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Pursuant to Article 16 of the Law on Budget of Montenegro for the year 2015 („Official Gazette of Montenegro“, number 59/14), at the session held on 29 January 2015, the Government of Montenegro adopted the following

DECREE ON FOSTERING DIRECT INVESTMENTS

Subject Matter

Article 1

The Decree hereof regulates the conditions and manner for fostering development through attracting direct investments in the production sector or service sector, the criteria for awarding funds for fostering direct investments (hereinafter: „Funds for Fostering Investments“) and disbursement schedule for such funds.

Direct Investments

Article 2

In accordance with the Decree hereof, a direct investment shall mean an investment in tangible and intangible assets of business entities with the aim to establish a new business entity, expand the capacities of the existing business entity and diversify the production of a business entity into new products or production processes. Acquisition of stakes or shares in a business entity shall not be considered a direct investment under the Decree hereof.

Definitions

Article 3

The terms used in the Decree hereof shall have the following meaning:

- 1) **Investment project** is a project through which a direct investment is realized;
- 2) **Investor** is a domestic or foreign company, legal entity or entrepreneur (hereinafter: „business entity“) participating in the procedure of awarding funds for fostering investments;
- 3) **Beneficiary of funds** for fostering investments is an investor who was awarded the funds for fostering investments;
- 4) **Capital investments** are investments in the value of minimum 10 million Euros which generate the opening of at least 50 new jobs within the period defined in the Agreement on the utilization of funds for fostering investments (hereinafter: „Agreement on the utilization of funds“);
- 5) **Infrastructure** is a public infrastructure necessary for the implementation of an investment project which can be accessed by an unlimited number of users, and for the construction or the reconstruction of which the refund of funds can be made in accordance with the Decree hereof, based on an infrastructural project.
- 6) **Small enterprise** shall mean an enterprise which employs fewer than 50 persons and whose annual turnover or annual balance sheet total does not exceed EUR 10 million.
- 7) **Medium-sized enterprise** is defined as an enterprise which employs 50 to 250 persons and whose annual turnover does not exceed EUR 50 million or whose annual balance-sheet total does not exceed EUR 43 million.



- 8) **Large enterprise** is an enterprise which employs over 250 persons and whose annual turnover is greater than EUR 43 million.

Use of Gender-Sensitive Language

Article 4

The terms used in this Decree for natural persons in masculine gender shall imply the same terms in feminine gender.

Sources and purpose of funds for fostering investments

Article 5

The funds for fostering investments are provided for in the budget of Montenegro. The funds for fostering investments may be used for financing of investment projects which generate opening of new jobs and contribute to economic and regional development of Montenegro.

The funds for fostering investments may not be used for financing of investment projects in the sector of: primary agricultural production, synthetic fiber production, hospitality, construction of hospitality facilities, except for the construction of primary hospitality facilities rated with three or more stars in the units of local government of less than 75% development level compared to the average Development Index in Montenegro, traffic which includes transport of passengers in air, maritime, road or rail traffic and inland waterways or services of commercial transportation of goods, games of chance, trade, primary coal and steel production, production of electricity, oil and gas, tobacco and tobacco products, weapons and ammunitions, production of genetically modified organisms and hazardous waste.

Conditions for awarding funds for fostering investments

Article 6

Funds for fostering investments may be awarded to a business entity:

- 1) registered in the Central Registry of Business Entities (hereinafter CRPS);
- 2) which has submitted an investment project for which the funds for fostering investments are awarded in accordance with the Decree hereof;
- 3) against which no bankruptcy or liquidation proceedings is initiated, except for reorganization in accordance with the law regulating bankruptcy of business entities;
- 4) which is not convicted of a crime committed in the course of pursuing a business activity;
- 5) which has settled all liabilities for taxes, customs and contributions;
- 6) which has not reduced the number of employees by 10% and more in the previous 12 months prior to the submission of application;
- 7) which was not awarded the funds from the budget of Montenegro allocated for the same purposes;
- 8) in which the state or a local government unit does not have a majority interest;
- 9) which is not faced with difficulties in accordance with the regulations on state aid;
- 10) Which is not under the obligation to return illegally received state aid.



A foreign investor may be the beneficiary of funds, provided that it establishes a business entity in Montenegro.

Awarding funds for fostering investments

Article 7

The funds for fostering investments may be awarded for investment projects the minimum investment value of which is EUR 500.000 and which generate the opening of minimum 20 new jobs within three years from the date of the agreement on the utilization of funds.

The implementation period of an investment project and opening of new jobs referred to in paragraph 1 of the Article hereof may be extended if the investor was not able to implement the investment project within the period defined in the Agreement for the reasons which could not have been foreseen at the moment of the conclusion of the Agreement on utilization of funds, not longer than five years from the date of conclusion of the Agreement on the utilization of funds.

The amount of funds for fostering investments shall be defined according to the criteria defined in the Decree hereof in relation to the justified costs of investments in tangible and intangible assets.

Tangible and Intangible Assets

Article 8

Investments into tangible assets shall include investments in land, buildings, production plants, machinery, and equipment.

In addition to the investments referred to in paragraph 1 of the Article hereof, the justified costs of investment project shall include the rental costs of premises in which investment project shall be implemented and investments into leased land, buildings and production plants, provided that the lease period is not shorter than ten years from the date of conclusion of the Agreement on the utilization of funds. Intangible assets are investments into patents and licenses in accordance with the regulations defining state aid and to which amortization is calculated, and which are used by the funds beneficiary and are recorded in the balance sheets of such beneficiary.

New Jobs

Article 9

In accordance with the Decree hereof, a new job shall be considered a permanent job opened for the purpose of the implementation of the investment project which has increased the number of job openings in Montenegro by the funds beneficiary.

A new job referred to in paragraph 1 of the Article hereof shall not be deemed a job created by a reorganization or transfer of employees to a subsidiary or other related entities of the fund beneficiary.

The Fund beneficiary shall continuously maintain the value of an investment project and the number of new job openings for minimum three years upon the completion of an investment project for small and medium-sized enterprises and/or minimum five years for large enterprises.



If the fund beneficiary fails to continuously maintain the value of investment project and the number of new job openings for minimum three years upon the completion of an investment project for small and medium-sized enterprises and/or minimum 5 years for large enterprises, the Government of Montenegro (hereinafter: „Government“) shall demand the return of funds awarded for fostering investments.

Amount of awardable funds for fostering investments

Article 10

The amounts of funds for fostering investments which may be awarded according to the awarding criteria are:

- 1) EUR 3.000 per new job, for the number of points from 76 to 85;
- 2) EUR 4.000 per new job, for the number of points from 86 to 95;
- 3) EUR 5.000 per new job, for the number of points from 96 to 105;
- 4) EUR 6.000 per new job, for the number of points from 106 to 115;
- 5) EUR 7.000 per new job, for the number of points from 116 to 125;
- 6) EUR 8.000 per new job, for the number of points from 126 to 135;
- 7) EUR 9.000 per new job, for the number of points from 136 to 145;
- 8) EUR 10.000 per new job, for the number of points from 146 to 150;

The amount of funds for fostering investments which may be awarded to large enterprises is set to up to 50% of the reasonable costs of the implementation of an investment project or up to 60% of the reasonable costs for medium-sized enterprises and up to 70% for small enterprises.

Exceptionally from paragraph 2 of the Article hereof, the funds for fostering investments may be awarded for capital investments, without using the points system, in the amount of up to 17% of the total value of investment project, in accordance with the Decree hereof.

Criteria for awarding funds for fostering investments

Article 11

Criteria for awarding funds for fostering investments are:

- 1) References of the investor;
- 2) The effects of investment project on the productivity of suppliers and other business entities from Montenegro which operate within the same industry sector;
- 3) viability of investment project;
- 4) effects of investment project in connection with research and development;
- 5) effects of investment project on human resources;
- 6) environmental impact assessment;
- 7) international trade volume;
- 8) effects of investment project on the development of less developed local government units;
- 9) Letter of Intent of the local government where the investor intends to invest.

The total score of points according to the criteria as per paragraph 1 of the Article hereof may amount to maximum 150 points.



References of the Investor

Article 12

The references of the investor shall be evaluated in accordance with his business operations, as follows:

- 1) if shares of the investor are listed on a well-known international stock exchanges and if the investor has successfully implemented a large number of investment projects, 26 to 35 points will be awarded;
- 2) if the shares of the investor are listed on the stock exchange and the investor has a high credit rating – 16 to 25 points will be awarded;
- 3) if the investor has an international reputation and experience which includes the investment project which is of similar scope and type to the project for which funds for fostering investments are awarded – from 11 to 15 points will be awarded;
- 4) if the investor has already implemented the projects of similar scope and type to the project for which funds for fostering investments in the domestic market are awarded – 1 to 10 points will be awarded.

Effects of investment project on the productivity of suppliers and other business entities

Article 13

The effects of investment project on the productivity of suppliers and other business entities from Montenegro who operate in the same industry sector are evaluated according to:

- 1) Share of domestic suppliers in the investment project implementation, for:
 - a) more than 75% - 10 points are awarded;
 - b) more than 60%, and less than 75% - 8 points are awarded;
 - c) more than 50%, and less than 60% - 6 points are awarded;
 - d) more than 40%, and less than 50% - 4 points are awarded;
 - e) more than 10% and less than 40% - 2 points are awarded;
- 2) effects of investment project on the productivity of other business entities if the investment project:
 - a) will make considerable contribution to the increased productivity – from 4 to 5 points will be awarded;
 - b) contributes to productivity increase – 1 to 3 points will be awarded;

Viability of Investment Project

Article 14

The viability of investment project is evaluated as follows:

- 1) if investment project precludes the transfer of factory/machinery and equipment outside Montenegro – 6 to 10 points will be awarded;
- 2) if the equipment, devices and plants may be moved outside Montenegro but the moving entails high expenses and lasts for a longer period of time (three to five years) – 1 to 5 points will be awarded.



Effects of investment project in connection with research and development

Article 15

The effects of investment project in connection with research and development are evaluated according to:

- 1) high technology share in an investment project, if:
 - a) investment project relates to the activities which are considered as new economics (telecommunications, microelectronics, information technology, biotechnology, new materials, etc.) – 5 points will be awarded;
 - b) investment project largely includes high technology – 3 to 4 points will be awarded;
 - c) investment project includes technology which is at the medium level of development – 1 to 2 points will be awarded;
- 2) possibilities of technology transfer to the business entities in Montenegro who are suppliers or who achieve some other kind of cooperation, if the investment project includes:
 - a) technology transfer to the business entities in Montenegro – 4 to 5 points will be awarded;
 - b) partial technology transfer to the business entities in Montenegro – 1 to 3 points will be awarded.

Effects of investment project on human resources

Article 16

The effects of investment project on human resources are evaluated in connection with the level of knowledge and skills which are acquired by the rationalization of the investment project and the possibility to use such knowledge and skills in other entities of Montenegro, if:

- 1) these are general knowledge and skills for which special trainings are envisaged by the employer or which are carried out in cooperation with business entities and institutions, thus leading to increased competitiveness of employees on the labor market – 1 to 3 points are awarded;
- 2) trainings are envisaged for acquiring of special knowledge and skills, thus leading to increased competitiveness of employees within a particular industry – 4 to 10 points are awarded.

Environmental Impact Assessment

Article 17

Environmental impact assessment in connection with investments is evaluated according to:

- 1) impact of investments on the natural resources utilization, if the investment project:
 - a) does not include the activities which affect the natural resources – 6 to 10 points will be awarded;
 - b) contains the activities affecting natural resources but not threatening their sustainable development – 1 to 5 points will be awarded;
- 2) impact of investments on the generation of harmful waste, if the implementation of the investment project:



- a) generates only municipal waste in accordance with the law – 6 to 10 points are awarded;
- b) in addition to municipal waste, generates hazardous waste the keeping and disposal of which is defined by the investment project in accordance with the law – 1 to 5 points will be awarded.

International Trade Volume

Article 18

International trade volume is evaluated in accordance with the scope of provided services or the quantity of products to be delivered in the market outside Montenegro, if:

- 1) service and/or product is marketed in the international market – 14 to 20 points are awarded;
- 2) part of services and/or product is marketed in the international market – 1 to 13 points are awarded.

Effects of investment project on the development of less developed local government units

Article 19

The effects of investment project on the development of less developed local government units are evaluated according the development level of local government were the investor intends to invest, if the Development Index value is:

- 1) from 30% to 50% of the average Development Index in Montenegro – 25 points are awarded;
- 2) from 50% to 75% of the average Development Index in Montenegro – 15 points are awarded;
- 3) above 75% of the average Development Index in Montenegro – 10 points are awarded.

Letter of Intent of the local government

Article 20

If the investor has the Letter of Intent of the local government to support the investment in accordance with the development plans of the local government, 5 points will be awarded.

Public Announcement

Article 21

Awarding of funds for fostering investments shall be carried out based on the international public announcement published in one international economic journal, in one print media distributed in Montenegro, and on the website of the Government and the Secretariat for Development Projects (hereinafter: „Secretariat“).

The Secretariat prepares the proposal for public announcement and carries out other activities in connection thereto.



The proposal for public announcement the Secretariat shall submit to the Government for consideration and adoption. Public announcement shall particularly include:

- 1) name and seat of the authority publishing the public announcement;
- 2) subject of the public announcement;
- 3) conditions for awarding the funds for fostering investments defined in the Decree hereof;
- 4) criteria for awarding funds for fostering investments;
- 5) deadline, manner and address for submission of the application for participation in the awarding procedure (hereinafter: "Application");
- 6) person in charge of providing information in connection with the participation of awarding procedure;
- 7) deadline for the implementation of procedure according to the public announcement;
- 8) date, place and manner of opening of applications for participation in the procedure for awarding funds for fostering investments;
- 9) amount, type and validity period of bid bond;
- 10) amount, type and validity period of performance bond;

The Secretariat shall prepare and publish on its website the draft agreement on the utilization of funds for fostering investments and the instructions for the submission of application and evaluation criteria for awarding funds for fostering investments.

The Secretariat may engage experts (financial, legal and technical) for the provision of professional assistance in the procedure following the public announcement.

Application

Article 22

The application is submitted to the Secretariat within the period defined in the public announcement. The application is submitted in the Montenegrin language. The application shall particularly include:

- 1) general information of investor (name, seat, or name, surname and address for entrepreneur, vision, objectives, details on products and services, experience and information of implemented projects);
- 2) information of investment project (sector, business plan, total value of investment project, number of employees, investment project implementation schedule etc.),

The following is submitted with the application:

- 1) investment project for the financing of which funds for fostering investments are requested (textual and graphic presentation), with details necessary for the evaluation of criteria referred to in Article 11 of the Decree hereof;
- 2) Balance Sheet and Income Statement for the previous three operating years, with an authorized auditor's report;
- 3) Total estimated value of investment project made by the authorized assessor based on which the amount of investment can be established as per Article 8 of the Decree hereof;
- 4) Projected Balance Sheet and Income Statement for the next three years from the date of application submission;



- 5) Excerpt from CRPS or the excerpt from the appropriate registry of the country in which the investor has a seat, which may not be older than 30 days prior to the date of application submission;
- 6) Evidence of settled liabilities for taxes, customs and contributions;
- 7) Confirmation that no bankruptcy or liquidation proceedings is initiated against the business entity;
- 8) Confirmation that no criminal proceedings is instituted against responsible persons in the business entity;
- 9) Confirmation that business entity or responsible person in the business entity has not been found guilty in a court of law for an offence which is prosecuted ex officio and
- 10) Other evidence confirming the fulfilment of conditions defined in the Decree hereof.

The documents submitted by a foreign business entity must be certified in accordance with the regulations of the country of their issue and translated into Montenegrin language by the certified court translator. The Secretariat shall define the application form and publish it on its website.

Opening of Applications

Article 23

The Secretariat shall open the application in the place and at the time specified in the public announcement. The opening of applications shall be public. Applicants, their representatives or their attorneys may be present at the opening of applications.

For the purpose of protection of trade, military, or state secret, the public announcement may specify that the application opening procedure is not public.

Review and Evaluation of Applications Validity

Article 24

The evaluation of application validity shall be made by the Secretariat.

The application validity shall be evaluated by inspecting whether the application meets the conditions defined in the public announcement and the Decree hereof.

A valid application shall be the application which fully meets the conditions specified in the public announcement and the Decree hereof.

Opening and assessment of the application validity shall be recorded in the minutes by the Secretariat.

Any application which does not fully meet the conditions specified in the public announcement and the Decree hereof shall be rejected as invalid.

The Decision on the rejection of the invalid application shall be submitted to the applicant within three days from the date of its adoption.

The Decision as per paragraph 6 of the Article hereof shall be final.



Analysis of Investment Projects

Article 25

The analysis of compliance of investment projects enclosed to the valid applications from the perspective of compliance with planning documents and development plans shall be made by the Secretariat.

The Secretariat may also perform other analyses of the applications.

For the analysis of the compliance of investment projects as per paragraph 1 of the Article hereof, Secretariat may engage experts (financial, legal and technical) for the provision of professional assistance or may ask the competent state administration authorities for their opinion.

The Secretariat shall submit the report on the analysis of investment projects compliance, with the valid application and supporting documents, to the Commission for Evaluation of Applications (hereinafter: „Commission“).

Commission

Article 26

The evaluation of investment projects and the report on evaluation with the proposal of the decision on the award of funds for fostering investments shall be made by the Commission.

Upon the proposal of the head of the state administration authority in charge of economic affairs, and after the consultations with the heads of the state administration authority in charge of finance affairs, sustainable development, agriculture, transport and the Government Vice President in charge of economic policy and financial system, the Commission shall be appointed by the Government.

The Commission shall comprise of the President and minimum six members, provided that there is an odd number of Commission members together with the President.

The Commission shall decide by the majority votes of the total number of members. The Commission shall have a Secretary.

The President and the Secretary of the Commission shall be appointed by the Government upon the proposal of the Minister in charge of economy affairs.

For the purposes of the Commission, the Secretariat shall carry out administrative and technical activities.

Evaluation of Investment Projects

Article 27

Investment projects shall be evaluated according to the criteria defined in the Decree hereof.

In the evaluation procedure of investment projects the Secretariat may, at the request of the Commission, engage experts (financial, legal and technical) for the provision of professional assistance or may ask for the opinion of the competent government administration authorities or for the additional information.

The representative of the Secretariat shall be present and the meeting of the Commission without the right to vote.

If the proposed investment project is not in accordance with the development priorities of Montenegro, the Commission shall reject the proposal.



The decision on the award of funds for fostering investments shall be passed by the Government. The decisions referred to in Articles 4 and 5 of the Article hereof shall be final.

Extension of investment project implementation

Article 28

Upon the proposal of the Commission, the Government may adopt the decision on the extension of the investment project implementation period.
In the event that the period referred to in paragraph 1 is extended, the validity period of the bank guarantee and other security interests shall be extended in proportion to the extension of the investment project implementation period.

Agreement on the utilization of funds

Article 29

Mutual rights and obligations of the Government and the fund beneficiary as well as the investment project implementation schedule shall be regulated by the Agreement on the utilization of funds.

Termination of the Agreement on the utilization of funds

Article 30

The Agreement on the utilization of funds for fostering investments may be terminated upon the proposal of the Secretariat if the beneficiary fails to meet the obligations stipulated in the Agreement on the utilization of funds.
The Decision on the termination of the Agreement on the utilization of funds as per paragraph 1 of the Article hereof shall be passed by the Government.
In the event of the termination of the Agreement on the utilization of funds the funds shall be collected in the amount of the disbursed funds awarded for fostering investments and the statutory default interest under the submitted performance bond and promissory note.

Disbursement schedule for funds for fostering investments

Article 31

Awarded funds for fostering investments shall be disbursed in instalments amounting to one third of the total amount of awarded funds, as follows:

- 1) first instalment within 90 days from the date of submission of bank guarantee referred to in Article 32 of the Decree hereof;
- 2) second instalment within 90 days from the date of realization of 50% of investment in accordance with the investment project;
- 3) third instalment within 90 days from the date of achieving full employment envisaged by the investment project.



The payment of allocated funds for fostering investments shall be made based on the request for disbursement of funds for fostering investments with which documents shall be submitted evidencing the fulfilment of conditions referred to in paragraph 1 of the Article hereof.

The request as per paragraph 2 of the Article hereof shall be submitted to the Secretariat by the beneficiary.

Upon the receipt of the request referred to in paragraph 2 of the Article hereof, the Secretariat shall check the fulfilment of conditions for disbursement of funds for fostering investments as per paragraph 1 of the Article hereof.

The disbursement of funds for fostering investments as per paragraph 1 of the Article hereof shall be made by the state administration authority in charge of finance affairs, upon the approval of the Secretariat.

Exceptionally from paragraph 1 of the Article hereof, the disbursement schedule for funds for fostering investments in connection with capital investments shall be defined under the Agreement on the utilization of funds.

Bank guarantee

Article 32

The beneficiary of funds for fostering investments shall prior to the submission of request for disbursement of funds for fostering investments, within 15 days from the date of conclusion of the Agreement on the utilization of funds, submit to the Secretariat an unconditional bank guarantee to the benefit of the state of Montenegro, payable on first demand, without right of objection, issued by the business bank registered in Montenegro.

The bank guarantee as per paragraph 1 of the Article hereof shall be submitted for the period until the expiry of 60 days after the date of completion of investment project implementation and achievement of full envisaged employment, in accordance with the disbursement schedule and amounts of instalments as per Article 31 of the Decree hereof and Agreement on utilization of funds.

In addition to the bank guarantee, the funds beneficiary shall, within 15 days from the date of the Agreement on the utilization of funds, submit two signed blank bills of exchange with signed authorization for the purpose of collection of statutory default interest.

Statutory default interest is calculated for the period from the date of disbursement of the last instalment to the date when the conditions are met for the termination of the Agreement on the utilization of funds.

If the funds beneficiary fails to submit the bank guarantee referred to in paragraph 1 of the Article hereof or fails to submit blank bill of exchange with signed authorization, the Agreement on the utilization of funds shall be terminated.

The Secretariat shall define the bank guarantee form and shall publish it on its website.

Report on investment project implementation

Article 33

The funds beneficiary shall report to the Secretariat on the investment project implementation for which funds for fostering investments are awarded.

The report referred to in paragraph 1 of the Article hereof shall be submitted semi-annually, from the beginning of the investment project implementation to the expiry of five years upon the expiry of investment project implementation.



The report on investment project implementation shall contain:

- 1) independent auditor's report on operations
- 2) report of the competent administration authority of the number of employees;
- 3) report of the authorized assessor of the investment project implementation in qualitative and quantitative terms with the report on the value of assets included in the investment project;
- 4) report of the data on paid salaries, taxes and contributions for newly employed persons.

At the request of the Secretariat, the funds beneficiary shall also submit other documents and provide additional information on the investment project implementation.

The Secretariat shall submit to the Government the report on the investment project implementation once a year.

Refund of funds for infrastructure

Article 34

If for the purpose of investment project implementation it is necessary to invest additional funds for the construction or reconstruction of infrastructure, the funds beneficiary may submit to the Secretariat the request for the refund of part or whole amount of such funds.

The request for the refund of funds for infrastructure referred to in paragraph 1 of the Article hereof shall contain: value of approved investment project, infrastructural project, estimated value of work on infrastructural project made by the authorized assessor, number of new job openings in the project, evidence that the submitted infrastructural project is necessary for the investment project implementation and the agreement or other documents signed between the investor and contractor.

In accordance with the Decree hereof, the value of infrastructural project shall include the costs of:

- 1) preparation and obtainment of planning and design documents;
- 2) construction;
- 3) engagement of professional supervision;

Acting upon the request for the refund of funds for infrastructure

Article 35

The Secretariat shall evaluate the compliance of the request for the refund of funds for infrastructure with the conditions referred to in Article 34 of the Decree hereof.

When evaluating the request for the refund of funds for infrastructure as per paragraph 1 of the Article hereof, the Secretariat may engage experts (financial, legal and technical) for the provision of professional assistance.

The request referred to in paragraph 1 of the Article hereof, which meets the stipulated conditions, the Secretariat shall submit to the Commission, for the purpose of evaluation of fulfilment of the conditions for the refund of funds.



Awarding funds for refund

Article 36

The Decision on awarding and amount of funds for the refund of construction or reconstruction of infrastructure or the decision on the rejection of the request for the refund of funds for infrastructure shall be passed by the Government upon the proposal of the Commission.

Agreement on the refund of funds

Article 37

Mutual rights and obligations of the Government and funds beneficiary and infrastructural project implementation schedule shall be defined in the Agreement on the refund of funds.

The funds allocated for the refund of the construction of infrastructure shall be disbursed based on the submitted and paid invoices of the contractor.

The Agreement on the refund of funds may be terminated in all phases of its performance, upon the proposal of the Secretariat, if the beneficiary who was awarded the refund of funds for infrastructure fails to perform his obligations defined in the Agreement on the refund of funds.

Supervision and Monitoring of Implementation

Article 38

The supervisory authority for the execution of works on infrastructure shall submit to the Secretariat the report on the implementation of the infrastructural project with received payment certificates.

Ownership of Infrastructure

Article 39

The infrastructure constructed with funds stipulated in the Decree hereof shall be in the state ownership, in accordance with the law.

Keeping of documents

Article 40

Submitted applications, contracts, bank guarantees and other documents from the procedure conducted after the public announcement the Secretariat shall keep in its archives minimum ten years from the date of conclusion of the Agreement on the utilization of funds.



Coming into force

Article 41

The Decree hereof shall come into force on the eighth day of its publishing in the "Official Gazette of Montenegro".

Number: 08-78

Podgorica, 29 January 2015

Government of Montenegro
President
Milo Đukanović, signed

I, Vera Madžgalj, permanent court interpreter for English language, appointed by the Decision of the Ministry of Justice of the Republic of Montenegro, Decision number 03-8658/08 dated 14th October 2013, hereby certify this text is a true copy of the original written in Montenegrin language.

17.03.2015.

