

Pursuant to Article 82(1)(2) and Article 91(1) of the Constitution of Montenegro, the Parliament of Montenegro in its 28th convocation, at the First Session of the First Regular (Spring) Sitting in 2025, held on 19 May 2025, adopted the following:

LAW ON SCIENTIFIC RESEARCH ACTIVITY

I. GENERAL PROVISIONS

Subject matter

Article 1

This Law shall define the organisation, conditions and manner of financing scientific research activity, insurance of quality and development of scientific research work and other matters of importance for the conduct of this activity

Scientific research activity

Article 2

Scientific research activity shall include creative work on scientific discoveries, application and use of scientific and research results, training of scientists and researchers for scientific research work, and specialisation of scientists and researchers.

Research availability

Article 3

Scientific research activity shall be the activity of public interest.

Implementation of Scientific research activity shall be free and available to all local and foreign natural and legal persons.

Principles

Article 4

Scientific research activity shall be based on the principles of:

- 1) Broadening and deepening of knowledge;
- 2) Development of science for the increase of efficacy, preservation and development of the general knowledge fund;
- 3) Promotion of research resulting in innovation with application in economy and benefits for the society;
- 4) The increase of the efficiency of the scientific research activity and interconnection within the field of science as well as the fields of education and economy;
- 5) Protection of intellectual property;
- 6) Open science and open access;
- 7) Joining the European Research Area and European Union's Framework Programme for Scientific Research Activity and other international programmes;
- 8) Joining the regional cooperation programmes within the field of scientific research;
- 9) Freedom and autonomy of the scientific creation, which should be morally and intellectually independent of every political authority and economic power, and

which shall be performed by respecting ethical standards, principles of scientific truth and criticism;

10) Ethics and accountability of persons performing scientific research work for the consequences of their actions;

11) Guaranteeing gender equality in science and research;

12) Educating top-notch experts for research and development;

13) Sustainable development and protection and improvement of the environment;

14) Protection of the personality and dignity of persons performing scientific research work;

15) Quality measures; and

16) Interconnection of persons performing scientific research work at the state and international level.

Types of research

Article 5

Scientific research activity shall comprise of basic (fundamental) research and applied research;

Basic (fundamental research) shall represent theoretical or experimental research work performed primarily for the purpose of acquiring new knowledge on the basics of phenomena and facts without a specific market need.

Applied research shall represent research that is undertaken for the acquisition of new knowledge, directed towards a specific practical goal, purpose or use, such as the development of new and enhancement of present materials, technologies and products, i.e. The introduction of new or enhancement of present procedures, systems and services.

Applied research may be industrial research, experimental development or a combination of the two.

Fields of science

Article 6

Scientific research activity shall be conducted in the following fields of science: natural sciences, technical-technological sciences, medical sciences, agricultural sciences, social sciences, and humanities.

Conducting scientific research activity

Article 7

Scientific research activity shall be conducted by the Montenegrin Academy of Sciences and Arts, scientific research institutions, higher education institutions, and other legal and natural persons in accordance with the Law.

A separate Law shall regulate the activity of the Montenegrin Academy of Sciences and Arts.

Use of the gender-sensitive language

Article 8

The terms used in this Law for individuals in the masculine gender shall equally refer to the same terms in the feminine gender.

Definition

Article 9

Terms used in this Law shall have the following meaning:

1) **Research and development (RD)** - includes creative and systematic work to increase the knowledge fund and create new applications of the available knowledge. It must be new, creative, uncertain, systematic, transferable, and/or reproducible. RD includes basic (fundamental) and applied research (industrial research and experimental development or their combination).

2) **Industrial research** - planned research or critical overview aimed at the acquisition of new knowledge and skills for the development of new products, processes or services, i.e. For achieving a significant improvement of the existing products, processes or services, including digital products, processes or services in any area, technology, industry or field (which, among many things, include digital industries and technologies such as supercomputers, quantum technologies, blockchain technology, artificial intelligence, cyber security, big data and cloud computing technologies). Industrial research includes the creation of elemental parts of complex systems and may include the creation of prototypes in the lab environment or in the environment of simulated interfaces of the existing systems, as well as pilot lines if that is needed for the industrial research, and especially for the validation of generic technology;

3) **Experimental development** - acquiring, combining, shaping and using the existing scientific, technological, business and other relevant types of knowledge and skills for the development of new and improved products, processes or services, including digital industries and technologies, including digital products, processes or services in any area, technology, industry or field (which, among many things, include digital industries and technologies such as supercomputers, quantum technologies, blockchain technology, artificial intelligence, cyber security, big data and cloud computing technologies or edge computing). This may also include, for example, activities for the purpose of conceptual defining, planning and documenting of new products, processes and services. Experimental development may include the creation of prototypes, demonstration, pilot projects, testing and validation of new and improved products, processes and services in the environment reflecting real conditions from real life where the main goal is achieving further technical advancement of products, processes or services which are not considerably well-established. This may also involve the development of a marketable prototype or pilot project, which is, by default, the final market product, and it is too expensive to produce for use solely for the purpose of demonstration and validation. Experimental development does not include regular or periodical changes to the existing products, production lines, production processes, services or other ongoing activities., even if the said changes may involve improvements.

4) **Interdisciplinary or multidisciplinary research** - includes scientific research activity that comprises two or more subfields and/or fields of science.

5) **Scientific research project** - a set of activities created by legal entities and/or natural persons, with a clearly defined goal, project management model, necessary resources, time frame and expected results, and whose implementation conducts different types of research in specific scientific fields.

6) **Scientific research programme** - represents a set of scientific research projects and activities created by Scientific research institutions, with clearly defined goals and priorities in a specific time period, an outline of the work organisation, necessary resources and expected results, and whose implementation carries out the strategy of scientific research activity.

7) **Research infrastructure** - includes objects, resources and therewith associated services which the scientists use for conducting research and development, and includes: science equipment or sets of instruments, knowledge-based resources, such as collections, archives or structured scientific data, ancillary infrastructure based on information and communication technologies, such as GRID technology, computing, programming and communication infrastructure and other means of unique nature necessary for research;

8) **Mobility of researchers** - refers to the movement of scientists or researchers to conduct scientific research activity between scientific research institutions or between scientific research institutions and an economic or public sector. Thus, the mobility of researchers may be departmental or interdepartmental in the state and abroad, as well as outgoing and incoming, and

9) **Scientific excellence** - refers to high-quality scientific research that potentially leads to important discoveries. It represents a turning point in the work through the action of top research teams and individuals.

II. DEVELOPMENT AND ENHANCEMENT OF SCIENTIFIC RESEARCH ACTIVITY

Strategy of Scientific Research Activity

Article 10

The Strategy of Scientific Research Activity (hereinafter: the Strategy) is a sectoral strategic document that shall define the priorities of scientific research activity, strategic directions for its development, and operative objectives and activities for promoting scientific research activity in Montenegro.

The Strategy shall be adopted for five years.

The Government of Montenegro shall adopt the Strategy (hereinafter: The Government) at the proposal of the state administration body responsible for science (hereinafter: The Ministry), with the previously obtained opinion of the Council for Scientific Research Activity.

Call

Article 11

Funds from the state budget assigned for financing or co-financing of the scientific research activity shall be allocated on the basis of the public call announced by the Ministry.

The Public call from paragraph 1 of this Article shall be published on the Ministry's website and via other relevant means of informing the public.

The Ministry shall define the conditions for the approval and manner of use of the funds from paragraph 1 of this Article.

Evaluation of scientific research programmes and projects

Article 12

Independent experts from the field of sciences that the programmes refer to shall evaluate scientific research projects and programmes, respecting the principles of independence, impartiality, objectivity, precision, and consistency in the evaluation.

Independent experts shall be selected from the List of Independent Experts (hereinafter: The List), formed by the Ministry, based on a public call published on the Ministry's website.

As an exception to paragraph 2 of this Article, if there is no independent expert for the field of science that the programme or project refers to on the List, or if the independent expert from the List is not available, the Ministry may invite independent experts on the publicly published lists of independent experts of the European Union's Framework for Research and Innovation or lists of independent experts of the countries with whom Montenegro has established bilateral scientific and technological cooperation.

The Ministry shall be obligated to protect the independent expert's identity during the evaluation and within five years after its conclusion.

The Ministry shall define the criteria for entry on the List and the manner of evaluating scientific research programmes and projects.

Agreement on the implementation of a scientific research programme or project

Article 13

An agreement shall define mutual rights and obligations between the Ministry and the beneficiary of the funds for a scientific research programme or project that has been positively evaluated by an independent expert and approved for financing or co-financing.

Information System

Article 14

The Ministry shall establish and manage an information system for scientific research activity (hereinafter: Information System for Science and Research).

The Ministry shall keep an electronic record within the Information System for Science and Research in compliance with the Law regulating electronic administration.

State administration bodies, scientific research institutions, and natural persons and legal entities conducting scientific research shall be required to submit necessary data to keep the record from paragraph 2 of this Article in the manner defined by the Ministry.

The Ministry shall process the submitted data solely for scientific research activity, supervision, provision, and control of funds, tracking and analysis of the situation in scientific research activity, and statistical and promotional purposes, in line with the Law regulating personal data protection.

The Ministry shall define a detailed method for data management within the Information System for Science and Research, system management, and other matters important for the system's functioning.

Council for Scientific Research Activity

Article 15

The Council for Scientific Research Activity (hereinafter: the Council) shall be formed as the government's advisory body to improve scientific research activity.

At the Ministry's proposal, the Government shall form the Council for four years.

The Council shall consist of the Ministry's representatives, the scientific and academic community, and the economy, respecting the principle of equal representation of all scientific fields.

The Act on Council's Formation shall define the number, composition, manner of selection and dismissal of the Council's members and other matters important for the Council's functioning.

Council's competence

Article 16

The Council shall analyse the situation and achievements in the scientific research activity and shall have the competence to:

- 1) Give their opinion on the Strategy;
- 2) Give recommendations for other strategic documents important for the field of scientific research activity;
- 3) Give recommendations on the proposals of laws and other regulations from the field of scientific research activity and from other areas, which ensure general conditions for the promotion of scientific research activity and use of its results;
- 4) Consider the status of the Strategy's implementation and give recommendations for its improvement;
- 5) Give an opinion on the need for establishing public institutions conducting scientific research activity;
- 6) Give opinion to the Council for Scientific Research Activity
- 7) Provides guidelines for development and investment in the national research infrastructure.
- 8) Propose criteria for selecting research infrastructure projects and indicators for tracking the work of the national research infrastructure.
- 9) Give recommendations for the transparent use of national research infrastructure;
- 10) Give an opinion on joining Montenegro to international research infrastructures and bodies;
- 11) Give recommendations for improving the Information System for Science and Research;
- 12) Cooperate with other councils and representatives of Montenegro in the European Union's bodies for science and research; and
- 13) Consider and give recommendations on other matters of importance for conducting scientific research activity.

The work of the Council

Article 17

The work of the Council shall be public.

The Council shall be obligated to make its conclusions, recommendations and opinions available to the public.

The Ministry shall perform administrative and technical tasks for the Council's needs

The funds for the Council's work shall be allocated from the Ministry's Budget.

III. SCIENTIFIC RESEARCH INSTITUTIONS

1. Common provisions

Scientific research institutions

Article 18

Scientific research institutions licensed to conduct scientific research shall conduct the said activity in compliance with this Law.

Conditions for issuing the license for conducting scientific research activity

Article 19

A legal entity entered into the Central Registry of Commercial Entities shall have the right to the submission of the request for issuing the licence for conducting scientific research activity (hereinafter: The licence).

In the instance of a university, the right to the submission of the request for issuing the licence shall have an organisational unit of a university regardless of whether it has the status of a legal entity or not.

The licence may be issued to a legal entity or an organisational unit of a university if it possesses:

- 1) An instrument of constitution and a statute;
- 2) Scientific research programme for the five-year period;
- 3) Adequate staff for conducting scientific research activity;
- 4) Adequate scientific research equipment and space for conducting the activity;
- 5) Financial resources for conducting scientific research activity;
- 6) Relevant scientific documentation; and
- 7) Appropriate hygienic and technical conditions.

Appropriate documentation proving the fulfilment of conditions from paragraph 3 of this Article shall be submitted together with the request for issuing the licence.

Verification of the licence request and fulfilment of the licensing conditions

Article 20

The Ministry shall perform the administrative verification of requests for issuing the license within 15 days from the date of submission of the request.

During the administrative verification, the Ministry shall hire an independent expert to evaluate the scientific research programme from Article 19, paragraph 3, item 2 of this Law.

The evaluation from paragraph 2 of this Article shall be conducted in line with Article 12 of this Law.

The Ministry shall forward complete requests for issuing the license, with the independent expert's request that has positively evaluated the scientific research programme, to the Commission for licensing (hereinafter: Commission) for further proceedings.

Commission

Article 21

The Ministry shall form a Commission consisting of three members:

1) Two standing members from the Ministry's employees, acting as the president and the secretary of the Commission and

2) One member - an independent expert from the field of science the scientific research programme is referring to, from Article 19.

When needed, the Ministry may form multiple commissions.

The Commission shall have the authority to:

1) Evaluate the fulfilment of conditions for issuing the licence in line with the Law.

2) Organise the visit to the applicant to determine the fulfilment of the conditions for license issuing and

3) Propose the approval or revoking of the request for issuing of the licence.

The Commission shall have the right to remuneration, in line with the Law.

Issuing of the licence

Article 22

The Ministry shall make a decision on issuing the licence in a specific field of science, at the Commission's proposal.

The license shall be issued for a five-year period.

The Decision from paragraph 1 of this Article shall be published in "The Official Gazette of Montenegro".

Commission's competences during the implementation of the scientific research programme

Article 23

During the implementation of the scientific research programme, the Commission shall:

1) monitor the implementation of the scientific research programme through annual reports from the scientific research institution and on-site visits to the institutions when deemed necessary, for which the report is written and submitted to the Ministry;

2) check the fulfilment of the conditions for issuing a licence from Article 19, paragraph 3 of this Law, at least once a year; and

3) perform other matters relating to monitoring the implementation of the scientific research programme.

Renewal of the licence

Article 24

After the end of the period for which the licence was issued, a scientific research institution shall submit a request to the Ministry for the renewal of the licence.

In addition to the evidence on the fulfilment of the conditions from Article 19, paragraph 3 of this Law, this scientific research institution shall be obligated to submit a report on the implementation of the scientific research programme based on which the licence was issued as well as a new scientific research programme for the future five-year period., together with the request from the paragraph 1 of this Article

In compliance with Article 12 of this Law, an independent expert shall evaluate the report and the new scientific research programme from paragraph 2 of this Article.

The by-law

Article 25

The Ministry shall define detailed conditions for issuing and renewing the licence and the manner of submitting the request for issuing and renewing the licence.

Revoking the licence

Article 26

The ministry shall revoke the licence:

1) at the Commission's proposal, when the Commission determines that the scientific research institution does not meet the conditions from Article 19, paragraph 3 of this Law.

2) when scientific research institutions do not submit and/or update data necessary for keeping records within the Information System for Science and Research in line with this Law.

The Decision on revoking the licence, in addition to the data defined by the law, shall contain the reason why the licence is being revoked.

Register of Licensed Scientific Research Institutions

Article 27

The Ministry shall keep the Register of Licensed Scientific Research Institutions (hereinafter: The Register) in electronic form.

The Register shall be published on the Ministry's website.

The Ministry shall stipulate the detailed content of the Register.

2. Public scientific research institutions

Establishment of a public scientific research institution

Article 28

The Government and/or competent body of the local self-government unit shall issue a decision on the establishment, i.e., closure of a public scientific research institution.

In the case of a change of status or closure of a public scientific research institution, the opinion of its management bodies shall be obtained.

Management body

Article 29

The Management body of the scientific research institution shall be a management board.

The management board shall have five members and consist of three representatives of the founder, selected by the Government or a competent body of the local self-government unit, and two representatives from the institution's employees.

The statute of the scientific research institution shall regulate the manner of appointment and dismissal, term duration, and decision-making of the management board.

Approval of the statute and the act on internal organisation and systematisation.

Article 30

The Government and/or competent body of the local self-government unit shall issue the approval of the statute and the act on internal organization and systematization of the scientific research institution's work post.

Competence of the management board

Article 31

The management board of a public scientific research institution shall:

- 1) Define the work policy;
- 2) Adopt an annual financial plan;
- 3) Adopt a periodical and annual financial report;
- 4) Appoint and dismiss the director of the institution;
- 5) Adopt the statute, act on internal organisation and systematisation of work posts and other acts;

- 6) Issue a decision on the disposal of funds up to the amount defined by the institution's statute;
- 7) Analyse the work of management bodies and
- 8) Also perform other tasks in accordance with the law and statute of the institution.

Annual report on the scientific research institution's work

Article 32

The management board of a public scientific research institution shall be obligated to submit the annual report on work for the previous year to the founder by the end of this year's quarter.

Director

Article 33

A director shall be the management body of a public scientific research institution.

The director shall be responsible for the efficient and high-quality work of the public scientific institution and for the management within the work policy defined by the management board.

The director shall be appointed for the four-year period based on the public call and submitted programme of the institution's development.

The competence, detailed conditions for the appointment and dismissal of the director and other matters important for the director's work shall be defined by the statute of the scientific research institution.

3 Private scientific research institutions

Establishment

Article 34

A local or a foreign natural person or legal entity may establish a private scientific research institution.

Autonomy

Article 35

The institution's statute shall regulate the management body, governing body, and professional body of the scientific research institution, their competence, number, composition, manner of appointment and dismissal, term duration, and manner of work and decision-making.

IV. SCIENTIFIC RESEARCH STAFF

Conduct of the scientific research activity

Article 36

Persons with a scientific title and research assistants shall conduct the scientific research activity in line with this law and the persons appointed to academic positions and teaching assistants, pursuant to the law regulating higher education.

A person possessing at least the IV level of qualification in education, 180 ECTS, and who has not been appointed to an academic position within the meaning of this Law.

Scientific titles

Article 37

Scientific titles shall include scientific associate, higher scientific associate and scientific advisor.

Scientific titles from paragraph 1 of this Article shall be comparable with academic positions as follows:

- 1) Scientific associate - academic position: assistant professor;
- 2) higher scientific associate - academic position: associate professor; and
- 3) scientific advisor - academic position - full professor

Appointment to scientific position

Article 38

The appointment to a scientific position shall be carried out in accordance with the conditions and criteria for the appointment to academic and scientific positions defined by the Committee for Higher Education in accordance with the Law.

A person employed in an institution of higher education in Montenegro shall be appointed to a scientific position in compliance with the application of the provisions of the law regulating higher education.

The appointment to a scientific position of a person who is not employed in a higher education institution in Montenegro shall be conducted at a university in Montenegro in compliance with the application of the provisions of the law regulating higher education.

The procedure for appointment, or reappointment to a scientific position, shall be initiated at the request of a scientific research institution or a person who has fulfilled the conditions and criteria from paragraph 1 of this Article.

Research associates

Article 39

Research associates may be persons appointed on the basis of a public call in accordance with the scientific research institution's statute, and they may be.

1) Young research associate - a student of postgraduate master's studies who has completed undergraduate and postgraduate specialist studies;

2) Research associate - a person who has acquired a master's degree before their enrolment in doctoral studies.

3) Higher research associate - a doctoral student; or

4) Research associate - student of post-doctoral studies - a person who acquired the title of the Doctor of Science or Doctor of Arts at the faculty or art academy, music academy, academy of applied arts or drama academy, or a Master of Arts degree for the fields for which doctoral studies are not being organised.

Research associates from paragraph 1 of this article shall conclude a work contract of limited duration with the scientific research institution for up to five years.

Exceptionally, from paragraph 2 of this Article, the higher research associate's work contract may be renewed for an additional period of up to two years, and the research associate's (post-doctoral student) work contract—if they have met the conditions for the appointment to a scientific position—for an additional period until their appointment to the position of scientific associate.

A scientific research institution shall regulate detailed conditions, manners, and procedures for appointing research associates.

V. PROMOTION OF THE EXCELLENCE OF THE SCIENTIFIC RESEARCH WORK

Promotion of excellence

Article 40

The Ministry shall promote excellence in scientific research work by awarding the status of centre of excellence and granting awards for accomplishments in the field of scientific research activity.

Centre of excellence

Article 41

The Ministry shall award the status of the centre of excellence to a scientific research institution, department/sector/unit in a scientific research institution or a scientific research team led by a scientific research institution.

The centre of excellence status shall be awarded based on a proposed project submitted by a scientific research institution from paragraph 1 of this Article and for the project's duration, i.e. for the period of three to five years.

The conditions and criteria which the project from paragraph 2 of this Article should meet are:

- 1) It has a research plan oriented towards achieving scientific discoveries which could significantly change the present scientific and technological paradigms;
- 2) It creates new knowledge, technologies and methods which may improve the efficacy, competitiveness and growth of the economy and society as a whole;
- 3) There is a high scientific productivity and international recognition of the scientific research team;
- 4) It has a plan for the development of a new generation of excellent young scientists and researchers;
- 5) It has scientific activities through participating in national, regional and international programmes and projects, along with a plan for attracting funding through European and other international funds,
- 6) It has developed interdisciplinarity and multidisciplinary; and
- 7) It has secured scientific infrastructure with a plan for its improvement.

The Ministry shall define detailed conditions and criteria for awarding the centre of excellence status.

Awards for achievements in the field of scientific research activity

Article 42

The Ministry may grant awards for achievements in the field of scientific research activity to:

- 1) The most successful scientist;
- 2) The most successful young scientist up to 35 years of age;
- 3) The most successful scientific research institution.

Awards from paragraph 1 of this Article may be granted in two categories, as follows;

- 1) Natural, technical and technological, medical and agricultural sciences; and
- 2) Social sciences and humanities.

Awards from paragraph 1 of this Article shall be granted once a year for the achievements accomplished in the year for which the award is being granted.

The Ministry shall define detailed conditions and criteria for granting awards from paragraph 1 of this Article and the award amounts.

VI. FINANCING

Financing and/or co-financing of scientific research activity

Article 43

Scientific research activity may be funded and/or co-funded from the state budget, local self-government units, financial resources of scientific research institutions, donations, and other sources in accordance with the Law, as well as through national and international programmes and projects implemented in Montenegro.

Financing/co-financing of scientific research activity from the state budget shall include the granting of funds for:

- 1) National or international scientific research programmes and projects implemented by scientific research institutions; and
- 2) Other activities of scientists and researchers used to promote scientific research work, which are important for the conduct of scientific research activity.

Tax benefits

Article 44

The import of equipment used for conducting scientific research activity may be exempt from the obligation of paying customs and VAT, based on the opinion of the Ministry responsible for science matters.

VII. SUPERVISION

Supervision

Article 45

The Ministry shall supervise the implementation of this Law.

VIII. TRANSITIONAL AND FINAL PROVISIONS

Deadline for adoption of by-laws

Article 46

By-laws for implementing this Law shall be adopted within 120 days from the date of entry into force of this Law.

Up to the adoption of the by-laws from paragraph 1 of this Article, regulations adopted based on the Law on Scientific Research Activity ("The Official Gazette of Montenegro, No 80/10, 57/14 i 82/20), shall be applied, unless they are not in line with this Law.

Deadline for the formation of the Council

Article 47

The Council shall be formed within 90 days from the date of entry into force of this Law.

Up to the formation of the Council, the Council for Scientific Research activity formed on the basis of the Law on Scientific Research Activity ("The Official Gazette of Montenegro, No 80/10, 57/14 and 82/20), shall perform the Council's function in accordance with this Law.

Ongoing procedures

Article 48

Procedures for issuing and renewing licenses and awarding the status of the centre of excellence initiated in line with the Law on Scientific Research Activity ("The Official Gazette of Montenegro, No 80/10, 57/14 and 82/20), shall be completed in accordance with this Law.

Re-licensing

Article 49

Scientific research institutions which on the date of entry into force of this Law have a license issued in accordance with the Law on Scientific Research Activity ("The Official Gazette of Montenegro, No 80/10, 57/14 and 82/20) shall be obligated to submit a request for re-licensing to the ministry within 180 days from the date of entry into force of this Law.

Termination of Validity

Article 50

The Law on Scientific Research Activity ("The Official Gazette of Montenegro, No 80/10, 57/14 and 82/20) shall cease to be valid on the day of entry into force of this Law.

Entry into force

Article 51

This Law shall enter into force on the eighth day from the date of being published in the "Official Gazette of Montenegro"

Number: 25/25-2/5

EPA - Registered Parliamentary Act: 480 XXVIII

Podgorica, 19 May 2025

The Parliament of Montenegro
28th convocation

P R E S I D E N T

Andrija Mandić

