure building reviewer” shall be replaced by the words: “structure building reviewer and a member of the expert team for drafting the planning document.”

After paragraph 1, a new paragraph shall be added to read as follows:

Notwithstanding paragraph 1 of this Article, the duties of the member of the expert team for the drafting of the planning document may be performed by a person who is a representative of the local self-government unit referred to in Article 22, paragraph 8 of this Law.

The previous paragraphs from 2 to 4 become paragraphs from 3 to 5.

Article 37

In Article 134 words: “Article 158, paragraph 1, items 7 and 8 and paragraph 4” shall be replaced by the words: “Article 158, paragraph 1, items 4 and 5 and paragraph 3”.

Article 38

Article 139 shall be amended to read as follows:

Revocation of License

Article 139

The Ministry shall revoke the license if:

- 1) the license holder performs the activity contrary to Article 122, paragraph 3, Article 123, paragraphs 2, 3 and 4, Article 124, paragraph 2 and Article 125, paragraphs 2, 3 and 4 of the present Law;
- 2) it is found that the license was issued on the basis of inaccurate data;
- 3) the license holder ceases to fulfil requirements for performing activities from Article 122 paragraphs 1, 2, 4 and 5, Article 123, paragraphs 1 and 5, Article 124, paragraphs 1 and 3 and Article 125, paragraph 1 of the present Law;
- 4) the license holder is deprived of legal capacity;
- 5) the license holder ceases to exist by force of law;
- 6) the license holder becomes permanently disabled to perform tasks; and
- 7) the license holder has not been professionally trained during one year, i.e., if he has not acquired the prescribed number of points in one year in accordance with Article 125a of this Law, in which case the proposal for revocation of the license shall be submitted by the Chamber

The Ministry shall initiate the procedure of revoking the license ex officio, if it finds out that the conditions set out in paragraph 1 of this Article have been met.

If the responsible reviewer, the engineering supervisor, the reviewer, the chief state or city architect, the competent local administrative authority, the body in charge of technical specifications, or the competent inspection authority finds out that the conditions for license revocation have been met, they shall file a motion for revocation of the license.

The revocation of license, in case set out in paragraph 1, item 1 of this Article, shall be performed for the period from three months to five years or permanently if the license holder performs the activity contrary

to Articles 122 and 123 of this Law, or for a period of one to five years or permanently if the license holder performs the activity contrary to Articles 124 and 125 of this law.

The license shall be permanently revoked from the responsible reviewer, or engineering supervisor and reviewer referred to in Article 125 paragraphs 3 and 4 of this Law if they have made a positive review report, and the basic urban parameters (construction index, occupancy index, number of floors or height of the building and the relationship to the construction line) in the reviewed final design are not in accordance with zoning and technical specifications, i.e., the structure under construction is not in accordance with the basic urban parameters from the reviewed final design.

Issuance of an enforceable decision to revoke the license shall terminate all rights arising from the license issued.

The Ministry shall notify the competent inspection authority about the revocation of license within three days as of the date of issuance of the decision to revoke the license.

The license shall be revoked in the manner and according to the procedure applied for its issuance.

Upon the expiry of the period for which the license has been revoked, an application for the issuance of a new license may be filed.

The Ministry shall publish on the website the decision revoking the license within three days as of the date of its issuance.

Article 39

In Article 140, paragraph 1, the word “revoked” shall be replaced by the word “revoked”.

Article 40

In Article 141, paragraph 1 and in Article 238 paragraph 2 the word “revocation” in a different case shall be replaced by the word “revocation” in appropriate case.

Article 41

The title of Chapter IX shall be amended to read: “CHAMBER”

Article 42

In Article 142, paragraph 1, the words: “Chamber of Engineers of Montenegro (hereinafter referred to as the Chamber)” shall be replaced by the word “Chamber”.

After paragraph 1, a new paragraph shall be added to read as follows:

In order to provide expertise and protect the public interest, persons working on the construction of structures shall join the Chamber.

Article 43

Article 146 shall be amended to read as follows:

The Chamber shall perform the following tasks:

- 1) improve and ensure professional development of its members;
- 2) keep the registry of the Chamber members;
- 3) keep the registry of members with suspended membership in the Chamber;
- 4) keep the registry of professional development programs and the achieved number of points of the members of the Chamber;
- 5) propose technical base maps for the development of regulations set out in Article 72 of the present Law;
- 6) organize and conduct taking the professional exam referred to in Article 125b of this Law;

- 7) determine the training programs referred to in Article 125a, paragraph 4 of this Law;
- 8) determine the amount of membership fee of its members;
- 9) protect, coordinate and represent interests of its members;
- 10) adopt the code of ethics and ensure its implementation;
- 11) regulate disciplinary accountability, conduct disciplinary procedures against its members and impose disciplinary measures; and
- 12) Provide expert opinions and expertise on the requirements of state bodies and institutions.

A natural person with at least VIII of the sub-level of the qualification framework may enter in the registry of members of the Chamber.

The Chamber shall perform tasks from paragraph 1, items 1, 5, 6 and 7 of this Article, as a public authorization.

Supervision over the performance of activities referred to in paragraph 3 of this Article shall be performed by the Ministry.

Article 44

In Article 153, paragraph 1, after the words: “shall be deemed to be a”, the word “residential” shall be added.

Article 45

In Article 154, paragraph 4 shall be amended to read as follows:

The legalization decision set out in paragraph 3 of this Article may be issued for an illegal structure which was constructed in accordance with the basic zoning parameters and / or guidelines from the valid planning document adopted prior to the entry into force of the present Law or within the time limit set out in Articles 217 and 218 of the present Law and which is on the orthophoto recording from Article 155 of this Law.

In paragraph 5, after the words: “in accordance with the basic zoning parameters”, the words: “and / or guidelines” shall be added.

After paragraph 6, a new paragraph shall be added to read as follows:

Notwithstanding paragraph 4 of this Article, the legalization decision referred to in paragraph 3 of this Article may be issued for an illegal auxiliary structure that was built in accordance with the regulations of the local self-government unit which regulates auxiliary facilities.

In paragraph 7, after the words: “illegal structure”, the words: “from paragraphs 3 and 4 of this Article” shall be added.

In paragraph 8, the words: “paragraph 7” shall be replaced by the words: “paragraph 8”.

Paragraphs from 7 to 11 shall become paragraphs from 8 to 12.

Article 46

In Article 155 paragraphs 3 and 4 shall be deleted.

Article 47

Article 156 shall be amended to read as follows:

The legalization procedure of an illegal structure shall be initiated by filing a legalization application.

The application set out in paragraph 1 of this Article shall be accompanied by:

- as-built survey of the illegal structure developed by a licensed surveying organization certified by the Cadaster;

- photos of all facades of the illegal building in jpg format with a minimum resolution of 2 megapixels;
- report of the business organization from Article 124 of this Law on the existence of an illegal structure on the orthophoto recording from Article 155 of this Law and compliance of the illegal structure with basic zoning parameters and / or guidelines of the valid planning document and reviewer's statement that the illegal structure was built in accordance with basic zoning parameters and / or guidelines of the valid planning document; and
- Evidence of entry of the structure existence in cadastral records or excerpt from the real estate cadaster or other appropriate records of immovable property.

In the survey referred to in paragraph 2, indent 1 of this Article, data on the gross and net surface area of the illegal structure, position and coordinates of the structure on the cadastral parcel shall be entered in particular.

If the legalization application is submitted for a part of the building, and the building is registered in the real estate cadaster, the survey referred to in paragraph 2, indent 1 of this Article shall be prepared only for the part for which the request was submitted.

If the legalization application is submitted for a part of the building, and the building is not registered in the real estate cadaster, the survey referred to in paragraph 2, indent 1 of this Article, which is prepared for the part for which the request was submitted, shall contain information on:

- land - cadastral parcel (name of the cadastral municipality; number, form and parcel area; type of land; cadastral culture; cadastral and quality class; cadastral revenue; name or address);
- structures (position; form; gross construction area; manner of usage; name of the structure; address, number of floors; year of construction if it can be determined);

The application referred to in paragraph 1 of this Article may be submitted by:

- 1) the owner of the illegal structure, and
- 2) condominium unit owner or condominium unit owners association of the illegal structure.

The application set out in paragraph 1 of this Article shall be published on the website of the competent local administrative authority.

The manner of preparation and content of the report and statement referred to in paragraph 2, indent 3 of this Article shall be prescribed by the Ministry.

Article 48

Article 157 shall be amended to read as follows:

Within 30 days of the receipt of the legalization application for an illegal structure whose property law relations over the land on which it was constructed have not been resolved, the competent local administrative authority shall submit a notification of legalization procedure initiation to the state administration body in charge of property in case of land owned by Montenegro or to the local administrative authority in charge of managing property in case of land managed by a local self-government unit.

The competent local administrative authority shall, within 30 days of the receipt of a legalization application of an illegal structure constructed in accordance with the basic zoning parameters and / or guidelines from the valid planning document adopted until the entry into force of the present Law, i.e., within the deadline set out in Articles 217 and 218 of this Law and which is on the orthophoto recording from Article 155 of this Law, inform the competent inspection authority of the filing of the legalization procedure initiation application, in view of terminating the structure removal procedure.

For an illegal structure that was not constructed in accordance with the basic zoning parameters and / or guidelines from the valid planning document adopted until the entry into force of the present Law, the

competent local administrative authority shall, within 30 days of the receipt of both the application and the documents set out in Article 156 of the present Law, issue a decision terminating the legalization procedure until the entry into force of planning documents set out in Articles 217 and 218 of the present Law, i.e., entry into force of the decision to adopt the General Regulation Plan of Montenegro and it shall inform the competent inspection authority in view of terminating the structure removal procedure.

Notwithstanding paragraphs 2 and 3 of this Article, if the illegal structure or its part is not on the orthophoto recording and / or it is constructed in an area which was envisaged, according to the valid planning document adopted prior to the entry into force of the present Law, for the construction of infrastructure, complex engineering structures and structures used by the public, notification to the competent inspection authority in view of terminating the structure removal procedure shall not be delivered.

Article 49

Article 158 shall be amended to read as follows:

In order to legalize a structure that was constructed in accordance with the valid planning document adopted until the entry into force of the present Law or within the time limit set out in Articles 217 and 218 of the present Law, the competent local administrative authority shall, within 15 days of the receipt of the documents set out in Article 156 of the present Law, invite the submitter of the documents set out in Article 156 of the present Law, to submit within 120 days as of the date of receiving the invitation:

- 1) evidence of resolved property law relations over the land on which the illegal structure was constructed ;
- 2) evidence of resolved relations with regard to the payment of a fee for building land connection to utilities;
- 3) evidence of resolved relations with regard to the payment of a special fee for investments in accordance with the law regulating the regional water supply of the Montenegrin coastal zone (hereinafter referred to as the special “fee”);
- 4) analysis of the business organization set out in Article 122 of the present Law that examined the static and seismic stability of the illegal structure the net surface area of which is up to 500m² in accordance with the regulation set out in Article 160 of the present Law and a statement by the business organization that the building is stable and safe for use;
- 5) Analysis of the business organization set out in Article 122 of the present Law that examined the static and seismic stability of the illegal structure the net surface area of which exceeds 500 m² and a statement by the business organization that the structure is stable and safe for use.

For the purpose of legalization of a structure that is included in the General Regulation Plan of Montenegro, for which the documents set out in Article 156 of the present Law have been submitted, the competent local administrative authority shall invite the applicant, within 20 days as of entry into force of the decision adopting the General Regulation Plan of Montenegro, to submit the evidence referred to in paragraphs 1 and 4 of this Article within 120 days as of the date of receiving the invitation.

For structures serving as primary residences and auxiliary structure of up to 40 m² in which no activity is performed, instead of the evidence referred to in paragraph 1, item 4 of this Article, a certified statement of the structure owner may be submitted that he is accountable for damage inflicted upon third persons arising from the structure use.

For a structure set out in Article 153 of the present Law, in addition to the evidence set out in paragraph 1 of this Article, the illegal structure owner shall also submit the following documents:

- concerning the number of members of the family household;
- concerning the place of residence in the place where the illegal structure was constructed, and

- the owner and members of the family household in the territory of Montenegro do not own another residential building or a housing unit that is suitable for use.

Article 50

Article 161 shall be deleted.

Article 51

In Article 162, paragraph 1, the words: “from Article 158, paragraph 1, item 1 and items 4 to 8 of the present Law” shall be replaced by the words: “from Article 158, paragraph 1, items 1, 4 and 5 of the present Law”.

Article 52

Article 164 shall be amended to read as follows:

Fee for Connection of Building Land to Utilities

Article 164

Illegal structure owners shall pay the fee for the connection of building land to utilities.

The fee set out in paragraph 1 of this Article shall be paid for all illegal structures.

The fee set out in paragraph 1 of this Article shall be determined by a decision of the competent local government body.

The amount of the fee set out in paragraph 1 of this Article shall be determined depending on the zone, level of equipment of construction land, average costs of equipping construction land, costs of the connection of building land to utilities devastated by illegal construction, manner of payment of determined amount of fee and type and purpose of structure.

Notwithstanding paragraph 4 of this Article, a local self-government unit may reduce the amount of fee determined in accordance with the criteria referred to in paragraph 4 of this Article, for illegal structures:

- from Article 239, paragraph 6 of this Law in the prescribed percentage,
- auxiliary structures that serve the use of residential and other structures (underground and aboveground garages, swimming pools, store rooms, septic tanks, wells, fences, etc.) up to 80%;
- primary residence up to 50%, and
- whose owner or member of the family household has priority in exercising the right to social housing in accordance with the law regulating the conditions and manner of exercising the right to social housing up to 90%

The amount of the fee shall be calculated per m² of the net surface area of the illegal structure on the basis of as-built survey of the construction or its part, made by a licensed surveying organization and certified by the Cadaster.

The fee set out in paragraph 1 of this Article for structures serving as primary residences shall be paid in equal monthly instalments, stated in the application of the illegal structure owner, and at the most in 240 monthly instalments.

For other illegal structures, the fee set out in paragraph 1 of this Article shall be paid in equal monthly instalments, stated in the application of the illegal structure owner, and at the most in 120 monthly instalments.

For illegal structures the fee set out in paragraph 1 of this Article, shall be increased by the amount of 5%, if the increased amount is paid one-off, or by 20% if the illegal structure owner requires to also pay the increased amount under the conditions set out in paragraph 8 of this Article.

Notwithstanding paragraph 9 of this Article, for illegal structures serving as primary residences, the fee set out in paragraph 1 of this Article shall be increased by the amount of 2.5%, which is paid on a one-time

basis or under the conditions set out in paragraph 7 of this Article, in accordance with the application of the illegal structure owner.

The amount, conditions, manner, time limits and procedure for payment of the fee for connection of building land to utilities in accordance with criteria set out in paragraphs 4 and 5 of this Article shall be prescribed by the competent local self-government authority, with prior approval of the Government.

The regulation referred to in paragraph 11 of this Article shall in particular contain the deadlines for the provision of utility infrastructure by local self-government units to the owners of structures who have paid the entire amount of the fee for connection of building land to utilities.

Article 53

In Article 166, after paragraph 1, a new paragraph shall be added to read as follows:

The Cadaster shall, within 20 days from the day of receipt of the decision on legalization from Article 154, paragraph 7 of this Law, delete the entry in the "G" list of immovable property, which refers to the fact that the auxiliary structure was built without a building permit.

Article 54

Article 167 shall be amended to read as follows:

"Illegal structure owner shall harmonize the external appearance of the illegal structure with the requirements determined by the planning document guidelines for harmonization of external appearance, i.e. the guidelines of the chief city architect from Article 154, paragraphs 8 and 9 of the law, within three years from the day the legalization decision is enforced.

If the harmonization of the external appearance of an illegal structure with the requirements of certain guidelines referred to in paragraph 1 of this Article requires the performance of works on the structure which, in terms of the provisions of this Law, are considered adaptation or reconstruction, the provisions of this Law relating to adaptation or reconstruction shall apply accordingly.

The decision on compliance of the structure with the planning document guidelines for harmonization of the external appearance, i.e. the guidelines of the chief city architect, is issued by the chief city architect, based on submitted photographs of all facades of the structure harmonized with the guidelines from paragraph 1 of this Article.

Notwithstanding paragraph 3 of this Article, the decision may be issued by the reviewer referred to in Article 124 of this Law who has employed at least one reviewer for the architectural project.

The chief city architect or reviewer shall submit the decision referred to in paragraph 3 of this Article to the Cadastre within eight days from the day of issuance.

After receiving the decision referred to in paragraph 3 of this Article, the Cadastre shall:

- 1) register the ownership rights over the structure in the real estate Cadastre, for the structure for which evidence of structure registration in cadastral records referred to in Article 156 of this Law has been submitted;
- 2) delete the entry in the "G" list, the list of real estate, which refers to the fact that the structure was built without a building permit, or contrary to the building permit, and
- 3) delete the entry in the "G" list, the list of real estate, which refers to the fact that the structure does not comply with the guidelines referred to in paragraph 1 of this Article."

Article 55

In Article 168, paragraph 1 shall be amended to read as follows:

"The owner of an illegal structure, for which a request for legalization has not been submitted, and the owner of an illegal structure for which a decision rejecting the request for legalization has been made shall pay an annual fee for the use of space to the local self-government unit."

Paragraph 6 shall be deleted.

The current paragraph 7 shall become paragraph 6.

After paragraph 6, a new paragraph shall be added to read as follows:

"The local government body shall determine by a decision the termination of the obligation to pay the fee referred to in paragraph 1 of this Article to the owner of an illegal structure who submits a request for legalization in accordance with this Law, on the day the request is submitted."

Article 56

Article 169 shall be amended to read as follows:

"A local self-government unit shall use the funds obtained from the urban remediation fee and space utilization fee from Article 168 of this law for the implementation of urban remediation measures and for providing alternative accommodation, in accordance with this law."

The implementation of urban remediation measures referred to in paragraph 1 of this Article shall be provided by the local self-government unit in accordance with the urban remediation program.

The program referred to in paragraph 2 of this Article shall be adopted by the local self-government unit."

Article 57

Article 172 shall be amended to read as follows:

"Complex engineering structures, in terms of this law, shall be: highways, fast roads, main and regional roads, tunnels, bridges, railways, airports, distribution and transmission power plants of voltage level 35 kV and higher (overhead and underground transmission lines and substations), production electric power facilities with a capacity of 1 MW and more (hydroelectric power plants, thermal power plants, wind power plants, solar power plants, etc.), ports, gas pipelines with a flow of more than 100 m³ / h, dams and reservoirs filled with ash for which technical monitoring is prescribed; liquefied natural gas storage and transfer plants with a capacity of more than 1000 m³, liquefied petroleum gas storage and transfer plants with a capacity of more than 1000 m³, oil and oil derivatives storage and transfer plants with a capacity of more than 1000 m³, structures for production, transport and distribution of thermal energy for district heating and / or cooling with a capacity of 1MWth and more, structures for production, transport and distribution of thermal energy for industrial use with a capacity of 1MWth and above and stable pressure vessels, structures in which hazardous materials are produced and stored, structures and plants for chemical and heavy industry and waste-to energy plants with a capacity of 1MW and more."

Article 58

In Article 175, paragraph 1, after the words: "technical solutions;" the words: "construction phasing;" shall be added.

Article 59

Article 176 shall be amended to read as follows:

"Preliminary design for a complex engineering structure shall contain, in particular, data on: micro location of the structure; technical-technological and exploitation characteristics of the structure; orientation calculation of structure stability and safety; technical-technological and organizational elements of structure construction; analysis of energy systems with energy efficiency assessment; infrastructure solution; analysis of constructive and construction solutions; structure equipment; the approximate value of the structure construction.

Preliminary design shall be done for the needs of employers or for the needs of issuing a building permit.

Preliminary design for the structure referred to in Article 74, paragraph 3 of this Law, which is a complex engineering structure, contains an up-to-date cadastral basis with the route of the structure in electronic format."

Article 60

Article 177 shall be amended to read as follows:

"The final design for a complex engineering structure is a project that determines the technological, architectural-construction, technical and operational characteristics of the structure with equipment and installations, with the elaboration of the necessary details for the construction of the structure and the value of the construction works, and is made for the purpose of issuing a construction permit as well as for the construction of the structure.

The final design for the structure referred to in Article 74, paragraph 3 of this Law, which is a complex engineering structure, must contain an attachment in electronic format of an up-to-date cadastral basis with the route of the structure.

In addition to the documentation referred to in Article 78 of this Law, the final design referred to in paragraph 1 of this Article shall also contain documentation on the installation and functional testing of installed equipment.

The final design referred to in paragraph 1 of this Article may contain the obligation to observe and test the structure after putting it into service.

If the construction permit is issued on the basis of the preliminary design referred to in Article 176 of this Law, the main design shall be prepared in accordance with the preliminary design on the basis of which the construction permit was issued."

Article 61

After Article 177, the new article shall be added to read as follows:

"Reviewed final design of a complex engineering structure

Article 177a

Reviewed final design of a complex engineering structure is a revised final design for a complex engineering structure with changes that occurred during the construction of the structure due to the circumstances referred to in Articles 97 and 98 of this Law.

Reviewed final design of a complex engineering structure is also being done for the needs of structure maintenance."

Article 62

In Article 179, paragraph 3, the words: "and adopted conceptual design" shall be deleted.

In paragraph 4, after the words: "and the preliminary design", the words: "if the building permit is issued for the preliminary design" shall be added.

In paragraph 9, after the words "reviewing", the words: "technical documentation" shall be added."

Article 63

In Article 180, after paragraph 1, a new paragraph shall be added as follows:

"For technical documentation referred to in paragraph 1 of this Article or its part, which was prepared as a donation within the technical assistance program based on the interstate agreement of Montenegro and the European Union and / or other programs through which grant funding is provided, as proof of eligibility for performing activities in accordance with the regulations and rules of the profession, the evidence valid

in the country according to whose regulations the technical documentation or its part was prepared, shall be accepted. "

Paragraph 2 shall be amended to read as follows:

"Verification of compliance referred to in paragraphs 1 and 2 of this Article shall be performed by revision of the technical documentation referred to in Article 179 of this Law."

The previous paragraphs 2, 3 and 4 shall become paragraphs 3, 4 and 5.

Article 64

In Article 181 paragraph 3 item 4 shall be amended to read as follows:

"4) consent to the environmental protection study if the construction permit is issued on the basis of the conceptual design, i.e. consent, opinion and other evidence determined by special regulations if the construction permit is issued on the basis of the final design, and".

Paragraph 8 shall be amended to read as follows:

"Notwithstanding paragraph 7 of this Article, a construction permit for a complex engineering structure that requires the preparation of a study on environmental impact assessment, or for a complex engineering structure in an area protected by UNESCO shall be issued within 60 days from the date of application."

Article 65

In Article 183, after paragraph 2, four new paragraphs shall be added to read as follows:

"The employer shall report the start of works to the competent inspection body seven days before the beginning of the construction of the structure.

Along with the application for works, the employer shall submit the documentation referred to in paragraph 2, items 4 and 5 of this Article, as well as proof of liability insurance of the company that builds the structure and performs engineering supervision.

If the construction permit is issued for the preliminary design, the reviewer obtains consents, opinions and other evidence in accordance with Article 82 of this Law.

In the case referred to in paragraph 5 of this Article, the employer shall submit the documentation referred to in paragraph 2 of this Article to the competent inspection body with the application for works. "

The current paragraph 3 shall become paragraph 7.

Article 66

In Article 186, paragraph 1, the words: "construction applications" shall be replaced by the words: "notification of building work".

Article 67

After Article 186, a new article shall be added to read as follows:

"Performing engineering supervision for a complex engineering structure

Article 186a

The employer shall provide engineering supervision during the construction of a complex engineering structure.

The performer of engineering supervision is determined by the state administration body responsible for the activity performed in the complex engineering structure at the proposal of the employer.

The costs of engineering supervision shall be borne by the employer."

Article 68

In Article 188, paragraph 5, after the word "structure", the words: "at the proposal of the employer" shall be added.

In paragraph 9, after item 2, a new item shall be added to read as follows:

"3) prohibits the use of a complex engineering structure"

Article 69

In Article 190, paragraph 2, the word "or" shall be replaced by the words: "as well as for a part of the structure".

Article 70

Article 192 shall be amended to read as follows:

"Apart from the entities referred to in Article 124 of this Law, the activity of engineering documents review, performance of engineering supervision and of technical inspection for complex engineering structures, may also be performed by a commission consisting of natural persons who meet the conditions referred to in Article 194 of this Law."

The entity referred to in paragraph 1 of this Article, for the activity of technical documents review, engineering supervision and technical inspection for a complex engineering structure, may engage, in accordance with the law natural persons who meet the requirements of Article 194 of this Law.

The commission set out in paragraph 1 of this Article shall be designated by the state administration body competent for the activity that is performed in the complex engineering structure.

A natural person who is a member of the commission referred to in paragraph 3 of this Article shall conclude a contract on professional liability insurance for damage that may occur to employers or third parties from the performance of his activity and submit proof of the concluded insurance contract to the competent inspection.

For complex engineering structures, engineering supervision over the structure building may also be carried out by the employer directly or through a business organization that has developed the engineering documents.

The minimum amount of insurance for which the contract referred to in paragraph 4 of this Article is concluded and the amount of remuneration for the work of the commission referred to in paragraph 3 of this Article shall be prescribed by the Government."

Article 71

In Article 193, after paragraph 3, a new paragraph shall be added to read as follows:

"Detailed conditions and criteria for performing the activities referred to in paragraph 1 of this Article, depending on the type of complex engineering structures, shall be prescribed by the state administration body responsible for the activities performed in the complex engineering structure, with previously obtained consent of the Ministry."

Article 72

In Article 194, after paragraph 4, a new paragraph is added to read as follows:

"Detailed conditions and criteria for performing activities referred to in paragraph 1 of this Article, depending on the type of complex engineering structures, shall be prescribed by the state administration body responsible for the activity performed in the complex engineering structure, with previously obtained consent of the Ministry."

Article 73

In Article 197, paragraph 1, after the words "Ministry", the words: "and local government body" shall be added.

In paragraph 2, a comma shall be inserted instead of a full stop at the end and the words: "i.e. through the urban development and building inspection referred to in Articles 115 and 120 of this Law" shall be added.

After paragraph 4, a new paragraph shall be added to read as follows:

"Detailed content and form of minutes on inspection supervision of urban development and building inspection shall be prescribed by the Ministry."

Article 74

After Article 197, a new article shall be added to read as follows:

"Official uniform and official insignia

Article 197a

The urban development and building inspector shall perform the inspection in official uniform.

The official uniform shall have the prescribed mark of the urban development and building inspection.

The appearance of the uniform, as well as the appearance and content of the mark on the uniform shall be prescribed by the Ministry."

Article 75

In Article 199, after the word "inspector", a comma shall be inserted and the words: "as well as the decisions of the building development and building inspector issued for structures in the area of the maritime domain or national park" shall be added."

Article 76

In Article 200 paragraph 1 item 3 shall be amended to read as follows:

"3) the final design was developed and reviewed in accordance with zoning;"

After item 3, a new item shall be added to read as follows:

"3a) the final design was developed and reviewed in accordance with the basic zoning parameters (floor area ratio, lot coverage index, number of floors, that is, structure height and its relation towards the building line);"

After item 15, a new item shall be added to read as follows:

"15a) a change of contractor or engineering supervisor was reported within three days from the day of the change and if the contract on hiring the contractor, i.e. engineering supervisor was submitted within three days from the day of its signing;"

Items 26, 27, 28 and 29 shall be deleted.

In item 41, the words: "paragraphs 8 and 9" shall be deleted.

After item 41, three new items shall be added to read as follows:

"42) the company referred to in Article 124 of this Law prepared the report referred to in Article 156, paragraph 2, indent 3 of this Law in accordance with this Law;

43) the reviewer meets the conditions referred to in Article 167 paragraph 4 of this Law for the issuance of a decision on the compliance of the structure with the planning document guidelines on external appearance adjustment referred to in Article 167 paragraph 3 of this Law;

44) the reviewer referred to in Article 167, paragraph 4 of this Law has issued a decision on the compliance of the structure with the planning document guidelines on external appearance adjustment in accordance with Articles 154 and 167 of this Law. "

In paragraph 2, the words: "items 1, 2, 3" shall be replaced by the words: "items 1, 2, 3a."

Article 77

In Article 201, paragraph 1, after item 2, a new item shall be added to read as follows:

"2a) prohibit the building of a structure if the structure is built on the basis of a reviewed final design which has been prepared based on zoning that is not in accordance with the planning document;"

Item 3 shall be amended to read as follows:

"3) prohibit the building of a structure, if it is determined that the final design was developed or reviewed contrary to the zoning;"

After item 3, a new item shall be added to read as follows:

"3a) prohibit the building of a structure if it is determined that the final design was developed or reviewed contrary to the zoning (floor area ratio, lot coverage index, number of floors, that is, structure height and its relation towards the building line);"

Item 5 shall be amended to read as follows:

5) prohibit the building of a structure if the final design does not contain the chief state or chief city architect approval to the conceptual design; "

In item 11, the words: "items 1, 2, 3" shall be replaced by the words: "items 1, 2, 3, 3a"

In item 13 the words: "items 2, 3" shall be replaced by the words: "items 2, 3, 3a"

After item 20, two new items are added to read as follows:

"20a) prohibit the execution of works if no change of contractor, i.e. engineering supervisor, has been reported, within three days from the day of the change;

20b) order the employer to submit a contract on hiring a contractor, i.e. engineering supervisor within the determined deadline, if there has been a change of contractor or engineering supervisor, and the contracts have not been submitted;"

Items 37 to 45 shall be deleted.

In item 47, the word "revocation" shall be replaced by the word "abolition".

After item 51, a new item shall be added to read as follows:

"51a) prohibit the work of a member of the commission if the professional liability insurance does not cover the risk of liability for damage caused to the employer and third parties referred to in Article 124, paragraph 4 and Article 192, paragraph 4 of this Law;"

In item 53, the words: "paragraphs 8 and 9" shall be deleted.

In paragraph 2, the words: "items 1, 2, 3" shall be replaced by the words: "items 1, 2, 3, 3a"

After paragraph 2, a new paragraph shall be added to read as follows:

"The Ministry shall prescribe a closer look at the notification referred to in paragraph 2 of this Article and the manner of sealing off the construction site."

Article 78

After Article 202, four new articles shall be added to read as follows:

"Powers of the urban development and building inspector

Article 202a

The urban development and building inspector shall check if:

- 1) the notification and documents referred to in Article 117 of this Law have been submitted for the erection or building of a temporary structure;
- 2) the engineering documents for the structures referred to in Article 117 of this Law have been prepared in accordance with the zoning and / or if the temporary structure is erected or built in accordance with the engineering documents;

- 3) if the notification and documents referred to in Article 120 of this Law have been submitted for the erection or building of the auxiliary structure;
- 4) the engineering documents for the structures referred to in Article 120 of this Law have been prepared in accordance with the zoning and technical specifications and / or if the auxiliary structure is erected or built in accordance with the engineering documents.

Administrative measures and actions of the urban development and building inspector

Article 202b

If during the inspection procedure it is assessed that the law or other regulation has been violated, the urban development and building inspector shall:

- 1) prohibit the erection or building of a temporary structure that is being erected or built without the notification of building work and documents referred to in Article 117 of this Law;
- 2) prohibit the erection or building of a temporary structure that is being erected or built contrary to the engineering documents and/or zoning and technical specifications;
- 3) order the employer to demolish or remove a temporary structure and/or restore the space back to its original state if being erected or built, or if it was erected or built despite the prohibition from items 1 and 2 of this Article;
- 4) order demolition or removal of a temporary structure, which was erected or built contrary to the engineering documents and/or zoning and technical specifications, and/or restoration of the space back to its original state;
- 5) prohibit the erection or building of an auxiliary structure that is erected or built without the notification and documents referred to in Article 120 of this Law;
- 6) prohibit the erection or construction of an auxiliary structure that is erected or built contrary to the engineering documents and/or zoning and technical specifications referred to in Article 120 of this Law;
- 7) order demolition or removal of an auxiliary structure which was erected or built contrary to engineering documents and/or zoning and technical specifications referred to in Article 120 of this Law, and/or restoration of the space back to its original state;
- 8) order the employer or structure owner to demolish or remove an auxiliary structure and/or restore the space back to its original state if it is being erected or built or if it was erected or built despite the prohibition set out in items 5 and 6 of this Article.

The administrative measure referred to in paragraph 1, items 1, 2, 5 and 6 of this Article shall be implemented by sealing off the site, so that the notice: "Closed on the order of the urban development and building inspector " shall be displayed in a visible place where a temporary or auxiliary structure is being built or erected.

Execution measures of the urban development and building inspector

Article 202c

Under a structure demolition or removal decision referred to in Article 202b of this Law, the urban development and building inspector shall determine whether it is necessary to develop a demolition or removal study of the structure prior to the structure demolition or removal.

Supervised entity that was ordered to demolish or remove the structure shall remove items from the structure which is a subject to execution, within the time limit specified in the decision thereof.

If the supervised entity fails to act within the meaning of paragraph 2 of this Article, it shall be considered to have abandoned the items which it has not removed and it shall not be entitled to compensation for damage.

The obligation referred to in paragraph 2 of this Article shall be indicated to the supervised entity by the urban development and building inspector in the demolition decision.

Urban regulation

Article 202d

Urban regulation, during the erection or building of temporary or auxiliary structures referred to in Articles 115 and 118 of this Law, shall be provided in accordance with the law governing the communal police.

For the purposes of paragraph 1 of this Article, urban regulation consists of the preparation of the location for the erection or building of a temporary or auxiliary structure (fencing, delivery of materials, equipment, devices, etc.)."

Article 79

In Article 204, paragraph 1, after item 9, a new item shall be added to read as follows:

"9a) fail to submit a notice on the change of contractor and / or engineering supervisor and a new contract on the engagement of the contractor and / or engineering supervisor, within three days from the day of the change (Article 93, paragraph 4);".

Item 27 shall be amended to read as follows:

"27) fail to submit the notification referred to in Article 117, paragraph 1 of this Law and the documents referred to in Article 117, paragraph 2 of this Law to the competent inspection body of local government (Article 117, paragraph 4) within 15 days prior to the commencement of erection or building;"

In item 30, the words: "Article 154, paragraphs 7 and 8" shall be replaced by the words: "Article 154, paragraphs 8 and 9".

Article 80

In Article 206, paragraph 1, item 18 shall be amended to read as follows:

"18) do not have at least one employed reviewer for engineering documents review and engineering supervision for architectural, construction, electrical and mechanical designs, i.e., for buildings with gross building area up to 300 m², at least one employed reviewer for architectural or building design; at least one employed reviewer for an architectural and building design for buildings with a gross construction area of 300 to 1,000 m²; at least one employed reviewer for an architectural, building and electrical design for buildings with a gross building area of 1,000 to 10,000 m²; and at least one employed reviewer for two designs referred to in Article 78 paragraph 3 of this Law (Article 124 paragraphs 1 and 2) for an engineering structure that is not a complex engineering structure.

After item 19, three new items shall be added to read as follows:

"19a) did not prepare a certificate identifying the illegal structure on the orthophoto from Article 155 of this Law and on the compliance of the illegal structure with the basic zoning parameters and / or valid planning document guidelines and did not submit the reviewer's statement that the illegal structure was built in accordance with the basic zoning parameters and / or valid planning document guidelines, in accordance with this Law (Article 156 paragraph 2 indent 3);

19b) fail to meet the conditions for issuing a decision on the compliance of the structure with the guidelines on external appearance adjustment referred to in Article 167 paragraph 3 of this Law (Article 167 paragraph 4);

19c) fail to submit to the Cadastre the decision referred to in Article 167 paragraph 3 of this Law within eight days from the day of issuance (Article 167 paragraph 5);".

Article 81

In Article 208, paragraph 1, before item 1, a new item 1 shall be added to read as follows:

"1) fail to issue a statement from the planning document within eight days from the day of submitting the request of the interested person" (Article 11a paragraph 1); "

The previous item 1 shall become item 1a.

Item 16 shall be amended to read as follows:

"16) fail to issue the approval referred to in Article 87, paragraph 4, items 1, 2, 4 and 5 of this Law, within 15 days from the day of submitting the application (Article 87, paragraph 6);"

Item 17 shall be amended to read as follows:

"17) fail to publish on the website the approval application and the approval referred to in Article 87, paragraph 6 of this Law, as well as the guidelines referred to in paragraph 4, item 6 of this Article" within one day from the day of submitting the application or giving the approval (Article 87, paragraph 7);"

Items 20 and 21 shall be amended to read as follows:

(20) fail to initiate, ex officio, the license revocation procedure where they find out that requirements referred to in Article 139, paragraph 1 of this Law have been met (Article 139, paragraph 2);

21) fail to publish the decision on revocation of the license on the website within three days from the day of its issuance (Article 139, paragraph 10);"

Article 82

In Article 209, paragraph 1, item 8, the word "employer" shall be deleted.

Item 11 shall be deleted.

Item 15 shall be amended to read as follows:

"15) fail to submit to the Cadastre the decision referred to in Article 167 paragraph 3 of this Law, within eight days from the day of its issuance (Article 167 paragraph 5)."

Article 83

In Article 210, paragraph 1, item 1, the words: "Article 154, paragraph 7 of this Law (Article 154, paragraph 8)" shall be replaced by the words: "Article 154, paragraph 8 of this Law (Article 154, paragraph 9)".

In item 2, the words: "paragraph 9" shall be replaced by the words: "paragraph 10".

In item 3, the words: "15 days" shall be replaced by the words: "30 days"

Item 4 shall be amended to read as follows:

"4) they fail to notify the competent inspection authority of the submission of an application for legalization procedure initiation in order to terminate the structure removal procedure, within 30 days from the date of receipt of the legalization application of an illegal structure built in accordance with basic zoning parameters and / or valid planning document guidelines adopted before the entry into force of this Law or within the period referred to in Articles 217 and 218 of this Law and which is on the orthophoto from Article 155 of this Law (Article 157, paragraph 2);"

In item 6, after the words: "Article 158, paragraphs 1 and 5 of this Law", the words: "(Article 158, paragraph 2)" shall be added.

Item 7 shall be deleted.

Item 9 shall be amended to read as follows:

"9) fails to submit to the Cadastre the decision referred to in Article 167, paragraph 3 of this Law, within eight days from the day of its issuance (Article 167, paragraph 5);"

In item 11 the words: "Article 168 paragraph 7" shall be replaced by the words: "Article 168 paragraph 6".

Paragraph 2 shall be amended to read as follows:

"A fine in the amount of EUR 500 to 4,000 shall be imposed for a misdemeanor on a responsible person in a local self-government body who:

- 1) fails to publish on the website the report on the urban development design review, within seven days from the day of receipt (Article 47, paragraph 7);
- 2) fails to publish on the website of the local self-government the conceptual design, the application referred to in Article 87, paragraph 4, items 1 and 2 of this Law and the approval referred to in Article 87 of this Law, within one day from the day of submitting the application, i.e. giving approval (Article 88, paragraph 7);
- 3) fails to use the funds generated from the fee for connection of building land to utilities and the space utilization fee referred to in Article 168 of this Law, for the connection of building land to utilities and for alternative accommodation provision in accordance with the law (Article 169 paragraph 1).".

Article 84

In Article 211, paragraph 1, after item 3, a new item shall be added to read as follows:

"3a) fails to conclude a professional liability insurance contract (Article 131, paragraph 2);".

Article 85

In Article 216, paragraph 1, the words: "within 36 months" shall be replaced by the words: "within 60 months".

Paragraph 2 shall be amended to read as follows:

With the adoption of the general regulation plan of Montenegro, all state and local planning documents in its scope cease to be valid, except for the Spatial Plan of Montenegro ("Official Gazette of Montenegro", no. 24/08, 44/12 and 8/16)".

Article 86

In Article 218, paragraph 2, the full stop shall be replaced by a comma and the words shall be added:

"provided that:

- 1) Article 21, paragraphs 2 and 3 of this Law shall not apply in relation to the development of the concept of the planning document and Article 27 of this Law;
- 2) the draft decision on developing the planning document referred to in Article 24, paragraph 3 of this Law is submitted to the local self-government unit only for the purpose of proposing guidelines for drafting the program task for the spatial plan of the local self-government unit and the deadline for proposing guidelines is 15 days;
- 3) the deadline referred to in Article 28, paragraph 2, Article 34, paragraph 1 and Article 37, paragraph 2 of this Law is 15 days;
- 4) the deadline referred to in Article 28, paragraph 4 and Article 31, paragraph 2 of this Law is 30 days; i
- 5) the deadline referred to in Article 33, paragraph 1 of this Law is at least 15 working days."

Paragraph 3 shall be amended to read as follows:

"The planning documents referred to in paragraph 2 of this Article shall be adopted by the Government, except for the Spatial plan of Montenegro."

After paragraph 3, a new paragraph shall be added to read as follows:

"Preparation and adoption of planning documents referred to in paragraph 2 of this Article, started until the day of entry into force of this Law, shall continue in accordance with this Law."

Article 87

After Article 218, two new articles shall be added to read as follows:

"Issuance of zoning and technical specifications in the transition period

Article 218a

Until the adoption of the general regulation plan of Montenegro, for the building of a structure for the needs of state bodies and security services, education, science, health, social welfare, social housing, sports and culture, energy, exploitation of mineral resources, hotel, tourist settlement or tourist resort, structure for the needs of the border crossing and infrastructure structure, on state-owned land, zoning and technical specifications may be issued by an act of the Government in accordance with the planning document of a higher order and regulation from Article 212 paragraph 5 of this Law, and according to previously obtained opinion of state administration bodies for environmental protection, agriculture and forestry, administrative body responsible for the protection of cultural property, local self-government unit where the land is located and legal entities responsible for the conditions of connection to the infrastructure.

Until the adoption of the general regulation plan of Montenegro, for the construction of production and / or processing structures that employ 50 workers and more, hotels, tourist settlements or tourist resorts with a capacity of 150 beds and more, education, science, health, social care, social housing, sports, culture and energy, on privately owned land, at the request of the land owner, zoning and technical specifications may be issued by an act of the Government in accordance with the planning document of a higher order and regulation from Article 212 paragraph 5 of this Law, and previously obtained opinions from paragraph 1 of this Article and the opinion of the state administration body responsible for the activity performed in the structure."

Repurposing in the transition period

Article 218b

Until the adoption of the general regulation plan of Montenegro for the location which, according to the planning document, is intended for housing, i.e. for business activity, zoning and technical specifications may be issued for the hotel, in accordance with Article 212 paragraph 5 of this Law.

In the case referred to in paragraph 1 of this Article, the basic zoning parameters (floor area ratio, lot coverage index, number of floors, that is, structure height and its relation towards the building line) defined by the planning document remain unchanged."

Article 88

After Article 220, a new article shall be added to read as follows:

"Issuance of statements in the transitional period

Article 220a

Until the adoption of the general regulation plan of Montenegro, the local government body, for the area within the local planning document, i.e. the Ministry, for the area within the state planning document, shall issue a statement from the planning document.

When issuing the statement referred to in paragraph 1 of this Article, the provisions of Article 11a of this Law shall be applied accordingly."

Article 89

In Article 222, after paragraph 2, a new paragraph shall be added to read as follows:

"The urban development and building inspection, in the unit of local self-government that adopted the program of temporary structures, will begin to perform inspection supervision in accordance with this law within three months from the day this law enters into force."

Article 90

In Article 223, paragraph 2 shall be amended to read as follows:

"Regulations of the local self-government unit, governing local structures of general interest, shall be applied until the adoption of the General Regulation Plan of Montenegro with reference to: water supply, telecommunications and sewerage infrastructure, hot water distribution systems; municipal roads (local and unclassified) and associate structures; streets in settlements and squares, parking spaces, markets, city cemeteries, underground and over ground passages, public garages, structures of distribution network of voltage level up to 35 kV substations and lines of 110 kV or less, switchyards, public lighting, solar power plants of 5 MW and less, sports facilities and ski slopes with accompanying infrastructure for their preparation and arrangement, public and green areas and city parks, ski lifts, cable cars built on the territory of a local government, economic development structures (commercial structures, production craft structures, storehouses, warehouses, commodity-distribution centers, service zones, free zones, utility-service structures, pumping stations) and rural development structures (agriculture, livestock, viticulture, fruit growing and fishing).."

After paragraph 2, three new paragraphs shall be added to read as follows:

"The provision of paragraph 2 of this Article shall apply accordingly in the case when the local self-government unit issues a regulation which regulates local structures of general interest.

Inspection supervision over the implementation of regulations of local self-government units which regulate local structures of general interest shall be performed by the Ministry.

The local self-government unit shall harmonize the regulation referred to in paragraph 2 of this Article with the provisions of this Law within 90 days from the day this Law enters into force."

Article 91

In Article 226, after paragraph 2, a new paragraph shall be added to read as follows:

"The provision of paragraph 1 of this Article shall not apply to the structures referred to in Article 239, paragraph 6 of this Law."

Article 92

In Article 227, paragraph 2, the full stop shall be replaced by a comma and the words shall be added to read as follows: "and for family residential buildings built after August 29, 2008, it shall be issued on the basis of the contractor's statement that the family residential building was built in accordance with the building permit and the final design."

After paragraph 2, a new paragraph shall be added to read as follows:

"In the case referred to in paragraph 1 of this Article, the performance of technical inspection may be performed by a company that has a license for reviewing or engineering supervision over the building of structures in accordance with this Law."

Paragraphs 3 and 4 shall become paragraphs 4 and 5.

Article 93

After Article 227, three new articles shall be added to read as follows:

"Obtaining an occupancy permit for structures of general interest

Article 227a

For the structure referred to in Article 7, paragraph 2 of the Law on Spatial Planning and Construction of Structures ("Official Gazette of Montenegro", No. 51/08, 34/11, 35/13 and 33/14), for which a construction permit was issued in accordance with that law, and for a structure for which a building permit has been issued in accordance with this law, which cannot be used independently, and together form a functional unit, one occupancy permit is issued.

In the case referred to in paragraph 1 of this Article, the occupancy permit and technical inspection of structures shall be performed in accordance with the Law on Spatial Planning and Construction of Structures ("Official Gazette of Montenegro", No. 51/08, 34/11, 35/13 and 33/14).

Along with the request for issuance of the permit referred to in paragraph 1 of this Article, the reports of the technical inspection commission, prescribed statements for structures pursuant to issued construction permits, as well as a joint report of technical inspection providers that structures are suitable for use.

Change of employer, i.e., deadline for completion of works

Article 227b

Change of employer, i.e. deadline for completion of works on the structure determined in the construction permit issued in accordance with the Law on Spatial Planning and Construction of Structures ("Official Gazette of Montenegro", No. 51/08, 34/11, 35/13 and 33/14), it is performed in accordance with the provisions of that Law.

Permanent structures

Article 227c

A structure that, in accordance with the regulations, is erected or built as a temporary structure or local structure of general interest, and which is included in the planning document, is considered a permanent structure built in accordance with this law.

The structure referred to in paragraph 1 of this Article shall be entered in the real estate Cadastre on the basis of evidence of ownership right over land or another right to build on the land, acts of the competent authority on erecting or building the structure, statements from the planning document, statements of the urban development and building inspector that the existing structure is complied with the planning document in terms of basic zoning parameters and evidence that the fee for connection of building land to utilities has been paid, as well as a special fee for facilities on the Montenegrin coast."

Article 94

After Article 229, two new articles are added to read as follows:

"Deadline for joining the Chamber

Article 229a

Persons who have been issued a license, and who are not registered in the registry of the Chamber members, are required to submit an application for registration in the Chamber within four months from the date of entry into force of this Law.

If the persons who have been issued a license, and who are not registered in the registry of the Chamber members, do not submit an application for registration in the Chamber within the period referred to in paragraph 1 of this Article, the Ministry shall revoke the license.

Vested rights

Article 229b

Persons holding a license issued in accordance with the Law on Spatial Planning and Construction of Structures ("Official Gazette of Montenegro" No. 64/17, 44/18 and 63/18) meet the conditions for performing activities in accordance with this law.

Persons who have passed the professional exam, according to the regulations that were in force at the time of taking the exam, are not obliged to take the professional exam in accordance with this law."

Article 95

After Article 235, a new article shall be added to read as follows:

"Legalization procedure

Article 235a

For structures recorded on the orthophoto from Article 155 of this Law, in accordance with this Law, legalization application may be submitted to the competent local government body.

Legalization proceedings initiated within the deadline referred to in Article 235 of this Law, for which no decision on legalization has been made, shall be terminated in accordance with this Law.

The legalization procedure for a structure that is within the boundaries of immovable cultural property and its protected environment will be carried out only if the structure is within the scope of the planning document which determines the basic zoning parameters or guidelines for that structure, for which the consent of the administrative body responsible for the protection of cultural property, was obtained.

The competent local government bodies shall ex officio determine the fulfillment of the conditions for issuing a decision on legalization in accordance with Article 154, paragraph 4 of this Law for procedures in which a decision on termination of the legalization procedure has been issued."

Article 96

After Article 238, a new article shall be added to read as follows:

"Inspection procedure

Article 238a

The procedure of inspection supervision for structures referred to in Article 115 of this Law, in which no final decision has been made, shall be continued by the urban development and building inspector in accordance with the authorizations prescribed by this Law."

Article 97

Article 239 shall be amended to read as follows:

"For building land connection to utilities, until the beginning of the implementation of the regulations from Article 62, paragraph 3 and Article 64, paragraph 6 of this Law, employer shall pay a fee.

Notwithstanding paragraph 1 of this Article, the employer shall not pay a fee for:

- 1) structures of general interest referred to in Article 7 of the Law on Spatial Planning and Construction of Structures ("Official Gazette of Montenegro", No. 51/08, 34/11, 35/13 and 33/14), except for hospitality facilities defined by this provision;
- 2) hotels with at least four stars;
- 3) auxiliary structures that serve the use of residential and other structures (underground and aboveground garages, swimming pools, pantries, septic tanks, wells, fences, etc.);
- 4) access ramps, elevators and similar structures for access and movement of persons with reduced mobility and persons with disabilities;
- 5) structures whose employer is the Capital city, the Old Royal Capital or the municipality, i.e., the company whose founders they are;
- 6) structures for production, processing and storage;
- 7) reconstruction or demolition of the existing and building of a new structure in the existing dimensions, if no additional communal equipment of the building land is required;
- 8) auxiliary structures in the function of protection and valorization of immovable cultural heritage (protective constructions, visitor centers, info desks, spaces for presentations, etc.); and
- 9) bathing areas, beaches and coastal infrastructure structures (concrete pier, concrete mooring, concrete pier with dry stone construction, pier on piles).

In the cases referred to in paragraph 2 of this Article, the local self-government unit is not obliged to provide utility equipping of the location.

If the hotel referred to in paragraph 2, item 2 of this Article operates according to a condo or mixed business model, the employer shall pay a fee for building land connection to utilities, for accommodation units that are subject to individual sale, for the net area of accommodation units with parking space.

For the registration of accommodation units referred to in paragraph 4 of this Article in the real estate cadastre, in addition to the documents prescribed by the law governing the real estate cadastre, a document on the regulation of relations regarding the payment of fees for building land connection to utilities is required.

The local self-government unit may, depending on the structure type and the method of payment, reduce the fee for building land connection to utilities, for:

- structures that solve the housing issue, up to 50%;
- structures in the business zone, up to 100%;
- open space on the plot designed for performing activities, up to 50%;
- structures for new employment for more than 10 persons, up to 100%;
- solar collector for the needs of the structure up to 100 EUR per m², and a maximum of 50% of the calculated fee;
- conversion of a separate and common part of a residential building into a business premises or business premises into a separate or common part of a residential building, up to 70%;
- attics, up to 70%:
- reconstruction or demolition of the existing and construction of a new building in the existing dimensions if additional connection to utilities is needed, up to 80%;
- reconstruction of buildings in cultural-historical units, i.e. buildings in the register of cultural goods, up to 80%;
- garages, up to 80%;
- religious buildings, up to 80%;
- one-time payment of the fee up to 30%.

For structures referred to in paragraph 6, indent 4 of this Article, temporary reduction of compensation referred to in paragraph 1 of this Article shall be performed on the basis of verification of the employer's business plan by the reviewer in the process of technical documents revision, and the final reduction is made on the basis of the insurance application of newly employed persons

If the employer is entitled to a reduction of the fee on several grounds referred to in paragraph 6 of this Article, the basis for the reduction that is most favorable for the employer shall be applied.

The amount of the fee for building land connection to utilities is determined depending on the degree of building land connection to utilities, average costs, zones, structure type and participation of employers in building land connection to utilities.

The fee for building land connection to utilities is determined by a decision of the competent local government body, within 15 days from the day of initiating the procedure.

The decision referred to in paragraph 10 of this Article may be appealed to the Ministry.

For exemption from payment of compensation referred to in paragraph 2, items 1, 2, 5, 6, 7 and 9 of this Article, the reviewer shall submit a statement on fulfillment of conditions for exemption from payment of compensation, which he shall enclose as part of the documentation for construction application.

For hotels referred to in paragraph 2, item 2 of this Article, temporary exemption from payment of the fee referred to in paragraph 1 of this Article shall be performed on the basis of verification of fulfillment of the required categorization by the reviewer in the procedure of technical documentation revision.

For hotels referred to in paragraph 2, item 2 of this Article, the final exemption from payment of the fee shall be made on the basis of the categorization of the structure determined in accordance with the law governing the conditions for performing tourist and hospitality activities.

The fee for building land connection to utilities is not charged for underground floors.

In the cases referred to in paragraphs 2, 6, 7 and 13 of this Article, a note shall be entered in the G list of the real estate cadastre that the structure is exempt from payment of the fee for building land connection to utilities, i.e. that the fee is reduced, stating the grounds for exemption or reduction.

Funds from the fee referred to in paragraph 1 of this Article shall be paid into a special budget account of the local self-government unit and may be used only for the preparation and building land connection to utilities in the area where the structure is being built.

Notwithstanding paragraph 17 of this Article, funds from the fee for building land connection to utilities may be used for preparation and building land connection to utilities of other spaces, if the space on which the structure is being built is fully connected to utilities.

The amount, conditions, manner, deadlines and procedure for payment of the fee for building land connection to utilities, as well as evidence for exercising the rights referred to in paragraph 6 of this Article, shall be prescribed by the local self-government unit, with the prior consent of the Government.

If the fee for building land connection to utilities is paid in monthly installments, the repayment period cannot be longer than ten years.

Until the enactment of the regulations referred to in paragraph 21 of this Article, the applicable regulations governing the fee for building land connection to utilities shall apply."

Article 98

In Article 240, paragraph 1, after the words: "fee for building land connection to utilities", the words: "or fee for urban remediation" shall be added."

Article 99

After Article 240, two new articles shall be added to read as follows:

"Deadline for adoption of bylaws

Article 240a

By-laws based on the authorizations from this Law shall be adopted within six months from the day this Law enters into force.

The local self-government unit shall harmonize the regulation from Articles 164 paragraph 11, 168 paragraph 4, 171 paragraph 5 and Article 239 paragraph 19 of this Law with the provisions of this Law within 90 days from the day this Law enters into force.

Until the harmonization of the regulations referred to in paragraph 2 of this Article, the regulations governing the building land connection to utilities shall apply.

The programs referred to in Articles 125a, 125b and 169 of this Law shall be adopted within six months from the day this Law enters into force.

Authorization to adopt bylaws

Article 240b

If the local self-government unit does not pass the regulation referred to in Article 164 paragraph 11, 168 paragraph 4, 171 paragraph 5 and Article 239 paragraph 19 of this Law, the Ministry shall warn the President and the Municipal Assembly of the local self-government unit to issue a regulation within 30 days from the day of delivery of the warning.

If the local self-government unit does not pass the regulation referred to in Article 240a paragraph 2 of this Law within the deadline referred to in paragraph 1 of this Article, the Government shall issue the regulation within 60 days from the expiration of the deadline given in the warning.

The regulations referred to in paragraph 2 of this Article shall be applied until the entry into force of the regulations of the local self-government unit referred to in Article 164 paragraph 11, 168 paragraph 4, 171 paragraph 5 and Article 239 paragraph 19 of this Law."

Article 100

This Law shall enter into force on the eighth day from the day of its publication in the "Official Gazette of Montenegro".

Number: 27-1 / 20-1 / 15

EPA 1003 XXVI

Podgorica, July 30, 2020

Parliament of Montenegro of the 26th convocation

President,

Ivan Brajović, s.r.