

CONSTITUTIONAL LAW FOR THE IMPLEMENTATION OF THE CONSTITUTION OF MONTENEGRO

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Date of last check: 25 February 2026

The Constitutional Law for the Implementation of the Constitution of Montenegro, adopted by the Constitutional Parliament of the Republic of Montenegro, at its third sitting of the second regular session in 2007, on 19 October 2007 is hereby proclaimed.

CONSTITUTIONAL LAW FOR THE IMPLEMENTATION OF THE CONSTITUTION OF MONTENEGRO¹

Article 1

Constitution of Montenegro (hereinafter: Constitution) shall enter into force on the day of its promulgation by the Constitutional Parliament of the Republic of Montenegro, unless this Law provides differently with regard to the implementation of certain regulations in the Constitution.

Article 2

Authorities in Montenegro and other state bodies, organizations and departments and bodies of the local self-government shall continue to work until the end of the period for which they have been elected, within the rights and duties stipulated by the Constitution, unless this Law provides differently.

Article 3

The State Prosecutor shall continue to work as the State Prosecution until the Law that shall stipulate the position, organisation and work of the State Prosecution, is adopted.

Article 4

¹ Official Gazette of Montenegro, no 001/07 of 25 October 2007, 009/08 of 8 February 2008, 004/09 as of 26 January 2009, 071/09 of 22 October 2009, 022/10 of 26 April 2010, 080/10 of 31 December 2010, 027/11 of 01 June 2011, 038/11 of 2 August 2011

The Defence and Security Council shall be constituted within 10 days as of the day when this Law enters into force.

Article 5

Provisions of international agreements on human rights and freedoms, to which Montenegro acceded before 3 June 2006, shall be applied to legal relations that have arisen after the signature.

Article 6

Laws and other regulations shall remain into force until they have been harmonised with the Constitution within the periods of time stipulated by this Law.

Article 7

(Law amending the Constitutional Law for the implementation of the Constitution of Montenegro, Official Gazette of Montenegro, no. 004/09 of 26 January 2009, Article 1)

The following laws shall be adopted within two months as of the day when this Law entered into force:

1. Law on Montenegrin Nationality;
2. Law on Travel Documents of Montenegrin Nationals;
3. Law on Temporary and Permanent Residence of the Citizens;
4. Law on Identity Card;
5. Law on Social Council.

The following laws shall be adopted within six months as of the day when this Law entered into force:

1. Law on Judicial Council and
2. Law on Territorial Organization of Montenegro.

Article 8

(Law amending the Constitutional Law for the implementation of the Constitution of Montenegro, Official Gazette of Montenegro, no. 009/08 of 8 February 2008, Article 1)

(Law amending the Constitutional Law for the implementation of the Constitution of Montenegro, Official Gazette of Montenegro, no. 004/09 of 26 January 2009, Article 1)

(Law amending the Constitutional Law for the implementation of the Constitution of Montenegro, Official Gazette of Montenegro, no. 071/09 of 22 October 2009, Article 1)

(Law amending the Constitutional Law for the implementation of the Constitution of Montenegro, Official Gazette of Montenegro, no. 022/10 of 26 April 2010, Article 1)

(Law amending the Constitutional Law for the implementation of the Constitution of Montenegro, Official Gazette of Montenegro, no. 080/10 of 31 December 2010, Article 1)

(Law amending the Constitutional Law for the implementation of the Constitution of Montenegro, Official Gazette of Montenegro, no. 027/11 of 1 June 2011, Article 1)

(Law amending the Constitutional Law for the implementation of the Constitution of Montenegro, Official Gazette of Montenegro, no. 038/11 of 2 August 2011, Article 1)

Law on the Election of Councillors and Members of Parliament shall be aligned with the Constitution by 31 December 2011.

Article 9

*(Law amending the Constitutional Law for the Implementation of the Constitution of Montenegro, Official Gazette of Montenegro, no. 071/09 of 22 October 2009, Article 2)
(Law amending the Constitutional Law for the Implementation of the Constitution of Montenegro, Official Gazette of Montenegro, no. 022/10 of 26 April 2010, Article 2)*

Other laws and legislation shall be aligned with the Constitution by 31 December 2010 and other implementing legislation within the deadlines defined in those laws.

Article 10

Assemblies of local self-government units shall harmonise their regulations with the Constitution within one year as of the day when this Law entered into force at the latest.

Article 11

Regulations of the State Union of Serbia and Montenegro shall be applied accordingly, providing they are not contrary to legal order and interests of Montenegro, until adequate regulations of Montenegro are adopted.

Article 12

Every national of Montenegro who had a nationality of some other State apart from the Montenegrin nationality, on the day of 3 June 2006, shall have the right to keep the Montenegrin nationality.

National of Montenegro who obtained another nationality after 3 June 2006, shall have the right to keep the Montenegrin nationality until a bilateral agreement is made with the State whose nationality he/she obtained, but not longer than one year as of the day when the Constitution of Montenegro was adopted.

Article 13

As of the day of the promulgation of the Constitution and this Law, the Constitutional Parliament of Montenegro shall continue to work as the Parliament of Montenegro and the Constitutional Committee shall cease to work.

Article 14

Elections for the Members of the Parliament of Montenegro shall be held at the latest by the end of 2009.

Article 15

As of the day when this Law enters into force the name of the official gazette of the Republic of Montenegro shall change into "the Official Gazette of Montenegro".

Article 16

This Law shall enter into force on the day of its publishing in the Official Gazette of Montenegro.