

DECREE

ON THE PROMULGATION OF THE LAW ON SPORTS

(Official Gazette of Montenegro 36/11 dated 27 July 2011, 36/13 dated 26 July 2013)

I hereby promulgate the Law on Sports, which was enacted by the Parliament of Montenegro in its 24th convocation, at the tenth session of the first regular (spring) sitting in 2011, on 12 July 2011.

No: 01-910/2
Podgorica, 20 July 2011

President of Montenegro
Filip Vujanović, signed personally

Pursuant to Article 82 paragraph 1 item 2 and Article 92 paragraph 1 of the Constitution of Montenegro, the Parliament of Montenegro in its 24th convocation, at the tenth session of the first regular (spring) sitting in 2011, on 12 July 2011, enacted the

LAW ON SPORTS

I. GENERAL PROVISIONS

Concept

Article 1

Sport shall mean an organized physical or other activity, i.e. activity carried out according to established rules with the aim of preserving, improving and developing psychophysical abilities and competencies related to sports, satisfying the needs for movement and play, sportive expression and creativity, and achievement of results in sports at all levels.

Definition of Sport

Article 2

Sport is an activity of public interest, which comprises in particular:

- 1) training for performing sport activities;
- 2) organizing and conducting sport preparations, i.e. training;
- 3) participation in sporting competitions;
- 4) organizing sporting events;
- 5) organizing and implementing sporting recreation.

Sporting activities include as well extra-curricular school and university sport activities.
Sporting activities are performed by sport entities in accordance with this law and sport rules.

Sport Principles

Article 3

Sport is based on principles of free will, partnership, affinity, ability, professional work and scientific knowledge.

Exercising sport shall be humane, free, voluntary, healthy, safe, fair, tolerant and ethically acceptable. .

Access to Sport

Article 4

Sport shall be accessible to everyone, regardless of their age, physical ability, disability, gender, race, religion, nationality, social background, political affiliation, social status and any other personal trait.

Types of Sport

Article 5

Depending on the rules according to which it is exercised, sport is classified in particular types.

A particular type of sport may comprise various sports disciplines.

The type respectively discipline of a particular sport in Montenegro shall be determined by the Montenegrin Olympic Committee (hereinafter: MOC), in accordance with relevant international rules.

Sport Activity

Article 6

Sport activities include physical workout (instructing, training, recreational activities) and sporting events (sporting competitions and sport manifestations).

Sport activities are performed independently as well as in sports and other organizations.

Sporting Activities

Article 7

Sporting activities shall mean activities facilitating sport activities, i.e. providing the conditions for the exercise thereof.

Application of Sport Rules

Article 8

Sport entities shall be liable to observe and apply sport rules of the national and international sport federation, the MOC and the International Olympic Committee.

The performance of sport and sporting activity shall be regulated by sport rules, which shall be passed by the national sport federation, i.e. sports organization.

Enforcement of Legislation

Article 9

The procedures and time frames prescribed by this law shall be governed by the Law on General Administrative Procedure, if not otherwise prescribed under this law.

Use of Gender-Sensitive Language

Article 10

All expressions used in this law for physical persons in the male form shall equally apply to men and women.

II. PUBLIC INTEREST

Affairs of Public Interest

Article 11

The public interest in sport embodies:

- 1) promotion of sport development, in particular among children and youth;
- 2) creation of conditions for the construction and maintenance of sport facilities;
- 3) promotion of acting of the MOC and national sport associations;
- 4) provision of conditions for training and competitions of athletes, sport and recreational activities of children, youth and the general public, as well as other sport activities aimed at the advancement of psychophysical competencies of citizens as well as prevention of socio-pathological phenomena among children and youth;
- 5) provision of conditions for organizing international competitions, in particular at the level of national teams;
- 6) awarding special attention to top-level and categorized athletes;
- 7) encouraging disabled persons to engage in sports activities;
- 8) creation of conditions for conducting extra-curricular sport activities for pupils and university students;
- 9) encouraging scientific-research, educational and professional work in the field of sport;
- 10) other organized and professionally conducted sport and sporting activities.

Realization of the Public Interest

Article 12

The realization of the public interest in sports shall be provided by Montenegro and the Capital City, the Old Royal Capital and the municipality (hereinafter: the Municipality).

In order for the public interest to be realized, a National Sport Development Plan (hereinafter: National Plan) and sport development plans at municipal level (hereinafter: Local Plan) shall be passed.

The National Plan

Article 13

The National Plan shall define the long-term objectives and priorities for the development of sport and determine the organizational, financial, administrative and other measures for the achievement thereof.

The National Plan shall include in particular:

- 1) the state of affairs in the field of sport;
- 2) the fundamental principles constituting the basis for development of sport in Montenegro;
- 3) short-term, mid-term and long-term objectives of the development of sport, as well as the stakeholders responsible for the achievement of these objectives;
- 4) the content, extent and estimated value of activities required for the achievement of the planned sport development objectives;
- 5) the obligations and tasks of the bodies and organizations involved in the achievement of the sport development objectives;
- 6) the plan for construction of sports facilities.

Passing of the National Plan

Article 14

The National Plan shall be passed by the Government of Montenegro (hereinafter: the Government), at the proposal of the state administration authority competent for sports issues (hereinafter: Administration), upon the previously obtained opinion of the municipalities, for the period of minimum four years.

The Administration shall be obliged to pass an annual schedule for the achievement of the National Plan.

The progress report on the implementation of the Plan referred to in paragraph 2 of this Article shall be submitted by the Administration to the Government.

The Local Plan

Article 15

The Local Plan shall include in particular:

- 1) the long-term needs of the local population;
- 2) development priorities;
- 3) the dynamics of realization;
- 4) organizational, financial and administrative measures for the achievement of the Plan.

The Plan referred to in paragraph 1 of this Article shall be passed by the competent body of the municipality, in compliance with the sports objectives set out in the National Plan, for the period of minimum four years.

The competent municipal body shall be obliged to pass an annual schedule for the achievement of the Local Plan.

The Local Plan and the report on the implementation of the Local Plan shall be submitted to the Administration. .

The Sports Council

Article 16

The Sports Council shall consider professional matters related to sports and provide professional support at decision-making and preparing legislation in the field of sports.

Members to the Sports Council shall be appointed by the minister competent for sports, to a period of four years.

The Sports Council shall have a chair and eight members, as follows:

The chairperson and four members shall be proposed by the Administration, three members shall be proposed by the MOC and one member shall be proposed by the higher education institution for sports and physical education.

In order to consider matters that are within its competence, the Sports Council may form committees, expert groups and other working bodies.

The organization and mode of operation of the Sports Council shall be regulated by its Rules of Procedure.

Administrative-technical tasks on behalf of the Sports Council shall be carried out by the Administration.

The Competence of the Sports Council

Article 17

The Sports Council shall issue opinions and proposals:

- 1) in the procedure of drafting the National Plan;
- 2) in the procedure of passing legislation in the field of sports;
- 3) in the procedure of selection of sports programmes to be financed from the state budget;
- 4) for taking measures to prevent the taking of prohibited substances in sports, prevent violence and misbehaviour at sporting events;
- 5) on other professional matters related to sport.

Local/Municipal Sports Council

Article 18

For the purpose of considering matters that are within its competence and relate to sport, municipalities may found local sports councils as professional advisory bodies.

Rights and obligations, composition, method of election into and the operation of the council, as well as other issues of relevance to its work, shall be governed by the Municipal Assembly Decision on the founding of the council referred to in paragraph 1 of this Article.

III. SPORTS ENTITIES

Sports Entities

Article 19

A sports entity is a natural person within sports and a legal person operating in sporting activities.
A physical person within sports is an athlete, coach and a professional qualified for work in sports.
A legal person is a sports organization and an organization for performing sporting activities.

1. Physical Persons within Sports

The Athlete

Article 20

An athlete is a person who, independently or in the framework of a sports club, prepares and competes in a specific sport.

Depending on the nature of his/her engagement in sports, an athlete is an amateur or a professional. Rights, duties and responsibilities of athletes shall be governed by a contract between the athlete and the sports organization, in compliance with the law, sport rules and documents of the sports organization.

The contract referred to in paragraph 3 of this Article shall be concluded in written form and registered with the competent national sport federation.

The Amateur Athlete

Article 21

An amateur athlete is a person who does not engage in sports as a primary activity and for profit.

An amateur athlete may receive from a sports organization monetary compensation for covering the expenses of procurement and use of sports equipment, training, their stay during preparations and at competitions.

An amateur athlete may conclude with the sports organization a contract on receiving a sports grant or a contract on performing sports without entering an employment relationship.

The Professional Athlete

Article 22

A professional athlete is a person engaging in sports as a primary activity and who is paid, based on a contract concluded with a sports organization.

A sports organization shall pay social insurance contributions for the athlete referred to in paragraph 1 of this Article, in accordance with special regulations.

A professional athlete engaging in sports independently shall register as an entrepreneur, in accordance with the law.

Status and Categories of Athletes

Article 23

Based on the achieved sport results, an athlete may attain the status of a top-level athlete or the appropriate status of a categorized athlete.

A top-level or a categorized athlete may not be a person who was convicted by a final verdict for a criminal act and an offense referred to in Article 46, items 1, 2 and 3 of this Law.

Top-Level Athlete

Article 24

A top-level athlete is a Montenegrin citizen who has won the first, second or third place as a representative of Montenegro, in individual or team competition at Olympic Games, Paralympic Games, the only official World or European senior championship in a given sport that is included as a discipline in the programme of the Olympic or Paralympic Games.

The decision on attaining the status of a top-level athlete shall be passed by the Administration.

The decision referred to in paragraph 2 of this Article shall be final in the administrative procedure.

More detailed requirements and the procedure for attaining the status of a top-level athlete shall be prescribed by the state administration authority exercising supervision over the legality of work of the Administration (hereinafter: the Ministry).

Allowance

Article 25

A top-level athlete shall be entitled to a life-long monthly allowance in the amount of one half up to two average monthly net salaries in Montenegro for the year preceding the year in which the allowance is disbursed.

The right to the allowance referred to in paragraph 1 of this Article shall pertain to the selector of a senior team sports representation of Montenegro which has achieved results referred to in Article 24 paragraph 1 of this law, as well as a Montenegrin citizen, who has been elected athlete of the year, in accordance with this law.

A selector referred to in paragraph 2 of this Article may exercise the right to the said allowance if s/he, as a Montenegrin citizen, has managed the senior national team of Montenegro for at least two years prior to the achievement of the results referred to in Article 24 of this law.

The right to payment of the allowance shall be exercised by a person as referred to in paragraphs 1 and 2 of this Article on only one basis and after turning 40 years of age.

Bonus

Article 26

A top-level athlete, respectively member of the national team of Montenegro, shall be entitled to a bonus for outstanding sporting achievements referred to in Article 24 of this Law, at the proposal of the national sports federation.

A sports organization, respectively an athlete may be allocated a bonus for outstanding sporting results, at national team level or at club level, of special international value and significance for Montenegro, at the proposal of the MOC.

The bonus may also be allocated to outstanding sport worker.

Sport-related Disability Allowance

Article 27

An athlete who as a member of a Montenegrin sports club participated in competitions in a federal or republic league and in that period developed a disease which occurred as a consequence of sports activities (sports disease) or incurred a serious injury during preparations for a competition or on his way to the venue of the competition, or at the very competition, shall be entitled to a sport-related disability allowance.

After entry into force of this law, the right to a sport-related disability allowance referred to in paragraph 1 of this Article may be exercised by an athlete whose sports career was terminated due to the severity of a disease or injury, established on the basis of medical findings.

The request for realization of the right to sport-related disability allowance shall be submitted to the Administration, within six months after this law enters into force.

Along with the request referred to in paragraph 1 of this Article, it is required to enclose evidence of membership in the sports club, medical findings from the period when the disease or injury which caused the interruption of the athletic career was diagnosed.

Manner of Exercising Rights

Article 28

The criteria for determining of the amount of the allowance, or bonus, depending on the achievements and method of payment thereof, shall be by the Government.

The funds for the payment of the allowance, or bonus, referred to in Articles 25 and 26 of this law shall be provided in the budget of Montenegro.

The exercise of the rights and the amount of the allowance, or bonus, referred to in Article 25 and 26 of this law shall be decided on the basis of a decision passed by the Administration

Obligations of Top-Level Athletes

Article 29

A top-level athlete shall be obliged to participate and perform for the national team of Montenegro upon the invitation of the national sports federation and act in accordance with the international rules and rules of the national sports federation.

A top-level athlete who, without justification, fails to perform his duties as referred to in paragraph 1 of this Article, may have his right referred to in article 25 of this law withdrawn. The decision from paragraph 2 of this Article shall be passed by the Administration, upon the proposal made by the national sports federation.

Categorized Athletes

Article 30

The category of an athlete shall be determined by the MOC.

The criteria, manner and procedure of acquiring the appropriate category of an athlete shall be determined by a special Act of the MOC.

The decision on categorization of an athlete shall be passed by the MOC.

The Coach

Article 31

The coach shall mean a person who organizes and conducts the sports preparation and training in a certain sport.

The coach duties shall be performed by a person possessing minimum level VI of the national qualification framework in the field of sport, i.e. physical education, while in order to participate in an appropriate competition system, it is required to have a license for performing professional tasks in a specific sport.

Notwithstanding paragraph 2 of this article, the duties of a coach may be performed by a person possessing minimum level IV of the national qualification framework and a license for performing professional tasks in a specific sport.

The license referred to in the paragraph 2 and 3 of this article shall be issued by the relevant national sport federation.

More detailed requirements, manner and the procedure of acquiring the license referred to in the paragraph 2 and 3 of this article is regulated by the national sports federation, with the approval of the Administration.

A Professional Trained for Work in Sports

Article 32

A professional trained for work in the field of sports is: a sports instructor, rescuer, a referee and a sports delegate.

Activities referred to in paragraph 1 of this Article may be performed by a person possessing minimum level III of the national qualification framework and a license for performing professional tasks in a specific sport, which is issued by the concerned national sports federation or an authorized international association.

More detailed requirements, manner and procedure of acquiring the license referred to in paragraph 2 of this article is regulated by the national sports federation with the consent of the Administration.

The Outstanding Sports Worker

Article 33

Upon the proposal made by the national sports federation, the Administration shall, every year, proclaim an outstanding sports worker for exceptional achievements during many years of successful work in sports, as well as for his/her contribution to the affirmation of sports in Montenegro and at international level.

The requirements and procedure of proclaiming an outstanding sports worker, as well as the design and contents of the award for the proclaimed outstanding sports worker shall be determined by the Administration, at the proposal of the National Sports Federation.

Professional Tasks in Sports

Article 34

Professional tasks in sports are:

1. organizing and conducting sports preparations;
2. organizing and conducting sports training of children and youth in sport schools;
3. organizing and conducting sporting recreation;
4. organizing and conducting extra-curricular sport activities in educational institutions;
5. the instructing of persons in a basic technique of a specific type of sport.

The professional tasks in sports shall be conducted by: a coach, teacher i.e. professor of physical education and a sport expert qualified for work in sports.

2. Legal Persons

The Sports Organization

Article 35

A sports organization is a legal person established to perform certain sporting activities.

Types of Sports Organizations

Article 36

Depending on the manner of organization and territorial performance of sporting activities, a sports organization can be:

1. a sports club;
2. a sporting recreational organization
3. a sports organization for persons with disabilities;
4. a sports federation;
5. a federation of sports.

The MOC and the Paralympics Committee of Montenegro are considered sports organizations.

Status of Sports Organizations

Article 37

A sports organization performs activities for which it was founded, independently, in the manner and under the conditions stipulated herein, the founding act and the statute of the sports organization.

A sports organization shall acquire the status of a legal person by registering in the Register of sport organizations (hereinafter: the Register).

Founding of Sports Organizations

Article 38

A sports organization may be established by a domestic and foreign legal or natural person (hereinafter: the founder), in accordance with this law.

A sports organization shall be established for an indefinite period.

If a sports organization is established by several persons, the mutual rights and obligations of the founders shall be regulated by the founding act.

The Act of Foundation of Sports Organizations

Article 39

A sports organization shall be established by an act of foundation.

The act of foundation of a sports organization shall include in particular:

- 1) name, family name and place of residence, i.e. name and seat of the founders;
- 2) name, type and seat of the sports organization;
- 3) purpose and tasks for which the sports organization is founded;
- 4) activity of the sports organization;
- 5) amount of resources for the establishment and commencement of operation of the sports organization and method of providing funds;
- 6) rights and obligations of the founders in relation to the sports organization and those of the sports organization in relation to the founders;
- 7) composition, method of election and competence of the managing bodies;
- 8) deadline for appointing the managing bodies, adoption of the statutes and registration of the sports organization in the Register;
- 9) name, family name and function of the person who will temporarily act on behalf of and represent the sports organization, as well as the scope of his/her authority;
- 10) other information of relevance for the realization of activities of a sports organization.

Statute of a Sport Organization

Article 40

The Statute of a sports organization shall govern the following:

1. the name, headquarters and address of the sports organisation;
2. objectives and tasks of the sports organisation and the manner of accomplishing them;
3. symbols of the sports organisation and the manner in which they are to be used;
4. activities of a sports organisation
5. the internal organisation of a sports organisation;
6. the rights and obligations of the founders and members of the sports organization ;
7. the acquisition and loss of management rights;
8. the name, competences and method of election and dismissal of the management bodies;
9. general acts of the sports organization and the manner of their enactment;
10. financing of the work of the sports organization;
11. the manner of realization of publicity of its work;
12. the manner of resolving disputes related to sports (arbitration);

13. other issues of importance for the work of sports organizations.
The approval of the statute referred to in paragraph 1 of this Article shall be issued by the Administration.

Requirements for Founding a Sports Organization

Article 41

A sports organization may be established and may carry out sporting activities if it has, depending on the type of sport, provided:

- a certain number of athletes;
- a sports facility or premises;
- professional staff;
- sports equipment.

The compliance with the conditions referred to in paragraph 1 of this Article shall be determined by the Administration on the basis of a decision.

More detailed conditions referred to in paragraph 1 of this Article shall be prescribed by the Administration, in accordance with international standards for a particular sport.

Entry into the Register of Sports Organizations

Article 42

Prior to the commencement of performing sporting activities, the founder of a sports organization shall be obliged to submit to the Administration a request for entry into the Register.

Along with the request referred to in paragraph 1 of this Article, the founder shall submit the act of foundation, the statute and evidence of compliance with the requirements, in accordance with the law.

The Register

Article 43

A sports organization may commence operating after the Administration has established that it complies with the founding requirements and issued a decision on the entry into the Register..

The Register shall be kept by the Administration.

The manner of keeping the Register, the procedure of registration and deletion from the Register shall be regulated in more detail by a regulation of the Ministry.

Termination of Operation

Article 44

A sports organization's operations shall terminate in the following events:

- 1) if it discontinues to comply with the prescribed requirements for performing sporting activities;
- 2) if it does not fulfil the purpose for which it has been established;
- 3) if it fails to perform sports activities and sporting activities longer than a year continuously;

- 4) if it has been imposed a measure of injunction to perform activities for failure to comply with the requirements for the performance thereof or if it performs them against the law, and if it fails to fulfil the requirements, i.e. eliminate the irregularities, within the deadline given in the injunction;

- 5) in other cases provided by this law.

The act on termination of operations, respectively on the change of status of a sports organization shall be issued by the competent body of the sports organization, in accordance with the act of foundation and the statutes.

A sports organization shall be liable to deliver the act on termination of operations, respectively on the changes of status, to the Administration, within eight days after the passing of the act at the latest.

Should the competent body of the sports organization, in the case referred to in paragraph 1 of this Article, fail to pass the act on termination of operations of the sports organization, the Administration shall ex officio delete the sports organization from the Register.

Requirements for performing sporting activities by physical persons

Article 45

A physical person may independently, as an entrepreneur, carry out sporting activities of organizing and conducting sports preparations, training for performing sports activities as well as organizing and conducting sports recreation, if it fulfils the general health requirements and possesses the appropriate professional qualification.

A physical person may independently, as an entrepreneur, carry out sporting activities of participation in sporting competitions, if it fulfils the general, and when required, also the specific health requirements, if s/he is at least 16 years of age and if s/he fulfils other requirements set out in the rules of the relevant national sports federation.

Prohibition to Participate in Professional and Managing Bodies

Article 46

Membership to professional sports organizations and managing bodies shall be prohibited to persons who have been:

- 1) convicted by a final verdict for criminal acts and offenses prescribed by special legislation on prevention of violence and misbehaviour at sporting events;
- 2) convicted by a final verdict for criminal acts and offenses prescribed by this law, related to the International Convention Against Doping in Sports;
- 3) convicted by a final verdict for criminal acts against: the life and body, freedoms and rights of humans and citizens, sexual identity, property, economy, health of persons, constitutional set-up and safety of Montenegro;
- 4) if they are members or shareholders of other sports clubs that are competing in the same sport.

Sports Club

Article 47

A sports club shall mean a legal person that is established for organizing and conducting sport preparations, training for performing sports activities and participation in sporting competitions. Sports clubs may be founded by domestic and/or foreign legal and/or physical persons.

A legal or physical person may be the founder of only one sports club within the same sport. Depending on whether the sporting activities referred to in paragraph 1 of this Article are performed for profit or not, a sports club can be an amateur or professional sports club.

Amateur Sports Club

Article 48

An amateur sports club shall mean a non-profit organization that is established for performing sporting activities.

An amateur sports club may be established by minimum one legal person or minimum five physical persons.

The same legal or physical person may be the founder or co-founder of only one amateur sports club within the same sport.

An amateur sports club shall mandatorily include in its name the words: "sports club" or, before the word "club", the name of the sport in which the sporting activity is performed.

The founders of an amateur sports club shall indicate in the act of foundation the percentile amount of the funds invested in the club (founding capital).

Private-Public Partnership

Article 49

A professional sports club may be founded, i.e. organized according to the private-public partnership model.

The method of management shall be defined by the Act of Foundation i.e. Organization of a professional sport club referred to in paragraph 1 of this Article.

Professional Sports Club

Article 50

A professional sports club shall be founded for performing sporting activities, as a company.

The founding, operation, management and termination of operation of a professional sports club shall be governed accordingly by legislation governing companies, if not otherwise stipulated in this law.

Organizing a Professional Sports Club

Article 51

A professional sports club may be organized by:

- 1) founding a professional sports club;
- 2) transforming an amateur sports club into a professional sports club.

The transformation of an amateur sports club into a professional sports club may be compulsory or on a voluntary basis.

The provisions of this law on compulsory transformation shall be applied accordingly to the voluntary transformation of an amateur sports club into a professional sports club.

Membership in a Professional Sports Club

Article 52

A member of a professional sports club may not have any shares in another sports club competing in the same sport.

A person performing an activity that may influence the result in a specific sport may not acquire shares of professional sports clubs that are competing in the same sport, particularly if in that sport they act in the capacity of referee, delegate, owner or member of the management of betting offices.

Obligation to Transform from an Amateur Sports club to a Professional Sports Club

Article 53

An amateur sports club shall be obliged to transform into a professional sports club in the event that it has concluded employment contracts with more than 50% of registered athletes in the senior competition in relation to the number of registered, i.e. licensed athletes for the current year (season) in the Register kept by the competent national sports federation.

Transformation Procedure

Article 54

An amateur sports club shall be obliged, prior to passing the decision on the change of status i.e. transformation into a professional sports club, to adopt a study on the transformation of the amateur sports club into a professional club (hereinafter: Study).

The Study shall include the following:

- 1) an inventory and an estimation of the value of the club's assets, the nominal and percentile amounts of shares in the club's assets, as well as a list of all payables and receivables;
- 2) a financial statement for the last five years, i.e. since the founding in the case of a club that is younger than five years, with detailed information on incomes and expenses;
- 3) achieved results during minimum five previous competition seasons, i.e. since the founding in the case of a club that is younger than five years, the number of athletes according to age category, the number of national team members according to all categories and contracted values of the athletes;
- 4) the financial plan for the current year with an overview of the number and value of owners' shares;
- 5) a public tender for sale of the club's shares and alike.

The Study shall be submitted for an opinion to the appropriate national sport federation and the competent authority of the municipality on which territory the seat of the club is located.

The national sport federation and the competent authority of the municipality shall be obliged to deliver their opinion to the club within 15 days following the receipt of the Study.

Should the sport federation or the competent municipal authority fail to deliver their opinion within the deadline referred to in paragraph 4 of this Article, the opinion shall be deemed positive.

After obtaining the opinion referred to in paragraph 3 of this Article, the competent body of the amateur sports club shall pass the decision on the change of status i.e. transformation of the sports club into a professional sports club, and invite all interested persons to the founders' assembly of the professional sports club.

The amateur sports club referred to in paragraph 1 of this Article shall be liable to submit the Study and the opinion referred to in paragraph 3 of this Article to the Administration, along with a request for entry into the Register.

Sports and Recreation Organizations

Article 55

In order to satisfy the need to preserve, maintain, improve and advance the psychophysical capacities and health of people, as well as to organize the leisure time by means of exercising and performing sport activities, a minimum of one legal person or a minimum of five physical persons may found a sports and recreation club (society).

A minimum of three sports and recreation clubs (societies) in a municipality may found a municipal federation of sport and recreation, i.e. a municipal federation of sport for all.

A minimum of three municipal federations of sports and recreation, i.e. five sports and recreation clubs (societies) from at least three municipalities may establish the National Federation of Sport Recreation, i.e. a National Federation of Sport for All in Montenegro.

Only one National Federation of Sport Recreation, i.e. National Federation of Sport for All, may be established for the same sport in Montenegro.

Sports Organizations of Disabled Persons

Article 56

For the purpose of recreation and sporting competitions of disabled persons, sports organizations of disabled persons may be established.

Sports organizations referred to in paragraph 1 of this Article may unite across sports and according to category of disability acknowledged by the International Paralympic Committee.

Sports organizations referred to in paragraph 1 of this Article may found the Paralympic Committee of Montenegro.

The founding, organization and method of operation of the Paralympic Committee of Montenegro shall be governed accordingly by the provisions of this law relating to the MOC.

The National Sport Federation

Article 57

For the purpose of realizing common interests in a particular sport, sports clubs within the same sport may found a sport federation.

A sport federation may be established on the territory of a municipality, if a minimum of two sports clubs within the same sport are operating on its territory.

A national sport federation may be established by at least three sports clubs operating on the territory of Montenegro, i.e. two municipal sport federations within the same sport.

A national sport federation established within the meaning of paragraph 3 of this Article may continue to operate, if there are at least two sports clubs operating on the territory of Montenegro.

The members of a national sport federation shall be sports clubs within the same sport in Montenegro and/or the municipal sport federations of that sport.

Only one national sport federation can be established for the same sport in Montenegro.

Competence of the National Sport Federation

Article 58

The National Sport Federation shall in particular: encourage and develop a specific sport; coordinate the activities of its members; determine, organize and implement the system of competitions; register and keep record of members, athletes and other sport professionals; provide for the advancement of professional work and the training of professionals; take care of categorized and top-level athletes; cooperate with competent authorities, organizations and institutions; perform other tasks and functions prescribed by this law and general acts of the national sport federation.

Beside the tasks referred to in paragraph 1 of this Article, the national sport federation shall organize national sports championships; take care of the national sports team and present its sport at appropriate international sports associations; regulate matters relating to the registration of athletes, athletes' rights, the rights of categorized and top-level athletes, the change of athletes' status, the right for foreign athletes to perform for Montenegrin clubs as well as the liability of athletes and sport professionals.

Sport Rules

Article 59

The national sport federation shall be liable to pass sport rules in the sport for which it is responsible, in accordance with the law and international sport rules.

The national sport federation shall pass the following sport rules: rules for organizing sporting competitions and participation therein; requirements for the transfer of athletes from one sports organization to another as well as sanctions for failure to comply with the prescribed conditions; anti-doping measures; the system of licensing of athletes, sport professionals and sports organizations for participation at competitions; measures to provide safety of the participants at a sporting event and other.

Federation of Sports

Article 60

For the purpose of accomplishing common interest in a municipality, sports organizations and other legal persons whose activities are connected to sports may form a federation of sports.

The federation of sports:

1. participates in the formulation and implementation of policy for the development of sport in their area;
2. encourages and monitors the development of sports, particularly sports for children and youth;
3. coordinates the activities of its members;

4. proposes programs of public interest in sports and attends to their implementation;
5. takes care of categorized and top-level athletes;
6. takes care of public sports facilities;
7. performs other duties stipulated by this law, the rules of the MOC and their general acts.

Montenegrin Olympic Committee

Article 61

The MOC is the only association of national sport federations in Montenegro.

The MOC decides upon the request of a national sports federation for membership in the MOC in accordance with its statute.

The MOC bases its actions on the principles of the Olympic Charter of the International Olympic Committee, and on the objectives for development of Montenegrin sports.

Competence of the MOC

Article 62

The MOC shall:

1. promote the fundamental Olympic values and ideals in Montenegro;
2. encourage, monitor and advance sports in Montenegro;
3. participate in the designing and implementation of sport development policy in Montenegro;
4. propose and implement programs of public interest in sport;
5. participate in the drafting of the National Plan;
6. elects the athlete of the year upon the proposal of the national sports federations;
7. coordinate activities of national sports federations to the realization of the overall sports development program.
8. take care of the achievement of sports results of Montenegrin athletes and their participation in the national teams in the Olympic and Mediterranean Games, as well as in other significant international multi-sport competitions and sport manifestation;
9. regulate the manner of exercising rights and obligations of its members and the manner of use and protection of the symbol and insignia of the International Olympic Committee and the MOC
10. form arbitration committees to resolve disputes in sport;
11. adopt and implement the World Anti-Doping Code;
12. encourage the connecting of Montenegro with other countries;
13. represent Montenegrin sport before the International Olympic Committee and relevant international sports organizations and associations;
14. take measures against all forms of discrimination and violence in sports;
15. ensure the observance of the Olympic Charter in Montenegro;
16. perform other tasks as required by this law and other regulations.

Criteria, manner and procedure for the selection of the athlete of the year shall be regulated by an act of the MOC.

Organizations for Performing Sporting Activities

Article 63

For the purpose of conducting sports instruction and sport advanced training (soccer schools, tennis schools etc.) or facilitate sport exercising (fitness centres and alike), organizations for performing sporting activities may be established.

The organization referred to in paragraph 1 of this Article may be founded by a physical or a legal person, in accordance with the law.

The organization referred to in paragraph 1 of this Article may not have the word “club” or “federation” in its name.

Requirements for the Operation of Organizations for Performing Sporting Activities

Article 64

An organization for performing sporting activities may be established and perform sporting activities, provided it has an appropriate room i.e. facility, equipment, trainer i.e. professionals qualified for work in sport.

More detailed requirements for establishing an organization for performing sporting activities shall be prescribed by the Ministry.

The registration and termination of operation of an organization for performing sporting activities shall be governed accordingly by the provisions of articles 42, 43 and 44 of this law.

IV. SCHOOL SPORT

School Sport Association

Article 65

For the purpose of facilitating pupils to engage in extracurricular sport activities and for including as many pupils as possible in sport activities in schools, as a rule, school sports associations shall be organized.

For a specific sport, school sports clubs may be organized within school sports associations .

Montenegro and the municipalities, in cooperation with sports organizations, shall encourage and support school sports associations by creating the organizational, spatial, financial, professional and other conditions for their operation.

The manner of work and operation of the school sports association shall be prescribed by an act of the school.

School Sport Federation

Article 66

For the purpose of implementing school sporting competitions, coordinating the work and realize common interests, school sports associations on the territory of a municipality may organize themselves into a municipal school sport federation.

School sport societies and/or school sport federations shall organize themselves into the Montenegrin school sport federation.

The Montenegrin school sport federation shall in particular: determine a uniform system of competition of school sports associations in Montenegro; attend to the equalization and improvement of conditions for the work of all school sports associations ; organize and implement the national school sports championship; cooperate with the national sport federations and performs other tasks in accordance with the law and its own acts.

The activities, operations and work of the Montenegrin school sport federation shall be financed from the budget of Montenegro, through the Administration.

The founding, organization and manner of operation of the Montenegrin school sport federation shall be governed accordingly by the provisions of this law governing the founding of sports organizations respectively the national sport federation.

University Students' Sport

Article 67

Students' sports associations may be founded within the organizational units of the University of Montenegro.

A minimum of three students' sports associations may found a students' sport federation.

The federation referred to in paragraph 2 of this Article shall determine and organize students' competitions and represent Montenegrin university students' sport in international students' sports associations. .

The founding, organization and manner of operation of the Montenegrin students' sports association shall be governed accordingly by the provisions of this law governing the founding of sports organizations respectively the national sport federation.

V. SPORTING EVENTS

Forms of Sporting Events

Article 68

Sporting events shall be organized in the form of sport manifestations (festivals, meetings, reviews, sport games and alike) and sporting competitions. .

Sporting events shall be organized in accordance with the law and sports rules.

Article 69

The organizer of a sporting event shall be obliged to:

- 1) ensure the undisturbed and safe performing of a sporting event;

- 2) take any necessary measures to prevent the risk of any kind of damage on the side of the athletes, spectators and other participants in the sporting event (warning signs, setting up interdictions, issuing notifications and instructions and alike), as well as measures to control increased risks (safety of the sports facility, proper functioning and appropriateness of the installed and other equipment, provision of emergency medical services, the progress of the sporting event in accordance with the propositions and alike);
- 3) take any safety measures to prevent spectator violence and misbehaviour at sporting events, in accordance with the law and sports rules;
- 4) take any doping control measures, in accordance with the law and sports rules;
- 5) register the conducting of the sporting event, in accordance with the law.

The organizer of a sporting event shall be held liable for any damage incurred by athletes, spectators and other participants in the sporting event as well as by third persons caused by failure to observe the obligations referred to in paragraph 1 of this Article, in accordance with the general rules on liability for damage.

A sporting event organized on the territory of Montenegro under the auspices of the International Sport Federation shall be organized and implemented in accordance with the law and sport rules of that federation.

Requirements for Organizing Sporting Events

Article 70

A sporting event may be organized, provided the organizer of the sporting event has the following available: an appropriate facility i.e. premises, equipment, sport professionals and other, in accordance with the law and sport rules.

Major International Sporting Competitions

Article 71

Major international sporting competitions include:

- 1) Olympic and Paralympic Games;
- 2) World and European Championships;
- 3) Mediterranean Games;
- 4) University Games;
- 5) World, European Cups and final tournaments in the world league;
- 6) Winter and Summer Olympic Youth Festival of Europe;
- 7) Balkans championships;
- 8) final tournaments of European club competitions;
- 9) international qualification and eligibility sports tournaments;
- 10) traditional international sports manifestations.

Requirements for Organizing Major International Sporting Competitions

Article 72

Sports organizations may apply for organizing major international sporting competitions in Montenegro, under the condition that prior to the candidature they have:

- 1) formed an initiative committee for the preparation of the candidature;
- 2) prepared a project proposal, i.e. study on the organization and financing of the competition;
- 3) obtained the opinion of the MOC respectively the Paralympic Committee of Montenegro in the case of sports that are in the programme of the Olympic respectively Paralympic Games;
- 4) obtained the opinion of the competent national sport federation, unless it is the organizer.

Apart from the requirements referred to in paragraph 1 of this Article, the sports organization shall be obliged to obtain the approval of the Government for competitions referred to in Article 71 paragraph 1 items 1, 2, 3 and 4 of this law, and the opinion of the Administration in the case of competitions referred to in items 5, 6, 7, 8, 9 and 10.

Criteria

Article 73

At deciding on the issuing of the approval referred to in Article 72 paragraph 2 of this law, the following criteria are considered in particular:

- 1) a positive impact on the development and propagation of the sport in which the competition is to be held;
- 2) economic viability;
- 3) attractiveness for TV and radio coverage, other media and spectators;
- 4) impact on the affirmation of value of the national sport;
- 5) organizational and competition tradition of that sport in Montenegro.

Preliminary Approval

Article 74

Sport entities referred to in Article 19 of this law may participate in international sporting events upon prior approval of the competent national sport federation.

Competition System

Article 75

The national sport federation shall determine the competition system in the sport for which it has been established.

Changes to a competition system may be applied at earliest upon completion of one competition season as of the determination of the changes.

The national sport federation shall determine the propositions of the competition 30 days prior to the commencement of the competition at the latest and they may not be altered during the competition season, to which they apply.

VI. SPORT FACILITIES

Concept

Article 76

Sport facilities shall mean organized and equipped surfaces and construction facilities intended for performing sports and sporting activities.

A sport facility, apart from the space intended for the sport activities, shall also have ancillary facilities (sanitary, wardrobe, storage and spectator premises and alike) and installed equipment (sports and building equipment).

Sport facilities must be accessible for disabled persons.

Network of Sport Facilities

Article 77

The design document of the municipality shall include the type, number and placement of sport facilities for the area it is adopted for (network of sport facilities), and sport facilities that are to serve for children, youth and citizens shall be included in the planning of construction of housing areas.

Obligation of Owners of Sport Facilities

Article 78

An owner, respectively user of a sport facility (hereinafter: owner) shall be obliged to:

- 1) use the facility in accordance with regulations and its intended purpose;
- 2) maintain the facility in a technically flawless state and provide for appropriate sanitary and hygienic conditions;
- 3) take any measures that ensure the prevention of risks of damage for the users and third persons, as well as measures to control increased risks.

The rules of international sport federations shall be applied in constructing, reconstructing and the maintenance of a sport facility.

Public Sports Grounds

Article 79

Public sports grounds, within the meaning of this law, are specially organized surfaces intended for specific sport activities (jogging trails, ski courses, hiking trails, bicycle trails, beaches, water areas, open air sport grounds in populated areas and alike) accessible to children, youth and citizens under equal conditions.

The owner of a public sports ground may perform activity, i.e. use the ground under the condition that s/he: organizes, supplies with signalization, equips and maintains the ground so that it is safe for the users; supplies the ground with appropriate signalization in such way that it cannot be removed easily and that it corresponds to the actual conditions of use of the ground; provide for order on the sport ground (rules of operation) and to provide for a sufficient number of professionally qualified and clearly marked persons for maintaining order on the ground (stewards), if the nature of the use of the ground requires so, and to have a person possessing an appropriate professional sport title to attend to the security and order on the ground (head of ground security); provide for an appropriate number of rescuers, if the nature of the use of the ground requires so; ensure the provision of emergency medical services if the nature of the use of the ground requires so.

The owner of a public sport ground shall be obliged to discontinue the use of the ground or part of the ground and to announce it in an appropriate manner, if circumstances occur, which affect the safety on the ground, for as long as the circumstances due to which the use of the ground had been discontinued, persist.

VII. HEALTH PROTECTION OF ATHLETES

Establishment of Health Ability

Article 80

A person may be admitted to participate at sporting competitions, if his/her health condition was assessed as good in the time frame of maximum six months prior to the sporting competition, unless the rules of the national sport federation prescribe a shorter period.

The health ability shall be established by a physician, specialized in sport medicine, respectively an authorized physician.

The requirements for performing health checks, the type and scope of the health checks, the method of keeping athletes' records and medical documentation, as well as the requirements to be met by the authorized physician shall be prescribed by the state administration authority competent for health, upon previously obtained opinion of the Administration.

The obligation to establish the health ability applies as well to other persons engaged in sport, in accordance with the rules of the national sport federation.

The health ability of pupils and students for the purpose of participating in school and university sporting competitions shall be established by the chosen physician, respectively authorized physician.

Prohibition of use of banned substances

Article 81

Athletes must not use any banned substances (hereinafter: doping) or apply any procedure that is banned according to the rules of the World Anti-Doping Agency (hereinafter: WADA).

The coach, authorized physician and other persons in sport must not provide athletes with doping substances or request the athlete or encourage him to use doping agents or apply procedures that are against the rules of the WADA.

The provisions of the International Convention against Doping in Sport shall be applied to athletes and persons referred to in paragraph 2 of this Article who acted in contravention to the WADA rules.

Facilitating Doping Control

Article 82

In performing sports and sporting activity, athletes and other participants shall enable the performance of doping control

An athlete who resists, avoids or obstructs doping control, shall be considered to have been found positive in the doping test.

An athlete who was sanctioned for doping may not perform any function or activity in sports organizations related to work with athletes (coach, instructor etc.) during the period of the sanction..

If an athlete was pronounced sanctions with different periods of duration by the competent international and domestic sport federation, the athlete may participate in international competitions after expiry of the sanction pronounced by the international sport federation.

In the event that an athlete should be found to have repeatedly been doped, he shall be disqualified from sporting competitions for life.

Obligations of the National Sport Federation with Regard to Doping

Article 83

The national sport federation shall:

- 1) determine sanctions and the procedure for their pronouncing;
- 2) ensure that the athlete, coach and other person who have been ascertained to have taken doping substances be sanctioned, in accordance with this law and rules of the international sport federation;
- 3) notify athletes and other members of current legislation relating to doping in sport and its adverse effects on health;
- 4) minimum seven days prior to an international competition organized by it or under its supervision, inform the Committee for Fight against Doping in Sport on the organizing of the competition;
- 5) periodically inform the Committee for Fight against Doping in Sport on planned trainings and preparations of the national team selections.

The funds allocated from public revenues to national sport federation acting contrary to paragraph 1 of this Article may be denied or minimized.

Committee for Fight against Doping in Sports

Article 84

The monitoring and implementation of the International Convention against Doping in Sport shall be carried out by the Committee for Fight against Doping in Sports (hereinafter: the Committee).

Members of the Committee shall be appointed by the minister competent for sports, to a period of four years.

The Committee has a chairperson and four members, while the chairperson and two members are proposed by the Administration and two other members are proposed by the MOC.

The Committee shall in particular:

- 1) monitor and coordinate the action in the fight against doping in sport;
- 2) propose measures for the fight against doping in sport;
- 3) in the fight against doping, the Committee shall apply conventions, the WADA Code and rules of international sport federations and the international Olympic Committee.

The organization and method of operation of the Committee shall be determined by the Rules of Procedure.

Administrative-technical tasks shall be performed by the Administration on behalf of the Committee. The funds for the Committee's operation shall be provided from resources for financing the annual sport plan as well as other sources, in accordance with the law.

VIII. RECORDS

Types of Record

Article 85

Records shall be kept for the purpose of organized and systematic monitoring of the situation in sports and long-term planning of its development in Montenegro:

- on athletes;
- entrepreneurs in sport;
- sports organizations;
- organizations for the performance of sporting activity;
- coaches and professionals in sport;
- top-level athletes;
- persons who attained the right to allowance referred to in Article 25 of this law;
- categorized athletes;
- sports facilities;
- major international sporting events in Montenegro.

The records referred to in paragraph 1 items 2, 3, 4, 6, 7 and 9 of this Article shall be kept by the Administration.

The records referred to in paragraph 1 items 1 and 5 of this Article shall be kept by the national sport federation.

The records referred to in paragraph 1 items 8 and 10 of this Article shall be kept by the MOC, respectively the Paralympic Committee of Montenegro.

The information of the records referred to in paragraphs 3 and 4 of this Article shall be submitted to the Administration.

The content, manner and procedure of keeping record referred to in paragraph 1 of this Article shall be defined by an act of the Ministry.

Central Register for Sports

Article 86

The information of the records referred to in Article 85 paragraph 1 of this law shall be kept in the Central Register for Sports operated in form of a computerised database.

The Central Register for Sports shall be kept by the Administration.

The form, content, manner of keeping, storing, maintaining and utilization of data from the Central Register referred to in paragraph 1 of this Article shall be prescribed by the Ministry.

IX. FINANCING SPORTS

Generating and Acquiring Revenues

Article 87

Sports entities may generate proceeds and acquire revenues for the purpose of financing sporting activities, from: membership fees-registration fees, donations and gifts, contributions, subsidies, inheritance, interest, rent, dividends, funds, services, sponsorships and other marketing activities, TV rights, revenues from games of chance and funds allocated by the state of Montenegro and the municipality as support to performing sporting activities, in accordance with the law.

The needs in sport shall be determined by the annual schedule for realization of the National Plan and the resources for their achievement shall be provided by the state budget.

The allocation of funds to sport entities referred to in paragraph 2 of this Article shall be done by the Administration, through a public competition.

As an exception to paragraph 2 of this Article, a sport club or sport federation may be allocated additional funds from the budget for the purpose of international competitions.

The decision on allocation of funds referred to in paragraph 3 of this Article shall be passed by the minister competent for sports.

The requirements, manner, procedure and criteria for the allocation of funds and control over the realization of the Plan shall be determined in more detail by a regulation of the Ministry respectively the municipalities.

Benefits for Persons Investing in the Development of Sports

Article 88

Funds invested by a company or entrepreneur in the development of sports shall be acknowledged as operating costs in accordance with legislation governing taxes.

Audit of Operations

Article 89

The audit of operations of sport entities shall be carried out in accordance with the law.

Sports Trust Funds, Foundations and Funds

Article 90

For the purpose of realization of the public interest in the field of sports, sports trust funds, foundations and funds may be established in accordance with a special regulation.

X. SUPERVISION

Exercise of Supervision

Article 91

Supervision over the enforcement of this law, other legislation and general acts passed under this law shall be exercised by the Ministry.

Inspection Control

Article 92

Inspection control in the field of sports shall be exercised by the senior sports inspector (hereinafter: the Inspector).

A sports organization and an organization for performing sporting activities shall be liable to enable the Inspector to perform the inspection control and act in compliance with his orders.

Obligations and Authority of a Sports Inspector

Article 93

The Inspector has the duty and authority to perform inspection control with regard to:

- 1) the founding, entry into the Register, commencement of operation, status changes, as well as control of execution of an prohibitory injunction procedure and termination of operation;
- 2) the work of sport entities and management bodies;
- 3) application of normatives and standards in accordance with the law;
- 4) the procedure of passing and implementation of general acts;
- 5) collection of fees realized by sports entities;
- 6) other tasks defined by the law.

Administrative Measures and Actions

Article 94

When during an inspection control procedure it is assessed that a law or other regulation has been violated or that prescribed standards or normatives are not observed, in addition to administrative measures and actions prescribed by the Law on Inspection Control, the Inspector shall be obliged to the following:

- 1) order by virtue of a decision the enforcement of measures and actions, along with determining a deadline for the execution thereof;
- 2) impose by virtue of a decision an interim injunction on the performance of sport and sporting activities on the grounds of non-compliance with the requirements for their performance, until the compliance with the requirements;
- 3) order by virtue of a decision the establishing of the condition of a sport facility that corresponds to its intended purpose at the expense of the owner of the sports facility, if he fails to eliminate the deficiencies in the given deadline;
- 4) impose by virtue of a decision an interim injunction on the use of the sports facility on the grounds of non-compliance with the requirements for the use thereof, until compliance with the requirements;
- 5) undertake other measures and actions that he is authorized to by law.

Supervision over the Operation of Holders of Public Authority

Article 95

Supervision over the operation of entities which, within the meaning of this law, exercise public authority, shall be carried out by the Ministry, in accordance with legislation governing public administration.

Settlement of Disputes

Article 96

For the purpose of settlement of disputes related to sports among national sport federations, the MOC shall form an arbitration committee.

For settlement of disputes within a specific sport, the arbitration committee shall be formed by the competent national sport federation.

As an exception to paragraph 2 of this Article, a national sport federation may transfer the arbitration to the MOC, in accordance with the statute of the national sport federation.

Disputes arising with regard to the status of a national sport federation shall be settled before the MOC Arbitration Committee.

Competence, Composition and Organizational Set-up of the Arbitration Committee

Article 97

The competence, composition and organizational set-up of the MOC Arbitration Committee, the procedure before the Arbitration Committee and the method of election and dismissal of its members shall be determined by the general act passed by the Assembly of the MOC.

The competence, composition and organizational set-up of the Arbitration Committee of the national sports federation, the procedure before the Arbitration Committee and the method of election and dismissal of its members shall be determined by the general act passed by the assembly of the national sports federation.

XI. PENAL PROVISIONS

Penalties for Violations

Article 98

A legal entity shall be fined in the amount ranging from 500,00 Euro up to 20.000,00 Euro for a violation, in the following cases:

- 1) if the professional tasks are performed by a person who does not possess the required professional qualifications and the appropriate license for discharging professional tasks in a specific sport as defined by this law (Articles 31 and 32);
- 2) if it commences operation without obtained resolution on registration (Article 43);

- 3) if it performs sporting activity without satisfying the requirements for performing the sporting activity prescribed by this law (Article 45);
- 4) if it fails to transform from an amateur sports club into a professional sports club, if it has concluded employment contracts with more than 50% of the registered athletes in senior competition (Article 53);
- 5) if it fails to pass sport rules (Article 59);
- 6) if the organizer of a sporting event fails to provide for the legally prescribed conditions (Articles 69 and 70);
- 7) if it organizes a major international competition without the approval of the Government, respectively the Ministry (Article 72);
- 8) if takes part in international sporting events without the approval of the national sport federation (Article 74);
- 9) if it applies changes to the competition system before the conclusion of one competition season following the date of determination of the changes or if it changes the propositions of the competition during a competition season (Article 75);
- 10) if it fails to supply appropriate health protection and control, as prescribed by this law, during sporting competitions and in participating in sport activities (Article 80);
- 11) if it fails to observe the provisions of the International Convention against Doping in Sports (Articles 81 and 82);
- 12) if it fails to keep record in the prescribed manner or keeps it in an irregular manner and fails to submit the appropriate records stipulated by this law (Articles 85 and 86).

For a violation referred to in paragraph 1 of this Article, a physical person and the responsible person within a legal person shall be fined in the amount ranging from 30,00 Euro up to 2.000,00 Euro.

For a violation referred to in paragraph 1 of this Article, an entrepreneur shall be fined in the amount ranging from 150,00 Euro up to 6.000,00 Euro.

XII. TRANSITIONAL AND FINAL PROVISIONS

Alignment of Operation of Sports organizations

Article 99

Sports organizations shall be obliged to align their organization and general acts with this law, within six months following the day of entry into force of this law.

Sports organizations performing sporting activities under the former legislation shall be liable to start the registration procedure in accordance with this law, within one year following the day of entry into force of this law.

Sports organizations referred to in paragraph 2 of this Article, which fail to register in the Register in accordance with this law, shall terminate operation.

Time Frame for Passing Relevant Legislation

Article 99a

Legislation stipulated by this law shall be passed within a year following the day of entry into force of this law.

Pending the passing of legislation stipulated by this law, the legislation being in force until the passing of this law shall be applied, unless they are contrary to this law.

Alignment of Operation of Sports organizations

Article 99b

Sports organizations conducting sporting activities on the day of entry into force of this law shall continue operation.

Sports organizations referred to in paragraph 1 of this Article shall be liable to align their operation, organization and general acts with the provisions of this law, within a year following the day of entry into force of this law.

Sports organizations referred to in paragraph 1 of this Article shall be obliged to submit a request for entry in the Register, within six months following the day of entry into force of the regulations referred to in Article 43 of this law.

Takeover of Documentation

Article 99c

The procedures for attaining the status of top-level athlete and procedures for enforcement of the right to life-long allowance and to a bonus, which have been commenced by before the day of entry into force of this law, shall be resolved by the Administration, according to legislation under which they had been commenced.

The applications referred to in paragraph 1 of this Article, together with the documentation, shall be taken over by the Administration, within 15 days following the day of entry into force of this law.

Appointment of Members to the Council and to the Committee

Article 99d

The members to the Sports Council and to the Committee for Fight against Doping in Sports shall be appointed within 6 months following the day of entering into force of this law.

The term of office of members to the National Sports Council and to the National Committee for Fight against Doping in Sports shall expire with the day of appointment of members to the Council and the Committee referred to in paragraph 1 of this Article.

Time Frame for Obtaining the License for Conducting Professional Tasks

Article 100

Persons who discharged tasks in the capacity of coach, i.e. professional for work in sports, shall be obliged to obtain the license referred to in Articles 31 and 32 of this law, within two years following the day of entry into force of this law.

Commenced Procedures

Article 101

The procedures for attaining the status of a top-level athlete and procedures for the enforcement of the right to life-long monthly allowance that have been commenced before the day of entry into force of this law, shall be completed according to regulations under which they had been commenced, if that is more favourable for the applicant.

Time Frame for Passing Relevant Legislation

Article 102

Regulations prescribed by this law shall be passed within a year following the day of entry into force of this law.

Pending the passing of legislation stipulated by this law, the legislation being in force until the passing of this law shall be applied, unless they are contrary to this law.

Establishment

Article 103

The act on appointment of members to the National Sports Council shall be passed within six months following the day of entry into effect of this law.

The act on appointment of members to the National Committee for Fight against Doping in Sports shall be passed within six months following the day of entry into force of the present law.

Inventory of Assets of a Professional Sports Club

Article 104

Professional sports clubs performing sporting activities on the day of entry into force of the present law, shall be liable to take an inventory of movable and immovable assets, within 30 days after entry into force of this law.

The report on the inventory referred to in paragraph 1 of this Article shall be submitted to the Ministry, within 60 days after entry into force of this law.

Expiry

Article 105

The Law on Sports ("Official Gazette of Montenegro", No. 49/04 and "Official Gazette of Montenegro", No 13/07) shall cease to be in force with the day of entering into force of this law.

Article 106

The application of Article 98 of this law shall be adjourned until the commencement of application of the Law on Misdemeanour ("Official Gazette of Montenegro, No. 1/11).

Entering into Force

Article 107

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

Number 26-1/11-3/38
EPA 524 XXIV
Podgorica, 12 July 2011

The Parliament of Montenegro 24th convocation
The President,