

*"Official Gazette of the Republic of Montenegro", No. 44/2004*

By virtue of Article 6 paragraph 3 of the Foreign Trade Law ("Official Gazette of RM", No. 28/04),

the Government of the Republic of Montenegro, at its meeting held on the 17<sup>th</sup> of June 2004, issued this

## **DECISION**

### **ON CONTROL LIST FOR IMPORT AND EXPORT OF GOODS**

#### ***Article 1***

The goods that are being imported, namely exported, shall be classified into the forms of export, namely the import, specifically: free export and export based on a permit; free import and import based on a permit.

The goods referred to in paragraph 1 of this Article were identified in the Control List for Export and Import of Goods that has been printed together with this Decision and constitutes an integral part hereof (Exhibit 1).

#### ***Article 2***

In the Control List referred to in Article 1, paragraph 2, of this Decision, the goods the export, namely the import, of which is free, were designated by the abbreviation: LB, and the goods which is being exported, or imported, based on a permit – by the abbreviation: D.

In addition to the designation referred to in paragraph 1 of this Article, the goods were designated by the number 1) for the export, namely the import, of which it is required to obtain a permit, namely the approval of the public administration authority in charge of health protection issues, or the public administration authority in charge of plant and animal health protection issues, if it is being exported, namely imported, for the requirements of the veterinary service or for plant protection; by the number 2) the goods which constitute the measuring instruments for importation of which it is required to obtain a confirmation from an organization duly authorized by the Government of the Republic of Montenegro (hereinafter referred to as: the Government) about compliance with metrological and other requirements prescribed by the law; by the number 3) the goods for importation of which it is required to obtain the attestation of compliance that is issued by the organization duly authorized by the Government; by the number 4) the goods for importation of which it is required to obtain the opinion from an organization duly authorized by the Government about the compliance of such goods with the Law on Standardization ("Official Gazette of FRY", Nos. 30/96, 59/98, 70/01, and 8/03), and the regulations enacted based on this Law (statement on homologation); by the number 5) the

goods for the exportation, namely the importation, of which it is required to obtain the permit, namely the approval of the public administration authority in charge of environmental protection, and, by the number 6) the goods for the exportation, namely the importation, of which it is required to obtain the permit, namely the approval from the public administration authority in charge of cultural issues.

### ***Article 3***

Psychoactive drugs and precursors for which export and import permits are issued by the public administration authority in charge of health protection issues, included in the List of Psychoactive Drugs and Psychotropic Substances and the List of Precursors that constitute integral parts of the Control List for Export and Import of Goods (Exhibit 2 and Exhibit 3).

When clearing the goods included in the Psychoactive Drugs List, the customs authorities shall verify that such goods are being cleared in the customs office indicated in the permit issued by the public administration authority in charge of health protection issues.

### ***Article 4***

The provisions of the Convention on Psychotropic Substances ("Official Gazette of SFRY", International Agreements, No. 40/73), the Integrated Convention on Psychoactive Drugs ("Official Gazette of SFRY" - Supplement, No. 2/64, amended - "Official Gazette SFRY" International Agreements, No. 3/78), the Law on Psychoactive Drugs Production and Circulation ("Official Gazette of FRY" Nos. 46/96 and 37/02), and the Law on Toxic Matter Production and Circulation ("Official Gazette of FRY", Nos. 15/95, 28/96, and 37/02) shall apply to the issuance of export and import permit referred to in Article 2, paragraph 2, of this Decision for the issuance of which the public administration authority in charge of health protection issues is responsible.

### ***Article 5***

List of the ozone depleting substances for which the export and import is issued by the public administration authority in charge of environmental issues is included in Exhibit 4 of the Control List for Export and Import, in compliance with the Law on Ratification of Vienna Convention for the Protection of the Ozone Layer ("Official Gazette SFRY", International Agreements, No. 1/90), and the Law on Ratification of the Montreal Protocol on Substances that Deplete the Ozone Layer ("Official Gazette SFRY" International Agreements, No. 16/90).

In addition to the Conventions referred to in paragraph 1 of this Article, the provisions of the Law on Basic Principles of Environmental Protection ("Official Gazette of FRY" No. 24/98) and the Law on Protection from Ionizing Radiation ("Official Gazette of FRY" No. 46/96) shall apply to the issuance of permit referred to in Article 2 paragraph 2 of this Decision, for the issuance of which the public administration authority in charge of environmental protection is responsible.

The public administration authority referred to in paragraph 1 of this Article is also responsible for issuance of export and import permits for the products listed in Exhibit 1 that contain the substances listed in the Exhibit 4 of the Control List for Export and Import.

#### ***Article 6***

List of wastes the importation of which is forbidden or the export and import permits for which are issued in compliance with the Law on Ratification of the Basel Convention on Transboundary Movement of the Hazardous Waste and their Disposal ("Official Gazette of FRY", International Agreements, No. 2/99) is included in the Exhibit 5 of the Control List for Export and Import. Export and import permits referred to in this Article shall be issued by the public administration authority in charge of environmental protection issues.

Importation of hazardous waste referred to in paragraph 1 of this Article shall be forbidden.

Permits for export of hazardous waste, and permits for export and import of other waste included in Exhibit 5 of the Control List for Export and Import, shall be issued by the public administration authority referred to in paragraph 1 of this Article.

#### ***Article 7***

List of protected wild plant and animal species the export and import permits for which are issued in compliance with the Law on Ratification of the Convention on International Trade in Endangered Species of Wild Fauna and Flora - CITES ("Official Gazette of FRY", International Agreements, No. 11/01) are included in the Exhibit 6 of the Control List for Export and Import.

Permits referred to in paragraph 1 of this Article shall be issued by the public administration authority in charge of environmental issues.

#### ***Article 8***

In implementation of this Decision, the classification of goods shall be made by implementation of the Decree on Customs Rates ("Official Gazette of RM", No. 47/03).

Explanations with regard to the inclusion of goods in the Control List for Export and Import of Goods referred to in Article 1 paragraph 2 of this Decision, shall be provided, as required, by the public administration authority in charge of foreign trade issues.

#### ***Article 9***

All transactions that were commenced according to the regulations that were in force before the publishing date of this Decision shall be completed according to the regulations that were in force until such date.

***Article 10***

This Decision shall come into force eight days after the day of its publishing in the "Official Gazette of the Republic of Montenegro".

No: 02-3636

In Podgorica, on the 17<sup>th</sup> of June 2004

**Government of the Republic of Montenegro**

Signed by

**Mr. Branimir Gvozdenović**

Deputy Prime Minister