**ENGLISH TRANSLATION**

**LAW ON YOUTH**

**(“Official Gazette of Montenegro”, No. 025/19 from 30.04.2019, 027/19 from 17.05.2019)**

1. **GENERAL PROVISIONS**

**Subject**

**Article 1**

This Law shall govern the manner of determining and implementing youth policy, as well as measures and activities that are to be taken in order to improve the social position of youth and create conditions for achieving needs of youth in all the fields of their interest.

**Youth**

**Article 2**

Youth, in terms of this Law, are people over the age of 15 years up to the age of 30 years old.

**Youth Policy**

**Article 3**

Youth policy is a set of measures and activities that are undertaken by state bodies, state administration bodies, local self-government bodies, NGOs, students/pupils parliaments and other legal entities for purpose of improving the position of youth, their personal and social development and inclusion in social affairs.

**Youth Work**

**Article 4**

Youth work represents activities that are implemented in cooperation with youth and for the youth with a goal of helping them reach independence and transition to adulthood, educational, personal and social development, in line with their needs and abilities, which are based on the methods of non-formal education.

**Public Interest**

**Article 5**

Public interest in the field of youth policy is to:

1. create and improve youth policy;
2. establish institutional framework for implementing youth policy;
3. create and improve conditions for the work of youth services;
4. foster proactive participation of the youth in creation and implementation of youth policy at state and local levels;
5. educate the youth on mechanisms of their inclusion in active measures of employment;
6. foster inclusion of the youth in the creation of cultural content;
7. foster youth mobility;
8. foster inclusion of the youth in the informal education;
9. promote healthy lifestyles and volunteerism in youth;
10. encourage other fields of significance for youth development.

Public interest in the field of youth policy is implemented by the Government of Montenegro (hereinafter: the Government); state administration body in charge of youth policy (hereinafter: the Ministry); state administration bodies and other administrative bodies in charge of certain fields of significance for the youth; municipality, the Capital City, the Royal City and municipality within the Capital City (hereinafter: municipality) and other legal entities, in line with this Law.

For the purpose of cooperation of competent bodies of the municipality with other subjects referred to in the paragraph 2 of this Article, the municipality determines the implementation of public interest in the field of youth policy within its bodies and services.

**Use of Gender-Sensitive Language**

**Article 6**

Expressions used in this Law referring to physical persons in masculine gender, also entail those expressions in the feminine gender.

**II. PRINCIPLES OF YOUTH POLICY**

**Principles**

**Article 7**

Youth policy is based on the principles of equality, volunteerism, solidarity, active participation and information of the youth.

**Equality**

**Article 8**

All youth shall be equal in exercising their rights, regardless of: age, physical ability, physical appearance, health condition, disability, national, racial, ethnic or religious affiliation, gender, language, political orientation, social origin and wealth status, sexual orientation, gender identity and other personal attributes.

**Youth Volunteerism**

 **Article 9**

The youth shall contribute to creation and nurture of social values and development of society through different forms of volunteer activities.

**Youth Solidarity**

**Article 10**

The youth shall express intergenerational solidarity and work on creating conditions for equal participation in all aspects of the social life of youth.

**Active Youth Participation**

**Article 11**

The youth shall actively take part in the process of creation and implementation of youth policy through coordination and development of intersectoral partnerships, cooperation with the youth and subjects who plan and implement youth policy.

**Youth Information**

**Article 12**

Subjects who, in line with this Law, implement youth policy, shall ensure that the youth have accurate, correct, timely, accessible and usable information on planning and implementing youth policy in the area of their competency, and they shall publish the information on their websites.

**III. DETERMINING AND IMPLEMENTING YOUTH POLICY**

**Youth Strategy**

**Article 13**

Directions of development and improvement of youth policy shall be determined in a Youth Strategy (hereinafter: the Strategy).

The Strategy shall be adopted by the Government, on the proposal of the Ministry, for the period of at least four years.

The Ministry shall adopt an action plan for the purpose of implementing the Strategy, for the period of at least two years.

The Ministry shall elaborate an annual report on implementing the action plan for the previous year in the first quarter of the current year, and it shall submit it to the Government.

The report on implementing the Strategy shall be submitted to the Government by the Ministry within three months since the day of expiration of the Strategy mandate.

**Local Youth Action Plan**

 **Article 14**

The municipality shall adopt a local youth action plan for the period of validity of the action plan referred to in Article 13 paragraph 3 of this Law, no later than December 31st of the current year.

Local youth action plan contains measures and activities of youth policy at the local level, for the purpose of achieving interests and needs of the youth.

The municipality shall be obliged to submit the draft of the local youth action plan to the Ministry for the purpose of obtaining an opinion on its harmonization with the Strategy, no later than October 31st of the current year.

The municipality shall be obligated to submit the annual report on implementation of the local youth action plan to the Ministry no later than February 15th of the current year for the previous year.

**Program of Achieving Public Interest in the Field of Youth Policy**

**Article 15**

The Government, on the proposal of the Ministry, shall adopt the Program on achieving public interest in the field of youth policy (hereinafter: the Program) at least once in two years.

For the purpose of defining priorities of public interest for the elaboration of the Program, the Ministry shall elaborate an Youth needs assessment.

Draft Program shall be submitted to the Government no later than by the end of the second quarter of the current year for the following year.

The Program adopted by the Government shall be implemented by the Ministry.

**Council for Youth**

**Article 16**

For the purpose of fostering development of youth policy, the Ministry shall establish the Council for Youth, an expert and advisory body.

Council for Youth shall have a president and eight members.

The Ministry shall propose the president and three members, and state administration bodies in charge of labour affairs and education affairs shall propose a member each, and they shall be appointed for a period of four years.

One member of the Council for Youth shall be a representative of legal entities that govern youth services, and he shall be appointed for a period of one year, via a public call published by the Ministry.

Representative association of NGOs that implement youth policy shall propose two members of the Council for Youth, of which at least one shall be a young person, and they shall be appointed for the period of one year.

If a representative association of NGOs that implement youth policy has not been established, two members of the Council for Youth, of which at least one is a young person, shall be proposed by NGOs that implement youth policy, for the period of one year.

In the case referred to in paragraph 6 of this Article, members of the Council for Youth that are proposed by NGOs that implement youth policy shall be persons who have the support of the majority of those NGOs, and they shall be selected via a public call published by the Ministry.

Further conditions, manner and procedure of selection of members of the Council for Youth that are proposed by the representative association of NGOs that implement youth policy or NGOs that implement youth policy and member of the Council who is a representative of legal entities that govern youth services shall be prescribed by the Ministry.

**Competencies of the Council for Youth**

**Article 17**

The Youth Council shall:

1. give proposals for improvement of youth policy;
2. give suggestions in the procedure of the Strategy implementation;
3. delegate its member for participation in the procedure of elaboration of a law in the field that is of importance for the youth;
4. monitor the position of the youth and suggest measures for its improvement;
5. on the request of the Ministry, give opinion on other matters of importance for the youth.

The Ministry shall perform administrative and technical services for the work of the Council for Youth.

The decision on establishing the Council for Youth shall define the manner of work and other matters of significance for the function of the Council.

**Local Council for Youth**

**Article 18**

For the purpose of fostering and improving youth policy, strengthening cooperation and improving position of the youth at the local level, the municipality may establish a local council for youth, as an expert and advisory body.

Local council for youth shall consist of representatives of municipality bodies in charge of youth policy and NGOs that implement youth policy.

At least one member of the council referred to in paragraph 1 of this Article shall be a representative of NGOs that implement youth policy.

Representative of NGOs that implement youth policy shall be a person that has the support of the majority of NGOs and shall be selected via a public call.

The decision on establishing a local council for youth shall define the number, structure, manner of selection and work of the council and other matters of significance for its function.

**Achieving Youth Policy by NGOs**

**Article 19**

Non-governmental organization may implement youth policy in line with this Law or the Strategy and action plans referred to in Article 13 and 14 of this Law, if in its statute it cites activities of youth policy as one of the objectives or fields of its function.

**Association of NGOs or Organizations that Implement Youth Policy**

**Article 20**

NGOs that implement youth policy may establish an association in line with a law that governs establishment of NGOs.

Representative association, in terms of this Law, is an association that consists of several and 30 at least NGOs that implement youth policy, from at least six municipalities, of which coastal, central and northern municipalities are represented by two members, as determined by the law that governs regional development.

Representation of the association of NGOs shall be determined by the Ministry for a period of one year by issuing a certificate on representation.

**IV. YOUTH SERVICES**

**Youth Services**

**Article 21**

Youth services shall be established for the purpose of implementing youth activities and youth work.

Youth services are youth club and youth center.

**Youth Club**

**Article 22**

Youth club is a space designed for the needs of youth with a purpose of implementing youth activities (office, etc).

**Youth Center**

**Article 23**

Youth center is a furnished, multifunctional space for needs of the youth, used to implement youth activities and youth work.

**Establishment of Youth Services**

**Article 24**

The Ministry or the municipality, within their competencies and abilities, shall ensure conditions for work of youth services.

Space for a youth service shall be provided by the administration body in charge of property affairs or the municipality, on the request of the Ministry.

Notwithstanding, youth service space may be provided by the Ministry via a pubic call.

Criteria and conditions for selection of a youth service space, when it is selected in line with paragraph 3 of this Article, shall be prescribed by the Ministry.

Application for the public call may be submitted in the deadline prescribed by the public call, that shall not be shorter than eight or longer than 20 days since the day the public call was published.

The Ministry shall decide on a public call in the deadline that shall not be shorter than eight or longer than 20 days since the day the deadline referred to in paragraph 5 of this Article has expired.

Youth services may be established by other subjects that implement youth policy as well.

In the case referred to in paragraph 7 of this Article, the space, as well as resources for furnishing and work of the youth center shall be provided by the subjects that established a youth service.

**Funding of Construction, Reconstruction, Adaptation and Furnishing of Youth Services**

**Article 25**

The Ministry may fund or co-fund a construction, reconstruction, adaptation or furnishing of a youth service up to the amount of 30.000 EUR.

The Ministry may, with previously obtained agreement of the Government, fund or co-fund a construction, reconstruction, adaptation or furnishing of a youth service in the amount higher than 30.000 EUR.

**Youth Services Functioning**

**Article 26**

Performance of administrative and technical work needed for regular functioning of youth services, as well as assignment of services for use of other subjects shall be done by the Ministry or the municipality.

The Ministry or the municipality may delegate the performance of administrative and technical work needed for regular functioning of youth services to an NGO that implements youth policy via a public call.

The manner of functioning of youth services, conditions and procedure of assignment of youth services, conditions and procedure of implementing a public call for delegating administrative and technical work, as well as further criteria for NGOs that implement youth policy shall be prescribed by the Ministry or the municipality.

**V. CO-FUNDING YOUTH POLICY**

**Budget Resources**

**Article 27**

 The Budget of Montenegro shall be used to provide the resources for implementation of the Program referred to in Article 15 of this Law; for construction, reconstruction, adaptation and furnishing of youth services implemented by the Ministry in line with the Article 25 of this Law; for functioning of youth services established by the Ministry, as well as for the activities implemented by the Ministry in line with the Strategy and action plan referred to in Article 13 paragraph 3 of this Law.

 The Budget of Montenegro shall also be used to provide the resources for activities that are implemented by NGOs that implement youth policy in line with the Strategy and action plan referred to in Article 13 paragraph 3 of this Law, in line with this Law.

The budget of the municipality shall be used to provide the resources for establishing and functioning of youth services established by the municipality.

The budget of the municipality shall also be used to provide the resources for activities that are implemented by NGOs in line with the local youth action plan, in line with this Law.

Conditions, manner, procedure and criteria for allocation of resources referred to in paragraph 4 of this Article, as well as control of expenditure of resources allocated to NGOs that implement youth policy shall be further defined by municipality regulations.

**VI. SUPERVISION**

**Conducting Supervision**

**Article 28**

Supervision over implementation of this Law and other bylaws adopted based on this Law shall be conducted by the Ministry.

Inspection supervision shall be conducted by a competent inspector.

**VII. PENAL PROVISIONS**

**Monetary Fines for Violations**

**Article 29**

 Responsible person in the municipal body shall be penalized for a violation with a monetary fine in the amount from 500 to 2.000 EUR if he:

1. fails to adopt a local youth action plan for the period of validity of the action plan referred to in Article 13 of this Law, no later than December 31st of the current year (Article 14 paragraph 1);
2. fails to submit the draft local youth action plan to the Ministry for the purpose of obtaining opinion on its harmonization with the Strategy, no later than October 31st of the current year (Article 14 paragraph 3);
3. fails to submit to the Ministry an annual report on implementation of the local youth action plan, no later than February 15th of the current year for the previous calendar year (Article 14 paragraph 4).

**VIII. TRANSITIONAL AND FINAL PROVISIONS**

**Deadline for Adoption of Bylaws**

**Article 30**

Bylaws for implementation of this Law shall be adopted within six months since the day this Law comes into force.

Until the bylaws referred to in paragraph 1 of this Article are adopted, bylaws adopted on the basis of the Law on Youth (Official Gazette of the Republic of Montenegro, no. 42/16, 13/18 and 55/18) shall be applied, unless they oppose this Law.

**Deadline for Harmonization of the Strategy for Youth**

**Article 31**

 Strategy for youth for the period 2017-2021 and Strategy Implementation Plan shall be harmonized with the provisions of this Law within six months since the day this Law comes into force.

**Establishment of Council for Youth**

**Article 32**

Council for Youth in line with this Law shall be established within six months since the day this Law comes into force.

**Initiated Procedures**

**Article 33**

 Procedures initiated until the day this Law came into force shall be finalized in line with a law that was in force when they were initiated.

**Expiration of Validity**

**Article 34**

 Law on Youth (Official Gazette of the Republic of Montenegro, no. 42/16, 13/18 and 55/18) shall cease to be valid on the day this Law comes into force.

**Coming into Force**

**Article 35**

 This Law shall come into force on the eighth day since the day it is published in the Official Gazette of the Republic of Montenegro.