

*The Law is published in the “Official Gazette of Montenegro”, No. 52/2014 of 16 December 2014, and came into force on 24 December 2014.*

Pursuant to Article 82 item 2 and Article 91 paragraph 1 of the Constitution of Montenegro, the Parliament of Montenegro of the 25th Convocation, at the fourth session of the second regular (autumn) session in 2014, on 9 December 2014, adopted the

## **LAW ON LOBBYING**

### **I. BASIC PROVISIONS**

#### **Scope**

##### **Article 1**

This Law shall regulate manner and conditions for conducting lobbying activities, the rules on lobbying and other issues relevant for lobbying.

#### **Definition of lobbying**

##### **Article 2**

The term lobbying shall mean an activity which influences the bodies of legislative and executive power at the state and/or local level, state administration bodies, independent bodies, regulatory bodies, public institutions, public enterprises and other legal entities exercising public powers, and/or activity of public interest or have the majority of state ownership (hereinafter: the authority) in the process of adopting regulations and other general acts, within the jurisdiction of those authorities, in order to achieve the interests of a lobbying client, in accordance with the law.

#### **Lobbyist and a legal entity conducting lobbying activities**

##### **Article 3**

Lobbying activities may be conducted by a natural person possessing the authorization for conducting the lobbying activities, issued in accordance with this Law (hereinafter: the lobbyist) and a company and non-governmental organization that fulfils the criteria prescribed by this Law (hereinafter: legal person conducting the lobbying activities).

#### **Lobbying client**

##### **Article 4**

Lobbying client shall be a natural or legal person in the interest of whom the lobbying is conducted.

#### **Activities that are not deemed lobbying**

##### **Article 5**

The following shall not be deemed lobbying:

1) information, views and opinions regarding laws, other regulations and general acts, proposals or draft laws, other regulations and general acts published in the media;

2) activities of persons expressing their opinion in public as experts or specialists, and/or giving suggestions and expert opinions to the authorities for the purpose of initiating, preparing, deliberating, adopting and giving justifications of the proposed solutions in the laws, other regulations and general acts, or participating at the invitation of the authorities, with or without a fee, in the preparation, deliberation, or issuance of expert opinions on the proposed solutions in the laws, other regulations and general acts;

3) civil initiatives addressed to the authorities concerning proposed solutions in the laws, other regulations and general acts.

4) activities of public officials or civil servants and state employees in order to initiate, prepare, deliberate, adopt and give justifications of the proposed solutions in the laws, other regulations and general acts, if those activities are conducted in accordance with their respective powers.

### **Lobbied person**

#### **Article 6**

Lobbied person is elected, appointed or assigned person in the authority, the person whose election, appointment or assignment has to be approved by the authority and other person in the authority who participates in the preparation and adoption of regulations and other general acts, or can influence the content of the regulation or other general act.

### **Use of gender-sensitive language**

#### **Article 7**

The expressions used in this Law to denote natural entities in the masculine gender shall equally apply to the feminine gender.

## **II. LOBBYING PRINCIPLES**

### **The principle of protection of public interest**

#### **Article 8**

Lobbying shall not have a damaging effect on public interest.

### **The principle of voluntariness**

#### **Article 9**

Lobbying shall be conducted based on a written contract concluded between the lobbyist, or legal entity conducting the lobbying activities and the lobbying client, as the contracting parties.

### **The principle of publicity**

#### **Article 10**

Actions taken in conducting lobbying activities shall be public.

### **The principle of confidentiality**

#### **Article 11**

The data and information used in the process of lobbying may, in accordance with the lobbying contract, be confidential, except from data and information that, in line with the law, must be published and made available to the competent state authorities.

Lobbyist and legal entity conducting lobbying activities shall be obliged to ensure confidentiality of data obtained from the lobbying client, pursuant to paragraph 1 of this Article.

### **Integrity Article 12**

While lobbying, lobbyist and legal entity conducting lobbying activities shall act in accordance with the principle of integrity.

### **Prevention of conflict of interest Article 13**

While lobbying, lobbyist and legal entity conducting lobbying activities shall avoid the conflict of interest.

Conflict of interest of a lobbyist or a legal entity conducting lobbying activities exists if they represent two clients with opposing interests.

Lobbyist or the responsible person in the legal entity that conducts lobbying activities shall submit a written statement on non-existence of the conflict of interest referred to in paragraph 1 of this Article.

The statement on non-existence of the conflict of interest referred to in paragraph 2 of this Article shall represent an integral part of the contract referred to in Article 28 of this Law.

### **Prohibition of conducting lobbying activities Article 14**

Lobbying activities shall be prohibited to:

- 1) the public official and persons related to him/her;
- 2) member of the board of directors or supervisory board of a company or legal entity in which the state or local government has a share in ownership rights;
- 3) member of a political party and party's officials;
- 4) member of a management body of a state fund and foundation or their legal representative.

Prohibition of lobbying activities for persons referred to in paragraph 1 item 1 of this Article shall cease upon the expiry of minimum two years from the date of termination of office thereof.

Public official and his/her related person shall be the public official and related person within the meaning of the law governing the prevention of conflict of interest.

## **III. LOBBYING ACTIVITIES**

### **Conditions for carrying out lobbying activities Article 15**

Authorization for conducting lobbying activities shall be issued to a natural person that:

- 1) holds a higher education degree, the seventh qualification framework level, sub-level VII-1(VIII);

- 2) against whom no criminal proceeding for criminal offense prosecuted ex officio has been initiated or has not been convicted of a criminal offense that is prosecuted ex officio
- 3) has not been prohibited from conducting activities in the lobbying area;
- 4) has a certificate of having passed the examination for conducting lobbying;
- 5) submits a signed statement on non-existence of restrictions pursuant to Article 14 paragraphs 1 and 2 of this Law.

A company and/or an NGO may conduct lobbying activities if it is registered in the Register of Lobbyists in accordance with the Law and if:

- 1) it is registered with the Central Registry of the Commercial Court;
- 2) has at least one lobbyist as an employee;
- 3) no criminal proceedings have been initiated against the responsible person in the company and/or a non-governmental organization, nor has that person been convicted of a criminal offense that is prosecuted ex officio;
- 4) A responsible person of a company and/ or a non-governmental organization submits a signed statement on non-existence of restrictions pursuant to Article 14 paragraphs 1 and 2 of this Law.

Foreign natural and/or legal person may conduct lobbying activities in Montenegro if it is registered for lobbying activities in the country whose citizenship he/she possesses and/or in which it has a seat and is registered in the Register of Lobbyists in accordance with the Law.

### **Certificate on passed professional exam for conducting lobbying activities**

#### **Article 16**

The certificate referred to in Article 15 paragraph 1 item 4 of this Law, after passing the exam for conducting lobbying activities, shall be issued by the Agency for Prevention of Corruption (hereinafter: the Agency).

Program and manner of examination referred to in paragraph 1 of this Article, as well as the form of certificate on passing the exam for conducting lobbying activities shall be prescribed by the state administration body in charge of anti-corruption (hereinafter: the Ministry).

### **Request for issuance of authorization**

#### **Article 17**

Request for issuance of the authorization for conducting lobbying activities shall be submitted by a natural person referred to in Article 15 paragraph 1 of this Law.

The request referred to in paragraph 1 of this Article shall contain the name, personal identification number, and residence of the person, as well as the area of lobbying.

The request referred to in paragraph 1 of this Article shall be accompanied by evidence on compliance with the requirements referred to in Article 15, paragraph 1 of this Law and a statement of the applicant that there are no restrictions under Article 14 paragraphs 1 and 2 of this Law.

The form and content of the application for the issuance of the authorization referred to in paragraph 1 of this Article shall be prescribed by the Ministry.

### **Authorization for conducting the activities**

#### **Article 18**

Authorization for conducting lobbying activities shall be issued by the Agency, within ten days from the date of filing the application referred to in Article 17 of this Law.

Authorization for conducting lobbying activities shall be issued for a validity period of three years and may, at the request of the lobbyist, be extended under the same conditions, for a period of three years.

The request referred to in paragraph 2 of this Article, shall be submitted not later than 30 days before the expiry of the period for which the authorization has been issued.

If a lobbyist fails to file the request within the period referred to in paragraph 3 of this Article, the Agency shall issue a decision on termination of the authorization for conducting lobbying activities.

### **End of validity of the authorization**

#### **Article 19**

Authorization for conducting activities shall cease to be valid:

- 1) at the request of a lobbyist;
- 2) upon the expiry of the authorization for conducting lobbying activities, if the lobbyist fails to submit an application for renewal of the authorization;
- 3) if the lobbyist is convicted or against whom proceedings for a criminal offense under Article 15 paragraph 1 item 2 of this Law is initiated;
- 4) if a lobbyist represented two lobbying clients with opposing interests;
- 5) if a lobbyist is prohibited from conducting activities in the relevant lobbying area;
- 6) if a lobbyist gathers data and information contrary to Article 31 paragraphs 2 and 3 of this Law or uses data collected in such manner for lobbying purposes;
- 7) if the lobbyist engages in illegal lobbying within the meaning of Article 38 of this Law;
- 8) if the lobbyist gives false information or forged documents upon which the authorization was granted;
- 9) by loss of legal capacity of a lobbyists;
- 10) if a lobbyist becomes a public official or a related person to a public official;
- 11) if a lobbyist becomes a member of the body referred to Article 14 paragraph 1 item 2, 3 and 4 of this Law.

### **Decision on termination of validity of the authorization**

#### **Article 20**

The Agency shall adopt the decision on termination of validity of the authorization for conducting lobbying activities.

The administrative dispute may be initiated against the decision referred to in paragraph 1 of this article.

### **Entry in the Register of Lobbyists**

#### **Article 21**

The Agency shall keep the Register of lobbyists and legal entities conducting lobbying activities (hereinafter: the Register).

A lobbyist shall be entered into the Register on the date of issuance of authorization for conducting lobbying activities.

A legal entity shall be entered into the Register upon filing its application with the Agency, and when the Agency determines that conditions prescribed in Article 15 paragraph 2 of this Law are met and issues a decision thereof.

In addition to the application referred to in paragraph 3 of this Law, the applicant shall also submit the statement of the responsible person in charge of the company and/or non-governmental organisation that there are no restrictions referred to in Article 14 paragraphs 1 and 2 of this Law.

Register of lobbyists shall be kept in accordance with the regulations on protection of personal data.

## **Deletion from the Register**

### **Article 22**

The Agency shall delete a lobbyist from the register on the basis of the decision on termination of validity of the authorization for conducting lobbying activities.

A legal entity conducting lobbying activities shall be deleted from the register:

- 1) at the request of the legal entity;
- 2) upon termination of validity of authorization for conducting lobbying activities for the employed lobbyist;
- 3) if it does not have a lobbyist employed;
- 4) if it has been deleted from the Central Register of the Commercial Court;
- 5) if a criminal proceeding has been initiated against a responsible person in the legal entity or that person has been convicted for a criminal offense which is prosecuted ex officio;
- 6) if it represents two lobbying clients with opposing interests;
- 7) if it gathers data and information contrary to Article 31 paragraphs 2 and 3 of this Law or uses information collected in such manner for lobbying;
- 8) if it engages in illegal lobbying within the meaning of Article 38 of this Law;
- 9) if it files false information or forged documents based on which the decision was made under Article 21, paragraph 3 of this Law;
- 10) if the responsible person in the legal entity engaged in lobbying becomes a public official or related person to a public official;
- 11) if the responsible person in the legal entity engaged in lobbying becomes a member of the authority referred to in Article 14 paragraph 1 items 2, 3 and 4 of this Law.

The Agency shall issue a decision on deletion of a legal entity from the Register of Lobbyists.

Lobbyist, or a legal entity that is deleted from the Register of Lobbyists due to the expiry of authorization for conducting lobbying activities referred to in Article 19 paragraph 1 items 3, 4 and 5 of this Law, may be re-entered in the Register of Lobbyists after the expiry of three years from the date of the removal.

## **Obligation to notify about the changes**

### **Article 23**

Lobbyist or a legal entity conducting lobbying activities shall notify the Agency in writing about changes related to the conditions for conducting lobbying activities referred to in Article 15 of this Law.

In addition to the obligations referred to in paragraph 1 of this Article, a lobbyist shall notify the Agency in writing about the change of residence and area of lobbying, and a legal entity conducting lobbying activities shall notify the Agency about the change of data from the Central Register of the Commercial Court, tax identification number, as well as the changes related to the lobbyist employed in that legal entity, including a replacement of a lobbyist.

Concerning the changes referred to in paragraphs 1 and 2 of this Article, lobbyist or the legal entity conducting lobbying activities shall notify the Agency in writing thereof within three days from the date the change occurred.

## **Application of the Law on Administrative Procedure**

### **Article 24**

Provisions of the law governing administrative procedure shall apply, without a hearing, to the procedures for issuing and termination of validity of the authorization for conducting lobbying activities, and decision-making on registration and deletion from the Register of Lobbyists, unless otherwise stipulated by this Law.

## **Contents of the Register of Lobbyists**

### **Article 25**

The Register of Lobbyists shall contain the data on:

1) lobbyists, in particular:

- name and surname, persona identification number of the citizen, and residence,
- number and date of authorization for conducting lobbying activities, and expiry date,
- number and date of entry into the Register of Lobbyists, and
- lobbying area;

2) legal entities conducting lobbying activities, in particular:

- name, seat and tax identification number,
- name and surname, company registration number and residence of the responsible person,
- number and date of the decision on entry into the Register of Lobbyists,
- name and surname, personal identification number of the citizen, and residence of the lobbyist employed in that legal entity,
- number and date of authorization for conducting lobbying activities for the lobbyist employed in that legal entity, and expiry date;

3) lobbying client, in particular:

- name and surname of the natural person and/or name and seat of the legal entity and name and surname of the responsible person in that legal entity,
- activities of the lobbying client,
- subject of lobbying,
- area of lobbying, and
- name and surname of the lobbyist, and/or the name and seat of the person who conducts lobbying activities engaged by the lobbying client.

Information on lobbyists and legal entities deleted from the Register of Lobbyists shall also be contained in the register, in particular:

- number and date of termination of validity of the authorization for conducting lobbying activities, with detailed reasons for termination of validity of the authorization and/or the date of deletion from the Register of Lobbyists, and

- number and date of deletion of legal entity from the Register of Lobbyists, as well as the reasons for the deletion.

The form and manner of keeping the Register of Lobbyists shall be prescribed by the Ministry.

### **Publicity of Register of Lobbyists**

#### **Article 26**

The Register of Lobbyists shall be public and published on the Agency's website, with the exception of data relating to the personal identification number of the citizen and tax identification number.

### **Identification card**

#### **Article 27**

In conducting lobbying activities, a lobbyist shall introduce himself/ herself by presenting the identification card.

The identification card referred to in paragraph 1 of this Article shall be issued by the Agency.

Should a lobbyist be deleted from the Register of Lobbyists, he/she shall return the identification card to the Agency, within three days from the deletion.

The form and content of lobbyist's identification card shall be prescribed by the Ministry.

## **IV. CONDUCTING LOBBYING ACTIVITIES**

### **Lobbying Contract**

#### **Article 28**

Lobbyist or a legal entity conducting lobbying activities shall not start lobbying prior to concluding the lobbying contract.

The lobbying contract shall include in particular:

- 1) information on contracting parties;
- 2) scope of lobbying (subject matter description and the aim of lobbying);
- 3) data on the manner and timeframe of lobbying;
- 4) amount of compensation for lobbying;
- 5) statement of the lobbyist or responsible person in the legal person who conducts

lobbying activities on non-existence of conflict of interest and a statement he/she will act in line with the rules of lobbying provided by this Law.

If a contracting party is a legal person conducting lobbying activities, the lobbying contract shall include the name and surname of the lobbyist employed in that legal entity for conducting lobbying activities.

Lobbyist or a legal person conducting lobbying activities shall not be contractually bound to a particular lobbying outcome.

### **Submission of information about the lobbying client**



## **Article 29**

Lobbyist or a legal entity conducting lobbying activities shall submit to the Agency the information about the lobbying client, the lobbying area and the scope of lobbying, within eight days from the date of concluding the lobbying contract.

## **Obligation of the lobbying client**

### **Article 30**

The lobbying client shall submit necessary documents related to the scope of lobbying to the lobbyist or legal entity that carries out lobbying activities, in accordance with the lobbying contract.

## **Gathering information**

### **Article 31**

Lobbyist or legal entity conducting lobbying activities shall:

- 1) take action to promote and protect the legal interests of the lobbying client;
- 2) while conducting lobbying activities, gather accurate data and information and submit them to the lobbying client in accordance with the lobbying contract.

Lobbyist and legal entity conducting lobbying activities shall gather data and information referred to in paragraph 1 item 2 of this Article from publicly available sources, in accordance with the regulations on free access to information and in other ways prescribed by the law.

Lobbyist and legal entity conducting lobbying activities shall not encourage others to supply them with the data and information they have obtained in a manner contrary to the law.

## **Expert opinion**

### **Article 32**

Lobbyist or legal entity conducting lobbying activities shall prepare an expert opinion with the proposed solutions relating to the laws and other general acts, which are the subject of lobbying, and shall supply the lobbying client with it, along with scientific publications, feasibility studies, research findings and other relevant documents at their disposal, in the manner and timeframe specified in the lobbying contract.

Lobbyist or legal entity conducting lobbying activities shall use the materials and other documents referred to in paragraph 1 of this Article for lobbying with the authority i.e. lobbied person, and may submit such documents to the authority.

Lobbyist or legal entity conducting lobbying activities shall regularly report to the lobbying client on the activities undertaken during the lobbying.

Lobbyist or legal entity conducting lobbying activities may publicly disclose expert opinion referred to in paragraph 1 of this Article.

## **Principles of action**

### **Article 33**

Lobbyist or legal entity conducting lobbying activities shall not:

- 1) gather data and information contrary to Article 31 paragraphs 2 and 3 of this Law or use information gathered in such manner for lobbying purposes;
- 2) represent two lobbying clients with opposing interests;

Lobbyist or legal entity conducting lobbying activities shall notify the client of existence of reasons referred to in paragraph 1 item 2 of this Article, once they become aware of them.

Lobbyist or legal entity conducting lobbying activities shall not offer gift or object, right, service or other favour to the lobbied person or other civil servant or official in the authority.

#### **Official note Article 34**

Lobbied person shall prepare an official note containing information about lobbyist who contacted him/her, as follows: name, information whether the lobbyist presented lobbyist identification card and acted in accordance with this Law, the area and subject of lobbying, name and surname or the name of the lobbying client, date and place of the lobbyist's visit and signature of the lobbied person.

Lobbied person shall submit a copy of the official note referred to in paragraph 1 of this Article to the Agency, within five days from the date the lobbyist contacted him or her.

The Agency shall use the official note referred to in paragraph 2 of this Article for the purpose of verifying the accuracy of the data mentioned in the report on the work of lobbyists.

Lobbied person shall keep records of lobbying contacts, and the Authority in which the lobbyist was elected, appointed, assigned or employed shall be obliged to publish information on lobbying contacts on its web page.

#### **Obligations of a lobbied person Article 35**

Lobbied person shall refuse further communication with a lobbyist, if he/she assesses that the scope of lobbying is contrary to the public interest or constitutional principles.

Lobbied person may refuse further communication with a lobbyist, if he/she assesses that the scope of lobbying is inappropriate or not viable in terms of financial effects and other circumstances.

#### **Termination of contract and cessation of lobbying procedure Article 36**

Any contracting party may request termination of contract at any time.

Lobbyist or legal entity conducting lobbying activities shall, without delay, cease the lobbying procedure and terminate the lobbying contract, if:

- 1) the lobbyist or responsible person in a legal entity conducting lobbying activities assesses it could give rise to conflict of interest with the client;
- 2) the lobbyist or responsible person in a legal entity conducting lobbying activities becomes a public official or a person related to the public official;
- 3) if lobbyist or responsible person in a legal entity conducting lobbying activities becomes a member of an authority referred to in article 14 paragraph 1 item 2,3 and 4 of this Law;
- 4) if circumstances indicate that there might be illegal lobbying within the meaning of article 33 and 38 of this Law;

Lobbyist or legal entity conducting lobbying activities shall notify the Agency, without delay, on the cessation of lobbying procedure referred to in paragraph 2 of this Article.

## **Lobbyist's liability**

### **Article 37**

Lobbyist or a legal entity conducting lobbying activities shall be liable for damage incurred to the client resulting from illegal actions, in accordance with the general rules on liability for damages.

## **Illegal Lobbying Activities**

### **Article 38**

Lobbying shall be considered illegal if:

- 1) it is conducted contrary to the law;
- 2) it is conducted by a former lobbyist who is deleted from the Register of Lobbyists;
- 3) it is carried out for the purpose of adopting a regulation or other general act which is contrary to the public interest;
- 4) it is carried out on behalf of a non-existing client;
- 5) it is carried out by a person referred to in Article 14 paragraph 1 of this Law.

## **Duty to report breaches of the law**

### **Article 39**

Lobbied person shall not accept lobbying referred to in Article 38 of this Law.

Lobbied person shall notify the Agency about illegal lobbying and submit information on natural and legal entity engaged in illegal lobbying or a lobbyist or legal entity conducting lobbying activities contrary to this Law.

The Agency shall submit request for initiation of misdemeanour proceedings or issue misdemeanour order, based on the information and data referred to in paragraph 2 of this Article.

## **Activity Report**

### **Article 40**

Lobbyist or legal entity conducting lobbying activities shall submit to the Agency written activity report no later than January 31 of the current year for the previous year.

Lobbyist or legal entity conducting lobbying activities that is deleted from the Register of Lobbyists, shall submit to the Agency the activity report for the period between the date of submission of the last report and date of deletion from the Register.

## **Content of the activities report**

### **Article 41**

The report referred to in Article 40 of this Law shall contain:

- 1) number and date of approval for conducting lobbying activities and/or number and date of entry into the Register of Lobbyists;
- 2) information about lobbying client during the reporting period;
- 3) data on lobbied person and Authorities subject to lobbying;
- 4) area and scope of lobbying;
- 5) amount of financial compensation for the undertaken lobbying activities.

The form and detailed content of the activity report from paragraph 1 of this Article shall be prescribed by the Ministry.

## **V. SUPERVISION**

### **Article 42**

The Agency shall conduct supervision over the implementation of this Law, within its competencies prescribed by this Law.

## **VI. PENAL PROVISIONS**

### **Article 43**

A pecuniary fine ranging from €500 to €20,000 euro shall be imposed for an offence to a legal entity, if it:

1) conducts lobbying activities without meeting the requirements for conducting lobbying activities in accordance with article 15 of this Law;

2) starts lobbying procedure before concluding the lobbying contract with the lobbying client (article 28 paragraph 1).

A pecuniary fine ranging from €90 to € 2,000 shall be imposed on a responsible person of the legal entity and natural person for the offense referred to in paragraph 1 of this Article.

A pecuniary fine ranging from €150 to €6,000 shall be imposed on an entrepreneur for the offense referred to in paragraph 1 of this Article.

### **Article 44**

A pecuniary fine ranging from €500 to €20,000 euro shall be imposed for an offence to a legal entity, if:

1) it fails to inform the Agency in writing on any changes in the data referred to in article 23 paragraphs 1 and 2 of this Law, within three days from the date the change occurred;

2) it fails to return the lobbyist identification card to the Agency, in case of the lobbyist's deletion from the Register, within three days following the removal (article 27 paragraph 3);

3) it fails to submit information on lobbying client, area and scope of lobbying to the Agency, within eight days following the date of concluding the lobbying contract (article 29);

4) it uses data and information acquired in the manner contrary to article 31 paragraphs 2 and 3 of this Law (article 33 paragraph 1 item 1);

5) it offers a gift or an object, right, service or other favour to the lobbied person or other civil servant or official in the authority (article 33, paragraph 3);

6) it fails to publish the data on lobbying contacts on its website (article 34 paragraph 4);

7) lobbying activities are conducted by a person deleted from the Register of Lobbyists (article 38 item 2);

8) lobbying activities are conducted for the purpose of adopting regulations and other general acts contrary to the public interest (article 38 item 3);

9) lobbying activities are conducted on behalf of a non-existent client (article 38, item 4);

10) lobbying activities are conducted by a person referred to in Article 14 paragraph 1 of this Law (article 38 item 5);

11) it fails to submit a written activity report to the Agency by 31 January of the current year for the previous year (article 40 paragraph 1);

12) it fails to submit the activity report to the Agency within 15 days following the date of deletion from the Register of Lobbyists, (article 40 paragraph 2);

A pecuniary fine ranging from €300 to € 2,000 shall be imposed on a responsible person in the legal entity and natural entity for the offence referred to in paragraph 1 of this Article.

A pecuniary fine ranging from €300 to €2,000 shall be imposed on a responsible person in a state body, state administration body, local self-government body, local administration body for the offense referred to in paragraph 1 item 6 of this Article.

A pecuniary fine ranging from €150 to €6,000 shall be imposed on an entrepreneur for the offense referred to in paragraph 1 of this Article.

#### **Article 45**

A pecuniary fine ranging from € 500 to € 20,000 euro shall be imposed for an offence to a lobbied person, if he/she:

1) fails to submit to the Agency a copy of the official note referred to in Article 34 paragraph 1 of this Law, within five days following the date he/she was contacted by the lobbyist (article 34 paragraph 2);

2) does not keep records on lobbying contacts (article 34 paragraph 4);

3) accepts lobbying referred to in article 38 of this Law (article 39 item 1);

4) fails to notify the Agency of illegal lobbying and fails to submit information on the natural and legal entity engaged in illegal lobbying i.e. the lobbyist or legal entity conducting lobbying activities contrary to this Law (article 39 paragraph 2).

## **VII. TRANSITIONAL AND FINAL PROVISIONS**

### **Secondary legislation**

#### **Article 46**

Secondary legislation for the implementation of this Law shall be adopted within six months from the day of its entry into force.

### **Taking over of tasks**

#### **Article 47**

The Directorate for Anti-Corruption Initiative shall conduct the tasks of the Agency prescribed by this Law until the Agency starts its operations.

Once the Agency starts its operations, it shall take over the civil servants and state employees from the Directorate for Anti-Corruption Initiative who previously carried out the tasks of the Agency, as well as the equipment and official documents related to the implementation of lobbying activities.

### **Termination of validity**

#### **Article 48**

The Law on Lobbying (Official Gazette of Montenegro 54/11) shall be repealed on the day of entry into force of this Law.

### **Entry into force**

#### **Article 49**

This Law shall enter into force on the eighth day following the date of its publication in the “Official Gazette of Montenegro”.

Ref. no.: 23-2/14-7/13

EPA 591 XXV

Podgorica, 9 December 2014

THE PARLIAMENT OF MONTENEGRO OF THE 25TH CONVOCATION

P R E S I D E N T

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