

THE LAW ON VOTER REGISTER

(Official Gazette of Montenegro, No. 10/14 as of 26 February 2014, No. 20/15 as of 24 April 2015,) as amended by the Law on Amendments to The Law on Voter Register (92/17 of 30.December 2017, 17/19 of 19. March 2019-decision of Constitutional court of Montenegro and 3/2020 of 23.January 2020.). The 2020 amendments are highlighted.

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I. BASIC PROVISIONS

Scope of the Law

Article 1

This Law regulates keeping of an Voter Register, the procedure for verification of registration with the Voter Register, closing of the Voter Register, drawing up extracts from the Voter Register and operation of polling stations.

Voter Register

Article 2

An Voter Register is a derived electronic collection of personal data of Montenegrin citizens having the right to vote.

Voter Register is a public document that serves only for election purposes and is kept ex officio.

Registration with the Electoral Register is a condition for exercising the right to vote. Persons who have acquired the conditions for exercising the right to vote shall be entered in the voter list.

Voter Register is permanent and regularly updated.

Authority competent to keep the Voter Register

Article 3

Voter Register is kept by the Ministry competent for internal affairs (hereinafter referred to as the Ministry).

Article 4

Voter Register is kept as an electronic collection of personal data on electors.
Within the Voter Register analysed are the data on electors for the areas of local self-government units, and by polling stations designated for self-government units.
An elector may be registered with the Voter Register only at one polling station.

Keeping Voter Register

Article 5

Keeping the Voter Register includes:

- 1) creating of the Voter Register;
- 2) analysing data from the Voter Register and undertaking measures for ensuring their mutual consistency and accuracy;
- 3) recording of polling stations;
- 4) designation of a constituency/voting area (parts of towns, groups of settlements);
- 5) recording of special polling stations (hospital, faculty, prison...)
- 6) division or merging of polling stations, based on the decision of a competent election commission;
- 7) entering the data on the decision regarding annulment or renewal of elections and recording of polling stations where elections are renewed, based on the decision of the competent election commission;
- 8) entering data about an elector voting on a special polling station;
- 9) recording of closing of a polling station;
- 10) closing of the Voter Register;
- 11) preparation and verification of printed extracts from the Voter Register;
- 12) deleted. ("Official Gazette of Montenegro, No. 20/15)
- 13) insight into the Voter Register;
- 14) insight into the changes affecting changes to the Voter Register;
- 15) other tasks, in accordance with this Law.

Method of Keeping the Voter Register

Article 6

An Voter Register is formed based on the data from the permanent residence register, the register of Montenegrin citizens, and birth and death registers (hereinafter referred to as Master Register) for the purpose of announced elections, i.e. voting.

A Montenegrin citizen shall exercise his right to vote at the polling station where he is registered with the Voter Register, unless otherwise prescribed by this Law.

Voter Register is kept as an electronic database of personal data through application of the unified program methodology developed by the Ministry.

The closed Voter Register and extract from the Voter Register shall be kept for the period of 5 years from the day of closing the Voter Register, i.e. from the day of printing of the extract from the Voter Register.

Article 7

In the procedure of deciding on the changes to the Voter Register, the provisions of the law regulating **general** administrative procedure shall apply unless otherwise defined by this Law.

Use of Gender Sensitive Language

Article 8

Any terms used in this law for physical persons in masculine gender imply the same terms in feminine gender.

II. VOTER REGISTER KEEPING PROCEDURE AND CONTENTS

1. Registering with the Voter Register

Persons to be registered with the Voter Register

Article 9

Registered with the Voter Register shall be the citizens of Montenegro who have the right to vote, and after the decision on calling for elections is made, registered shall also be the persons who are to acquire the right to vote on the election day at the latest (hereinafter referred to as the elector), according to the permanent residence.

The elector with permanent residence abroad shall be registered with the Voter Register based on the last permanent residence before going abroad.

Electors who in the capacity of a member of the Army of Montenegro, civil protection, police and as an employee with the state administration authorities are with international forces, or peace missions or performing other activities abroad, who are engaged in military exercise, detained in prison or serving imprisonment sentence shall be registered with the Voter Register based on the latest permanent residence.

Data on the elector to be registered with the Voter Register

Article 10

Into the Voter Register shall be entered a unique ordinal number of registration with the Voter Register, personal name of the elector, elector's unique personal identification number, date and place of birth, citizenship, gender, place of permanent residence and address, date of the latest registration of permanent residence and a note.

Elector's personal name shall be entered in the language and writing as written in the Master Register.

Special records on polling stations

Article 11

In addition to the Voter Register, special records on polling stations are kept as an electronic database that includes:

- voting areas, with the name of the local self-government unit, number and name of voting area, as well as numbers of the polling stations that belong to the voting area.
- polling stations, with name of local self-government, number, name, address and description of polling station, as well as the names of streets with numbers of buildings in that street or part of the street, which belong to that polling station, i.e. names of settlements.

The Ministry shall keep and update the special records on polling stations referred to in paragraph 1 of this Article, in accordance with the decisions of the authority competent for carrying out elections regarding determination of polling stations, separately for the territory of each local self-government unit, based on the distribution of electors by polling stations where previous elections took place.

The authority for carrying out elections shall submit the act on determination of polling stations to the Ministry immediately after being passed.

Distribution of electors to polling stations shall be carried out by the Ministry, **for all local self-government units**, according to the alphabetical order of initial letters of surnames and names of electors, and for letters not contained in alphabet, after the letter "Š", in alphabetical order of initial letters of surnames and names.

2. Changes to the Electoral Register

Article 12

~~Changes to the Electoral Register (entry, deletion, modification, amendment or correction) shall be carried out ex officio or at request of electors.~~

~~Changes to the Electoral Register ex officio shall be carried out based on the data from official records and public documents, data from electronic registers or records kept pursuant to the law.~~

~~The Ministry is obliged ex officio to register with the Electoral Register any citizen of Montenegro with permanent residence in Montenegro, within 48 hours after such a person, according to the data from electronic registers or records kept pursuant to the law, fulfils the requirements for exercising the right to vote.~~

~~Any changes to data in the Electoral Register shall be made in the way that the changes to data on electors in master registers shall be automatically reflected on the Electoral Register, until its closing.~~

~~The data referred to in paragraph 2 of this Article include but are not limited to:~~

- ~~1) personal data wrongfully entered in the Electoral Register;~~
- ~~2) personal data that have changed due to change of address and/or permanent residence;~~
- ~~3) personal data that have changed due to change of personal documents or personal name;~~
- ~~4) information on the change of a polling station, due to opening of a new or abolishing of the existing polling station, or their division to several polling stations.~~

~~Authorities that within their competence keep official records on citizens are obliged to provide data affecting accuracy and timeliness of keeping the Electoral Register to the Ministry in electronic form within seven days from the day when the changes occur.~~

Changes to the Electoral Register at request of electors are carried out based on the data or documents provided by the person submitting the request or data from electronic registers or records kept pursuant to the law.

Changes to the Electoral Register are made in the way that for each elector it can unambiguously be established when the change occurred, what kind of change occurred and which official person made the relevant change.

Any change to the Electoral Register related to registering of electors, amending, adding or correcting of any data related to the elector, or change of the polling station where the elector votes, shall be notified to the elector to whom the change is related by the Ministry, within 7 days from the day when the change is made.

Deleting of electors from the Electoral Register may be performed only based on the decision rendered by the Ministry.

Scanned versions of all documents on which the changes to the Electoral Register are based make an integrated part of the database of the Electoral Register.

A change in the Voter Register implies entry, deletion, amendment, supplement or correction (hereinafter: changes).

Changes in the Voter Register are made ex officio or at the request of voters.

Changes of the data in the Voter Register are made in such a way that changes in the data on electors in the original registers are automatically transferred to the Voter Register, until its conclusion.

The data referred to in paragraph 3 of this Article are considered:

- 1) personal data that were wrongly entered in the Voter Register;
- 2) personal data that have been changed due to a change of address and / or permanent residence;
- 3) personal data that have been changed due to a change in personal documents or personal name;
- 4) information on the change of a polling station, resulting from the opening of a new or abolition of an existing polling station, i.e. their division into several polling stations.

Authorities that within their competence keep official records on citizens are obliged to provide data affecting accuracy and timeliness of keeping the Voter Register to the Ministry in electronic form within seven days from the day when the changes occur.

Changes in the Voter Register are made in such a way that for each elector it can be unambiguously determined when the change occurred, what type of change occurred and which official made the change.

Deleting of electors from the Voter Register can be done only on the basis of a decision made by the Ministry

Scanned versions of all documents on which changes in the Voter Register are based are an integral part of the Voter Register database.

Changes to the Voter Register ex officio

Article 12a

Changes to the Voter Register ex officio shall be carried out based on the data from official records and public documents, data from electronic registers or records kept pursuant to the law.

The Ministry is obliged ex officio to register with the Voter Register any citizen of Montenegro with permanent residence in Montenegro, within 48 hours after such a person, according to the data from electronic registers or records kept pursuant to the law, fulfils the requirements for exercising the right to vote.

Changes to the Electoral Register made at elector's request

Article 13

~~Any elector may file a request with the authority competent to keep the electoral Registry, for entry, deletion, modification or correction of electoral registry.~~

~~In addition to the request referred to in paragraph 1 of this Article the elector shall submit evidence related to the subject of their request to make a specific change to the Electoral Register.~~

~~———— If the request is made verbally, the competent official shall take minutes thereon.~~

~~An elector may request changes to the Electoral Register if:~~

- ~~1) he is not entered into the Electoral Register;~~
- ~~2) his data in the Electoral Register are inaccurate or incomplete;~~
- ~~3) data on the polling station where the elector has the right to vote have not been entered or have been entered incorrectly.~~

~~During the election campaign the request referred to in paragraph 1 of this Article may be filed with the Ministry no later than 15 days prior to the date set as election day.~~

An elector may file a request to the authority competent to keep the Voter Register, for changes of the Voter Register.

The change in the Voter Register at the request of elector is made on the basis of data or public documents submitted by the applicant or data from electronic registers or records kept on the basis of law.

In addition to the request referred to in paragraph 1 of this Article, the elector shall submit evidence related to the subject of his request to make a certain change in the Voter Register.

An elector may request a change in the Voter Register if:

- 1) he is not registered in the Voter Register;
- 2) the information about him in the Voter Register is inaccurate or incomplete;
- 3) data on the polling station where the elector has the right to vote have not been entered or have been entered incorrectly.

During the election campaign, the request referred to in paragraph 1 of this Article may be submitted to the Ministry no later than 15 days prior to the day set as election day.

Deciding in respect of requests

Article 14

Should the Ministry establish that the request referred to in Article 13 paragraph 4 items 1 and 2 of this Law is grounded, it shall make a relevant change to the master register by means of a decision, and automatically enter such change into the Voter Register.

After having determined that the request referred to in Article 13 paragraph 4 item 3 is grounded, the Ministry shall by means of a decision adjust the data related to the polling station where the elector votes and make other changes to the Voter Register and relevant Master Register to which the change is related.

The Ministry shall reject the request for change in the Voter Register should it establish it as ungrounded.

The decision referred to in paragraphs 1, 2 and 3 of this Article shall be made by the Ministry within 48 hours from the day of receiving the request.

The decision shall be delivered to the submitter of the request without delay.

The decision referred to in paragraph 4 of this Article may be subject to filing of complaints to the Administrative Court within 48 hours after the decision is delivered.

The Administrative Court shall render a decision in respect of the appeal within 24 hours following the hour of accepting the appeal.

Deletion from Electoral Register

Article 15

From the Voter Register deleted shall be electors who have lost the right to vote due to death, cessation of Montenegrin citizenship or cancellation of registration of permanent residence in Montenegro.

Deletion from Voter Register is recorded in the way that in the field "Note" entered is the legal ground and number and date of rendering the decision based on which the deletion has been carried out.

Relevant provisions of Article 14 of this Law shall be applied to the procedure of delivering the decision, filing an appeal and rendering decision in respect of the appeal.

Data on electors deleted from the Voter Register shall be kept in a separate database that makes an integrated part of the Voter Register.

Displaying of Voter Register

Article 16

Within three days from the day of calling for elections, the Ministry shall, through media and on its website, announce displaying of the Voter Register and/or a part of the Voter Register for the local self-government unit for which the elections have been called for so electors could have insight into the same, and inform electors on the time and manner of insight into it, and the possibility to ask for change to the data entered into the Voter Register.

The elector shall be entitled to have insight into the data kept on him in the Voter Register.

The Ministry shall also be obliged to facilitate the elector to have insight into the data kept on him in the Voter Register by electronic communications.

Publishing of data regarding changes made to the Voter Register

Article 17

The Ministry shall, within 48 hours of the day of calling for election, announce in public in all daily newspapers published in Montenegro and on its website a numerical and tabular review of the data on the changes made to the Voter Register as a whole and by local self-government units in relation to the Voter Register according to which previous elections were held on the state level, and the review shall also include the data on electors who have acquired the right to vote and the grounds for acquiring such right, as well as the data on persons who have lost the right to vote, and the grounds for losing such right.

The Ministry shall announce in public the data referred to in paragraph 1 of this Article within 48 hours from the day of final closing of the Voter Register referred to in Article 18 of this Law.

The numerical review of the data referred to in paragraphs 1 and 2 of this Article shall include:

- 1) number of electors;
- 2) number of newly registered electors:
 - electors who have gained the right to vote due to coming of age,
 - electors who have registered permanent residence in Montenegro and
 - electors who have acquired the right to vote by being accepted to Montenegrin citizenship.
- 3) number of electors for whose registration changes were made based on registration and/or cancellation of registration of permanent residence in Montenegro;
- 4) number of electors deleted in respect of:
 - fact of death,
 - loss of Montenegrin citizenship and
 - cancellation of registration of permanent residence.
- 5) number of electors who have changed their personal names;
- 6) number of electors whose unique ID numbers have been changed;
- 7) number of electors whose date of registration of the latest permanent residence has been changed;
- 8) number of electors whose date of registration of permanent residence in Montenegro has been changed;
- 9) ~~number of electors whose polling stations have been changed~~
 number of electors whose polling station was changed due to the opening of a new or abolition of an existing polling station, i.e. division into several polling stations or change of apartment address.

The Ministry shall ~~submit all data~~ submit numeric tabular review of data on electors to whom the changes referred to in paragraphs 1, 2 and 3 of this Article are related, to a parliamentary party, or a submitter of a verified electoral list, or a non-governmental organisation that is issued an authorisation to monitor elections by a competent authority, at their request.

The Ministry shall also publish, or deliver the data on electors referred to in paragraphs 1, 2, 3 and 4 of this Article for local elections, when they are not held simultaneously with the elections on the state level.

In the case referred to in paragraph 5 of this Article, numerical review of data on the changes made in the Voter Register for a local self-government unit where the elections take place, shall be published in relation to the Voter Register based on which previous elections were held in that local self-government unit.

Closing of Electoral Register

Article 18

The Ministry closes the Voter Register by a decision 10 days prior to the day designated as election day.

The decision referred to in paragraph 1 of this Article shall include the total number of electors in Montenegro, in each local self-government unit and on each polling station, as well as the date of closing the Voter Register.

At the time of closing the Voter Register, the Ministry shall activate the application for closing, which forms closed Voter Register for that election.

The Ministry shall deliver the decision on closing the Voter Register to the State Election Commission no later than 24 hours from the hour of its passing.

Announcement of the total number of electors

Article 19

The State Election Commission shall announce in public the number of electors as a whole, by local self-government units and on each polling station within 24 hours from the hour of receiving the data.

Preparation and delivery of extracts from the Voter Register

Article 20

The Ministry shall prepare, print and verify extracts from the Voter Register sorted by local self-government units and polling stations and submit them to the State Election Commission within 72 hours 5 days from the day of passing the decision on closing the Voter Register.

The extract from the Voter Register for each polling station shall include all the data on the elector contained in the Voter Register referred to in Article 10 of this Law, as well as: ordinal number of registration within the polling station, place for elector's personal signature, name of the authority that has drawn up the extract, the date of drawing up and the mark of the polling station for which the extract has been drawn up.

The State Election Commission shall deliver verified extracts from the Voter Register to the relevant municipal election commission within 24 hours following the hour of receiving the extract from the Voter Register.

If several election procedures take place simultaneously, extracts from the Voter Register shall be prepared in the number of copies that corresponds to the number of voting rounds.

Within the time frame referred to in paragraph 1 of this Article, the Ministry shall also develop on a relevant electronic medium an electronic version of the extract from the Voter Register for each polling station for the needs of electronic identification of electors on the polling station.

III. SPECIAL RIGHTS OF ELECTION PARTICIPANTS AND OBSERVERS

Right to have insight into the Voter Register

Article 21

The Ministry shall enable municipal election commission in charge of the Voter Register for municipality, a parliamentary party, a submitter of a verified electoral list or a non-governmental organization that is issued by a competent authority an authorization to monitor elections, at their request, within 48 hours following the day of receiving the request, to have electronic insight into the Voter Register as well as the changes made to it.

~~The insight into the changes referred to in paragraph 1 of this Article shall also imply insight into the changes made to master registers and documents based on which the changes have been made.~~ Insight into the modifications referred to in paragraph 1 of this Article implies an insight into the solutions on the basis of which the modifications in the original registers occurred decisions on the basis of which they were made.

The Ministry shall facilitate the entities referred to in paragraph 1 of this Article, at their request, to have computer connection through advanced electronic certificate for use of the program solution referred to in paragraph 2 of this Article to the Electoral Register and the data referred to in paragraph 2 of this Article, in the period from the day of calling for elections to the day of declaring the final results of elections.

The information system for maintaining the Voter Register shall be protected in such a way that the data from the Voter Register cannot be copied or printed, but it can be inspected.

The parliamentary party, the submitter of the verified electoral list and the non-governmental organisation granted the authority to monitor the elections by the competent body shall be obliged to designate persons who are authorised and responsible for access to the information system in which the voter register is kept, and to inform the Ministry thereof.

The Ministry shall also facilitate a parliamentary party, at its request, to exercise the rights referred to in paragraphs 1, 2 and 3 of this Article, in the period that is not included in the election campaign.

Right to delivery of data

Article 22

~~The Ministry shall submit a computer-processed Electoral Register on the corresponding media, with the data contained in the extract from the Electoral Register to a parliamentary party, or a submitter of a verified electoral list, or a non-governmental organisation that is issued an authorisation to monitor elections by a competent authority, at their request within 48 hours following the day of receipt of the request.~~

~~The program solution for tracking changes of data on electors makes an integrated part of the computer-processed data on electors.~~

~~The Ministry shall also facilitate exercising of the rights referred to in paragraphs 1 and 2 of this Article to a parliamentary party at its request during the period not covered by the election campaign.~~

Issuance of public documents

Article 23

The Ministry shall issue public documents required for exercising the right to vote no later than five days from the day of submission of the request for their issuance.

The time frame referred to in paragraph 1 of this Article is related to the requests that are filed in the period from the day of calling for elections to the election day.

Right to have insight into the official documents

Article 24

~~The Ministry shall be obliged to to the authorised representatives of parliamentary parties and verified electoral list, at their request, to have insight into the official documents based on which changes to the Electoral Register are made (documents: citizenship certificates, citizens' ID cards, registration and cancellation of registration of permanent~~

residence, citizens' unique ID numbers, birth, and death registers and other) to the authorised representatives of a parliamentary party, authorised representative of the verified electoral list and authorised representative of a non-governmental organisation granted the authority to monitor the elections by the competent body, allow an insight into the official documentation on the basis of modification of Voter Register (documentation: citizenship, citizens' ID cards, registration and cancellation of registration of permanent residence, citizens' unique ID numbers, birth and death registers).

The Ministry shall be obliged to provide the parliamentary party with an insight into the official documentation on the basis of which modifications have been made to the Voter Register, including the time beside the election campaign.

The insight is carried out in the official premises of the authority where the official documents are located.

The Ministry shall prescribe the manner of having insight into the official documents referred to in paragraph 1 of this Article.

Right to Delivery of Data

Article 25

The Ministry shall submit the data affecting accuracy and timeliness of keeping the Electoral Register to a parliamentary party, or a submitter of a verified electoral list, or a non-governmental organisation that is issued an authorisation to monitor elections by a competent authority, at their request within 48 hours following the day of receipt of the request.

The data referred to in paragraph 1 of this Article are the data relating to: acting in respect of filed requests of citizens to acquire Montenegrin citizenship and release from Montenegrin citizenship, registration and cancellation of registration of permanent residence, acting in respect of filed requests for ID cards and issued ID cards, change of persons' names, change of unique ID numbers of citizens, as well as other data on citizens affecting accuracy and timeliness of the Electoral Register. (deleted)

IV. SUPERVISION ESTABLISHING COOPERATION

Article 26

The State Election Commission shall supervise the application of this Law.

In the process of monitoring the application of this Law, the State Election Commission shall:

- 1) ensure uniform application of the provisions of this Law;
- 2) give opinions regarding the application of this Law;
- 3) through computer connection with the database of the Electoral Register continuously monitor the changes made to the Electoral Register;
- 4) have the right to access all electronic registers and other records on citizens, which contain data relevant for keeping the Electoral Register;
- 5) have the right to insight into the official documents under the possession of state administration authorities, local government authorities and other authorities and organisations based on which changes to Electoral Register are made;
- 6) point out the need to remove identified irregularities in keeping the Electoral Register to the Ministry;

~~7) carry out other tasks under its competence.~~

In the procedure of establishing cooperation under this Law, the State Election Commission shall:

- 1) have the right to access all electronic registers and other records on citizens, which contain data important for keeping the electoral list;
- 2) have the right to inspect the official documentation at the disposal of the state administration body, local government body and other body and organization on the basis of which the change in the electoral list is made;
- 3) points out to the Ministry the need to eliminate the established irregularities in keeping the electoral list;
- 4) perform other tasks within its competence.

Article 27

Participants to the election process and authorised observers of the elections may file a request for issuance of the opinion related to the application of this Law to the ~~State Election Commission~~ Ministry of internal affairs.

The ~~State Election Commission~~ Ministry of internal affairs shall issue an opinion no later than 48 hours following the day of submitting the request referred to in paragraph 1 of this Article.

Article 28

The State Election Commission is connected to the database of the Voter Register kept by the Ministry through direct electronic links in real time.

Other databases and registers interconnected with the database of the Voter Register are also available to the State Election Commission through direct electronic link.

Article 29

~~The State Election Commission shall perform continuous control over the Electoral Register and compare it to the data from relevant registers of citizens, citizenship, permanent residence, birth, marriage and death registers and ID card database.~~

~~If, during the performance of the supervision referred to in paragraph 1 of this Article, the State Election Commission identifies irregularities, it shall immediately point out to the Ministry the need for their removal.~~

~~The Ministry shall inform the State Election Commission on the undertaken actions under paragraph 2 of this Article within 48 hours following the day of receiving the act referred to in paragraph 2 of this Article.~~

~~The State Election Commission may also initiate the procedure referred to in paragraph 2 of this Article at request of third parties.~~

The State Election Commission inspects the Voter Register, master registers and the register of identity cards.

If the State Election Commission, in performing the inspection referred to in paragraph 1 of this Article, determines the existence of irregularities, it shall without delay point out to the Ministry the need to eliminate them.

Article 30

Pursuant to the competences prescribed by this Law, the State Election Commission is entitled to ask the state administration authorities, local government authorities and other authorities and organisations to deliver specific information and data of significance for keeping the Voter Register.

The authorities and organisations referred to in paragraph 1 of this Article are to provide the asked information and data to the State Election Commission no later than 72 hours from the day of receiving the request.

The authorities and organisations referred to in paragraph 1 of this Article shall enable the State Election Commission, at its request, to have insight into the official documents based on which changes are made to the Voter Register, within 48 hours from the day following receiving the request.

Inspection Supervision

Article 31

Inspection Supervision in respect of application of the law and other regulations governing the keeping of Voter Registers shall be carried out by the administrative inspection through administrative inspectors in accordance with the law regulating inspection supervision.

Inspection supervision over the keeping of the Voter Register is carried out through regular and extraordinary inspection supervisions, as well as acting in respect of petitions of participants to the elections, authorised observers of the elections and the State Election Commission.

Regular inspection supervisions are carried out according to the annual work program of the Administrative Inspection.

In the process of carrying out supervision over the keeping of the Voter Register, the Administrative Inspector is authorised to check, through the access to the Central system, if all the obligations in respect of keeping Voter Register established by the law are executed on timely basis.

The supervision over updating of the Voter Register is carried out through verification of all official records as well as evidence based on which changes are made to the Voter Register.

Extraordinary inspection supervision is mandatory and is carried out in the year when regular elections take place, or when early elections are called for.

Administrative inspectors are to carry out inspection supervision in respect of the petition by electors, parliamentary parties, submitters of verified electoral lists, authorised observers of elections and the State Election Commission within 48 hours following the hour of receiving the petition.

Copies of the minutes on completed inspection supervision and a copy of the act ordering the competent authority to undertake specific measures and actions shall be delivered to the person submitting the petition by the administrative inspectors within 48 hours following the day of completing the inspection supervision.

Secondary Legislation

Article 32

The contents and the manner in which the program solution referred to in Article 5 of this Law is used, the manner the Voter Register is kept, displayed or closed, as well as other issues relevant for accurate and timely keeping of the Voter Register shall be prescribed by the Government of Montenegro, at proposal of the Ministry.

Application of the Law

Article 33

The provisions of this Law shall be accordingly applied to the presidential elections and referenda in Montenegro.

Protection of personal data

Article 34

The regulations governing the protection of personal data and information security shall be applied to collecting, processing and using of data on electors.

Using data

Article 34a

The data from the Voter Register may be used in accordance with the law governing the protection of personal data or on the basis of the written consent of the data subject.

V. PENALTY PROVISIONS

Article 35

A fine in the amount ranging between 1,500 euros and 2,000 euros shall be imposed for a violation on:

- 1) the responsible person entrusted to keep the Voter Register, if he fails to ensure its accuracy and timeliness (Article 3);
- 2) the person who enters an elector in the Voter Register contrary to the provisions of Article 4 of this Law;
- 3) the responsible person entrusted to keep the Voter Register, if he fails to keep special records specified in Article 11 paragraph 1 of this Law;
- 4) the person responsible for carrying out of elections, if he fails to deliver the act on designation of polling stations to the Ministry (Article 11 paragraph 3);
- 5) the responsible person entrusted to keep the Voter Register, if he fails to make changes to the Voter Register in the manner specified in Article 12 paragraph 1 of this Law;

- 6) the person who fails to register an elector within the deadline specified in Article 12 paragraph 3 12a, paragraph 2 of this Law;
- 7) the person who fails to ensure that the data on electors made in the master registers are automatically transferred to the Voter Register in the way specified in Article 12 paragraph 4 or 5 paragraphs 3 and 4 of this Law;
- 8) responsible person with the authority that is entrusted to keep relevant official records, if he fails to deliver the data to the Ministry or fails to do so within the timeframe referred to in Article 12 paragraph 6 paragraph 5 of this Law (Article 12 paragraph 6 paragraph 5);
- 9) the person who makes change contrary to Article 12 paragraphs 7 and 8 Article 12 paragraph 6 and Article 13 paragraph 2 of this Law;
- ~~10) the person who fails to deliver a notice on the change made in the Electoral Register to the elector (Article 12 paragraph 9);~~
- 11) the person who deletes an elector from the Voter Register contrary to the provisions of Article 12 paragraph 10 paragraph 7 of this Law;
- ~~12) responsible person with the Ministry, if he fails to take minutes in case that the request referred to in Article 13 paragraph 1 is submitted only verbally (Article 13 paragraph 3);~~
- 13) responsible person with the Ministry, if he acts contrary to the provisions of Article 14 para. 1 and 2 of this Law;
- 14) responsible person with the Ministry, if the decision referred to in Article 14 para. 1, 2 and 3 of this Law is not submitted within 48 hours from the day of receiving the request or if he fails to deliver it to the submitter of the request (Article 14 para. 4 and 5);
- 15) responsible person entrusted to keep the Voter Register, if he acts contrary to the provisions of Article 15 para. 1 and 2 of this Law;
- 16) responsible person with the Ministry, if an elector is not facilitated to have insight into the Voter Register (Article 16);
- 17) responsible person with the Ministry, if he fails to publish in public or fails to deliver data to authorised entities or fails to do so within the deadlines prescribed in the provisions of Article 17 of this Law;
- 18) the person who makes a change to the Voter Register after the closing of the Voter Register as prescribed in the provision of Article 18 paragraph 1 of this Law;
- 19) responsible person with the Ministry, if he fails to deliver the decision on closing of the Voter Register to the State Election Commission within the deadline prescribed in the provision of Article 18 paragraph 4 of this Law;
- 20) responsible person with the State Election Commission, if he acts contrary to Article 19 of this Law;
- 21) responsible person with the Ministry, if he fails to act within the deadline prescribed in Article 20 paragraph 1 of this Law;
- 22) responsible person with the State Election Commission, if he fails to act within the deadline prescribed in Article 20 paragraph 3 of this Law;
- 23) ~~responsible person with the Ministry, if he fails to facilitate authorised entities to have insight into the Electoral Register or fails to deliver data on Electoral Register or fails to do so within the prescribed deadline (Art. 21 and 22);~~ the responsible person in the

- Ministry, if he/she does not allow the authorised entities to inspect the voter register or does not do so within the prescribed deadline, as well as those who have the right to inspect the voter register, if they do not designate the persons authorised and responsible for access to the information system in to which the other register is kept and do not inform the Ministry thereof (Article 21);
- 24) responsible person with the Ministry, if he fails to issue a public document relevant for exercising the voting right within the deadlines defined in Article 23 of this Law;
- 25) responsible person with the Ministry, if he fails to facilitate authorised entities to have insight into the official documents referred to in Article 24 of this Law;
- 26) responsible person with the Ministry, if he fails to provide data referred to in Article 25 of this Law to authorised entities, at their request;
- 27) responsible person in the State Election Commission Ministry of internal affairs, if he fails to provide the opinion referred to in Article 27 paragraph 1 or fails to do so within the prescribed deadline (Article 27 paragraph 2);
- 28) responsible person with the competent state administration authority, local government authority, other authority or organisation, if he fails to facilitate the State Election Commission access to the database of the Voter Register, other databases or registers, or fails to deliver asked information or data or denies it the right to have insight into the official documents or fails to meet a prescribed deadline (Art. 28 and 30);
- 29) responsible person with the State Election Commission, if he acts contrary to the provisions of Article 29 paragraph 2 of this Law;
- 30) responsible person with the Ministry, if he fails to act within the deadline prescribed in Article 29 paragraph 3 of this Law;
- 31) responsible person with the Administrative Inspection, if he fails to carry out inspection supervision or fails to do so within the deadline prescribed in Article 31 paragraph 7 of this Law;
- 32) responsible person with the Administrative Inspection, if he fails to deliver a copy of the minutes on completed inspection supervision or a copy of the act ordering a competent authority to undertake specific measures and actions within the deadline prescribed in Article 31 paragraph 8 of this Law.

VI. TRANSITIONAL AND FINAL PROVISIONS

Unifying existing Electoral Registers into the Voter Register kept according to this Law

Article 36

Within 60 days from the day this Law enters into force, the Ministry shall pass an instruction to regulate the procedure for unifying the existing Voter Registers of local self-government units and the Central Voter Register that shall be kept according to this Law.

Adoption of secondary legislation

Article 37

The secondary legislation acts envisaged for enforcement of this Law shall be adopted within 90 days following the day this Law enters into force.

Termination of validity of previous provisions

Article 38

As of the day this Law commences to be applied, the Law on Voter Registers (Official Gazette of Montenegro 40/08 and 40/11) and secondary legislation adopted for the implementation of that law shall be rescinded.

Entry into force of this Law

Article 39

This Law shall enter into force on the eighth day after its publication in the Official Gazette of Montenegro, and shall be applied as of 1 November 2014.

For the elections that are to be called for by the date of commencement of application of this Law, the Electoral Registers established according to the regulations that were valid before this law enters into force shall be used.

By the date of commencement of application of this Law, or until the elections referred to in paragraph 2 of this Article have been completed, the authorities of local government units competent to keep Electoral Registers and the authority competent to keep the Central Electoral Register are obliged to keep the Electoral Registers according to the rules based on which they were kept before the date of entering into force of this Law.

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Podgorica, 17 February 2014

PARLIAMENT OF MONTENEGRO OF THE 25TH PARLIAMENTARY TERM

P R E S I D E N T
Ranko Krivokapić