LAW ON INTERNAL AFFAIRS

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Pursuant to Article 82 paragraph 1 item 2 of the Constitution of Montenegro and Amendment IV paragraph 1 to the Constitution of Montenegro, the Parliament of Montenegro of the 27th convocation, at the fourth sitting of the first regular (spring) session in 2021, on 17 June 2021, adopted:

LAW
ON INTERNAL AFFAIRS[1]

I. BASIC PROVISIONS

Subject Matter
Article 1

Internal affairs shall be performed by the state administration authority responsible for internal affairs (hereinafter referred to as: the Ministry) in line with this Law and other laws.

Internal Affairs
Article 2

Internal affairs shall include: affairs of issuing identity cards, travel and other documents, deciding on the acquisition and loss of Montenegrin citizenship and other rights in the field of civil status, rights of foreigners and stateless persons, affairs of managing mixed migration, police affairs and affairs directly related to police affairs, affairs concerning the prevention of money laundering and financing of terrorism, affairs of integrated border management and coordination of the Schengen Action Plan, affairs of internal control, affairs of protection and rescue and related affairs whose performance ensures protection

[1] Official Gazette of Montenegro 070/21 as of 25 May 2021, 123/21 as of 26 November 2021, 003/23 as of 10 January 2023, 084/24 as of 6 September 2024, 040/26 as of 23 March 2026, 117/26 as of 7 August 2026 and 137/26 as of 21 September 2026

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of security and property and the exercise of rights and freedoms of citizens, as well as other affairs prescribed by law.

Police affairs and related affairs, as well as affairs concerning the prevention of money laundering and financing of terrorism, shall be performed by the Ministry through the organisational unit within whose remit those affairs fall.

Prohibition of Discrimination
Article 3

Employees of the Ministry shall not, in performing their duties, discriminate against citizens on the grounds of: race, skin colour, national affiliation, social or ethnic origin, association with a minority nation or minority national community, language, religion or belief, political or other opinion, sex, gender reassignment, gender identity, sexual orientation and/or intersex characteristics, health status, disability, age, property status, marital or family status, membership of a group or presumed membership of a group, political party, trade union or other organisation, as well as other personal characteristics.

Providing Assistance and Duties of Citizens, Legal Persons and Authorities
Article 4

Within its competence, the Ministry shall provide assistance to citizens, legal persons, state authorities, state administration authorities, local self-government authorities and local administration authorities in exercising their fundamental rights, freedoms and duties or competences, as well as for the purpose of protecting the lives and personal safety of citizens and property.

Citizens, legal persons and authorities referred to in paragraph 1 of this Article shall enable the unhindered performance of police affairs and protection and rescue affairs.

Informing the Public
Article 5

When this is in the interest of citizens of Montenegro and their security, the Ministry shall inform the public of the performance of internal affairs in line with law.

Notifications referred to in paragraph 1 of this Article, which contain personal data, shall be published or delivered in line with the law governing personal data protection.

Internal Affairs Day
Article 6

Internal Affairs Day shall be 2 October.

Subsidiary Application
Article 7

General labour regulations shall apply to the rights, obligations and responsibilities of employees of the Ministry and the Police which are not regulated by this Law, regulations governing civil servants and state employees or another law.

Use of Gender-Sensitive Language
Article 8

Terms used in this Law for natural persons in the masculine gender shall also include the corresponding terms in the feminine gender.

II.ORGANISATION OF THE MINISTRY

Basic and Special Organisational Units

Article 9

Performance of affairs within its competence shall be ensured by the Ministry through basic and special organisational units.

Basic organisational units of the Ministry shall be directorates and the Police Directorate (hereinafter referred to as: the Police).

Special organisational units of the Ministry may be: the Cabinet of the Minister of Interior, departments, the Internal Audit Service and the Public Relations Service.

Directorates
Article 10

Directorate shall be managed by a Director General, who shall be accountable to the Minister for their work.

Within a directorate, the following may be established as narrower organisational units: departments, sections, services, divisions, regional units and branch offices.

Departments, sections, services and regional units shall be managed by heads, while divisions and branch offices shall be managed by chiefs.

Directorates shall perform affairs relating to: issuing identity cards, travel and other documents, deciding on the acquisition and loss of Montenegrin citizenship and other rights in the field of civil status, rights of foreigners and stateless persons, mixed migration management, coordination of the Schengen Action Plan, internal control, protection and rescue, normative affairs, human resources management, financial, accounting and public procurement affairs, construction, maintenance and protection of information and communication systems, courier and administrative and technical affairs, as well as other general affairs of importance for the work of the Ministry and other affairs, in line with law.

Affairs referred to in paragraph 4 of this Article shall be performed in line with this Law and special laws.

Special Organisational Units
Article 11

Cabinet of the Minister of Interior shall be coordinated by the Chief of Cabinet of the Minister of Interior.

Department and services referred to in Article 9 paragraph 3 of this Law shall be managed by a head.

Cabinet of the Minister of Interior shall perform affairs of importance for the performance of the functions of the Minister of Interior.

Departments shall perform affairs concerning personal data protection and free access to information, integrated border management, supervision of critical infrastructure protection and other affairs in line with law.

Internal Audit Service shall perform internal audit affairs in line with the law governing management and internal controls in the public sector.

Public Relations Service shall perform affairs concerning the provision of information to the domestic and international public on the work of the Ministry, as well as other information affairs.

Organisation of the Police
Article 12

Police affairs and affairs related to police affairs, within the scope laid down by this Law and other laws, as well as affairs concerning the prevention of money laundering and financing of terrorism, shall be performed by the Police within: sectors, divisions, security centres, security departments, groups, units and police stations, as well as the Financial Intelligence Unit.

Police shall be managed by the Police Director, who shall be accountable for their work to the Minister of Interior (hereinafter referred to as: the Minister) and the Government of Montenegro.

Sector shall be managed by an Assistant Police Director, who shall be accountable for their work to the Police Director.

Divisions, security centres and security departments shall be managed by heads, who shall be accountable for their work to the Assistant Police Director and the Police Director or to the Head of the Financial Intelligence Unit, as appropriate.

Groups and units shall be managed by chiefs or commanders, respectively.

Chiefs of groups shall be accountable for their work to heads and Assistant Police Directors or to the Head of the Financial Intelligence Unit, as appropriate, while

commanders of units shall be accountable for their work to the Police Director.

Police stations shall be managed by commanders, who shall be accountable for their work to the heads of security centres and security departments.

Head of the Financial Intelligence Unit shall be accountable for their work to the Police Director.

Affairs of Security Centres
Article 13

Police, through security centres, shall perform police affairs in the territory of municipalities, the Capital City and the Royal Capital (hereinafter referred to as: municipality), concerning:

1) protection of life and personal and property security; prevention and detection of criminal offences and locating and depriving their perpetrators of liberty;
2) maintenance of public order and peace and road traffic safety;
3) control of the movement and stay of foreigners;
4) certain forensic technical affairs; and
5) performance of other affairs within the remit of the centre.

Affairs of a security centre shall be performed within narrower organisational units, namely security departments, police units and police stations.

Neutrality and Operational Independence of the Police
Article 14

Police shall be politically and ideologically neutral in its work.

In performing police affairs and related affairs, the Police shall be operationally independent of the Ministry and other state administration authorities.

Use of special Police units shall require the consent of the Police Director, provided that the Minister may revoke such use.

Minister may, in line with provisions of this Law, request special reports concerning the work of the Police, while respecting operational independence.

Police Director shall submit the report referred to in paragraph 4 of this Article without delay and shall be responsible for its content.

III. POLICE AFFAIRS

Police Director

Article 15

(Law Amending the Law on Internal Affairs, Official Gazette of Montenegro 123/21 as of 26 November 2021, Article 1)

Any person may be appointed Police Director provided that, in addition to the general requirements for employment of civil servants and state employees, that person has at least ten years of work experience in positions requiring level VII1 of educational qualification, of which at least five years in managerial positions in the Police, the Ministry, the Ministry of Defence or the National Security Agency or at least five years serving as a judge or prosecutor.

Police Director shall be appointed by the Government of Montenegro (hereinafter referred to as: the Government), following a public competition and upon proposal of the Minister.

Government shall submit the proposal for appointment of the Police Director to the Parliament of Montenegro (hereinafter referred to as: the Parliament) for an opinion.

Opinion referred to in paragraph 3 of this Article shall be given by the Parliament upon proposal of the competent committee.

Police Director may not be a member of a political party or engage in party political activities at the time of candidacy for the office or during the five years preceding submission of the candidacy for the position of Police Director.

Police Director shall be appointed for a period of five years.

Termination of Office of the Police Director
Article 16

(Law Amending the Law on Internal Affairs, Official Gazette of Montenegro 123/21 as of 26 November 2021, Article 2)

(Law Amending the Law on Internal Affairs, Official Gazette of Montenegro 040/26 as of 23 March 2026, Article 1)

Provisions of this Law and the law governing the rights and obligations of civil servants and state employees shall apply to the rights, obligations, responsibilities and termination of office of the Police Director.

Police Director shall submit to the competent committee of the Parliament a special report on the results of the Police in combating organised crime and corruption twice a year, no later than 1 June and 1 December.

Should the competent committee of the Parliament not accept the report referred to in paragraph 2 of this Article, it shall inform the Minister thereof, who may initiate the procedure for dismissal of the Police Director prior to expiry of the term for which the Police Director was appointed.

In the event of termination of office of the Police Director prior to expiry of the term for which the Police Director was appointed or where the Police Director is prevented, for any reason, from performing the duties permanently or for a longer period, the Government shall, upon proposal of the Minister, designate one of the heads of an internal organisational unit of the Police as Acting Police Director, provided that the person meets the requirements for Police Director prescribed by this Law, for a period not exceeding six months.

Person dismissed within the meaning of paragraph 3 of this Article who held a police rank prior to appointment as Police Director shall be assigned within the Police to a position corresponding to the police rank held prior to that appointment.

Assistant Police Director
Article 17

Any person may be appointed Assistant Police Director provided that, in addition to the general requirements for employment of civil servants and state employees, that person has at least ten years of work experience in positions requiring level VII1 of educational qualification, of which at least three years in managerial positions in the Police, the Ministry, the Ministry of Defence or the National Security Agency or at least three years serving as a judge or prosecutor.

Assistant Police Directors shall be appointed by the Minister, upon proposal of the Police Director and with the prior consent of the Government, in line with the law governing the rights, obligations and responsibilities of civil servants and state employees, as persons

belonging to the senior management staff category.

Assistant Police Director may not be a member of a political party or engage in party political activities at the time of candidacy, during the term of office or during the five years preceding submission of the candidacy for the position of Assistant Police Director.

Assistant Police Director shall be appointed for a period of five years. Provisions of the law governing the rights and obligations of civil servants and state employees shall apply accordingly to termination of office of the Assistant Police Director.

Police Affairs
Article 18

Police affairs shall include:

1) protection and enhancement of the security of citizens and freedoms and rights guaranteed by the Constitution;
2) protection of property;
3) prevention, detection and solving of criminal offences prosecuted ex officio and misdemeanours;
4) prevention of all forms of crime and other unlawful conduct, locating perpetrators of criminal offences and misdemeanours and bringing them before the competent authorities, as well as undertaking measures and actions to detect and identify proceeds acquired through criminal activity;
5) securing traces and items that may serve as evidence in criminal and misdemeanour proceedings, keeping a DNA register and processing data in that register, taking fingerprints, as well as conducting other forensic examinations and analyses using modern forensic methods and records;
6) maintenance of public order and peace and prevention of violence and improper behaviour at sports events;
7) provision of assistance in enforcement;
8) operational and analytical affairs, as well as affairs performed by applying the intelligence-led policing model;
9) protection of certain persons, facilities and areas;
10) protection of the critical infrastructure of the Police;
11) regulation, control and supervision of road traffic;
12) border control;
13) acting in relation to foreigners in cases prescribed by law;
14) enforcement of decisions of the competent authority on detention of persons and other decisions in line with law;
15) police affairs at sea and on inland waterways falling within the competence of the Police;
16) securing public gatherings of citizens and public events in line with law; and
17) other affairs prescribed by law.

Police affairs shall be performed through the exercise of police powers and the application of measures and actions.

Principles and Objective of Performing Police Affairs
Article 19

Performance of police affairs shall be based on the principles of a democratic society, namely: legality, professionalism, depoliticisation, cooperation, proportionality in the exercise of powers, efficiency, impartiality, non-discrimination, timeliness, integrity and hierarchical subordination.

Police affairs shall be performed with the aim of ensuring equal protection of the security, freedoms and rights of citizens, applying the law and ensuring the rule of law. In performing police affairs, powers prescribed by law whose exercise achieves the objective with the least harmful consequences may be used.

Standards of Police Action
Article 20

Police officers shall act in line with the Constitution, ratified international agreements, law and other regulations.

Police officers shall comply with standards of police action, in particular standards arising from obligations established by international instruments concerning the duty to serve people, respect for legality and combating unlawful conduct, exercise of human rights, non-discrimination in the performance of police tasks, limitation and restraint in the use of means of coercion, prohibition of torture and inhuman and degrading treatment, provision of assistance to persons at risk and other persons in need of assistance, protection of classified and personal data, refusal to execute unlawful orders and opposition to every form of corruption and discrimination.

Intelligence-Led Policing Model
Article 21

Police shall apply an intelligence-led policing model in performing police affairs.

Intelligence-led policing model, within the meaning of this Law, shall be a method of directing or managing particular police affairs on the basis of criminal intelligence information collected in line with law, for the purpose of defining priorities in the prevention and combating of crime and taking appropriate decisions in that regard.

For the collection of criminal intelligence information, the Police may, inter alia, use confidential persons or direct sources (hereinafter referred to as: operational links).

Detailed manner of performing police affairs by applying the intelligence-led policing model shall be governed by a regulation of the Ministry, which shall be marked with the appropriate classification level in line with the law governing classified data.

Performance of Police Affairs Outside Working Hours
Article 22

Police officer shall, where possible, outside working hours, provide assistance to any person in danger, prevent the commission of criminal offences and acts that may disturb public order and peace or endanger the safety of persons and property, depending on the assessment and degree of threat to the safety of persons and property.

In the case referred to in paragraph 1 of this Article, the police officer shall, without delay, inform the nearest organisational unit of the Police, remain at the scene and secure the scene until the arrival of police officers who will act upon the notification and shall exercise other police powers and undertake measures and actions in line with law. Notwithstanding paragraph 1 of this Article, a police officer who is temporarily unfit for work shall not be required to act in line with that paragraph.

Police officer shall exercise the rights in line with this Law arising from the performance of affairs referred to in paragraph 1 of this Article.

Duty to Perform Police Affairs
Article 23

Police officer shall undertake necessary actions in performing police affairs in order to protect human life even when the life of the police officer is endangered in the performance of those affairs.

Relations between the Police, State Prosecutor's Office and Court and Cooperation with Security Services

Article 24

In the preliminary investigation, criminal proceedings and misdemeanour proceedings, the Police shall exercise police powers and act upon orders and requests of the state prosecutor and the court in line with law.

Police shall cooperate with other authorities and services dealing with security affairs through joint work, exchange of information and technical cooperation in line with law.

Community Policing
Article 25

For the purpose of performing internal affairs and addressing security priorities in a municipality, the Ministry shall develop cooperation and partnerships with citizens and other entities in the municipality and coordinate common interests and the need to create a favourable security environment in the municipality or to build a democratic society.

Police shall support the municipality in developing crime prevention and meeting other security needs of the municipality.

Ministry shall develop the professional capacities, competences and ethics of police officers for socially responsible performance of police affairs, with full respect for human and minority rights and freedoms and protection of all vulnerable categories of persons.

For the purpose of developing cooperation and partnerships within the meaning of

paragraph 1 of this Article, the head of the organisational unit of the Police established for the territory of the municipality shall submit to the municipal assembly a report on the security situation in the territory of the municipality by 31 March of the current year for the previous year.

Report referred to in paragraph 4 of this Article shall not contain data on ongoing criminal or misdemeanour proceedings.

Receipt of Reports on a Committed Criminal Offence and Misdemeanour
Article 26

Police officer shall, in line with law, receive a report on a committed criminal offence and misdemeanour, as well as a report whose content does not indicate that it is a criminal offence or misdemeanour in question.

Receipt of Found Items
Article 27

Police officer shall receive from the finder any found item that may endanger the safety of citizens, as well as found money, valuables or dangerous items, draft a record thereof and issue the finder a certificate of receipt of the item.
Police shall take all necessary measures to preserve the item and find the person who lost the item.
If the person who lost the item is known or subsequently identified, the item shall be returned.
Provisions of this Law on the storage and destruction of temporarily seized items shall apply to the handling of items referred to in paragraph 1 of this Article.

Cooperation with Citizens
Article 28

Police shall cooperate directly with citizens who provide assistance in performing police affairs, in line with this Law.

Code of Police Ethics
Article 29

Code of Police Ethics shall comprise a set of principles of ethical conduct of police officers based on long-standing good practice in Police work and international standards in this field, aimed at preserving, affirming and enhancing the dignity and reputation of police officers and strengthening the trust of citizens in the work of the Police.
Police officer shall conduct themselves at work and outside work in such a manner as not to harm the reputation of the Ministry and the Police in line with this Law and the Code of Police Ethics.
Code of Police Ethics and the act governing conduct of a police officer towards subordinates and superiors and personal appearance shall be adopted by the Ministry.

Ethics Committee
Article 30

Application of the Code of Police Ethics shall be monitored by the Ethics Committee.
Ethics Committee shall comprise seven members:

- two police officers, at least one of whom holds the highest police rank, proposed by the Police Director;
- one representative of the trade union of employees of the Police;
- two representatives of the Ministry; and
- two representatives of non-governmental organisations dealing with human rights in

relation to Police work.
President and members of the Ethics Committee shall be appointed by the Minister for a period of two years.
President and members of the Ethics Committee shall be entitled to remuneration for their work.
Representatives of the non-governmental organisations referred to in paragraph 2 indent 4 of this Article shall be appointed upon proposal of non-governmental organisations, on the basis of a public call published by the Ministry, in line with a separate regulation.

Powers of the Ethics Committee
Article 31

Ethics Committee shall, upon proposals, complaints and petitions submitted by citizens and police officers and on the basis of information obtained on its own initiative, issue an opinion as to whether particular conduct of a police officer constitutes a violation of the Code of Police Ethics.
Ethics Committee may request the necessary data from the Ministry, the Police, state administration authorities, citizens and other entities possessing information relating to the proposals, complaints and petitions referred to in paragraph 1 of this Article.
Opinion referred to in paragraph 1 of this Article shall be submitted by the Ethics Committee to the police officer, their immediate superior, the Police Director, the Minister and the person who submitted the proposal, complaint or petition.
Where it determines that particular conduct of a police officer constitutes a violation of the Code of Police Ethics, the Ethics Committee shall initiate or propose the initiation of appropriate proceedings.
Ethics Committee shall draft an annual report on its work containing an overview and analysis of decisions made during the year and opinions referred to in paragraph 1 of this Article, as well as an assessment of the situation with recommendations.
Ethics Committee shall submit the report referred to in paragraph 5 of this Article to the Minister and the Police Director no later than 31 January of the current year for the previous year.
Work of the Ethics Committee shall be public, unless a complainant requests anonymous consideration of the complaint.
Ethics Committee shall adopt Rules of Procedure governing the detailed manner of work and other matters of importance for its work.

Right to Complaint
Article 32

Natural or legal person shall have the right to submit a complaint concerning the work of a police officer where they consider that the police officer, while performing police affairs, violated any of their rights or freedoms or caused damage, within 30 days from the date on which the damage occurred or the right or freedom was violated.
Police shall respond to the complainant as soon as possible and no later than 30 days from the date of receipt of the complaint.
Complainant shall be allowed access to the case file relating to the verification and establishment of facts concerning the complaint.
Regarding the complaint referred to in paragraph 1 of this Article, the Police may request the opinion of the Ethics Committee.
Where the complainant is dissatisfied with the response or does not receive a response within the period referred to in paragraph 2 of this Article, the complainant may submit an objection to the Ministry within 15 days from the date of receipt of the response or expiry of the period for responding.
Minister shall decide on the objection referred to in paragraph 5 of this Article within 30

days from the date of receipt of the objection.
Detailed manner of acting upon complaints referred to in paragraph 1 of this Article shall be prescribed by the Ministry.

Right to Judicial Protection and Compensation for Damage
Article 33

Person who considers that their rights or freedoms have been violated through the performance of police affairs or that they have suffered damage shall have the right to judicial protection and compensation for damage.

Assistance in Enforcement
Article 34

Police officers shall, at their request, provide assistance to state authorities, state administration authorities, local self-government authorities and local administration authorities in enforcement of their decisions, as well as in other cases prescribed by law, where enforcement has been attempted and prevented by physical resistance or a serious threat by the person in respect of whom enforcement proceedings are conducted or where physical resistance during enforcement proceedings may reasonably be expected, in line with law.
Notwithstanding paragraph 1 of this Article, police officers shall not provide assistance in enforcement of decisions to authorities whose officers are authorised to use means of coercion that ensure the unobstructed conduct of enforcement proceedings.
Request referred to in paragraph 1 of this Article shall be submitted, no later than five days before the date set for enforcement of the decision, to the organisational unit of the Police in whose area assistance is requested.
Notwithstanding paragraph 3 of this Article, where reasons of urgency so require, police officers shall provide assistance without delay upon the oral request of the authority referred to in paragraph 1 of this Article, provided that the authority submits a written request within 24 hours.
Together with the request for assistance, authorities referred to in paragraph 1 of this Article shall submit evidence that enforcement was attempted and prevented by physical resistance or a serious threat by the person in respect of whom enforcement proceedings are conducted or evidence that physical resistance during enforcement proceedings may reasonably be expected.
Request for assistance shall be decided upon by the head of the organisational unit of the Police referred to in paragraph 3 of this Article, authorised by the Police Director, without delay and no later than within 48 hours from the date of submission of the request.
Where the authority referred to in paragraph 1 of this Article is dissatisfied with the response or does not receive a response within the period referred to in paragraph 6 of this Article, it may submit an objection to the Ministry within three days from the date of delivery of the response or expiry of the period for delivery of the response.
Police officer shall submit a report on the assistance provided to the competent organisational unit of the Police and to the Ministry.
Before providing assistance, a police officer shall have the right to verify the circumstances of the event and check persons to whom enforcement relates through databases and records accessible to the Police.
Before enforcement, a police officer shall temporarily seize weapons and other items suitable for endangering security, in line with this Law, where it is established that the person to whom enforcement relates or another member of their household lawfully possesses a weapon.
Content of the request for assistance, manner of providing assistance and reporting on the assistance provided shall be prescribed by the Ministry.

Vehicles, Vessels, Aircraft, Weapons, Special Equipment and Means
Article 35

For the purpose of performing affairs prescribed by law, police officers shall use vehicles, vessels, aircraft (helicopters, unmanned aerial vehicles, etc.), weapons, special equipment or devices for detecting and disabling the use of unmanned aerial vehicles, information and communication equipment and systems, as well as other special equipment and means.

Natural and legal persons may not use combinations of colours and markings on vehicles, vessels and aircraft that are identical or similar to the colours and markings of vehicles, vessels and aircraft used by the Police.

Ministry shall adequately manage stocks of weapons, special equipment and means, maintain them in proper working order and keep them in premises for their safe storage and safekeeping.

Ministry shall keep records of the procurement, use, condition and destruction of weapons, special equipment and means containing explosive charges (including ammunition).

Records referred to in paragraph 4 of this Article shall be kept in electronic form and retained permanently.

Colours and markings of vehicles, vessels and aircraft, as well as weapons, special equipment and means used for the performance of police affairs, shall be determined by the Government.

Execution of a Decision on Detention of a Person and Premises for Detention of Persons Deprived of Liberty and Detained Persons
Article 36

Person brought to detention premises on the basis of a decision of the competent authority shall have the right to inviolability of personal dignity, psychological and physical integrity and all other rights prescribed by law.

When brought to detention premises, the rights referred to in Article 79 paragraph 1 of this Law shall be communicated to the person again orally and in writing, in a language they understand or a language they are reasonably considered to understand.

Premises intended for detention of persons deprived of liberty and detained persons shall meet international standards, in particular with regard to sanitary and technical conditions, air volume, adequate room temperature, minimum surface area, lighting, ventilation and conditions for the exercise of religious needs.

Conditions referred to in paragraph 3 of this Article shall be prescribed by the Ministry.

Before adopting the act referred to in paragraph 4 of this Article, the Ministry shall obtain the opinion of the Protector of Human Rights and Freedoms of Montenegro on compliance with international standards concerning the conditions referred to in paragraph 3 of this Article.

Protection of Certain Persons, Facilities and Areas
Article 37

Persons, facilities and areas referred to in Article 18 paragraph 1 item 9 of this Law, the manner of their protection and other matters of importance for the protection of certain persons, facilities and areas shall be determined by the Government.

Protection of Critical Infrastructure of the Police
Article 38

Critical infrastructure used by the Police and designated in line with a separate law shall be protected by applying physical and/or technical protection measures and other necessary measures on the basis of a security plan.

Security plan referred to in paragraph 1 of this Article shall contain a security, vulnerability and risk assessment, a physical protection study and a technical protection design.
Detailed manner of protecting critical infrastructure and detailed content of the plan referred to in paragraph 2 of this Article shall be governed by a regulation of the Ministry marked with the appropriate classification level, in line with the law governing classified data.

Obtaining Data from Criminal Records
Article 39

For the purpose of protecting the facilities and areas referred to in Article 37 of this Law and critical infrastructure, the Police may, upon a reasoned request, obtain data from criminal records from the state administration authority responsible for judicial affairs concerning persons to be engaged in carrying out work in those facilities and areas.
Access to data in the records referred to in paragraph 1 of this Article shall be exercised in line with the law governing electronic government and, where this is not possible, the state administration authority responsible for judicial affairs shall submit the requested data within three days.
Where, on the basis of the data obtained, it is assessed that engagement of persons referred to in paragraph 1 of this Article would jeopardise the protection of facilities and areas referred to in Article 37 of this Law or the protection of critical infrastructure, the Police shall prohibit engagement of those persons in carrying out work and access to the facility and area or critical infrastructure.

Guard of Honour
Article 40

On the basis of a decision of the Minister, a certain number of police officers shall participate as a guard of honour in celebrations, ceremonies and receptions organised on the occasion of:

1) welcoming and seeing off representatives of foreign states coming on official and working visits to the Ministry and the Police;
2) laying wreaths at the monuments in Montenegro and opening memorial sites;
3) funerals of prominent police officers and officers who lost their lives in or in connection with the performance of internal affairs; and
4) organising other events of significance for the Ministry.

Manner of engaging and training police officers referred to in paragraph 1 of this Article, their rights and obligations, manner of participation in celebrations, ceremonies and receptions and other matters of importance for the performance of guard of honour duties shall be prescribed by the Ministry.

IV. POLICE POWERS AND DUTIES

1. General Rules

Types and Exercise of Police Powers, Measures and Actions
Article 41

Police powers, measures and actions shall comprise:

1) processing personal and other data;
2) verifying and determining the identity of persons and identifying items;
3) summoning;
4) bringing in;
5) temporary restriction of freedom of movement;
6) giving warnings;
7) issuing commands;

8) using another person's means of transport or means of communication;
9) determining the presence of alcohol and/or psychoactive substances in the body;
10) temporary seizure, storage and destruction of items;
11) searching for persons and items;
12) stopping and inspecting persons, items and means of transport;
13) public promise of reward;
14) recording in public place;
15) using means of coercion;
16) performing special police actions;
17) performing preparatory actions for implementing secret surveillance measures;
18) polygraph testing;
19) counter-sabotage inspection;
20) securing and examining the scene;
21) undertaking measures for elimination of imminent danger; and
22) other powers prescribed by law.

Police Officers
Article 42

Police powers in the performance of police affairs shall be exercised by police officers.
Police Director and the Assistant Police Director shall have police powers in the performance of police affairs, as well as rights, obligations and responsibilities related to those powers.
Police intern may not exercise police powers during the internship.

Conditions for the Exercise of Police Powers
Article 43

Police powers may be exercised only where the requirements prescribed by law for their exercise have been met.
Police officer shall exercise police powers:
1) upon their own assessment that the requirements prescribed by law for their exercise have been met;
2) when acting upon an order of the immediate superior or a superior police officer, in line with law; or
3) when acting upon an order of a court or state prosecutor, in line with a separate law.

Where a superior police officer is present during the exercise of police powers, police powers shall be exercised upon their order, except in situations requiring urgent action.
Person in respect of whom police powers are exercised shall have the right to be informed of the reasons for exercising police powers, indicate circumstances considered relevant to the exercise of police powers, be informed of the identity of the police officer exercising the power and request the presence of a trusted third person, where possible and where this does not jeopardise or delay the performance of the police task.

Recording Actions of Police Officers
Article 44

Actions of police officers may be recorded using audiovisual recording devices for the purpose of protecting the safety of persons and property during the performance of police affairs, controlling the exercise of police powers and protecting police officers.
Devices referred to in paragraph 1 of this Article shall be visibly positioned on a police officer or in a service vehicle, vessel or aircraft.
Person in respect of whom police powers are exercised shall, where circumstances permit and where this does not endanger or delay the performance of a police task, be

informed that actions of the Police are being recorded and the act of informing shall be recorded.
Recordings made within the meaning of paragraph 1 of this Article which are not used in proceedings conducted in line with separate laws shall be destroyed by the Police within 90 days from the date on which they were made.

Provision of Medical Assistance
Article 45

Where requested by a person in respect of whom a police power is exercised, a police officer shall ensure that medical assistance is provided to that person.

Principle of Proportionality
Article 46

Exercise of police powers shall be proportionate to the need for which they are exercised.
Where several police powers are available, the power enabling timely performance of the task with the least harmful consequences and least restriction of human rights and freedoms shall be exercised.
When means of coercion are used, they shall, where possible, be used gradually, from milder to more severe means, with the minimum force necessary.

Protection of Injured Parties and Other Persons
Article 47

Police shall, for as long as justified reasons exist, undertake appropriate measures to protect an injured party and another person who has provided or may provide data relevant to criminal proceedings, as well as a person connected with them, where they are endangered by the perpetrator of a criminal offence or another person.
Police officer shall also safeguard information whose disclosure would endanger a person referred to in paragraph 1 of this Article and may, when reporting, withhold information on the identity of the person from whom the notification was received.
Measures referred to in paragraph 1 of this Article shall be undertaken in a manner ensuring full protection of the confidentiality of the identity of the injured party and other persons.

Obligation to Safeguard Data
Article 48

Police officer shall safeguard classified data and personal data obtained during or in connection with the performance of police affairs, in line with law.
Obligation to safeguard data shall continue after termination of the performance of police affairs or termination of employment in the Ministry.
Police officer may be released from the obligation to safeguard classified data in line with the law governing classified data.
Police officer may make publicly available personal data (hereinafter referred to as: personal data) obtained in the course of work, in line with the law governing personal data protection.

Execution of Orders
Article 49

Police officer shall execute all orders of the immediate superior issued for the purpose of performing police affairs, except an order whose execution would constitute a criminal offence.
Where an order is considered unlawful for other reasons, the police officer shall inform the Minister, the Police Director and the head of the organisational unit to which the police

officer is assigned.
Police shall provide protection to the police officer referred to in paragraph 2 of this Article, in line with law.

Official Badge and Official Identification Card
Article 50

Official identification card and official badge shall be issued to a police officer for the purpose of proving their status.
Official identification card and official badge shall be issued by the Ministry.
Records shall be kept of issued official identification cards and official badges and shall, among other data, contain personal data of police officers.
Design and content of the official identification card, design of the official badge and content and manner of keeping the records referred to in paragraph 3 of this Article shall be prescribed by the Ministry.

Uniform, Insignia of Ranks and Special Insignia
Article 51

Police officers shall perform police affairs in uniform on which there are insignia of ranks and special insignia.
Notwithstanding paragraph 1 of this Article, police officers may perform certain police affairs in civilian clothes where required by the nature and conditions of performing those affairs.
Persons who are not police officers may not wear uniforms identical or similar to those worn by police officers.
Uniforms of participants in the basic police education programme referred to in Article 147 of this Law and of police interns shall be identical to uniforms worn by police officers, but shall bear different and prominently displayed insignia.
Uniforms, insignia of ranks and special insignia shall be determined by the Government.

Presentation of Credentials and Identification of Police Officers
Article 52

Where a police officer performs police affairs in civilian clothes, they shall, before exercising police powers, identify themselves by presenting the official identification card.
Police officer in uniform shall, before exercising police powers, identify themselves by presenting the official badge or official identification card only where requested by the person in respect of whom the police power is exercised.
Notwithstanding paragraphs 1 and 2 of this Article, a police officer shall not identify themselves in that manner where this could jeopardise achievement of the objective in performing the police affair.
In the case referred to in paragraph 3 of this Article, when exercising police powers, the police officer shall identify themselves by saying “Police”.
Provision of paragraph 4 of this Article shall not apply where this could jeopardise achievement of the objective in performing the police affair.
Where, due to the use of special equipment in the performance of police affairs, presentation of credentials or identification of police officers is not possible, a visible insignia containing a combination of letters and/or numbers shall be placed on the uniform or parts of special equipment so as to enable identification of the police officer.
Special records shall be kept of insignia assigned under paragraph 6 of this Article.
Detailed characteristics of the insignia referred to in paragraph 6 of this Article shall be prescribed by the Ministry.

Exercise of Police Powers in Respect of Vulnerable Categories of Persons
Article 53

Police officers shall, in all cases and particularly in cases prescribed by law, exercise special care when exercising police powers in respect of persons under 14 years of age, obviously ill, elderly and infirm persons, persons with disabilities, persons with significantly reduced mobility and women whose pregnancy is visible, subject to restrictions prescribed by law.

Police officers shall exercise police powers in respect of persons referred to in paragraph 1 of this Article with caution, paying particular attention to their mental development, sensitivity, personal characteristics and privacy.

When exercising police powers in respect of persons with disabilities, police officers shall, where they consider it necessary, request assistance from a person with knowledge of the appropriate manner of communication and treatment of a person with disabilities.

Affairs under the law governing treatment of minors in criminal proceedings shall be performed by police officers specially trained to deal with minor perpetrators of criminal offences and minors participating in criminal proceedings.

As a rule, police powers in respect of minors shall be exercised in the presence of a parent or legal representative and a defence attorney.

Notwithstanding paragraph 5 of this Article, police powers in respect of minors shall be exercised without the presence of a parent or legal representative, in the presence of a representative of the authority responsible for social and child protection or a trusted third person, where there are grounds for suspicion that the parent or legal representative committed a criminal offence or misdemeanour against the minor.

For the purpose of preventing the imminent commission of a criminal offence or misdemeanour, a police officer may exercise police powers in respect of a minor without the presence of a parent, legal representative, defence attorney, trusted third person or representative of the authority responsible for social and child protection.

Exercise of Police Powers in Respect of a Person Enjoying Immunity
Article 54

In respect of a person enjoying immunity, a police officer shall act in line with a ratified international agreement and a separate regulation.

Police officer shall immediately inform the immediate superior of action taken in respect of the person referred to in paragraph 1 of this Article.

Immediate superior shall inform the Police Director of the acting referred to in paragraph 2 of this Article, without delay.

Exercise of Police Powers in Respect of Military Personnel
Article 55

Police officer shall also exercise police powers prescribed by this Law in respect of military personnel, unless otherwise regulated by a separate law.

Upon exercise of police powers in respect of persons referred to in paragraph 1 of this Article, the competent organisational unit of the General Staff of the Armed Forces of Montenegro shall be informed thereof without delay.

Service Weapons, Other Equipment and Means for Performing Police Affairs
Article 56

Police officer shall, where required by the nature of work, be required and authorised to carry a service weapon and ammunition and other equipment and means for performing police affairs during working hours.

Police officer may carry a service weapon and ammunition outside working hours as well.

Assignment of a Police Officer Abroad
Article 57

Police officer may participate in the performance of police affairs abroad under the conditions laid down by an international agreement.
Decision on assignment of a police officer abroad shall be made by the Minister, upon proposal of the Police Director, on the basis of merit and work performance.
Police officer shall not be assigned abroad to perform the affairs referred to in paragraph 1 of this Article without their consent.
Police officer assigned abroad in line with paragraph 1 of this Article shall conclude a contract with the Ministry.
Detailed conditions and manner of selection of a police officer to be assigned abroad, their rights and obligations and content of the contract referred to in paragraph 4 of this Article shall be prescribed by the Ministry.

Cooperation with a Police Officer of Another State
Article 58

Police officer of another state or an international organisation may perform certain police affairs in the territory of Montenegro, in line with this Law, with the prior approval of the Police Director.
Police officer may, together with a police officer of another state or an international organisation, undertake certain police affairs within a joint investigation where prescribed by law or an international agreement.

Return of the Official Identification Card, Official Badge, Weapons and Other Equipment and Means
Article 59

Police officer shall return the official identification card, official badge, weapon and other equipment and means for performing police affairs where:

- they are found not to have the required psychological and/or physical fitness to perform police affairs in line with this Law, on the date of delivery of the report establishing psychological and physical fitness;
- they are temporarily suspended from duty, on the date of delivery of the decision on temporary suspension;
- their employment in a police rank terminates, on the date of termination of employment in a police rank; or
- during temporary incapacity for work.

Official identification card, official badge, weapon and other equipment and means for performing police affairs shall be withdrawn from a police officer who fails to act in line with paragraph 1 of this Article.
Immediate superior of the police officer shall ensure withdrawal of the official identification card, official badge, weapon and other equipment and means for performing police affairs.

2. Processing of Personal and Other Data

Processing
Article 60

In performing affairs within its competence, the Police may process personal and other data (hereinafter referred to as: data) to the extent necessary for the performance of police affairs and exercise of police powers.
Processing of personal data shall be processing within the meaning of the law governing personal data protection.
Police, in line with the law, shall process data on:

1) a person from whom danger arises;
2) a person who is in danger;
3) a missing person,
4) a person in respect of whom there are grounds for suspicion that they are preparing or have committed a criminal offence or misdemeanour;
5) a wanted person and a person connected with them;
6) a person who possesses items acquired or generated in connection with the commission of a criminal offence or unlawfully obtained pecuniary gain, as well as unlawfully obtained pecuniary gain and persons to whom such gain was transferred;
7) a facility from which danger arises or which is in danger, as well as persons, items and facilities which are or will be in the immediate vicinity of certain persons, facilities and areas referred to in Article 18 paragraph 1 item 9 of this Law; and
8) other data prescribed by law.

Manner of Data Collection
Article 61

As a rule, data shall be collected directly from the data subject.
Data may be collected from publicly available sources, state authorities, state administration authorities, local self-government authorities, local administration authorities, business entities and legal and natural persons.
While performing regular police affairs, a police officer shall be authorised to collect data in public places, while respecting the right to protection of privacy and family life.
Where necessary and possible and where this does not jeopardise the exercise of police powers, data on a person may also be collected from another person without the knowledge of the data subject.
Where collection of data in the manner referred to in paragraphs 1, 2 and 3 of this Article would not achieve the legitimate objective of protecting the public interest in the performance of police affairs, including prevention of potential danger, data may also be collected in another manner prescribed by law.
Where collection of data would endanger the life, health, bodily integrity or property of persons from whom data are collected, a police officer shall undertake measures to protect those persons.
Police officer shall inform the immediate superior of the measures referred to in paragraph 6 of this Article without delay.

Request for Collection of Data
Article 62

Authorities, business entities and legal and natural persons referred to in Article 61 paragraph 2 of this Law shall, upon request of the Police, allow inspection of data or provide data kept in records within their competence and powers which are necessary for the Police to perform affairs and exercise powers prescribed by law, within the period specified in the request.
Request referred to in paragraph 1 of this Article shall contain the legal basis and reasons for using the data, data subject to the request, including data necessary to determine the identity of a person or the identity of an item.
Where the requested data are used to initiate or continue an investigation in criminal proceedings, reasons for using the data shall not be stated when initiating or continuing the investigation.
Police may inspect electronically data kept in records by local self-government authorities, local administration authorities, business entities and legal and natural persons where technically possible, in line with law.
Police shall collect data on its own initiative on the basis of this or another law or on the

basis of an order of a court or state prosecutor, in line with the law governing criminal proceedings.
Police shall warn the authorities, business entities and legal and natural persons referred to in paragraph 1 of this Article that they may not disclose that data have been collected from them in line with paragraphs 3 and 5 of this Article, unless otherwise prescribed by law.
Authorities, business entities and legal and natural persons referred to in paragraph 1 of this Article shall keep records of inspection, access and provision of data, containing information that the Police inspected or accessed the data or that the data were provided to it electronically, as well as the date and time when inspection or access began and ended.
Police shall keep records of police officers who inspected or accessed the data referred to in paragraph 1 of this Article.

Information, Information and Communication, Voice Recording and Geospatial Systems
Article 63

In performing affairs within their competence, the Ministry and the Police shall use information, information and communication, voice recording and geospatial systems, in line with this Law.
For the purpose of undertaking security and data protection measures against unlawful destruction, loss or alteration, unauthorised disclosure of or access to data processed using information and information and communication systems, the Ministry and the Police shall process data on all users granted the right to access services of those systems.
Ministry and the Police shall, for the purpose of controlling the work of police officers and other officers and conducting proceedings upon complaints, process data collected by recording audio and other communications in the closed police radio-communication system for transmission of speech, messages and data and by calls to on-call services and other publicly available telephone numbers used by the Ministry and the Police (voice recording systems).
Ministry and the Police shall, for the purpose of performing affairs within their competence through use of the geographic information system, visualise facilities and events, conduct spatial and temporal analyses of events, provide support and assistance in decision-making, distribute services for entry and updating of geospatial data and services for locating devices for transmission of speech, messages and data referred to in paragraph 3 of this Article and other mobile radio-communication devices and process data or keep records on location, vector geospatial data and raster and alphanumeric geospatial data.
Ministry and the Police shall keep records of the procurement, use, condition and destruction of information and information and communication equipment, as well as records of unique code names in voice recording systems in connection with the performance of affairs within their competence.
Planning and implementation of information security and cyber protection measures shall be carried out in line with a separate law.
Manner of designing, establishing, managing, developing and maintaining information and communication, voice recording and geospatial systems shall be prescribed by the Ministry.

Records on Processed Data and Deadlines for Storing and Deleting Data
Article 64

In performing affairs within their competence, the Ministry or the Police shall be controllers of personal data filing systems, namely records in which data are systematised and which they shall keep, in particular on:

1) criminal offences and perpetrators of criminal offences, filed criminal charges, victims of criminal offences, witnesses and injured parties - five years from data entry;
2) requests for initiating misdemeanour proceedings and perpetrators of misdemeanours - three years from the date of initiation of proceedings or one year where proceedings have not been initiated;
3) persons sought and missing persons - until they are found or the reasons requiring the search cease to exist or three years from expiry of the limitation period for prosecution for a committed criminal offence or misdemeanour in respect of persons for whom a wanted notice has been issued or whose entry into Montenegro has been prohibited;
4) persons in respect of whom identity verification has been conducted - one year from the date of identity verification;
5) data collected using video and audio recording equipment, in line with law, as follows:
- 30 days from the date of creation of data recorded in a public place;
- five years from the date of creation of data where review of the collected data identifies persons, events or phenomena requiring measures and actions to be undertaken by the Police;
- five years from completion of proceedings where the collected data are necessary for conducting criminal, misdemeanour or disciplinary proceedings;
6) operational information – five years from the day of data processing;
7) persons in respect of whom secret surveillance measures have been undertaken in line with the law governing criminal proceedings and measures undertaken in line with that law - five years from the date of data processing;
8) events reported to the Police or otherwise learned of by the Police - five years from the date of the report or receipt of information;
9) persons whose freedom of movement has been restricted on any grounds - five years from the date of restriction of freedom of movement;
10) persons summoned for the purpose of collecting information - two years from the date of collection of information;
11) submitted complaints - five years from the date of submission of a complaint;
12) means of coercion used, police officers who used means of coercion and persons against whom means of coercion were used - ten years from the date of use of means of coercion;
13) temporarily seized, lost and found items and items sought - until the sought item is found or the reasons requiring the search cease to exist;
14) data processed by applying the intelligence-led policing model or collected on the basis of work with operational links - five years from the date of data processing;
15) data processed by applying special police actions - five years from the date of data processing;
16) personal data provided for use, purpose, legal basis for use and provision of data for use and period of use of data within the meaning of Article 67 of this Law - ten years from the date of provision of data;
17) issued orders - three years from the date of issue of an order;
18) assistance provided to state authorities, state administration authorities, local self-government authorities and local administration authorities - two years from the date of provision of assistance;
19) applications for public gatherings and public events - two years from the date of submission of an application;
20) data relevant to community policing - five years from the date of data processing;
21) persons, facilities and areas protected by the Police - five years from the date of data processing;
22) results of DNA analyses - retained in line with a separate law;

23) data on secured traces and items that may serve as evidence in criminal and misdemeanour proceedings - until expiry of the absolute limitation period for criminal prosecution for the criminal offence for which the traces and items were taken;
24) fingerprints and other data on forensic examinations and analyses - five years from the date of data processing;
25) access to information and communication systems - five years from the date of access to the system;
26) data in voice recording systems - at least 30 days from the date of data processing and, depending on system load, longer, but no longer than two years;
27) financial intelligence data - in line with the law governing the prevention of money laundering and financing of terrorism;
28) data in geospatial systems - permanently;
29) acting upon requests of the State Prosecutor's Office and courts - five years from the date of acting upon the request;
30) insignia referred to in Article 52 paragraph 6 of this Law - five years from the date of assignment.

Upon expiry of the periods referred to in paragraph 1 of this Article, except the period for data in records on secured traces and items that may serve as evidence in criminal and misdemeanour proceedings and fingerprints and other data on forensic examinations and analyses, the justification for further retention of data for the performance of police affairs shall be reviewed.

Data whose further retention is not justified shall be deleted from the records upon expiry of the prescribed retention period.

Data collected contrary to law or data which are inaccurate shall be deleted or corrected immediately.

Personal data shall be deleted from the records in respect of a person acquitted of criminal liability for a particular criminal offence by a final court decision and a person in respect of whom a final judgment dismissing the charges has been rendered or criminal proceedings for a particular criminal offence have been discontinued.

Form, content and manner of keeping records and retaining and deleting data referred to in paragraph 1 of this Article, except the records referred to in item 22 of this Article, other records established by this Law and manner of accessing blocked data referred to in Article 66 of this Law shall be prescribed by the Ministry.

Right of Access to Data
Article 65

(Law Amending the Law on Internal Affairs, Official Gazette of Montenegro 040/26 as of 23 March 2026, Article 2)

Data subject shall have the right of access to the data referred to in Article 64 paragraph 1 of this Law in the following records:

- referred to in items 1 and 2, after the indictment becomes final, upon submission of an indictment proposal or on the date of initiation of misdemeanour proceedings;

- referred to in items 3, 4, 8, 9, 11, 12, 13, 23, 24, 25 and 30, when the reasons requiring collection of data on that person cease to exist;

- referred to in items 5, 10 and 16 to 21, when the reasons requiring collection of data cease to exist;

- referred to in items 6, 14 and 15, after archiving of the information or data; and

- referred to in item 7, after the decision suspending the investigation becomes final or on the date the indictment against that person becomes final.

Right of access to data in the manner referred to in paragraph 1 of this Article may be restricted for the purpose of:

- preventing interference with proceedings;
- preventing disclosure of an investigation or prosecution for criminal offences or enforcement of criminal sanctions;
- protecting internal security;
- protecting the security of certain persons, facilities and areas referred to in Article 18 paragraph 1 item 9 of this Law; and
- protecting the rights and freedoms of others.

Person to whom the data relate shall be provided with written reasons for the restriction referred to in paragraph 2 of this Article, unless this would jeopardise prevention, detection or clarification of a criminal offence or misdemeanour.

Person in respect of whom data were collected without consent and were not deleted from the records within the prescribed period shall be informed thereof where permitted by the nature of police work.

Blocking of Data
Article 66

Where the retention period expires for data in records on secured traces and items that may serve as evidence in criminal and misdemeanour proceedings and fingerprints and other data on forensic examinations and analyses, data in those records shall be blocked.
Following blocking referred to in paragraph 1 of this Article, data shall be retained for:

- ten years for criminal offences for which imprisonment of up to one year is prescribed;
- 30 years for criminal offences for which imprisonment of up to eight years may be imposed; and
- 50 years for criminal offences for which imprisonment of more than eight years may be imposed.

Police officers and competent state authorities shall be allowed access to blocked data only for the purposes of a criminal investigation into a criminal offence prosecuted ex officio or in other cases concerning protection of national security or the constitutional order, where necessary for the exercise of powers prescribed by law.
Upon expiry of the deadlines referred to in paragraph 2 of this Article, blocked data shall be deleted.

Provision of Data
Article 67

Ministry may provide data from the records referred to in Article 64 paragraph 1 of this Law for use by state authorities, state administration authorities, local self-government authorities, local administration authorities and other legal persons exercising public powers, in line with the law governing personal data protection, where necessary for the exercise of powers prescribed by law and where such data cannot be obtained otherwise or their obtaining would require disproportionately high costs.
Data from the records referred to in Article 64 paragraph 1 of this Law for which no restriction is prescribed by law shall also be provided by the Ministry for use upon requests of entities supervising and controlling the work of the Police for the purpose of performing affairs within their competence, in line with this Law.

International Data Exchange
Article 68

Ministry and the Police may, where necessary for performing tasks within their remit, exchange data on their own initiative or at the request of foreign states or international

organisations, subject to reciprocity.
Personal data may be exchanged only where prior guarantees exist that a foreign state or international organisation using such data applies adequate personal data protection measures prescribed by a separate law governing personal data protection and will use the data for the purpose prescribed by this Law.
Data obtained from another state may be provided to a third state only with the consent of the state from which they were obtained.
Ministry and the Police shall keep records of the exchange of data referred to in paragraph 3 of this Article, containing data on when and to whom data were provided and for what purpose.
Notwithstanding paragraph 4 of this Article, records of international exchange of financial intelligence data shall be kept by the financial intelligence unit, in line with the law governing the prevention of money laundering and financing of terrorism.

Appropriate Application
Article 69

Regulations governing personal data protection shall apply accordingly to the processing of personal data by the Ministry or the Police, unless otherwise prescribed by this Law.

3. Verifying and Determining the Identity of Persons and Identification of Items

Verifying the Identity of Persons
Article 70

Police officer shall verify the identity of a person:

1) who enters a protected facility or area;
2) who is to be deprived of liberty, brought in under Article 77 of this Law, detained or referred to the competent authorities;
3) who is dangerous to other persons or property;
4) who reports a criminal offence prosecuted ex officio or a misdemeanour, reports the perpetrators of those offences or provides information concerning such criminal offences or misdemeanours;
5) who is subject to an examination or a search pursuant to a court order or in respect of whom another action prescribed by law is undertaken;
6) who is found in another person's apartment or other premises or in a means of transport subject to examination or search, where identity verification is necessary;
7) who is found in an area or facility where freedom of movement has been temporarily restricted, where identity verification is necessary;
8) whose identity must be verified for security reasons;
9) who, without justified reason, collects data on a person, facility or area where a person protected by the Police is located;
10) who may provide data useful for the performance of police affairs;
11) whose conduct, actions or presence at a particular place or time give grounds for suspicion that they are a minor who has run away from home or an educational institution or is lost;
12) who is obviously helpless and whose identity must be verified for the purpose of providing assistance;
13) at the reasoned request of an official person within the meaning of the Criminal Code of Montenegro;
14) whose conduct, actions or presence at a particular place give grounds for suspicion that they pose a threat to security and public order and peace.

Reasoned request referred to in paragraph 1 item 13 of this Article shall mean a request from which it may be established that data on the identity of a person are necessary for

lawful action by an official person.
At the request of the person whose identity is being verified, a police officer shall inform that person of the reason for identity verification, unless otherwise prescribed by law.
Notwithstanding paragraph 3 of this Article, a police officer may refuse to inform a person of the reasons for identity verification where this would prevent or significantly hinder the exercise of police powers prescribed by law.

Manner of Verifying the Identity of a Person
Article 71

Identity of a person referred to in Article 70 of this Law shall be verified by examining their identity card or another public document bearing a photograph or electronically where the identity card or other public document contains an electronic identification certificate.
Notwithstanding paragraph 1 of this Article, identity may also be verified on the basis of a statement by another person whose identity has already been verified or determined.
Police officer may verify the identity of a person without that person's knowledge where clearly justified reasons exist.

Determining the Identity of a Person
Article 72

Where the identity of a person cannot be verified in line with Article 71 of this Law, the authenticity of an identity card or another public document bearing a photograph is doubtful or it is necessary to determine the identity of a person in respect of whom information exists that they are planning or preparing to commit a criminal offence or misdemeanour, identity may also be determined using data from records kept by the Ministry or the Police, methods and means of criminal investigation tactics and techniques, forensic, medical or other appropriate expert examinations and international police cooperation, unless otherwise prescribed by a separate law.
Where the identity of a person cannot be determined in the manner referred to in paragraph 1 of this Article, the Police shall be authorised, for the purpose of determining their identity, to publish a photograph, facial composite, drawing, recording or description of that person, unless otherwise prescribed by a separate law.
Police shall be authorised, for the purpose of determining the identity of a person and where circumstances so warrant, to publish a photograph of a missing person, a person who cannot or refuses to provide accurate information about themselves or the body of an unidentified person.

Identification of Items
Article 73

Police officer shall undertake the necessary measures and actions to identify an item where there are grounds for suspicion that the item was acquired or generated in connection with the commission of a criminal offence or misdemeanour or was used to commit a criminal offence or misdemeanour.
Police officer shall identify an item by establishing and verifying its features and characteristics and establishing and verifying the connection between persons or events and the item.
Police may publish a photograph, drawing, recording or description of an item where this is important for its successful identification.

4. Summoning

Conditions and Manner of Summoning for an Interview
Article 74

Police may summon for an interview a person who is likely to have information necessary for the performance of police affairs.
Summons referred to in paragraph 1 of this Article shall contain the reason for summoning, name, location and address of the organisational unit of the Police to which the person is summoned, time of arrival and the right of the person to attend the interview with a lawyer.
Where the person referred to in paragraph 1 of this Article comes to the Police premises with a lawyer, the lawyer shall be allowed to attend the interview.
Person referred to in paragraph 1 of this Article shall be informed that they are not required to provide data.
Person who fails to respond to a summons may be forcibly brought in only where warned thereof in the summons.

Time Period in which a Person May be Summoned for an Interview
Article 75

Person may be summoned for an interview in the period from 6 a.m. to 10 p.m.
Notwithstanding paragraph 1 of this Article, for the purpose of performing police affairs that cannot be delayed, a police officer may summon a person for an interview outside the time specified in that paragraph.

Special Cases of Summoning for an Interview
Article 76

Police officer may also summon a person for an interview by telephone or another appropriate means of electronic communication, in which case the police officer shall state the reasons for summoning, warn the person that they may be forcibly brought in if they fail to respond to the summons and, with the consent of the person, may bring them to Police premises.
Person may also be summoned for an interview through the media and other means of public information, as well as through electronic communications networks, where necessary for the performance of police affairs that cannot be delayed or where the summons is intended for a large number of persons.
Upon request of a person who responded to a summons for an interview, a certificate stating the reasons, time and place of the interview and explaining the manner of summoning shall be issued.

5. Bringing in and Temporary Restriction on the Freedom of Movement

Bringing in
Article 77

(Law Amending the Law on Internal Affairs, Official Gazette of Montenegro 084/24 as of 6 September 2024, Article 1)

Police officer shall be authorised to bring in:

1) a person whose identity must be verified in line with Article 70 of this Law or determined in line with Article 72 of this Law;

2) a person for the purpose of collecting information in relation to clarifying criminal offences and misdemeanours, where a summons would cause a delay that would jeopardise the performance of police affairs;

3) a person referred to in Article 74 paragraph 5 of this Law;

4) a person who is sought;

5) a person in whose possession items have been found which they are not permitted to possess or items suitable for committing misdemeanours or criminal offences;

6) a person found at the scene of a criminal offence or misdemeanour where this is necessary for the performance of police affairs that cannot be delayed; or

7) upon an order of a court or State Prosecutor.

Person shall be brought to Police premises between 6 a.m. and 10 p.m.

Notwithstanding paragraph 2 of this Article, where bringing in is necessary for the performance of police affairs that cannot be delayed, a person may also be brought in outside the period referred to in that paragraph.

Bringing in a person referred to in paragraph 1 of this Article may commence no earlier than three hours before the specified time for bringing in where it is to be carried out within the territory of the municipality for which the organisational unit of the Police has been established and where the person is located or found.

Where the person to be brought in is located or found outside the territory of the municipality for which the organisational unit of the Police has been established, bringing in may last no longer than six hours, unless otherwise prescribed by a separate law.

Persons Exempted from the Application of Provisions on Bringing in
Article 78

Provisions of Article 77 of this Law shall not apply to bringing in of a person:

1) where it may reasonably be assumed that bringing in would significantly worsen their health condition; or

2) who is performing tasks that must not be interrupted until a suitable replacement is provided.

Police officer carrying out the bringing in shall inform the immediate superior without delay of the facts referred to in paragraph 1 of this Article.

Rights of Person Brought in
Article 79

Police officer shall, prior to bringing in a person, inform that person of the reasons for bringing in and of their rights, in their language or in a language they understand: to notify a family member or a trusted third party of the bringing in or, where the person is a foreigner, the diplomatic or consular representative of the person's country of citizenship or, where the person is stateless or a migrant, a representative of the relevant international organisation; to a lawyer of their own choice from the moment of bringing in; and to an examination by a doctor of their own choice.

Where there is a possibility that a person to be brought in will resist, bringing in may be carried out without prior notification of the reasons.

Where there is suspicion that a person to be brought in possesses a weapon or implement suitable for attack or that the person will discard, conceal or destroy items to be seized as evidence in criminal or misdemeanour proceedings, a police officer shall conduct an examination in line with Article 91 of this Law.

Before bringing in a person who cares for or is the guardian of minors or other persons, a police officer shall inform the authority responsible for social and child protection where relatives or neighbours are unable to care for those persons.

Police officer shall immediately inform a parent, legal guardian, person to whom a child or minor has been entrusted for care, a trusted third person or the authority responsible for social and child protection of the bringing in of a minor.

Temporary Restriction of Freedom of Movement
Article 80

Police officer may temporarily restrict access or movement in a particular area or facility:

1) where there is danger to the life or health of persons or to property;
2) to prevent the commission of a criminal offence or misdemeanour;
3) for the purpose of locating and apprehending perpetrators of a criminal offence or misdemeanour;
4) for the purpose of locating traces and items that may serve as evidence that a criminal offence prosecuted ex officio or a misdemeanour punishable by imprisonment has been committed;
5) where it is necessary to verify the identity of a person in line with Article 70 of this Law pending the bringing in referred to in Article 77 of this Law; or
6) for the purpose of protecting persons, facilities or areas under protection.

Temporary restriction of freedom of movement during access to or movement within a particular area may last only until achievement of the objective for which the power is exercised and no longer than 12 hours, unless otherwise prescribed by a separate law.
Temporary restriction of freedom of movement when leaving a facility may last only until achievement of the objective for which the power is exercised and no longer than six hours, unless otherwise prescribed by a separate law.
Where circumstances permit, a police officer shall inform the person in respect of whom the actions referred to in paragraph 1 of this Article are undertaken of the reasons for undertaking those actions.

Criminal Investigation Tactical Actions for Exercising the Power to Temporarily Restrict Freedom of Movement
Article 81

Temporary restriction of freedom of movement may be carried out by applying criminal investigation tactical actions (blockade, raid, pursuit, ambush and examination of certain facilities and areas).

6. Giving Warnings and Issuing Orders

Giving Warnings
Article 82

Police officer shall give a warning to the person likely to:

1) whose conduct, action or omission may endanger their own safety or the safety of another person or property, endanger road traffic safety, disturb public order and peace or border control, endanger or disturb the security of persons, facilities and areas referred to in Article 18 paragraph 1 item 9 of this Law or obstruct police officers performing duties of direct protection of those persons, facilities and areas; or
2) who may commit, encourage or incite another person to commit a criminal offence or misdemeanour.

Issuing Orders
Article 83

Order may be issued only in relation to conduct, activities, acts or omissions on which the successful performance of police affairs and tasks or the exercise of police powers, measures and actions directly depends, for the purpose of:

1) eliminate the threat to life, health and freedom of persons and to property;
2) preventing the commission of a criminal offence or misdemeanour, apprehending the perpetrator of that criminal offence or misdemeanour and locating and securing traces of a criminal offence or misdemeanour that may serve as evidence in criminal or misdemeanour proceedings;
3) maintaining or restoring disturbed public order and peace;
4) ensuring road traffic safety;
5) enabling unobstructed border control;
6) preventing access to a person, facility or area referred to in Article 18 paragraph 1 item 9 of this Law;
7) preventing access to and presence in an area or facility where this is not permitted by law;
8) preventing access to and presence in an area or facility where this is not permitted for security reasons on the basis of an assessment by a police officer;
9) preventing the occurrence and eliminating the consequences of a general danger; and
10) in other cases prescribed by law.

Order referred to in paragraph 1 of this Article may also be issued to a group comprising more than three persons.

Manner of Giving Warnings and Issuing Orders
Article 84

Warnings and orders shall be given orally, in writing, by light and sound signals, signs, hand signals or in another manner prescribed by the act referred to in Article 124 of this Law.

7. Use of Another Person's Means of Transport or Means of Communication and Determining the Presence of Alcohol and/or Psychoactive Substances in the Body

Use of Another Person's Means of Transport or Means of Communication
Article 85

Another person's means of transport or means of communication may be used where transport or communication cannot otherwise be provided for the purpose of:
1) preventing the commission of a criminal offence prosecuted ex officio or apprehending a perpetrator of a criminal offence who is being immediately pursued, where those actions cannot otherwise be undertaken; and
2) transporting an injured person who is a victim of a criminal offence, traffic accident, natural disaster or other accident to the nearest health care institution.

Owner of the means of transport or means of communication used in line with paragraph 1 of this Article shall be entitled to reimbursement of costs and compensation for actual damage caused by such use.

Determining the Presence of Alcohol and/or Psychoactive Substances in the Body
Article 86

For the purpose of determining the presence of alcohol and/or psychoactive substances in the body, a police officer may test a person using appropriate means where necessary for the performance of a police affair.

Where testing referred to in paragraph 1 of this Article cannot be carried out for clearly justified reasons, a police officer may bring the person to the nearest health care institution for a blood sample or blood and urine samples to be taken for the purpose of determining the presence of alcohol and/or psychoactive substances in the body.

Person referred to in paragraph 1 of this Article shall immediately comply with the order

of the police officer and undergo testing using appropriate means or provide a blood sample or blood and urine samples.
Data collected in line with paragraphs 1 and 2 of this Article shall constitute a special category of personal data and may be processed only in line with the law governing personal data protection.

8. Temporary Seizure, Storage and Destruction of Items, Searching for Persons and Items, Stopping and Examination of Persons and Items, Public Promise of Reward and Recording in a Public Place

Conditions for Temporary Seizure of Items
Article 87

Police officer shall temporarily seize an item for the purpose of preventing the commission of a criminal offence or misdemeanour where:

1) the circumstances of the case and the nature and characteristics of the item indicate that the item resulted from the commission of a criminal offence or misdemeanour or was intended for committing a criminal offence or misdemeanour;
2) this is necessary to protect persons and property;
3) the item may be used for self-harm, attack, escape, concealment or destruction of evidence that a misdemeanour has been committed; or
4) due to particular circumstances, shape, characteristics and type of material from which it is made, the item is suitable and may be used in a manner that would disturb public order and peace, insult or disturb another person or compromise security in a facility or area under protection.

Certificate of Temporary Seizure of Items
Article 88

Police officer shall issue a certificate of temporary seizure of an item in the prescribed form.
Certificate referred to in paragraph 1 of this Article shall contain data on the police officer who temporarily seized the item, distinguishing data on the temporarily seized item and data on the person from whom the item was seized.

Storage and Destruction of Temporarily Seized Items
Article 89

Where storage of temporarily seized items at Police premises is impossible or significantly impeded, such items may be stored in other premises or placed or secured in another appropriate manner pending a decision of the competent authority, unless otherwise prescribed by law.
Under the conditions referred to in paragraph 1 of this Article, where temporarily seized items have been entrusted to or are stored by the Police, storage costs shall be borne by the person from whom the item was temporarily seized.
Temporarily seized item shall be returned to the person from whom it was seized or its lawful owner when the reasons for seizure cease to exist, unless otherwise prescribed by law.
Person referred to in paragraph 3 of this Article shall be summoned to take over the temporarily seized item within a period not exceeding 30 days from the date on which the reasons for seizure ceased to exist.
Where a temporarily seized item is not returned in line with paragraph 3 of this Article, the person from whom it was seized shall have the right to submit a complaint within the meaning of Article 32 of this Law.
Temporarily seized unexploded ordnance, mines and explosive ordnance, improvised

explosive devices and other devices endangering life and health shall, after forensic processing and expert examination, be destroyed without delay with the assistance of the competent authorities, in the prescribed manner.
Before destruction of the items referred to in paragraph 6 of this Article, consent of the competent state prosecutor or other competent authority shall be obtained and, after destruction, a record shall be drafted.
Detailed manner of seizure, storage and management of temporarily seized items, as well as detailed content and form of the certificate of temporary seizure of items, shall be prescribed by the Ministry.

Search for Persons and Items
Article 90

Immediately upon learning of the commission of a criminal offence or misdemeanour or the disappearance of a person, the Police shall undertake measures to search for persons and items.
Search for persons or items shall be initiated by a wanted notice, search notice or public announcement.
Wanted notice shall be issued in line with the law governing criminal proceedings and another law.
Search notice may be issued:

1) for a person for whom grounds for suspicion exist that the person has committed a criminal offence prosecuted ex officio or a misdemeanour;
2) for a person at the request of a competent authority or institution submitted in line with a separate law;
3) at the request of the legal representative of a person who has run away from home and in other cases, in line with separate regulations; or
4) for a person who can provide the necessary notification about a committed criminal offence or misdemeanour, the perpetrator or the items of the criminal offence or misdemeanour.

Announcement may be issued:

1) for a missing person;
2) for the purpose of determining the identity of a person unable to provide personal data or determining the identity of the body of an unidentified person;
3) for items related to a criminal offence or misdemeanour, for items for which the Police are obliged to search in line with the law, as well as for items that have been found or are missing;
4) for the purpose of determining the place of residence and place of stay of a person, in line with a separate law; and
5) in other cases prescribed by law.

Where the disappearance of a person has been reported and there are grounds for suspicion that the person is a victim of a criminal offence, police officers shall immediately undertake measures and actions prescribed by this Law and other laws, in cooperation with other competent authorities, citizens' associations and citizens, to locate the person.

Stopping and Examination of Persons, Items and Means of Transport
Article 91

Police officer shall be authorised to stop and examine persons, items carried by a person and means of transport where such actions are necessary:

1) to protect persons and property;
2) to prevent and detect criminal offences and misdemeanours;
3) to prevent the escape of a perpetrator of a criminal offence prosecuted ex officio or a misdemeanour;

4) to locate items suitable for attack or self-harm;
5) to locate wanted persons and items;
6) to bring in persons; or
7) to protect persons, facilities and areas referred to in Article 18 paragraph 1 item 9 of this Law.

When stopping a person, a police officer shall, before conducting the examination referred to in paragraph 1 of this Article, inform the person that they have been stopped for the purpose of examination and of the reasons for stopping and conducting the examination.
Examination of a person referred to in paragraph 1 of this Article shall comprise an external examination of clothing and footwear and items carried by the person.
Examination of items carried by a person shall comprise examination of items carried by the person or located in their immediate vicinity.
Examination of a means of transport shall comprise examination of all open and closed spaces of the means of transport and items being transported.
Police officer may examine persons, items and means of transport visually and by exercising other police powers, measures and actions.
Examination of a person shall be performed by a person of the same sex, except where an urgent examination is necessary for the purpose of seizing a weapon or items suitable for attack or self-harm.
Where, during examination of persons, items or means of transport, a police officer establishes that a search is necessary due to the circumstances, the police officer shall conduct the search in line with law.
In the case referred to in paragraph 8 of this Article, a police officer shall be authorised to temporarily restrict the freedom of movement of a person in line with Article 80 paragraph 2 of this Law pending receipt of a search warrant.

Public Promise of Reward
Article 92

Ministry may, upon proposal of the Police, publicly promise a reward for information provided where information from citizens is necessary for the performance of police affairs.
Public promise of a reward may be published in the media, through means of public information and communication or in another appropriate manner.
Ministry shall publicly revoke the promised reward once it obtains the requested information.
Person who provided information for which a reward was promised shall not be entitled to the reward where the Police already possessed that information.
Police officers, members of their immediate family and accomplices in the commission of a criminal offence or misdemeanour who provided the information shall not be entitled to the reward.
Immediate family within the meaning of paragraph 5 of this Article shall comprise a parent, adoptive parent, guardian, spouse, children (children born in or out of marriage, adopted children and stepchildren), brother and sister.

Recording in Public Places
Article 93

Ministry shall perform affairs relating to the design, establishment, management, development and maintenance of video surveillance of public areas.
For the purpose of performing police affairs, the Police shall monitor and record public places using video and audio recording and photographic equipment.
Where there is a danger that a public gathering or public event may endanger the life or health of persons or property, a police officer shall be authorised, for the purpose of

exercising police powers, detecting criminal offences and misdemeanours and controlling and analysing the performance of police affairs, to record or photograph the public gathering or public event.
For the purpose of achieving the objectives referred to in paragraphs 2 and 3 of this Article, the Police may use vehicles, vessels, aircraft and other means equipped with recording devices, with or without external Police markings, as well as devices for recording and recognising registration plates, persons and items.
Notice of the intention to record referred to in paragraph 3 of this Article, except in respect of unannounced public gatherings and recording as a secret surveillance measure in line with the law governing criminal proceedings, shall be published in the media and on the Ministry website no later than 24 hours before recording begins.
Notice of the intention to record referred to in paragraph 3 of this Article shall be submitted in writing to the organiser of the public gathering or public event.
Where data collected in line with paragraph 2 of this Article are not necessary for the purpose of prosecuting persons on grounds of reasonable suspicion that a criminal offence or misdemeanour has been committed, they shall be deleted no later than 30 days from the date of their creation.
Ministry shall keep records of data obtained through use of video surveillance of public areas, in line with this Law.

9. Use of the Means of Coercion

Types of Means of Coercion and Conditions for Use
Article 94

Means of coercion within the meaning of this Law shall comprise:
1) physical force;
2) Manual Spray with Irritant Effects;
3) electroshock weapon;
4) service truncheon;
5) instruments of restraint;
6) special vehicles;
7) service dogs;
8) service horses;
9) special motor vehicles;
10) means for blocking;
11) devices for ejecting jets of water;
12) chemical means;
13) means for special purposes; and
14) firearms.

Means referred to in paragraph 1 of this Article shall be used where necessary to protect the safety of persons, repel an attack and prevent escape, where an official task cannot be performed by giving a warning or issuing an order.
Police officer shall use means of coercion only where the task cannot be performed otherwise, in proportion to the danger threatening a legally protected good and value or to the gravity of the act being prevented or suppressed.
Police officer shall always use the mildest means of coercion that achieves the objective, in proportion to the reason for its use and in a manner that enables the official task to be performed without unnecessary harmful consequences.
Before using means of coercion, a police officer shall warn the person against whom the means is intended to be used.
Notwithstanding paragraph 5 of this Article, means of coercion may also be used without prior warning where such warning could jeopardise achievement of the objective in the performance of police affairs.

When using means of coercion, a police officer shall protect human life, cause the least possible injury and material damage and ensure that assistance is provided as soon as possible to an injured person or a person in danger and that their family or other relatives are informed thereof as soon as possible.

Use of Means of Coercion against a Group of Persons
Article 95

Police officer shall be authorised to order a group of three or more persons to disperse where the group has unlawfully gathered, behaves unlawfully, may provoke or has provoked violence or violence has already occurred.
Should the group of persons referred to in paragraph 1 of this Article fail to disperse, a police officer may use the means of coercion referred to in Article 94 paragraph 1 items 1 to 12 and Article 112 paragraph 3 items 1 and 2 of this Law.
In the case of a public gathering or public event within the meaning of the law governing public gatherings of citizens and public and sports events, means of coercion shall be used against persons who have unlawfully gathered, behave unlawfully and may thereby provoke violence or where violence has already occurred, only upon the order of the immediate superior.
Means referred to in Articles 103, 111 and 112 of this Law may be used to restore disturbed public order and peace during public gatherings referred to in paragraph 3 of this Article only with the approval of the Police Director.

Reporting, Control and Accountability Regarding the Use of Means of Coercion
Article 96

Police officer who used and/or ordered the use of a means of coercion or participated in the use of means of coercion shall, independently and without consulting other participants in the event, submit a written report to the immediate superior without delay and no later than 24 hours from the use of the means of coercion.
When a police officer uses and/or orders the use of a means of coercion or participates in the use of means of coercion while securing public gatherings or public events or while providing assistance to another organisational unit of the Police, the police officer shall, independently and without consulting other participants in the event, submit a written report to the head responsible for securing the public gathering or public event or to the head of the organisational unit of the Police to which assistance is provided, without delay and no later than 24 hours from the use of the means of coercion.
Immediate superior or the head referred to in paragraph 2 of this Article shall, without delay, collect information on the circumstances of the use of means of coercion and provide an opinion on the justification and regularity of their use, which, together with the report of the police officer referred to in paragraphs 1 and 2 of this Article, shall be submitted to the Police Director or a person authorised by the Police Director within 48 hours from the use of the means of coercion.
Report referred to in paragraphs 1 and 2 of this Article shall state: the place, date and time of use of the means of coercion; name, surname and unique personal identification number, citizenship or date of birth of the person against whom the means of coercion was used and the type and number of the document in the case of a foreign national; name, surname and unique personal identification number of a person present during the use of the means of coercion; type of means of coercion used; name and surname of the police officer who used or ordered the use of the means of coercion; reason for the use of the means of coercion; circumstances in which the means of coercion was used; possible consequences of its use; legal basis and manner of use; other data where means of coercion were used against a group of persons and other facts and circumstances necessary for assessing the justification, regularity and lawfulness of the use of means of

coercion.
Lawfulness of the use of means of coercion shall be assessed by the Police Director or a person authorised by the Police Director without delay and no later than three days from the date of receipt of the report together with the case file.
Should the Police Director or a person authorised by the Police Director assess that means of coercion were used unlawfully, they shall undertake measures to determine the liability of the police officer who used or ordered the use of the means of coercion no later than five days from the date of the assessment of lawfulness.
Notwithstanding paragraph 5 of this Article, the Minister or a person authorised by the Minister shall establish a commission to assess the circumstances in which means of coercion were used where:

1) a police officer used a firearm;
2) serious bodily injury or death of a person resulted from the use of means of coercion; or
3) means of coercion were used against a group of persons.

Commission referred to in paragraph 7 of this Article shall be established within three days from the date of use of the means of coercion and shall comprise two police officers holding the highest police rank, one representative of the Ministry and one representative of the representative trade union of the Police.
Commission referred to in paragraph 7 of this Article shall determine the circumstances in which the means of coercion was used by collecting data in line with law and shall draft a record thereon within the shortest possible period.
Regarding the lawfulness of the use of means of coercion, the commission referred to in paragraph 7 of this Article shall draft an opinion on the circumstances justifying the use of means of coercion and submit it to the Minister or a person authorised by the Minister within the shortest possible period.
Should the opinion referred to in paragraph 10 of this Article contain an assessment that means of coercion were used unlawfully, the Minister or a person authorised by the Minister shall act in line with paragraph 5 of this Article.
Police officer who used or ordered the use of means of coercion shall be liable for unlawful use of means of coercion within the meaning of paragraphs 5 and 10 of this Article.
Police officer who failed to attempt to prevent unlawful use of means of coercion despite being in a position to do so shall also be liable in the event of unlawful use of means of coercion.
Opinion of the commission on the use of means of coercion referred to in paragraph 7 item 2 of this Article shall be submitted to the state prosecutor for assessment.

Legal Assistance Regarding the Use of Means of Coercion
Article 97

Where it is assessed in line with Article 96 of this Law that means of coercion were used in line with law, the police officer shall not be liable for their use.
Where court proceedings are conducted against a police officer for use of means of coercion referred to in paragraph 1 of this Article or for undertaking other actions in the performance of police affairs, the Ministry shall provide legal assistance and bear the costs of those proceedings.

Physical Force
Article 98

Use of physical force within the meaning of this Law shall comprise martial arts holds or similar actions applied to the body of another person for the purpose of repelling an attack, overcoming resistance, preventing self-harm or preventing a person from arbitrarily leaving in cases prescribed by law, while causing the least harmful consequences.

Manual Spray with Irritant Effects
Article 99

Manual Spray with Irritant Effects may be used where the conditions for use of physical force have been met, except where overcoming passive resistance.
Manual Spray with Irritant Effects may be used to repel an attack or overcome active resistance of a person.
Use of Manual Spray with Irritant Effects within the meaning of this Law shall comprise the use of aerosol canisters filled with a chemical substance having a milder effect than tear gas, intended for temporary incapacitation and leaving no permanent consequences for human health after use.

Electroshock Weapon
Article 100

Electroshock weapon may be used where the conditions for use of physical force and Manual Spray with Irritant Effects have been met, except where overcoming passive resistance.
Electroshock weapon emitting a short-term electro-magnetic impulse may be used in order to repel an attack or overcome active resistance of a person.

Service Truncheon
Article 101

Service truncheon may be used where milder means of physical force or Manual Spray with Irritant Effects have proved unsuccessful or do not ensure successful performance of an official task.
Use of a service truncheon shall comprise striking blows or applying holds to the body of a person.
Blows with a service truncheon shall not be delivered to the head, neck or genital area, except as a last resort.
Against persons under 14 years of age, obviously ill, elderly and infirm persons, persons with disabilities, persons with significantly reduced mobility and women whose pregnancy is visible, a service truncheon may be used only where any such person uses a firearm, implement or other dangerous item or means to endanger their own life, the life of a police officer or the life of another person.
Types, design and detailed characteristics of the service truncheon shall be prescribed by the Ministry.

Instruments of Restraint
Article 102

(Law Amending the Law on Internal Affairs, Official Gazette of Montenegro 137/26 as of 21 September 2026, Article 1)

Instruments of restraint may be used to:

1) prevent resistance by a person or repel an attack directed against a police officer;
2) prevent the escape of a person; or
3) prevent self-harm or injury to another person.

Police officer shall restrain a person being brought in when necessary in a specific case on the basis of risk assessment in the circumstances at hand.
Use of instruments of restraint shall comprise tying, as a rule, a person's hands behind their back.
Instruments of restraint shall comprise service handcuffs, plastic restraints and other means suitable for that purpose.
When instruments of restraint are used, the restrictions referred to in Article 101 paragraph 4 of this Law shall apply.

Use of instruments of restraint on a person who has already been lawfully deprived of liberty on any grounds shall not be considered use of means of coercion within the meaning of this Law.

Special Vehicles
Article 103

Special vehicles within the meaning of this Law shall comprise vehicles for ejecting water under pressure, armoured vehicles with or without a built-in barrier, aircraft (helicopters, unmanned aerial vehicles, etc.), vehicles for removing obstacles and other special-purpose vehicles.
Special vehicles may be used to prevent the commission of criminal offences, restore disturbed public order and peace, block passage of persons and use chemical substances and firearms installed in those vehicles.
Use of special vehicles shall comprise ejecting water under pressure with or without chemical substances, ejecting marking paint, using installed firearms, removing obstacles and blocking passage of persons with special vehicles and using other special-purpose vehicles and aircraft where used for the purposes referred to in paragraph 2 of this Article.
Installed chemical substances and firearms referred to in paragraph 2 of this Article may be used only under the conditions prescribed by this Law for the use of those means or firearms.

Service Dogs
Article 104

Service dog shall be a specially trained dog which may be used with a protective muzzle and on a leash as a means of coercion where the conditions for use of physical force, Manual Spray with Irritant Effects, an electroshock weapon and a service truncheon have been met.
Service dog with a protective muzzle and without a leash may be used as a means of coercion:

- to prevent the escape and apprehend a person who has committed a criminal offence prosecuted ex officio;
- to prevent the escape of a person acting contrary to regulations governing state border surveillance;
- to repel an attack on a facility or area under protection;
- to restore disturbed public order and peace.

Service dog without a protective muzzle and without a leash may be used as a means of coercion:

- to restore public order and peace disturbed on a large scale;
- to prevent action by a group of persons endangering the life of a police officer or the safety of persons or property of substantial value; or
- where the conditions for use of firearms have been met.

Use of service dogs shall comprise releasing a service dog towards a person and blocking passage of persons by using service dogs.
Notwithstanding paragraph 1 of this Article, specially trained service dogs may also be used when performing other police affairs.

Service Horses
Article 105

Service horses may be used as a means of coercion to restore disturbed public order and peace and block passage of persons where the conditions for use of physical force, Manual Spray with Irritant Effects, an electroshock weapon and a service truncheon have been met.

Use of a service horse shall comprise police officers moving on horseback towards persons for the purpose of separating or pushing them back or blocking passage of persons with service horses.

Special Motor Vehicles
Article 106

When protecting persons referred to in Article 18 paragraph 1 item 9 of this Law, special motor vehicles may be used as means of coercion if by using other means of coercion it is not possible to protect the life of those persons.
Special motor vehicles within the meaning of paragraph 1 of this Article shall comprise vehicles accompanying a protected person.

Means for Blocking
Article 107

Means for blocking shall comprise means for forcibly stopping vehicles and means for blocking passage of persons.
Police officers shall secure means for blocking while they are in use.

Means for Forced Stopping of Vehicles
Article 108

Means for forced stopping of vehicles referred to in Article 107 paragraph 1 of this Law may be used to prevent:

1) the escape of a person found committing a criminal offence or misdemeanour;
2) the escape of a person deprived of liberty or in respect of whom an order for deprivation of liberty has been issued;
3) illegal crossing of the state border by vehicle;
4) unauthorised access by vehicle to a facility or area where persons protected by the Police are located or to protected facilities and areas; or
5) further driving by a person who was previously stopped and failed to comply with an order of a police officer.

Means for forced stopping of vehicles shall comprise devices, spike strips and other means by which a moving vehicle may be forcibly stopped.
In addition to the means referred to in paragraph 2 of this Article, for the purpose of forcibly stopping a vehicle in order to prevent the commission of a criminal offence or the escape of the perpetrator of a criminal offence in that vehicle, a police officer may use a service motor vehicle in a manner that does not endanger the lives of persons in the means of transport being forcibly stopped or of other persons.
In front of means for forced stopping of vehicles that have been installed, at an appropriate distance in line with road traffic safety regulations, traffic signs prohibiting overtaking and requiring a mandatory stop shall be placed where possible in the specific situation.

Means for Blocking Passage of Persons
Article 109

Means for blocking passage of persons referred to in Article 107 paragraph 1 of this Law may be used for cordoning off and dividing an area when maintaining public order and peace and securing public gatherings, for blocking a particular facility or area or for restricting, prohibiting or directing the movement of persons in public places, particular areas or routes.
Means for blocking passage of persons shall comprise barriers, special vehicles, service dogs, service horses and other purpose-built means by which passage of persons may be prevented.

Devices for Ejecting Jets of Water
Article 110

Devices for ejecting jets of water and marking paint may be used against a group of persons whose conduct may provoke violence only under the conditions and in the manner referred to in Article 95 of this Law.

Chemical Means
Article 111

Chemical means may be used to repel an attack and overcome resistance where this cannot be achieved by using physical force, Manual Spray with Irritant Effects, an electroshock weapon or a service truncheon, to restore disturbed public order and peace, clear persons from an enclosed space, resolve hostage situations and where the conditions prescribed by this Law for the use of means for special purposes or firearms have been met.

Chemical means, within the meaning of this Law, shall comprise various specially constructed means filled with non-lethal chemical substances for temporary, short-term incapacitation, purpose-designed and structurally adapted for use in performing more complex police affairs and tasks, permitted under the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction and neither used as a method of warfare nor treated as chemical weapons.

In enclosed spaces, chemical means may be used only to overcome resistance of a person who has hidden or barricaded themselves, threatens or resists by using a firearm, dangerous implement or other dangerous item.

When chemical means are used near institutions accommodating children and elderly persons, hospitals, primary schools, busy roads and highly flammable materials, special measures shall also be undertaken to protect and assist persons (presence of emergency medical service, fire service, etc.).

Chemical means may not be used against persons located near explosive substances or flammable liquids and gases, at high altitude or in similar places where human life could be endangered.

Means for Special Purposes
Article 112

Means for special purposes may be used to repel an attack and overcome resistance where this cannot be achieved by using other means of coercion, to restore disturbed public order and peace, compel a person to leave an enclosed space and where the conditions for the use of firearms prescribed by this Law have been met.

Means for special purposes may not be used to overcome passive resistance.

Means for special purposes, within the meaning of this Law, shall comprise:

1) acoustic-optical means for temporary incapacitation, namely bombs producing sound, light, smoke or a combination of those effects, as well as shock ammunition, flash grenades and stun grenades;
2) kinetic means for temporary incapacitation, comprising various types of ammunition for temporary incapacitation without permanent harmful consequences, namely incapacitating bullets, bullets and pellets made of a mixture of natural and synthetic rubber, wood or plastic or kinetic non-penetrating projectiles; and
3) explosive devices.

Means for special purposes shall be used on the basis of a written order of the Police Director.

Notwithstanding paragraph 4 of this Article, where delay in the use of means of coercion could pose a risk, means for special purposes may be used on the basis of an oral order of the Police Director, provided that the Police Director shall draft a written order within

24 hours of issuing the oral order.

Firearms
Article 113

When performing police affairs, where the objective for which a power is exercised cannot be achieved by using other means of coercion, a police officer may use a firearm only where necessary to protect their own life or the life of another person.
Objective reasons must exist for using a firearm to protect the life of the police officer or another person.
Existence of objective reasons within the meaning of paragraph 2 of this Article shall be assessed from the perspective of an average police officer trained and experienced in the use of firearms and those reasons shall be based on all facts known to the police officer at the time the firearm is used.
In addition to using a firearm against a person, a police officer may use a firearm against an animal, vehicle or item endangering the life of the police officer or another person.
Police officer may draw and hold a firearm whenever the police officer reasonably considers this necessary for the performance of police affairs and official tasks.
Before using a firearm, a police officer shall, where circumstances permit, warn the person against whom the firearm is to be used by shouting an appropriate warning.
Drawing and holding a firearm in line with paragraph 5 of this Article shall not be considered use of a firearm within the meaning of this Law.

Use of Firearm in Pursuit of a Vessel
Article 114

Where necessary to stop a vessel being pursued at sea or on inland waters, a police officer may, for the purpose of preventing the commission of a criminal offence or depriving a fleeing perpetrator of a criminal offence of liberty, use a firearm against that vessel to prevent its escape, stop it and bring it to the competent authority, only where this has not been achieved by using other available means.
Other means referred to in paragraph 1 of this Article shall comprise verbal and other warnings and warning shots fired above the vessel, provided that this does not endanger others.
When shots are fired at a vessel as a last resort, the police officer shall do so in a manner that protects the lives of persons on the vessel and in the line of fire.

10. Conducting Special Police Actions

Special Police Actions
Article 115

Police officers may, when performing police affairs, notwithstanding Article 157 of the Criminal Procedure Code, conduct certain police actions for operational purposes where it is evident that other actions will not achieve the objective of the police affair.
Police actions within the meaning of paragraph 1 of this Article shall comprise:

1) observation;
2) tracking; and
3) trap.

Data collected by applying the actions referred to in paragraph 2 of this Article may be used for the purposes of preliminary investigation and investigation, protection of the security of citizens and property, prevention and detection of criminal offences and misdemeanours, search for wanted persons, maintenance of public order and peace, securing public gatherings and protection of the security of persons, facilities and areas referred to in Article 18 paragraph 1 item 9 of this Law.

Decision on the application of the actions referred to in paragraph 2 of this Article shall be made by the Police Director or the Assistant Police Director designated by the act on internal organisation and job descriptions.
Police actions referred to in paragraph 2 of this Article may last continuously for up to 24 hours or, with interruptions, for up to 48 hours.

11. Preparatory Actions for Implementation of Measures of Secret Surveillance and Polygraph Testing

Types of Preparatory Actions
Article 116

Preparatory actions for the application of secret surveillance measures, in line with the law governing criminal proceedings, within the meaning of this Law shall comprise:

1) modification of identity;
2) creation or formation of a modified identity; and
3) modification of ownership of items.

Modification of identity within the meaning of paragraph 1 item 1 of this Article shall comprise modification of data concerning a person, modification of data concerning that person in records or registers and preparation of modified documents.
Creation or formation of a modified identity within the meaning of paragraph 1 item 2 of this Article shall comprise acquiring the skills necessary in particular circumstances and training persons to use a modified identity and items with modified ownership.
Modification of ownership of items within the meaning of paragraph 1 item 3 of this Article shall comprise modification of ownership data or other property rights concerning items in state ownership over which the Ministry exercises ownership powers and preparation of modified documents and markings.

Limitations on Preparatory Actions
Article 117

Preparatory actions referred to in Article 116 of this Law may not be undertaken within preliminary investigation, investigative or evidentiary actions concerning a specific criminal offence or a specific person.

Rules on Conducting Preparatory Actions
Article 118

Documents created through modification of identity and ownership referred to in Article 116 paragraphs 2 and 4 of this Law may be used in legal transactions.
Decision on conducting preparatory actions referred to in Article 116 of this Law shall be made by the Police Director or a person authorised by the Police Director.
Documents and markings referred to in Article 116 paragraphs 2 and 4 of this Law shall be kept on the premises of the Police, while modified data shall be kept by the authority maintaining the relevant records or registers.
Period for use of the documents and markings referred to in Article 116 paragraphs 2 and 4 of this Law shall be one year from the date of their preparation.
Notwithstanding paragraph 4 of this Article, the period for use of documents or markings may be extended no more than three times, for one year each time, by decision of the Police Director, upon a reasoned proposal of the Assistant Police Director responsible for criminal police affairs.
Upon expiry of the periods referred to in paragraphs 4 and 5 of this Article, documents or markings shall be destroyed and modified data shall be deleted.
Supervision over preparatory actions referred to in Article 116 of this Law shall be carried out by the Supreme State Prosecutor or a state prosecutor authorised by the Supreme

State Prosecutor once a year on the premises of the Police.
Supervision referred to in paragraph 7 of this Article shall be carried out in a manner preventing disclosure of the true identity of the person.
For the purpose of protecting third parties, the Police Director may order a person using a modified identity under Article 116 of this Law to present themselves under their true identity in proceedings before state authorities.
Upon request of the competent authority of another state, preparatory actions referred to in Article 116 of this Law may also be conducted for a police officer of that state in line with this Law.
Preparatory actions referred to in Article 116 of this Law may also be conducted by police officers authorised to perform internal control of the Police.
Restrictions and rules for conducting preparatory actions referred to in Article 116 of this Law shall apply accordingly in the case referred to in paragraph 11 of this Article.
Manner of preparation, storage and destruction of data, documents and markings referred to in Article 116 paragraphs 2 and 4 of this Law shall be governed by a regulation of the Ministry, which shall be marked with the appropriate classification level in line with the law governing classified data.

Polygraph Testing
Article 119

Police officer may, in line with law and with the voluntary consent of the person from whom information is sought, subject that person to polygraph testing after informing them of the operation of the device, provided that the person gives written consent.
Minor may be subjected to polygraph testing with their voluntary consent and with the written consent and in the presence of a parent, guardian, adoptive parent, foster parent, trusted third person or person to whom the minor has been entrusted for care, upbringing and education.
Police officer shall discontinue polygraph testing where the person from whom information is sought, after giving written consent, declares that they withdraw that consent.
Polygraph testing may not be conducted on:

1) a person under the influence of alcohol, narcotic drugs or other psychoactive substances;
2) a person suffering from serious cardiac conditions or respiratory disorders;
3) a person in a state of extreme stress;
4) a person under the influence of sedatives;
5) a person showing visible signs of mental illness, temporary mental disorder or another condition preventing testing;
6) a person experiencing intense physical pain;
7) a pregnant woman or a woman who has recently given birth; or
8) a person under 14 years of age.

Polygraph Testing of Police Officers
Article 120

(Law Amending the Law on Internal Affairs, Official Gazette of Montenegro 040/26 as of 23 March 2026, Article 3)

Police officer may be subjected to polygraph testing concerning the circumstances of work and the performance of a specific police affair.

Polygraph testing may be conducted exclusively with the prior written consent of the police officer being tested.

Prior to polygraph testing, the police officer referred to in paragraph 1 of this Article shall be informed of the purpose of testing, the legal basis and rights concerning data processing, including the right to refuse polygraph testing without legal consequences, except where the circumstances concern a security risk related to access to classified data or to the performance of affairs in the field of serious and organised crime.

Data obtained through polygraph testing shall be processed in line with this Law and the law governing personal data protection.

Results of polygraph testing may not constitute the sole basis for making a decision on the employment status of the police officer referred to in paragraph 1 of this Article.

Police officer referred to in paragraph 1 of this Article shall be guaranteed the presumption of innocence.

Results of polygraph testing referred to in paragraph 1 of this Article may not constitute evidence in criminal proceedings.

Polygraph testing of the police officer referred to in paragraph 1 of this Article shall be approved by the Police Director or a person authorised by the Police Director, upon a reasoned proposal of the immediate superior of that police officer.

Notwithstanding paragraph 8 of this Article, polygraph testing of the Police Director shall be conducted upon proposal of the Minister.

Polygraph testing of the police officer referred to in paragraph 1 of this Article concerning the circumstances of work and the performance of a specific police affair shall also be conducted upon request of the head of the organisational unit of the Ministry responsible for internal control of the Police, in line with paragraphs 2 and 3 of this Article.

Manner of conducting polygraph testing referred to in Article 119 of this Law and paragraph 1 of this Article and methodology for applying such testing shall be prescribed by the Ministry.

12. Counter-Sabotage Inspection, Securing and Examining the Scene and Undertaking Measures to Eliminate Imminent Danger

Counter-Sabotage Inspection
Article 121

Where necessary to ensure the protection of persons and property, a specially trained police officer may conduct a regular or extraordinary counter-sabotage inspection of persons, premises, facilities, means, devices and other items.

Counter-sabotage inspection shall comprise the inspection or detection of explosive means or devices, as well as chemical-biological, radiological-nuclear and other inspections.

Where it may reasonably be expected that suspicious devices or items in premises, facilities, means or other places in the immediate vicinity could endanger persons and property or where such danger has already arisen, police officers may evacuate the area, facilities, means or place, prevent access thereto in line with Article 80 paragraphs 2, 3 and 4 of this Law and inspect them directly, using technical means or service dogs.

In cases referred to in paragraph 3 of this Article, a specially trained police officer may, upon finding a suspicious device or item, independently or with the assistance of competent authorities, transport it for deactivation, neutralisation, destruction or similar purposes or undertake measures for its deactivation, neutralisation or destruction at the scene where no other means exist to eliminate an imminent and serious danger to persons and property.

During a counter-sabotage inspection, police officers may request the competent authority to carry out supervision and undertake measures within its competence.

Specially trained police officers shall also be authorised to conduct preventive counter-sabotage inspections of persons, premises, facilities, means, devices and other items.

Specially trained police officer shall be authorised to enter and conduct a counter-sabotage inspection of persons, premises, facilities, means, areas and documentation for the purpose of acting upon a report of the presence of an explosive device or eliminating another imminent and serious danger to persons and property.
Upon proposal of a specially trained police officer who conducted the counter-sabotage inspection, the competent organisational unit of the Police may issue general and individual instructions to state authorities, state administration authorities, local self-government authorities, local administration authorities, business entities and legal and natural persons on acting in situations referred to in paragraph 3 of this Article.

Securing and Examining the Scene
Article 122

Upon arrival at the scene of a criminal offence, misdemeanour or other incident, a police officer shall undertake measures and actions to eliminate danger to the life and health of persons or property, provide assistance to injured persons, if any and examine the scene for the purpose of undertaking all necessary measures to preserve unchanged the scene of the criminal offence or misdemeanour, in particular traces and items that may serve as evidence.
Provisions of paragraph 1 of this Article shall also apply to a police officer who happens to be present at the scene of a criminal offence, misdemeanour or other incident.
For the purpose of protecting victims and injured parties of a criminal offence, misdemeanour or other incident and ensuring the unobstructed conduct of proceedings, a police officer shall be authorised to prohibit recording of the scene.

Undertaking Measures to Eliminate Imminent Danger
Article 123

Police officers shall undertake urgent measures necessary to eliminate imminent danger to persons and property where other competent authorities are unable to undertake such measures in a timely manner and shall immediately inform those authorities thereof.
Police officers shall provide assistance to state administration authorities, local self-government authorities, local administration authorities and legal and natural persons in cases of general danger caused by natural disasters, epidemics or other forms of threat.
Police officers shall undertake urgent measures necessary to eliminate imminent danger to the life, health and property of persons in the event of an announcement or report of a planted improvised explosive device or the discovery or sighting of suspicious items.
When entering another person’s apartment or other premises in line with a separate law, where entry cannot otherwise be gained, a police officer may use force or special means (mechanical and hydraulic means for forced entry into a facility, etc.) to open the apartment or other premises or may use, for the purpose of entry, passage through areas used by other persons.
Where circumstances permit, assistance of experts may be used to enter another person’s apartment or other premises referred to in paragraph 4 of this Article.
In performing the affairs referred to in paragraphs 1 and 2 of this Article, police officers shall also participate in rescue operations and provision of assistance to persons and shall use prescribed means of transport, devices and equipment for that purpose.

Act on the Performance of Certain Police Affairs
Article 124

Detailed manner of performing certain police affairs and exercising powers not governed by other regulations shall be prescribed by the Ministry.

1. Employment of Police Officers

Requirements for Employment
Article 125

(Law Amending the Law on Internal Affairs, Official Gazette of Montenegro 040/26 as of 23 March 2026, Article 4)

Person entering employment in the rank of a police officer shall, in addition to the general requirements for employment of civil servants and state employees, meet the following requirements:

1) no criminal proceedings have been initiated against that person for a criminal offence prosecuted ex officio;

2) the person has the appropriate level of educational qualification in line with this Law;

3) the person has the specific psychological and physical fitness required for performing police affairs; and

4) no security impediments exist for performing police affairs.

In addition to the requirements referred to in paragraph 1 of this Article, a person entering employment in the rank of a police officer shall meet the special requirements for employment prescribed by this Law and the act on internal organisation and job descriptions.

Person who has completed basic police education and enters employment in the rank of police officer in line with Article 133 of this Law may not be older than 32 years on the date of entering employment in that rank.

Verification of the specific psychological and physical fitness referred to in paragraph 1 item 3 of this Article shall be carried out by a commission established by the Minister with the consent of the state administration authority responsible for health affairs (hereinafter referred to as: the Health Commission), whose composition and manner of work shall be determined by the regulation referred to in Article 161 paragraph 9 of this Law.

Existence of security impediments for performing police affairs shall be determined through verification conducted by the Commission for the Verification of Security Impediments referred to in Article 128 of this Law.

Decision on employment in the Police shall be made by the Minister.

Prohibition of Employment in a Police Rank
Article 126

Person whose employment in a state authority, another state administration authority, local self-government authority, local administration authority, services established in line with the law governing local self-government or another legal person exercising public powers terminated due to a serious breach of official duty may not enter employment in a police rank for a period of four years from the date of termination of employment.

Security Impediments
Article 127

(Law Amending the Law on Internal Affairs, Official Gazette of Montenegro 040/26 as of 23 March 2026, Article 5)

Security impediments referred to in Article 125 paragraph 1 item 4 of this Law shall be deemed to exist for the admission of interns, beneficiaries of professional training in the Police and admission to basic or higher police education where:

1) the person has been convicted by a final judgment of a criminal offence prosecuted ex officio, except for criminal offences against road traffic safety punishable by imprisonment for up to three years, provided that the conviction has not been expunged from criminal records;

2) the person has been sentenced to imprisonment for a criminal offence with elements of corruption within the meaning of this Law, provided that the conviction has not been expunged from the records;

3) the person is registered in the records of narcotic drug users kept by the state administration authority responsible for health affairs;

4) the person has been sanctioned for a misdemeanour against public order and peace involving elements of violence, violent behaviour or incitement of serious conflicts in their work or living environment or family, provided that the sanction has not been expunged from misdemeanour records;

5) previous conduct, habits or inclinations of the person indicate unsuitability for work in a police rank;

6) the person has or maintains connections with persons who unlawfully collect classified or other data, terrorists, saboteurs, members of organised criminal groups or persons in respect of whom there is reasonable suspicion that they belong to such groups;

7) the person conceals or provides inaccurate information about themselves or family members which is relevant to the performance of police affairs; or

8) other circumstances exist which render the person unworthy of working in a police rank.

Criminal offences with elements of corruption within the meaning of this Law shall comprise:

- abuse of official position;
- fraud in office;
- unlawful influence;
- incitement to unlawful influence;
- acceptance of a bribe;
- giving of a bribe; and
- usury.

Manner of Determining the Existence of Security Impediments
Article 128

(Law Amending the Law on Internal Affairs, Official Gazette of Montenegro 040/26 as of 23 March 2026, Article 6)
(Law Amending the Law on Internal Affairs, Official Gazette of Montenegro 117/26 as of 7 August 2026, Article 1)

Security impediments shall be determined by the Commission for the Verification of Security Impediments established by the Government, upon proposal of the Minister and after obtaining the opinion of the competent committee of the Parliament.

Should the competent committee of the Parliament fail to submit the opinion referred to in paragraph 1 of this Article within 15 days from the date of receipt of the request for an opinion, the opinion shall be deemed to have been given and the procedure for establishing the Commission for the Verification of Security Impediments shall continue without the opinion of the committee.

Commission for the Verification of Security Impediments shall comprise six members, as follows:

- five members who are employees of the Ministry, of whom three are police officers, one is an employee of the organisational unit performing internal control of the Police and one is an employee of another organisational unit; and

- one member from among state prosecutors or employees of the State Prosecutor's Office, proposed by the Chief Special Prosecutor.

Chair of the Commission for the Verification of Security Impediments shall be appointed from among the members of the Commission.

Commission for the Verification of Security Impediments shall be appointed for a period of two years.

Professional and administrative affairs for the needs of the Commission for the Verification of Security Impediments shall be performed by a secretary designated from among employees of the Ministry.

Only persons in respect of whom prior verification of the existence of security impediments has been conducted and a report with an opinion confirming the absence of security impediments has been submitted may be appointed as members of the Commission for the Verification of Security Impediments.

Decision establishing the Commission for the Verification of Security Impediments, as well as documentation and acts produced in the procedure for its establishment and work, may be marked with the appropriate classification level in line with the law governing classified data.

Verification of the existence of security impediments for proposed members of the Commission for the Verification of Security Impediments shall be conducted by a special commission established by the Minister, comprising employees of the Ministry and the Police who are not candidates for membership of the Commission for the Verification of Security Impediments.

Verification referred to in paragraph 9 of this Article shall be conducted in line with Article 162 of this Law and the regulation referred to in paragraph 21 of this Article.

Verification of the existence of security impediments referred to in Article 127 paragraph 1 items 1 to 4 of this Law shall be conducted by the Commission for the Verification of Security Impediments through inspection of the relevant records.

Verification of the existence of security impediments referred to in Article 127 paragraph 1 items 5 to 8 of this Law shall be conducted by the Commission for the Verification of Security Impediments in cooperation with the Police.

Regarding the existence of a security impediment referred to in Article 127 paragraph 1 item 6 of this Law, the Commission for the Verification of Security Impediments shall also obtain an opinion from the National Security Agency, in line with the law governing national security.

Opinion referred to in paragraph 13 of this Article shall be submitted by the National Security Agency within 90 days.

Should the National Security Agency fail to submit its opinion within the period referred to in paragraph 14 of this Article, the Commission for the Verification of Security Impediments shall adopt an opinion on the existence or absence of a security impediment on the basis of data obtained in line with paragraph 12 of this Article.

Report containing an opinion on the existence or absence of a security impediment shall be submitted by the Commission for the Verification of Security Impediments to the Minister within 30 days from the date on which the verifications were completed.

Minister shall submit the report referred to in paragraph 16 of this Article to the competent committee of the Parliament for information.

Person in respect of whom the existence of security impediments is being determined shall provide written consent for such determination.

Candidate shall be informed of the existence of a security impediment, without any obligation to inform the candidate of the reasons on the basis of which the existence of the security impediment was determined.

Chair, members and secretary of the Commission for the Verification of Security Impediments and of the special commission referred to in paragraph 9 of this Article shall be entitled to remuneration for their work in those commissions in an amount of up to 50% of the average net salary in Montenegro in the previous year, according to data of the administration authority responsible for statistics.

Manner of work of the Commission for the Verification of Security Impediments and other matters relevant to verification of the existence of security impediments shall be prescribed by the Ministry.

Manner of Filling Positions in the Police
Article 129

(Law Amending the Law on Internal Affairs, Official Gazette of Montenegro 040/26 as of 23 March 2026, Article 7)

Positions in a police rank shall be filled:

1) by reassignment;

2) on the basis of:

- an internal announcement;

- a public announcement;

- a public competition; and

3) in another manner prescribed by this Law.

Filling of positions in the manner referred to in paragraph 1 item 2 of this Article shall be conducted in line with the law governing the rights and obligations of civil servants and state employees, unless otherwise prescribed by this Law.

Decision on selection of a candidate when filling positions in the manner referred to in paragraph 1 item 2 indents 1 and 2 of this Article shall be made by the Police Director.

Notwithstanding paragraph 1 item 2 of this Article, employment may be established without an announcement for certain positions involving criminal intelligence affairs, financial intelligence affairs, implementation of secret surveillance measures and special investigative methods, witness protection and counter-terrorism affairs, forensic examinations, expert examinations and investigations and affairs relating to criminal offences prescribed by the law governing the organisation and jurisdiction of the Special State Prosecutor’s Office, where provided for by the act on internal organisation and job descriptions.

Person entering employment in the manner referred to in paragraph 3 of this Article may not be reassigned to another position within two years from the date of entering employment.

Where, during recruitment to a police rank, several persons meet the requirements under this Law and achieve the same results in the assessment of knowledge, abilities, competences and skills, due consideration shall be given to the proportional representation of members of minority peoples and other minority national communities and to gender-balanced representation.

Police shall undertake proactive measures to encourage proportional representation of members of minority peoples and other minority national communities and gender-balanced representation in the Police.

Persons Entering Employment in a Police Rank for the First Time
Article 130

Persons entering employment in a police rank for the first time shall:

- complete the basic police training referred to in Article 149 of this Law within one year from the date of entering employment; and
- pass the special examination for work in a police rank within one year from the date of completion of the basic police education referred to in Article 147 of this Law.

Ministry shall organise basic police training for persons entering employment for the first time.

Programme and manner of taking the examination referred to in paragraph 1 indent 2 of this Article shall be prescribed by the Ministry.

Filling of Positions of Heads of Internal Organisational Units of the Police
Article 131

(Law Amending the Law on Internal Affairs, Official Gazette of Montenegro 040/26 as of 23 March 2026, Article 8)

Positions of heads of internal organisational units of the Police shall be filled on the basis of an internal announcement within the Police.

Positions within the meaning of paragraph 1 of this Article shall comprise positions of heads of security centres.

Filling of positions referred to in paragraph 2 of this Article shall be carried out where such a position becomes vacant due to changes in internal organisation or for other reasons or for the purpose of more efficient performance of police affairs.

During the internal announcement procedure within the Police and where no candidate is selected following the announcement, positions referred to in paragraph 2 of this Article shall be filled by reassigning a police officer who meets the requirements prescribed for the position, for a period not exceeding six months.

Internal Announcement within the Police
Article 132

(Law Amending the Law on Internal Affairs, Official Gazette of Montenegro 040/26 as of 23 March 2026, Article 9)

Internal announcement within the Police, within the meaning of Article 131 of this Law, shall be published on the notice board and website of the Ministry following adoption of a decision to initiate the procedure for filling the position.

Decision to initiate the procedure for filling a position shall be made by the Police Director.

Period for submitting applications to the internal announcement within the Police may not be shorter than ten days from the date of publication of the announcement.

Ministry shall compile a list of candidates who meet the requirements of the announcement on the basis of timely, complete and duly submitted documentation.

Candidates who meet the requirements of the announcement shall undergo an assessment of knowledge, abilities, competences and skills.

Assessment referred to in paragraph 5 of this Article shall be conducted by a commission established by the Minister upon proposal of the Police Director (hereinafter referred to as: the Commission), through written testing, an oral interview and other appropriate methods, for the purpose of assessing knowledge, abilities, skills and previous work performance on the basis of prescribed criteria.

Commission referred to in paragraph 6 of this Article shall comprise two police officers, one of whom shall, where possible, be the immediate superior holding the same or a higher police rank than the rank for which the announcement was published and one representative of the Ministry.

Based on data from the submitted documentation, the assessment of abilities conducted and inspection of records kept by the Ministry, the Commission shall assess candidates from the list who meet the requirements of the announcement by applying the following criteria: professional and work-related qualities and results of the assessment of abilities.

Based on the report on the assessment referred to in paragraph 5 of this Article drafted by the Commission, the Ministry shall, within three days, compile a ranking list for the selection of candidates and submit it to the Police Director.

List for the selection of candidates shall contain the three highest-ranked candidates and may contain more candidates where they have received the same assessment.

Following interviews with all candidates from the list for the selection of candidates, the Police Director shall, within 15 days from the date of submission of the ranking list, make a decision on the selection of a candidate, with the prior consent of the Minister.

Appeal against the selection decision referred to in paragraph 11 of this Article shall not stay the execution of the decision.

Following adoption of the selection decision, the head of the internal organisational unit of the Police shall be reassigned to the position.

Procedure and content of the internal announcement within the Police, manner of correcting and withdrawing the announcement, detailed manner of conducting the assessment referred to in paragraph 6 of this Article and detailed criteria and manner of assessment referred to in paragraphs 6 and 8 of this Article shall be prescribed by the Ministry.

Employment of Persons Who Have Completed Basic Police Education
Article 133

Ministry shall publish a public call for the admission of interns for persons who have completed basic police education within the meaning of this Law.

Decision on publication of the public call referred to in paragraph 1 of this Article shall be made by the Minister.

Period for submitting applications to the public call referred to in paragraph 1 of this Article may not be shorter than eight days from the date of publication of the public call.

Ministry shall, within three days from expiry of the period for submitting applications to the public call, compile a list of candidates who meet the requirements of the public call on the basis of timely, complete and duly submitted documentation.

Based on the list referred to in paragraph 4 of this Article, the Minister shall make a decision on the selection of candidates.

Person referred to in paragraph 1 of this Article shall enter employment in the rank of police officer, without a public announcement, following completion of the internship, subject to the obligation to pass the professional examination for work in state authorities and the special examination for work in a police rank within one year from completion of the internship.

Should the person referred to in paragraph 6 of this Article fail to successfully complete the probationary period or fail to pass the professional examination for work in state authorities and the special examination for work in a police rank, their employment shall terminate.

Person referred to in paragraph 6 of this Article shall remain employed in a police rank for at least five years.

Should the person referred to in paragraph 6 of this Article fail to remain employed in a police rank for at least five years, that person shall reimburse the costs of education and other costs

incurred during education in line with the contract concluded between the Ministry and that person governing their mutual rights and obligations.

Person referred to in paragraph 6 of this Article shall not be required to complete the basic police training referred to in Article 149 of this Law.

Number of participants in basic police education shall be determined by the Government upon proposal of the Ministry and after obtaining the opinion of the Police.

Together with the proposal referred to in paragraph 11 of this Article, the Ministry shall submit a certificate of secured financial resources issued by the state administration authority responsible for finance affairs.

Special Employment Procedure

Article 133a

(Law Amending the Law on Internal Affairs, Official Gazette of Montenegro 084/24 as of 6 September 2024, Article 2)

For the purpose of filling police officer positions, the Ministry may, after obtaining the prior opinion of the state administration authority responsible for finance affairs (hereinafter referred to as: the Ministry of Finance) concerning the fiscal impact on the state budget and with the consent of the Government, conduct a special employment procedure without public announcement and outside the human resources plan due to a workload that cannot be handled by the existing number of employees, the need to engage specialised personnel or other justified reasons determined by the Ministry.

Procedure referred to in paragraph 1 of this Article shall be conducted on the basis of a public call published on the website and notice board of the Ministry.

Initiation of the Special Employment Procedure

Article 133b

(Law Amending the Law on Internal Affairs, Official Gazette of Montenegro 084/24 as of 6 September 2024, Article 2)

Need to employ police officers within the Police in line with Article 133a of this Law shall be assessed by the head of the organisational unit in which the position is to be filled, who shall inform the Police Director thereof. Based on that notification, the Police Director shall submit to the Minister a reasoned proposal for initiating the procedure referred to in Article 133a of this Law.

Need to employ police officers within organisational units of the Ministry in line with Article 133a of this Law shall be assessed by the head of the organisational unit in which the position is to be filled, who shall, based on that assessment, submit to the Minister a reasoned proposal for initiating the procedure referred to in Article 133a of this Law.

Based on proposals referred to in paragraphs 1 and 2 of this Article, the Minister shall make a decision to initiate the special employment procedure.

Requirements for Employment in a Police Rank under the Special Employment Procedure

Article 133v

(Law Amending the Law on Internal Affairs, Official Gazette of Montenegro 084/24 as of 6 September 2024, Article 2)

(Law Amending the Law on Internal Affairs, Official Gazette of Montenegro 040/26 as of 23 March 2026, Article 11)

Person entering employment in a police rank in line with Article 133a of this Law shall, in addition to the general requirements for employment of civil servants and state employees, meet the following requirements:

- no criminal proceedings have been initiated against that person for a criminal offence prosecuted ex officio;
- the person has at least level IV of educational qualification;
- the person has the specific psychological and physical fitness required for performing police affairs; and
- no security impediments exist for performing police affairs.

In addition to the requirements referred to in paragraph 1 of this Article, a person entering employment in the rank of police officer or junior police officer in line with Article 133a of this Law may not be older than 32 years on the date of submission of the application to the public call.

Notwithstanding paragraph 2 of this Article, a person entering employment in a police rank in line with Article 133a of this Law who has previous work experience in the Police, the Ministry, the state administration authority responsible for defence affairs, the National Security Agency or the administration authority responsible for the execution of criminal sanctions may enter employment provided that the person is not older than 40 years on the date of submission of the application to the public call.

Implementation of the Special Employment Procedure

Article 133g

(Law Amending the Law on Internal Affairs, Official Gazette of Montenegro 084/24 as of 6 September 2024, Article 2)
(Law Amending the Law on Internal Affairs, Official Gazette of Montenegro 040/26 as of 23 March 2026, Article 12)

Period for submitting applications to the public call referred to in Article 133a paragraph 2 of this Law may not be shorter than 15 days from the date of publication of the public call.

Upon expiry of the period referred to in paragraph 1 of this Article, the Ministry shall compile a list of candidates whose applications to the public call are timely, complete and duly submitted.

Candidates from the list referred to in paragraph 2 of this Article shall undergo verification of the existence of security impediments referred to in Article 125 paragraph 1 item 4 of this Law and assessment of specific psychological and physical fitness for performing police affairs, which shall be conducted under an expedited procedure.

Following the verification referred to in paragraph 3 of this Article, the Ministry shall compile a list of candidates who meet the requirements of the public call, namely candidates in respect of whom it has been established that no security impediments exist and that they have the required psychological and physical fitness.

Candidates from the list referred to in paragraph 4 of this Article shall undergo an assessment of knowledge, abilities, competences and skills conducted by commissions established by the Minister, as follows:

1) Commission for the Assessment of Integrity and Professional Competences of Candidates; and
2) Commission for the Assessment of Knowledge, Abilities and Skills of Candidates.

Assessment of knowledge, abilities, competences and skills of candidates shall be conducted no later than 60 days from the date of compilation of the list of candidates who meet the requirements of the public call.

Assessment of knowledge, abilities, competences and skills of candidates shall comprise an assessment of integrity and professional competences and an assessment of knowledge, abilities and skills, conducted through written testing and an oral interview on the basis of prescribed criteria, each lasting no longer than 20 days.

Within seven days from completion of the assessment of integrity and professional competences, the Commission for the Assessment of Integrity and Professional Competences of Candidates shall draft a report on that assessment and submit it to the Commission for the Assessment of Knowledge, Abilities and Skills of Candidates.

Following completion of the assessment of knowledge, abilities and skills of candidates, the Commission for the Assessment of Knowledge, Abilities and Skills of Candidates shall, within seven days at the latest, draft a report on the assessment conducted, containing data on that assessment and the results achieved by each candidate individually.

Based on the report referred to in paragraph 9 of this Article, the Ministry shall compile a list for the selection of candidates within three days.

List for the selection of candidates for employment in the Police shall be submitted to the Police Director and the Minister.

Decision on the selection of candidates shall be made by the Police Director with the prior consent of the Minister.

List for the selection of candidates for employment in organisational units of the Ministry shall be submitted to the Minister, who shall make the selection decision.

Ministry shall inform candidates of the results of the procedure within 30 days from completion of the procedure.

Proceedings may be initiated before the competent court against decisions referred to in paragraphs 12 and 13 of this Article within 15 days from the date of receipt of the candidate selection decision.

Chair, members and secretary of the commissions referred to in paragraph 5 of this Article shall be entitled to remuneration for their work in those commissions amounting to 60% of the average net salary in Montenegro in the previous year, according to data of the administration authority responsible for statistics.

Content, manner of correction and withdrawal of the public call, detailed manner of conducting the assessment referred to in paragraph 7 of this Article, criteria for assessing candidates, composition and manner of work of the commissions referred to in paragraph 5 of this Article and other matters of relevance for conducting the special employment procedure shall be prescribed by the Ministry.

Article 133d

(Law Amending the Law on Internal Affairs, Official Gazette of Montenegro 084/24 as of 6 September 2024, Article 2)
(Law Amending the Law on Internal Affairs, Official Gazette of Montenegro 040/26 as of 23 March 2026, Article 13)

Police officers who entered employment in line with Article 133a of this Law shall complete the basic police training referred to in Article 149 of this Law within one year from the date of entering employment.

Police officers who entered employment in the Police in line with Article 133a of this Law shall enter employment in the rank of junior police officer or police officer.

Police officers who entered employment in the rank of junior police officer shall remain employed in that police rank for at least five years and those who entered employment in the rank of police officer for at least three years.

Police officers who entered employment in an organisational unit of the Ministry performing information technology affairs in line with Article 133a of this Law shall enter employment in the ranks referred to in Article 135 paragraph 1 item 4 of this Law.

Taking the Oath
Article 134

Police officer shall, after entering employment, take and sign a solemn oath.

Text of the oath shall read:

"I swear that I will devote all my strength to the security of citizens, diligently protect human rights and freedoms, conscientiously and responsibly serve the citizens of Montenegro and consistently comply with the law in the performance of police duties."

2. Police Ranks, Requirements for Acquiring Police Ranks and Categorisation of Positions

Ranks
Article 135

(Law Amending the Law on Internal Affairs, Official Gazette of Montenegro 040/26 as of 23 March 2026, Article 14)

Police officer ranks shall be:

1) chief police inspector, first class senior police inspector, senior police inspector, independent police inspector, first class police inspector, police inspector and junior police inspector;

2) first class senior police sergeant, senior police sergeant and police sergeant;

3) first class senior police officer, senior police officer, police officer and junior police officer;

4) chief police adviser, first class senior police adviser, senior police adviser, independent police adviser and police adviser.

Requirements for Acquiring Police Ranks
Article 136

(Law Amending the Law on Internal Affairs, Official Gazette of Montenegro 040/26 as of 23 March 2026, Article 15)

Requirements for acquiring police ranks shall be:

1) chief police inspector – level VII1 of educational qualification, at least ten years of work experience in positions requiring level VII1 of educational qualification while holding a police rank and a passed professional examination for work in state authorities;

2) chief police adviser – level VII1 of educational qualification, at least ten years of work experience in positions requiring level VII1 of educational qualification and a passed professional examination for work in state authorities;

3) first class senior police inspector – level VII1 of educational qualification, at least eight years of work experience in positions requiring level VII1 of educational qualification while holding a police rank and a passed professional examination for work in state authorities;

4) first class senior police adviser – level VII1 of educational qualification, at least eight years of work experience in positions requiring level VII1 of educational qualification and a passed professional examination for work in state authorities;

5) senior police inspector – level VII1 of educational qualification, at least six years of work experience in positions requiring level VII1 of educational qualification while holding a police rank and a passed professional examination for work in state authorities;

6) senior police adviser – level VII1 of educational qualification, at least six years of work experience in positions requiring level VII1 of educational qualification and a passed professional examination for work in state authorities;

7) independent police inspector – level VII1 of educational qualification, at least four years of work experience in positions requiring level VI or VII1 of educational qualification while holding a police rank and a passed professional examination for work in state authorities;

8) independent police adviser – level VII1 of educational qualification, at least four years of work experience in positions requiring level VII1 of educational qualification and a passed professional examination for work in state authorities;

9) first class police inspector – level VI or VII1 of educational qualification, at least three years of work experience in positions requiring level VI or VII1 of educational qualification while holding a police rank and a passed professional examination for work in state authorities;

10) police inspector – level VI or VII1 of educational qualification, at least two years of work experience in positions requiring level VI or VII1 of educational qualification while holding a police rank and a passed professional examination for work in state authorities;

11) police adviser – level VII1 of educational qualification, completed internship or at least one year of work experience in positions requiring level VII1 of educational qualification and a passed professional examination for work in state authorities;

12) junior police inspector – level VI or VII1 of educational qualification, completed internship or at least one year of work experience in positions requiring level VI or VII1 of educational qualification and a passed professional examination for work in state authorities;

13) first class senior police sergeant – level V or VI of educational qualification, at least five years of work experience in positions requiring level V or VI of educational qualification while holding a police rank and a passed professional examination for work in state authorities;

14) senior police sergeant – level V or VI of educational qualification, at least three years of work experience in positions requiring level V or VI of educational qualification while holding a police rank and a passed professional examination for work in state authorities;

15) police sergeant – level V or VI of educational qualification and a passed professional examination for work in state authorities;

16) first class senior police officer – level V of educational qualification, at least five years of work experience in positions in a police rank and a passed professional examination for work in state authorities;

17) senior police officer – level V of educational qualification, at least three years of work experience in positions in a police rank and a passed professional examination for work in state authorities;

18) police officer – level V of educational qualification, completed internship, a passed professional examination for work in state authorities and a passed special examination for work in a police rank;

19) junior police officer – level IV of educational qualification, at least six months of work experience and a passed professional examination for work in state authorities.

Categorisation of Positions of Police Officers
Article 137

Duties of a position in a police rank may be performed in several police ranks.
Criteria for classification of police officer positions within the categories and levels of positions prescribed by the law governing the rights and obligations of civil servants and state employees, ranks in which duties of a particular position may be performed and special requirements for performing the duties of a position shall be determined by the Government.

3. Assessment, Promotion and Rewarding of Police Officers

Assessment of the Work of Police Officers
Article 138

Police officers shall be assessed in line with this Law for the purpose of monitoring their work and career development.
Assessment of the work of police officers shall be conducted objectively, transparently and impartially.

Assessment Criteria
Article 139

Work of police officers shall be assessed according to general and special criteria.
General criteria for assessing the work of police officers shall be:

1) work results achieved;
2) accuracy, precision and reliability in performing police affairs;
3) compliance with deadlines in performing police affairs; and
4) attitude towards the performance of police affairs.

Special criteria for assessing the work of police officers, depending on the description of duties of the position to which a police officer is assigned, shall be:

1) independence and creativity in work;
2) expertise or quality of work;
3) written and oral expression or communication skills; and
4) aptitude for teamwork.

In addition to the criteria prescribed in paragraphs 2 and 3 of this Article, the work of the Police Director, Assistant Police Directors and heads of internal organisational units of the Police shall also be assessed according to the following criteria:

1) ability to coordinate and manage;
2) ability to organise the work of the organisational unit managed;
3) making decisions which they are authorised to make;
4) motivating police officers;
5) resolving conflicts;
6) monitoring work and providing guidance to police officers;
7) implementation of strategic objectives, where the head of an organisational unit is responsible for achieving those objectives; and
8) other abilities and skills and the quality of performance of affairs.

Work Performance Ratings
Article 140

Police officer shall receive one of the following work performance ratings:

- “excellent” where the police officer demonstrates a high level of expertise and independence in performing duties and a high level of knowledge of and ability to apply regulations, ensures timely performance of duties, provides useful proposals or demonstrates exceptional motivation for work and achieves results exceeding

those envisaged for the position to which the police officer is appointed or assigned, promotes mutual respect and seeks solutions in the working environment in the event of conflicts;

- "successful" where the police officer demonstrates the required level of expertise and independence and the required level of knowledge of and ability to apply regulations, whose work and compliance with duties and obligations at the workplace ensure reliable performance of police affairs and who performs duties in a timely manner and in line with the rules of service;
- "satisfactory" where the police officer achieves the required level of expertise for performing duties at the workplace, whose work and compliance with official duties ensure the minimum acceptable standards of quality and precision in performing duties, whose errors are capable of being remedied, who generally performs duties in a timely manner and in line with the rules of service, whose work and conduct are subject to remarks by the immediate superior and who demonstrates a satisfactory level of knowledge of and ability to apply regulations; or
- "unsatisfactory" where the police officer fails to demonstrate the expertise and independence necessary to meet the minimum standards of quality and reliable and acceptable performance of police affairs at the workplace, makes significant errors in work and conduct or frequently fails to perform duties in a timely manner and in line with the rules of service and shows no interest in the quality of their work despite remarks and warnings concerning omissions and irregularities made by the immediate superior, the head of the competent organisational unit of the Police or the Police Director and fails to demonstrate a satisfactory level of knowledge of and ability to apply regulations.

Manner of Assessment
Article 141

Work of police officers shall be assessed once a year and no later than 31 January of the current year for the previous year.

Police officer who worked for less than six months during a calendar year, regardless of the reasons, shall not be assessed.

Immediate superior shall, with the prior consent of their superiors, propose the work performance rating of a police officer to the Police Director using the prescribed form.

Prior to determining the proposed work performance rating, the immediate superior shall inform the police officer of the proposed rating and allow the police officer to make a statement thereon.

Employment of a police officer whose work has been rated "unsatisfactory" twice consecutively shall terminate on the date on which the decision on the assessment becomes enforceable.

Work performance rating referred to in paragraph 1 of this Article shall be taken into account when referring a police officer to education programmes, training and special professional development and improvement, assigning the police officer to work abroad and promoting the police officer to the immediately higher police rank.

Assessment of the Police Director, Assistant Police Directors and Head of the Financial Intelligence Unit
Article 142

Work of the Police Director, Assistant Police Directors and Head of the Financial Intelligence Unit shall be assessed twice a year and a report thereon shall be drafted.

Police Director and Head of the Financial Intelligence Unit shall be assessed by the Minister by means of a decision.

Assistant Police Directors shall be assessed by the Minister by means of a decision, upon

proposal of the Police Director.

Prior to adopting the decisions on work performance ratings referred to in paragraphs 2 and 3 of this Article, the Minister shall inform the Police Director, Assistant Police Directors and Head of the Financial Intelligence Unit of the proposed ratings and allow them to make a statement thereon.

Prior to submitting the proposed rating referred to in paragraph 3 of this Article to the Minister, the Police Director shall inform the Assistant Police Director concerned of the proposed rating and allow them to make a statement thereon.

Police Director, Assistant Police Director or Head of the Financial Intelligence Unit shall receive one of the following ratings:

- "excellent" where they have demonstrated exceptional abilities in organising and managing work, cooperation and communication with other authorities or employees and other abilities contributing to the efficient performance of work tasks;
- "good" where they have demonstrated average abilities in organising and managing work, cooperation and communication with other authorities or employees and other abilities contributing to the efficient performance of work tasks;
- "unsatisfactory" where they have failed to demonstrate average abilities in organising and managing work, average abilities in cooperation and communication with other authorities or employees or other abilities required for the efficient performance of work tasks.

Where the work of a person referred to in paragraph 1 of this Article has been rated "unsatisfactory" twice consecutively, the Minister shall, on the basis of an enforceable decision on work performance assessment, submit to the Government a proposal for termination of office of that person.

Detailed criteria, manner and procedure for assessing the Police Director, Assistant Police Directors, Head of the Financial Intelligence Unit and police officers, as well as the form referred to in Article 141 paragraph 3 of this Law, shall be prescribed by the Ministry.

Requirements for Acquiring the Immediately Higher Police Rank and Loss of Acquired Rank
Article 143

(Law Amending the Law on Internal Affairs, Official Gazette of Montenegro 003/23 as of 10 January 2023, Article 1)
(Law Amending the Law on Internal Affairs, Official Gazette of Montenegro 084/24 as of 6 September 2024, Article 3)
(Law Amending the Law on Internal Affairs, Official Gazette of Montenegro 040/26 as of 23 March 2026, Article 16)

Police officer may be promoted only to the immediately higher police rank or may be promoted from level IV or V of educational qualification to an entry-level rank requiring level VI or VII1 of educational qualification, subject to holding the appropriate level of educational qualification.

Police officer may acquire the immediately higher police rank provided that:

1) they have the appropriate level of educational qualification referred to in Article 136 of this Law;

2) they have spent at least one year in the relevant police rank;

3) they have completed the training referred to in Article 150 paragraph 1 item 1 of this Law;

4) during the last four years they have received the rating "successful" at least three times or the rating "excellent" twice consecutively in the rank held;

5) during the last year they have not been subject to two disciplinary measures for minor breaches of official duty or one disciplinary measure for a serious breach of official duty;

6) during the last year they have not violated the Code of Police Ethics referred to in Article 29 of this Law;

7) the immediately higher police rank is prescribed for the position to which they are assigned or are to be assigned;

8) there is a vacant position corresponding to that immediately higher police rank; and

9) no criminal proceedings are pending against them for a criminal offence prosecuted ex officio and no disciplinary proceedings are pending against them for a serious breach of official duty.

Notwithstanding paragraph 2 item 3 of this Article, a police officer acquiring the immediately higher police rank within the same category of police ranks shall not be required to attend the training.

No impediment to acquiring the immediately higher police rank shall be deemed to exist where the proceedings referred to in paragraph 1 item 9 of this Article are discontinued, an acquittal is rendered or the charges are dismissed, except where they are dismissed due to lack of jurisdiction of the court.

Police officer may acquire the immediately higher police rank even where it was not possible to assess their work due to temporary incapacity for work, trade union engagement, suspension of employment rights or similar reasons, provided that the other requirements for acquiring the immediately higher police rank are met.

Police officer referred to in Article 135 paragraph 1 item 4 of this Law may be promoted only to the immediately higher police rank referred to in Article 135 paragraph 1 item 4 of this Law, unless that police officer previously performed police affairs in a rank referred to in Article 135 paragraph 1 item 1 of this Law.

Police officer shall lose their police rank upon termination of employment in the Police or in the cases laid down in Article 162 paragraph 1 items 1 and 2 of this Law.

Provision of paragraph 7 of this Article shall apply accordingly to a police officer authorised to perform internal control of the Police.

Police Rank Categories

Article 143a

(Law Amending the Law on Internal Affairs, Official Gazette of Montenegro 084/24 as of 6 September 2024, Article 4)
(Law Amending the Law on Internal Affairs, Official Gazette of Montenegro 040/26 as of 23 March 2026, Article 17)

Police ranks, for the purpose of promotion to the immediately higher rank, shall be divided into three categories:

1) Category I – junior police officer, police officer, senior police officer, first class senior police officer, police sergeant, senior police sergeant and first class senior police sergeant;

2) Category II – junior police inspector, police inspector and first class police inspector; and

3) Category III – independent police inspector, senior police inspector, first class senior police inspector and chief police inspector.

Notwithstanding paragraph 1 of this Article, duties of positions requiring specific knowledge and skills which, as a rule, cannot be acquired through police education and work experience in a police rank may also be performed in the ranks of chief police adviser, first class senior police adviser, senior police adviser, independent police adviser and police adviser.

Special Cases of Permanent Loss of Police Rank and Police Powers

Article 143b

Police officer shall permanently lose their police rank upon determination of the existence of a security impediment to further work in a police rank referred to in Article 162 paragraph 1 items 1 and 2 of this Law.

Police officer referred to in paragraph 1 of this Article may be reassigned in line with the regulation governing the rights and obligations of civil servants and state employees.

Notwithstanding paragraph 2 of this Article, the person referred to in paragraph 1 of this Article may not be assigned to positions in the organisational unit performing security supervision and security protection affairs of the Ministry or to positions in the special organisational units referred to in Articles 183 and 194 of this Law.

Immediate superior shall submit to the Police Director a notification concerning the existence of a security impediment to further work in a police rank referred to in Article 162 paragraph 1 items 1 and 2 of this Law.

Police Director shall submit the notification referred to in paragraph 4 of this Article, together with an opinion, to the Minister for decision.

Official badge, official identification card, weapon and other equipment entrusted for the performance of police affairs shall be withdrawn from a police officer who has permanently lost their police rank.

Procedure for Promotion to the Immediately Higher Police Rank

Article 144

(Law Amending the Law on Internal Affairs, Official Gazette of Montenegro 003/23 as of 10 January 2023, Article 2)
(Law Amending the Law on Internal Affairs, Official Gazette of Montenegro 084/24 as of 6 September 2024, Article 5)

For the purpose of conducting the procedure for promotion to the immediately higher police rank, a public call shall be published for police officers who meet the requirements for acquiring the immediately higher police rank referred to in Article 143 of this Law.

Decision to publish the public call referred to in paragraph 1 of this Article shall be made by the Minister upon proposal of the Police Director.

Period for submitting applications to the public call may not be shorter than eight days from the date of publication of the public call.

Ministry shall compile a list of candidates who meet the requirements of the public call on the basis of timely, complete and duly submitted documentation.

Candidates who meet the requirements of the public call shall undergo an assessment of knowledge, abilities, competences and skills.

Assessment of knowledge, abilities, competences and skills shall be conducted by a commission established by the Police Director through written testing, an oral interview, inspection of records kept by the Ministry and other records and data collections or by another appropriate method, by assessing the knowledge, abilities, competences and skills of candidates.

Commission referred to in paragraph 6 of this Article shall issue an appropriate certificate to candidates who have successfully passed the assessment referred to in paragraph 5 of this Article on the basis of prescribed criteria.

In addition to the candidates, the certificate referred to in paragraph 7 of this Article shall be submitted to the organisational unit of the Ministry responsible for human resources.

Police officer to whom the certificate referred to in paragraph 7 of this Article has been issued shall acquire the immediately higher rank or the rank referred to in Article 143 paragraph 1 of this Law upon reassignment or filling of a position on the basis of a decision on permanent reassignment in line with Article 168 of this Law, provided that the immediately higher rank may not be acquired where reassignment is made to a position for which both the immediately higher rank and the rank already held by the police officer are prescribed, unless the position is that of a head of an organisational unit for which the police ranks referred to in Article 136 items 1 and 2 of this Law are prescribed or a position for which the police ranks referred to in Article 136 items 13 and 16 of this Law are prescribed.

Notwithstanding the preceding provisions, this Article shall not apply to the acquisition of police ranks upon entering employment and reassignment, to the acquisition of entry-level police ranks by a reassignment decision referred to in Article 168 of this Law or to promotion to the immediately higher police rank within the same category of police ranks.

Notwithstanding paragraph 9 of this Article, decision on reassignment within the Financial Intelligence Unit shall be made by the Head of the Financial Intelligence Unit.

Content, manner of publication, correction and withdrawal of the public call, assessment criteria, issuance of the certificate, composition and manner of work of the commission referred to in paragraph 6 of this Article and other matters of relevance for the procedure for promotion to the immediately higher police rank shall be prescribed by the Ministry.

Exceptional Promotion

Article 144a

(Law Amending the Law on Internal Affairs, Official Gazette of Montenegro 084/24 as of 6 September 2024, Article 6)

Police officer may be exceptionally promoted to the immediately higher police rank provided that:

1) they have the appropriate level of educational qualification;

2) during the last three years they have not been subject to two disciplinary measures for minor breaches of official duty or one disciplinary measure for a serious breach of official duty;

3) during the last three years they have not violated the Code of Police Ethics; and

4) no criminal proceedings are pending against them for a criminal offence prosecuted ex officio and no disciplinary proceedings are pending against them for a serious breach of official duty.

Decision on exceptional promotion referred to in paragraph 1 of this Article shall be made by the Police Director with the consent of the Minister, on the basis of the work results achieved by the police officer and the needs of the work process.

Types and Manner of Granting Awards, Recognition and Assistance
Article 145

(Law Amending the Law on Internal Affairs, Official Gazette of Montenegro 084/24 as of 6 September 2024, Article 7)

Police officers and other officers of the Ministry shall be granted awards and recognition for results achieved in the performance of internal affairs.

Awards within the meaning of paragraph 1 of this Article shall comprise:

1) annual award;

2) commemorative award; and

3) reward leave for a period of up to five working days with salary compensation.

Annual award for outstanding results achieved in the performance of internal affairs, commemorative award and reward leave for a period of up to five working days with salary compensation shall be granted by the Minister.

Notwithstanding paragraph 3 of this Article, the Police Director may, with the prior consent of the Minister, grant a commemorative award for success achieved in the performance of police affairs.

Recognition within the meaning of paragraph 1 of this Article shall comprise a gift and a certificate of gratitude.

Police officer who becomes entitled to an old-age pension in line with law may be awarded a merit badge and/or the short-barrelled firearm entrusted to them during the performance of police affairs.

Funds for the awards referred to in paragraph 2 items 1 and 2 of this Article shall be secured after obtaining the opinion of the Ministry of Finance.

Financial assistance to families of officers who lost their lives in or in connection with the performance of internal affairs, officers who were seriously injured in or in connection with the performance of internal affairs, a police officer who refused to execute an unlawful order and in other situations directly related to the performance of internal affairs which justifiably require financial or other appropriate assistance shall be granted by the Minister.

Manner of granting awards, recognition, merit badges, short-barrelled firearms and assistance, as well as the types of gifts and the design of the certificate of gratitude and merit badge, shall be prescribed by the Ministry.

4. Police Education, Training and Professional Development of Police Officers

Police Education and Training
Article 146

Police education and training shall comprise the acquisition and improvement of knowledge and skills, including police competences of police officers required for the performance of different levels and types of police affairs and shall be conducted in line with the principles of lifelong learning through:

- basic police education;
- higher police education;
- basic police training; and
- other police training.

Police education and training shall be conducted at educational and other institutions in Montenegro and abroad in line with the needs of the service and secured financial resources.

Police officer shall have the right to be informed of opportunities for police education and training and the obligation to attend education and training programmes.

Annual plan for the education and training of police officers shall be published in a manner accessible to all police officers (notice board, website of the Ministry, etc.).

Basic Police Education
Article 147

Basic police education shall mean full-time education at level V of educational qualification.

Basic police education shall be provided by an adult education organiser licensed to operate, in line with regulations governing the field of education.

Higher Police Education
Article 148

Higher police education, within the meaning of this Law, shall mean education at levels VI and VII1 of educational qualification provided by a higher education institution specialised for the needs of the Police in line with the appropriate publicly recognised study programmes.
Person may also be referred abroad for the purpose of acquiring higher police education within the meaning of paragraph 1 of this Article.
Persons who complete the higher police education referred to in paragraphs 1 and 2 of this Article and whose studies were financed from the budget of Montenegro shall enter employment without a public announcement, subject to prior receipt of a certificate confirming that financial resources have been secured.
Persons who complete the education referred to in paragraphs 1 and 2 of this Article shall remain employed in a police rank for a period twice the duration of that education.
Should persons referred to in paragraph 4 of this Article fail to remain employed in a police rank for a period twice the duration of the education, they shall reimburse the costs of education.
Manner of referral to education abroad referred to in paragraph 2 of this Article shall be prescribed by the Ministry.

Basic Police Training
Article 149

Basic police training shall mean training of persons entering employment in a police rank for the first time and training of persons referred to in Article 42 paragraph 2 of this Law who do not hold a police rank.
Detailed content and manner of conducting the police training referred to in paragraph 1 of this Article shall be prescribed by the Ministry.

Other Police Training
Article 150

(Law Amending the Law on Internal Affairs, Official Gazette of Montenegro 084/24 as of 6 September 2024, Article 8)

Other police training shall comprise the acquisition and improvement of knowledge, skills, attitudes and behaviour for the purpose of increasing efficiency and effectiveness in the performance of police affairs and shall include training:

1) of police officers for promotion from one category of police ranks to another;

2) of police officers for the purpose of acquiring knowledge and skills for performing specialised police affairs (forensic techniques, actions of special-purpose units, treatment of persons referred to in Article 53 paragraph 1 of this Law, etc.);

3) for the professional development and improvement of police officers for the purpose of acquiring new knowledge and improving previously acquired knowledge and skills;

4) for additional professional development and police training organised and conducted in organisational units of the Police; and

5) referred to in Article 40 paragraph 2 of this Law.

Special Professional Development and Improvement of Police Officers
Article 151

Police officer may also be referred for special professional development and improvement at educational or other institutions in Montenegro or abroad, in line with the needs of the

Ministry and the Police.
In the case referred to in paragraph 1 of this Article, the rights and obligations of the police officer shall be governed by a contract concluded between the police officer and the Ministry.
Following completion of the special professional development or improvement referred to in paragraph 1 of this Article, the police officer shall remain employed in a police rank in the Ministry or the Police for a period twice the duration of such professional development or improvement, unless otherwise provided by the contract.
Police officer who fails to remain employed in line with paragraph 3 of this Article or who, without justified reason, fails to complete the professional development or improvement referred to in paragraph 1 of this Article shall reimburse the costs thereof.
Police officers shall have the right to be informed of special professional development and improvement through publication on the website or notice board of the Ministry.

5. Rights and Duties of Police Officers

Prohibition of Discrimination and Respect for the Dignity of a Police Officer
Article 152

Police officers shall exercise the rights under this Law under equal conditions.
Police Director, Assistant Police Directors and heads of internal organisational units of the Police shall treat all police officers fairly and equally, regardless of their race, sex or national affiliation, differences arising from social origin, birth, religion, political or other belief or orientation, gender and gender orientation, sexual orientation, personal circumstances, age or mental or physical disability and shall provide them with equal opportunities for promotion, rewarding and legal protection.
Police Director, Assistant Police Directors and heads of internal organisational units of the Police shall respect the dignity of police officers.

Delay or Interruption of Annual Leave
Article 153

Use of annual leave of a police officer may be delayed or interrupted for the purpose of performing urgent police affairs.
In the case referred to in paragraph 1 of this Article, the police officer shall be entitled to reimbursement of actual costs caused by the delay or interruption of annual leave.
Police officer whose annual leave has been interrupted or delayed for the purpose of performing urgent police affairs shall continue to use the remaining part of the annual leave after completion of the police affair.

Trade Union, Professional and Other Organisation and Activities
Article 154

Police officer shall have the right to trade union, professional and other organisation and activities in line with law.
Police officer may not be a member of a political party, engage in party political activities or stand as a candidate in national or local elections.
Activities aimed at improving the financial position of police officers, creating better working conditions for police officers and securing financial assistance, sponsorships and donations shall be resolved by agreement with the representative trade union.
Non-governmental organisations dealing with the rights of police officers may also be consulted in carrying out the activities referred to in paragraph 3 of this Article.

Strike
Article 155

Police officer shall have the right to strike in line with the law governing the conditions and manner of organising a strike.
Police officer participating in a strike may not in any manner violate the unity of command and subordination, interfere with or affect operational activities and functioning of work or the performance of police affairs.
Number of police officers required to participate in the minimum work process shall be determined in line with the security assessment and the Agreement on the Minimum Work Process of Police Officers during a Strike concluded between the Ministry and representative trade unions.
Police officer participating in a strike may not exercise police powers or carry means of coercion prescribed by this Law.

Additional Work
Article 156

Police officer may, outside working hours and with the consent of the Minister or a person authorised by the Minister, perform other work or be a member of a management or supervisory body of educational, scientific, humanitarian or sports associations, work as a lecturer at training courses, professional training and professional conferences and perform work or provide services to a natural or legal person, where the Ministry does not exercise supervision over such persons or where such work is not prohibited by a separate law, does not constitute a conflict of interest or an impediment to the performance of duties or harm the reputation of the Ministry.

Compensation in Case of Death of a Police Officer or Member of the Immediate Family
Article 157

In the event of death of a police officer, the immediate family shall be entitled to one-off financial assistance equal to 12 times the net salary received by the police officer in the last month.
In the event of death of a police officer, the Ministry shall resolve the housing needs of the spouse and children of the police officer in line with the regulation governing the procedure, manner and criteria for resolving the housing needs of civil servants and state employees.
In the event of death of an immediate family member, the police officer shall be entitled to one-off financial assistance in the amount of nine calculation values of the coefficient.
Where two or more members of the immediate family are police officers, the right to assistance referred to in paragraph 3 of this Article shall be exercised by only one police officer or the amount of financial assistance shall be divided into equal parts.
Where two or more members of the immediate family of a police officer submit the request referred to in paragraph 1 of this Article, the amount of one-off financial assistance shall be divided into equal parts.
Immediate family within the meaning of this Article shall comprise a parent, adoptive parent, guardian, spouse and children (children born in or out of marriage, adopted children and stepchildren).

Funeral Costs of a Police Officer
Article 158

Should a police officer lose their life in or in connection with the performance of police affairs, the Ministry shall bear the funeral costs at the place designated by the family, namely:

1) costs of transporting the remains to the place of burial;

2) travel expenses for two accompanying persons; and
3) costs of funeral equipment and a grave plot, where the family of the police officer does not have one.

In the case referred to in paragraph 1 of this Article, the family supported by the police officer shall be entitled to one-off financial assistance equal to 24 times the net salary received by the police officer in the last month.

Ministry may enable employment, without an announcement, of the spouse or children of an officer who lost their life, was seriously injured or became seriously ill in or in connection with the performance of internal or police affairs or of a person who lost their life, was seriously injured or became seriously ill while providing assistance in the performance of internal or police affairs, provided that they meet the requirements for the relevant position.

Rights of a Person Providing Assistance to the Police
Article 159

Person who, on their own initiative or at the request of a police officer, provides assistance to the Police or a police officer and is injured or falls ill as a result, causing incapacity for work and who is not insured under regulations governing health insurance and pension and disability insurance, shall, during treatment and in the event of disability or bodily impairment caused by such injury or illness, have the same rights arising from health insurance and pension and disability insurance as a police officer.

Family of a person who loses their life while providing assistance to the Police or a police officer shall be entitled to the financial assistance referred to in Article 157 paragraph 3 of this Law.

Person who suffers damage while providing assistance in the performance of police affairs shall be entitled to compensation for material damage suffered as a result of providing such assistance, in line with law.

Ministry shall be liable for damage caused by that person to third parties while providing assistance in the performance of police affairs, in line with law.

Ministry shall provide legal assistance to a person who provided assistance to the Police or a police officer where criminal or misdemeanour proceedings have been initiated against that person for an act committed in connection with the provision of assistance.

Health Care
Article 160

Ministry shall organise the provision of primary health care, as well as specific health care or particular specific health care measures for employees of the Ministry, in line with the law governing health care.

Police officers and officers of the Ministry shall have the right to psychological assistance within the specific health care referred to in paragraph 1 of this Article, in particular police officers who, in or in connection with the performance of internal or police affairs, directly or indirectly participated in a traumatic event or another highly stressful or crisis situation, whereby such assistance may also be provided to members of the immediate family of those persons.

Regulations governing the rights of health care employees shall apply to the rights, obligations and legal status of employees in the organisational unit of the Ministry performing the affairs referred to in paragraph 1 of this Article.

Assessment of General Medical Fitness and Special Psychological and Physical Fitness
Article 161

(Law Amending the Law on Internal Affairs, Official Gazette of Montenegro 040/26 as of 23 March 2026, Article 19)

Assessment of general medical fitness and special psychological and physical fitness of police officers, during the course of employment, shall be carried out by the Health Commission through regular annual examinations.

Police officer shall undergo the examination referred to in paragraph 1 of this Article.

Upon a reasoned proposal of a medical doctor or the immediate superior, a police officer shall undergo an extraordinary medical examination for the purpose of assessing special psychological and physical fitness.

Health Commission shall draft a report on determination of the special psychological and physical fitness referred to in Article 125 paragraph 1 item 3 of this Law or on assessment of general medical fitness and special psychological and physical fitness referred to in paragraphs 1 and 3 of this Article.

Report referred to in paragraph 4 of this Article shall be submitted to the immediate superior of the police officer, the Police Director and the Ministry.

Chair and members of the Health Commission shall be entitled to remuneration for their work in that commission in an amount of up to 50% of the average net salary in Montenegro in the previous year, according to the data of the authority responsible for statistics, for the month in which the commission is engaged.

Should it be established that a police officer does not meet the prescribed psychological and physical fitness requirements:

1) the police officer shall be reassigned to another position in the Police or the Ministry for which the police officer meets the requirements;

2) the police officer shall be placed at the disposal of the human resources management authority for the purposes of the internal labour market; or

3) the police officer shall be entitled to a disability pension, in line with a separate law.

Should a health care institution become aware that a police officer does not meet the prescribed psychological and physical requirements for performing the duties of the position, it shall inform the Ministry without delay of the identified psychological and physical impediments to the performance of police affairs.

Criteria and manner for determining the special psychological and physical fitness referred to in Article 125 paragraph 1 item 3 of this Law, as well as criteria and manner for assessing general medical fitness and special psychological and physical fitness referred to in paragraphs 1 and 3 of this Article, shall be prescribed by the Ministry, with the consent of the state administration authority responsible for health.

Obligation to Undergo Testing for the Presence of Alcohol and/or Psychoactive Substances

Article 161a

(Law Amending the Law on Internal Affairs, Official Gazette of Montenegro 040/26 as of 23 March 2026, Article 20)

Police officer shall undergo testing for the presence of alcohol and/or psychoactive substances.

Testing referred to in paragraph 1 of this Article shall be carried out without prior notice, upon the order of the immediate superior, the Police Director, the Minister or a person authorised by the Minister, in line with professional standards and separate regulations.

Testing referred to in paragraph 1 of this Article shall be conducted by analysing a sample of blood, urine, saliva or other relevant biological material in a manner ensuring the reliability and accuracy of the results.

Official note shall be drafted separately for each police officer in respect of testing referred to in paragraph 1 of this Article and shall, together with documentation on the test results or refusal to undergo testing, be submitted to the Minister without delay and no later than 24 hours.

Security Impediments to Further Work
Article 162

(Law Amending the Law on Internal Affairs, Official Gazette of Montenegro 040/26 as of 23 March 2026, Article 21)

Security impediments to further work in a police rank or to continuation of a traineeship, education, training, special professional training or professional development in line with this Law shall be deemed to exist, in addition to the grounds for termination of employment by operation of law under this Law, where a police officer or a person undergoing a traineeship, education, training, special professional training or professional development:

1) establishes unauthorised contacts with persons of operational interest or members of organised criminal groups contrary to Article 21 paragraph 3 of this Law or maintains links with persons who unlawfully collect classified or other data, terrorists, saboteurs, members of organised criminal groups or persons reasonably suspected of belonging to such groups;

2) fails to obtain security clearance for access to classified data at the Confidential, Secret or Top Secret classification level;

3) is registered in records of narcotic drug users maintained by the state administration authority responsible for health or the presence of psychoactive substances is established during a medical examination;

4) is subject to an order to conduct an investigation or criminal proceedings are initiated for criminal offences with elements of organised crime and corruption or for criminal offences for which a minimum sentence of five years of imprisonment is prescribed; or

5) has disclosed data and information or enabled unauthorised persons to access data and information obtained in the performance of or in connection with the performance of police affairs.

Proposal for determining the existence of a security impediment to further work in a police rank shall be submitted by the immediate superior of the police officer without the prior consent of the police officer in respect of whom the security check is conducted.

Notwithstanding paragraph 2 of this Article, a proposal for determining the existence of security impediments may be submitted by the Assistant Police Director responsible for combating crime.

Verification of the existence of security impediments to further work in a police rank shall be carried out by the Commission for the Verification of Security Impediments established by the Minister.

Verification of the existence of security impediments referred to in paragraph 1 item 1 of this Article shall be carried out by the Commission for the Verification of Security Impediments by inspecting the relevant records.

In determining the existence of a security impediment referred to in paragraph 1 of this Article, the Commission for the Verification of Security Impediments shall, in addition to inspecting the records referred to in Article 64 of this Law and other records prescribed by law and the data held by the organisational unit performing affairs relating to criminal offences prescribed by the law governing the organisation and jurisdiction of the Special State Prosecutor’s Office, the organisational unit responsible for combating crime, the organisational unit performing internal

control affairs and the organisational unit referred to in Article 183 of this Law, obtain an opinion from the National Security Agency, in line with the law governing national security.

Opinion referred to in paragraph 6 of this Article shall be submitted by the National Security Agency within 90 days.

Should the National Security Agency fail to submit its opinion within the period referred to in paragraph 7 of this Article, the Commission for the Verification of Security Impediments shall issue an opinion on the existence or non-existence of a security impediment on the basis of data from the records referred to in Article 64 of this Law and other records referred to in paragraph 6 of this Article.

Commission for the Verification of Security Impediments shall submit its report with an opinion on the existence or non-existence of a security impediment to the Minister, to the Police Director for information and to the immediate superior of the police officer to whom the report relates for further action, within 30 days from completion of the checks.

Minister shall submit the report referred to in paragraph 9 of this Article to the competent committee of the Parliament for information.

Verification of the existence of security impediments to further work in a police rank shall be carried out for all police officers once every five years, according to the annual verification plan adopted by the Commission for the Verification of Security Impediments by the end of the current year for the following year, with the consent of the Minister.

Police officer shall be informed of the existence of a security impediment, without an obligation to inform the police officer of the reasons on which the determination of the security impediment is based.

Notification referred to in paragraph 12 of this Article shall inform the police officer of their rights and that, in cases referred to in paragraph 1 items 1 and 2 of this Article, the police officer shall lose the police rank and police powers, while in cases referred to in paragraph 1 items 3, 4 and 5 of this Article, employment shall terminate by operation of law.

Permanent Reassignment
Article 163

Police officer may, for the purpose of more expedient performance of police affairs and where, due to a change in internal organisation, a new act on internal organisation and job descriptions is adopted or an existing act is amended, unless otherwise prescribed by a separate law, be reassigned to another position in which affairs are performed in:

1) the same police rank; and
2) the immediately lower police rank corresponding to the level of educational qualification of the police officer and for which the police officer meets other requirements prescribed by the act on internal organisation and job descriptions.

Notwithstanding Article 144 of this Law and in line with paragraph 1 of this Article, a police officer may be reassigned to another position in which affairs are performed in the immediately higher police rank, provided that the police officer meets the requirements for acquiring the immediately higher police rank referred to in Article 143 of this Law.

In reassigning police officers referred to in paragraph 2 of this Article, affairs previously performed by those police officers shall be taken into account and priority shall be given to police officers with better performance ratings in the preceding two years.

In the case referred to in paragraph 1 item 1 and paragraph 2 of this Article, consent of the police officer shall not be required, while in the case referred to in paragraph 1 item 2 of this Article, consent of the police officer shall be required.

Rights of Police Officers in Case of Permanent Reassignment
Article 164

Police officer permanently reassigned in line with Article 163 paragraph 1 item 2 of this

Law shall retain the salary to which the police officer was entitled according to the rank at the position from which the police officer was reassigned, provided that this is more favourable.
Police officer permanently reassigned to work in another place more than 50 km from the place of residence or to another municipality shall be entitled to travel and moving expenses according to the submitted invoice and a monthly separation allowance.

Reassignment on Personal Request
Article 165

Police officer may, on personal request, be permanently reassigned to another position for which the police officer meets the requirements, as well as to a position for which a lower level of professional education or a lower police rank is prescribed.
Police officer reassigned to a position with a lower police rank in line with paragraph 1 of this Article shall be entitled to a salary calculated for the highest police rank prescribed for the position to which the police officer is reassigned, provided that such rank is equal to or lower than the police rank held by the police officer prior to reassignment.
Police officer permanently reassigned, on personal request, to work in another place more than 50 km from the place of residence or to another municipality shall not be entitled to the expenses referred to in paragraph 2 of this Article.

Temporary Reassignment
Article 166

Police officer may, due to work requirements and unless otherwise prescribed by a separate law, be temporarily reassigned to a position in the Police in which affairs are performed in the same rank as the affairs of the position from which the police officer is reassigned.
Notwithstanding paragraph 1 of this Article, a police officer may, for reasons of organisation of work or rationalisation of costs, also be temporarily reassigned to a position in which affairs are performed in the immediately lower rank than the rank held by the police officer.
Temporary reassignment referred to in paragraphs 1 and 2 of this Article may last no longer than one year, after which the police officer shall have the right to return to the position held prior to reassignment and may not be temporarily reassigned again within two years, unless the police officer consents to another temporary reassignment before expiry of that two-year period.
Consent of the police officer shall not be required for temporary reassignment referred to in paragraphs 1 and 2 of this Article.

Rights of Police Officers in Case of Temporary Reassignment
Article 167

Police officer temporarily reassigned in line with Article 166 of this Law shall retain the salary to which the police officer was entitled according to the rank at the position from which the police officer was reassigned, provided that this is more favourable.
Police officer temporarily reassigned to work in another place more than 50 km from the place of residence or in the territory of another municipality shall be entitled to:

1) a one-off financial allowance equal to the average salary paid to the police officer during the three months preceding reassignment;
2) the salary received by the police officer prior to temporary reassignment, provided that this is more favourable;
3) travel expenses for visiting the family twice a month; and
4) a monthly separation allowance.

Entitlements referred to in paragraph 2 items 3 and 4 of this Article shall not be payable

during temporary incapacity for work.
Police officer temporarily reassigned in line with Article 166 paragraph 2 of this Law shall retain the salary to which the police officer was entitled according to the rank at the position from which the police officer was reassigned.

Deciding on Reassignment
Article 168

Decision on reassignment within the Police shall be made by the Police Director, unless otherwise regulated by a separate law.
Appeal against the decision referred to in paragraph 1 of this Article may be lodged with the Minister within eight days from the date of delivery.
Appeal against the decision referred to in paragraph 2 of this Article shall not stay execution of the decision, except in respect of the reassignment decision referred to in Article 144 paragraph 10 of this Law.

Records of Assets of Police Officers
Article 169

(Law Amending the Law on Internal Affairs, Official Gazette of Montenegro 084/24 as of 6 September 2024, Article 9)
(Law Amending the Law on Internal Affairs, Official Gazette of Montenegro 040/26 as of 23 March 2026, Article 22)

Police officers holding the ranks of chief police inspector, first class senior police inspector, senior police inspector, independent police inspector, chief police adviser, first class senior police adviser, senior police adviser and independent police adviser shall submit a report on assets and income, including the assets and income of their spouse or common-law partner and children living in the same household, in line with a separate law.

All police officers shall submit a report on assets and income, including the assets and income of their spouse or common-law partner and children living in the same household, to the organisational unit referred to in Article 183 paragraph 1 of this Law.

Police officers referred to in paragraph 2 of this Article shall also submit a special report covering changes in ownership of assets during the preceding five years.

Persons whose employment in a police rank has terminated shall also submit a report on assets and income within the meaning of this Law.

Report referred to in paragraph 4 of this Article shall be submitted within 30 days following termination of employment in a police rank and once a year during the following two years after termination of employment in a police rank.

Persons referred to in paragraph 4 of this Article shall provide complete and accurate data in the report.

Organisational unit referred to in Article 183 paragraph 1 of this Law shall keep records of submitted reports on assets and income.

Detailed manner of submission, forms of the reports referred to in paragraphs 2 and 3 of this Article and content of the records referred to in paragraph 7 of this Article shall be prescribed by the Ministry.

Publication of Vacancies
Article 170

Police officer shall have the right to be informed of vacancies in the Police.
Ministry shall, at least once a year, publish vacancies in the Police on its website or notice board for the purpose of filling those positions through reassignment in line with Articles

163 and 166 of this Law or enabling police officers to apply for promotion to the immediately higher police rank in line with Articles 143 and 144 of this Law.

6. Disciplinary Liability of Police Officers

Types of Breaches of Official Duty
Article 171

Police officer shall be disciplinarily liable for breaches of official duty.
Breaches of official duty may be minor or serious.

Minor Breaches of Official Duty
Article 172

In addition to minor breaches of official duty prescribed by the law governing the rights and obligations of civil servants and state employees, minor breaches of official duty by a police officer shall comprise:

1) discourteous conduct towards citizens and colleagues during work;
2) failure to wear or improper wearing of the service uniform, weapon and equipment;
3) untidy personal appearance and failure to act in line with the rules of conduct referred to in Article 29 paragraph 3 of this Law;
4) failure to provide the Ministry with data and notifications in line with law;
5) loss of or damage to a weapon, equipment or means entrusted to the police officer or used by the police officer in performing official tasks;
6) use of entrusted work equipment for purposes other than those for which it was intended;
7) failure to undergo a regular or extraordinary medical examination; and
8) refusal or avoidance of obligations relating to professional training and development.

Serious Breaches of Official Duty
Article 173

(Law Amending the Law on Internal Affairs, Official Gazette of Montenegro 084/24 as of 6 September 2024, Article 10)
(Law Amending the Law on Internal Affairs, Official Gazette of Montenegro 040/26 as of 23 March 2026, Article 23)

In addition to serious breaches of official duty prescribed by the law governing the rights and obligations of civil servants and state employees, serious breaches of official duty by police officers shall comprise:

1) misuse or improper handling of entrusted work equipment resulting in material damage;

2) providing false information about the Ministry or the Police;

3) taking or failing to take an action which prevents or hinders the performance of police affairs or official tasks;

4) failure to undertake measures to protect persons, property and entrusted items, resulting in serious consequences;

5) failure to perform police affairs, provide assistance to a person in danger or undertake measures and actions to prevent criminal offences and acts which may disturb public order and peace or endanger persons and property, including outside working hours where the police officer was able to act;

6) loss of or damage to a weapon, equipment or means entrusted to or used by the police officer in performing official tasks, resulting in serious consequences;

7) refusal, delay or failure to execute an official order issued in or in connection with the performance of police affairs or showing disrespect towards the immediate or another superior, the competent state prosecutor or a person responsible for performing an official task;

8) failure to ensure the withdrawal of the official identification card, official badge, weapon, other equipment and means for performing police affairs from a police officer in line with Article 59 of this Law;

9) unauthorised absence from the workplace or place designated for standby duty;

10) failure or inadequate action by the immediate superior to establish the facts concerning a complaint or objection submitted by a citizen regarding the conduct of a police officer;

11) performing additional work or performing affairs or providing services to a natural or legal person, during or outside working hours, without prior consent;

12) issuing or executing an order which unlawfully endangers persons or property;

13) conduct disrupting relations among police officers or other employees of the Ministry;

14) failure to undertake measures or actions to provide assistance to state authorities, state administration authorities, local self-government authorities and local administration authorities in line with this Law;

15) issuing an order whose execution would constitute a criminal offence;

16) failure to submit a proposal for temporary suspension of a police officer;

17) failure to draft a report on the use of means of coercion;

18) concealing a serious breach of official duty or failing to submit a proposal for initiating disciplinary proceedings;

19) making statements or communications concerning or in connection with the performance of police affairs without the authorisation of the Minister or a person authorised by the Minister;

20) failure to act upon an oral or written request of an officer authorised to perform internal control of the Police or an officer responsible for supervision within the Ministry or obstructing or hindering internal control of the Police or supervision within the Ministry;

21) failure or inadequate action to ensure the safety of persons, property and entrusted items;

22) drafting a report on the use of means of coercion contrary to Article 96 paragraphs 1 and 3 of this Law;

23) failure to draft or untimely, incomplete or improper drafting of an official document concerning an official action undertaken or a police power exercised;

24) violation of the rules and standards laid down by the Code of Police Ethics;

25) entering inaccurate data in the records referred to in Article 181 paragraph 4 of this Law;

26) any form of corruption; and

27) failure to submit the reports referred to in Article 169 paragraphs 2 and 3 of this Law or entering inaccurate data in those reports.

Disciplinary Measures
Article 174

Following disciplinary measures may be imposed for minor breaches of official duty:

1) written warning; or
2) a fine of up to 20% of the monthly salary paid for the month in which the breach of official duty was committed, for a period of up to two months.

Following disciplinary measures may be imposed for serious breaches of official duty:

1) a fine of 20% to 40% of the monthly salary paid for the month in which the breach of official duty was committed, for a period of two to six months;
2) ineligibility for promotion to the immediately higher police rank for a period of two to four years;

3) reassignment to another position for which the immediately lower police rank is prescribed, for a period of one to two years;
4) conditional termination of employment; or
5) termination of employment.

Disciplinary measure referred to in paragraph 2 item 4 of this Article shall be imposed for a period of one to two years and shall not be executed where the police officer does not commit another breach of official duty during that period.

Disciplinary measure referred to in paragraph 2 item 5 of this Article shall be mandatory where disciplinary proceedings establish that the police officer is responsible for a serious breach of official duty involving elements of corruption.

Only one disciplinary measure may be imposed on a police officer for a single breach of official duty.

Disciplinary Proceedings
Article 175

Disciplinary proceedings for determining disciplinary liability of a police officer for a minor breach of official duty shall be initiated and conducted and disciplinary measures referred to in Article 172 paragraph 1 of this Law shall be imposed in line with the regulation governing the rights and obligations of civil servants and state employees.

Disciplinary proceedings for determining disciplinary liability of a police officer for a serious breach of official duty shall be initiated by a person authorised by the Minister (hereinafter referred to as: the disciplinary prosecutor), upon proposal of the immediate superior of the organisational unit in which the police officer works.

Disciplinary proceedings for determining disciplinary liability of a police officer for a serious breach of official duty shall be conducted and a decision proposed by the disciplinary commission appointed by the Minister.

Disciplinary measures for serious breaches of official duty shall be imposed by the Minister.

Appeal against a decision imposing a disciplinary measure referred to in paragraph 4 of this Article may be lodged with the Appeals Commission within eight days from the date of receipt of the decision.

Detailed manner of conducting disciplinary proceedings for determining disciplinary liability of a police officer for a serious breach of official duty, organisation of such proceedings and manner of keeping records of disciplinary measures imposed for serious breaches of official duty shall be prescribed by an act of the Ministry.

Temporary Suspension from Duty
Article 176

Police officer shall be temporarily suspended from duty:
1) where caught committing a serious breach of official duty for which mandatory termination of employment is prescribed, until completion of disciplinary proceedings;
2) during detention; or
3) where criminal proceedings have been initiated against the police officer for a criminal offence involving elements of corruption referred to in Article 127 paragraph 2 of this Law or for a criminal offence committed at work or in connection with work, until completion of criminal proceedings.

Police officer may also be temporarily suspended from duty where criminal proceedings have been initiated against the police officer for a criminal offence prosecuted ex officio or disciplinary proceedings have been initiated for a serious breach of official duty, where their presence at work would harm the interests or reputation of the Ministry and the Police or interfere with the disciplinary proceedings.

Police officer may also be temporarily suspended from duty before criminal proceedings

are initiated where an order to conduct an investigation has been issued against the police officer for a criminal offence prosecuted ex officio, where their presence at work would harm the interests or reputation of the Ministry and the Police.
Immediate superior shall submit a reasoned proposal for temporary suspension from duty of the police officer within five days where any of the conditions referred to in paragraphs 1 and 3 of this Article are met and shall inform the police officer thereof.
Police Director shall, without delay, forward the proposal for temporary suspension from duty, together with their opinion on the proposal, to the Minister for decision.
Official badge, official identification card, weapon and other equipment entrusted to a police officer for the performance of affairs shall be withdrawn for the duration of temporary suspension from duty.

Deciding on Temporary Suspension
Article 177

Decision on temporary suspension of a police officer shall be made by the Minister.
Appeal may be lodged against the decision referred to in paragraph 1 of this Article.
Appeal referred to in paragraph 2 of this Article shall not stay execution of the decision.

Salary Compensation and Reimbursement of Salary Compensation during Temporary Suspension
Article 178

During temporary suspension from duty, a police officer shall be entitled to salary compensation amounting to 70% of the salary.
Unpaid part of the salary, together with default interest, shall be paid to the police officer where:

1) criminal or disciplinary proceedings are discontinued; or
2) a final decision in criminal or disciplinary proceedings finds the police officer not liable.

Salary compensation during detention shall be paid by the authority which issued the decision ordering detention.
Authority which issued the decision ordering detention shall inform the Ministry thereof within three days.
Ministry shall submit to the authority which issued the decision ordering detention a request for reimbursement of the salary compensation paid for the period during which the police officer was detained and the contributions and taxes calculated on that salary.

7. Termination of Employment of a Police Officer

Termination of Employment by Operation of Law
Article 179

(Law Amending the Law on Internal Affairs, Official Gazette of Montenegro 040/26 as of 23 March 2026, Article 24)

In addition to cases of termination of employment prescribed by regulations governing civil servants and state employees, employment of a police officer shall terminate by operation of law where:

1) it is established, at the time of entering employment or during employment, that the police officer provided false information concerning fulfilment of the requirements referred to in Article 125 of this Law, on the date of delivery of the enforceable decision;

2) the police officer is sentenced to imprisonment for a criminal offence which, within the meaning of this Law, constitutes a criminal offence involving elements of corruption, regardless of the duration of the sentence, on the date of delivery of the final judgment;

3) three disciplinary measures for minor breaches of official duty or two disciplinary measures for serious breaches of official duty have been imposed on the police officer within one calendar year, on the date on which the decision establishing the breach of official duty becomes enforceable;

4) the police officer has unlawfully obtained personal or pecuniary gain for themselves or another person in connection with service; or

5) the Commission for the Verification of Security Impediments has established the existence of a security impediment to further work in a police rank referred to in Article 162 paragraph 1 items 3, 4 and 5 of this Law, on the date of adoption of the decision.

In the case referred to in paragraph 1 item 5 of this Article, the police officer shall have the right to appeal in line with the law governing administrative procedure.

Appeal referred to in paragraph 2 of this Article shall not stay execution of the decision.

Termination of Employment on Personal Request
Article 180

(Law Amending the Law on Internal Affairs, Official Gazette of Montenegro 003/23 as of 10 January 2023, Article 3)
(Law Amending the Law on Internal Affairs, Official Gazette of Montenegro 084/24 as of 6 September 2024, Article 11)

Notwithstanding the requirements prescribed by the law governing pension and disability insurance, a police officer whose employment terminates on personal request and with the consent of the Police Director shall be entitled to a pension upon reaching at least 50 years of age and 30 years of pensionable service, of which at least ten years were effectively spent in positions in which the length of pensionable service is calculated at an accelerated rate or upon reaching 40 years of pensionable service and at least 50 years of age.

Pension of the police officer referred to in paragraph 1 of this Article shall be determined in the manner prescribed by the law governing pension and disability insurance, while, in determining the personal coefficient, where more favourable for the police officer, the personal coefficient shall be determined on the basis of the salary or salary compensation received throughout the calendar year preceding the year in which the right to pension is exercised.

Amount of the pension determined in line with paragraph 2 of this Article shall be increased by up to 20%, provided that the amount of that pension may not exceed the maximum amount of the old-age pension determined in line with the law governing pension and disability insurance.

Provisions of the law governing pension and disability insurance shall apply to the exercise, use and adjustment of the pension to which the police officer is entitled under this Article.

Right to a pension under this Article may be exercised from 1 January 2023 until 31 December 2028.

Provisions of this Law concerning the right to a pension on this basis, as well as all other rights, obligations, duties and responsibilities and provisions concerning the official badge and official identification card of police officers performing internal control of the Police, shall apply accordingly to police officers of the Ministry performing affairs directly related to police affairs referred to in Article 2 of this Law, namely affairs concerning security supervision and security protection of the Ministry.

Working Time Schedule
Article 181

Police shall be organised so that police affairs are performed continuously, 24 hours a day.
Performance of police affairs referred to in paragraph 1 of this Article shall be ensured through work in shifts and rotations, introduction of overtime work, on-call duty, standby duty and redistribution of working time.
Working time schedule in the Police shall be determined by the Police Director in line with general labour regulations and regulations governing state administration.
Ministry shall keep central records of the work of police officers in shifts and rotations, overtime work, standby duty, on-call duty and redistribution of working time.
Records referred to in paragraph 4 of this Article shall contain data on the police officer (name and surname and official identification card number), data on shifts and rotations, the specific police affair, hours of overtime work, standby duty, on-call duty and redistribution of working time.

Work Organised in a Special Manner
Article 182

Should the performance of police affairs, due to their nature, require continuous presence at the workplace and such presence cannot be ensured in any manner prescribed by law, work shall be organised in a special manner.
Work organised in a special manner shall mean organisation of work involving work exceeding 12 hours, provided that the average monthly number of working hours during a calendar year does not exceed the monthly number of full-time working hours prescribed by general labour regulations.
In line with general labour regulations, uninterrupted daily rest of an employee working in a special manner may not be shorter than ten hours a day and uninterrupted weekly rest may not be shorter than 20 hours.
When performing the affairs referred to in paragraph 1 of this Article, an employee shall be provided with access to a bed for rest and shall be enabled to take compensatory daily and weekly rest.
VII. CONTROL OF WORK

1. Control of Work in the Ministry

Manner of Conducting Control of Work in the Ministry
Article 183

(Law Amending the Law on Internal Affairs, Official Gazette of Montenegro 137/26 as of 21 September 2026, Article 2)

In addition to supervision prescribed by the law governing public procurement, the law governing inspection supervision and the law prescribing measures for the prevention of corruption, control over the performance of public procurement affairs and supervision over the implementation of the law governing the protection of persons and property not provided by the State, as well as strengthening the integrity of employees of the Ministry (hereinafter referred to as: work control affairs in the Ministry), shall be performed by a special organisational unit of the Ministry.

In performing affairs within its remit, the organisational unit referred to in paragraph 1 of this Article shall be operationally independent from the Ministry, the Police and other state administration authorities.
In order to efficiently perform its competences, the organisational unit referred to in paragraph 1 of this Article and the internal control of the Police shall cooperate and exchange the necessary information.

Head of the organisational unit referred to in paragraph 1 of this Article shall be accountable to the Minister for their work and the work of officers in that unit.

Officer for Control of Work in the Ministry
Article 184

(Law Amending the Law on Internal Affairs, Official Gazette of Montenegro 003/23 as of 10 January 2023, Article 4)
(Law Amending the Law on Internal Affairs, Official Gazette of Montenegro 137/26 as of 21 September 2026, Article 3)

Work control affairs in the Ministry shall be performed by an officer authorised to control officers of the Ministry performing public procurement affairs and supervision over the implementation of the law governing the protection of persons and property not provided by the State, as well as affairs concerning strengthening the integrity of employees of the Ministry (hereinafter referred to as: the officer for control of work in the Ministry).

Official identification card and official badge shall be issued to the officer for control of work in the Ministry for the purpose of proving their capacity.

Officer for control of work in the Ministry shall return the official identification card and official badge:

– where temporarily suspended from duty, on the date of delivery of the decision on suspension;
– where their employment terminates, on the date of termination of employment;
– where reassigned to another position outside the organisational unit referred to in Article 183 paragraph 1 of this Law;
– during temporary incapacity for work.

Should the officer for control of work in the Ministry fail to act in line with paragraph 3 of this Article, the official identification card and official badge shall be withdrawn, which shall be ensured by the immediate superior of that officer.

Provisions of this Law concerning the determination of security impediments upon entering employment in the Police and for further work in a police rank shall apply accordingly to the head of the organisational unit referred to in Article 183 paragraph 3 of this Law and the officer for control of work in the Ministry upon entering employment.

Affairs, Powers, Rights and Duties of the Officer for Control of Work in the Ministry
Article 185

(Law Amending the Law on Internal Affairs, Official Gazette of Montenegro 003/23 as of 10 January 2023, Article 5)

Work control affairs in the Ministry shall comprise undertaking preventive and operational measures and actions to detect and suppress criminal offences involving elements of corruption and other forms of corrupt conduct by officers of the Ministry committed at work or in connection with work, prevention of corruption and strengthening the integrity of employees of the Ministry.

In addition to the police powers prescribed by this Law and other laws, the officer for control of work in the Ministry shall, in performing their affairs, have the power to:

1) inspect files, documentation and data collections acquired, drafted or issued by the Ministry within its competence;
2) temporarily seize documentation, items and other things generated at work or in connection with affairs subject to control which are necessary for establishing the facts;
3) take statements from officers performing affairs subject to control and from other persons;
4) require officers performing affairs subject to control to submit, no later than five days, reports and other data and information within their competence necessary for

conducting control of work in the Ministry;
5) point out identified irregularities and set a time limit for their elimination;
6) order appropriate measures and actions to be undertaken within a time limit determined by that officer;
7) initiate criminal, disciplinary or misdemeanour proceedings against officers performing affairs subject to control; and
8) address the State Prosecutor's Office in order to obtain data concerning a suspect or accused officer performing affairs subject to control at all stages of criminal proceedings.

Officer performing affairs subject to control shall enable the officer for control of work in the Ministry to conduct control without obstruction, provide information and make available documents or data necessary for performing those affairs and provide the necessary professional, technical and other assistance.

Officer performing affairs subject to control shall provide the officer for control of work in the Ministry with the conditions necessary for unhindered work and establishment of the facts.

Upon request or order of the officer for control of work in the Ministry, an officer performing affairs subject to control shall submit or prepare accurate and complete data, documentation or other materials necessary for conducting control of work in the Ministry within the time limit determined by the officer for control of work in the Ministry.

Action by the Officer for Control of Work in the Ministry
Article 186

In performing work control affairs in the Ministry, the officer for control of work in the Ministry shall act:
1) on their own initiative;
2) on the basis of collected information and other knowledge;
3) on the basis of proposals, complaints and petitions of legal and natural persons and officers of the Ministry concerning the performance of public procurement affairs and supervision over the implementation of the law governing the protection of persons and property not provided by the State.

Minister shall be informed in writing and in a timely manner of all cases of actions or omissions and conduct of officers performing affairs subject to control which are established in the control procedure to be contrary to law.

Written Report on Control of Work in the Ministry
Article 187

In conducting control of work in the Ministry, the officer for control of work in the Ministry shall undertake the necessary actions, establish the facts, collect evidence and draft a written report thereon.

Where irregularities or unlawful conduct are established through the exercise of the powers referred to in Article 185 paragraph 2 of this Law when conducting control of work in the Ministry, the report referred to in paragraph 1 of this Article shall also contain a proposal for eliminating the identified irregularities or an initiative for instituting appropriate proceedings to determine the liability of the officer performing affairs subject to control.

Control of Assets and Lifestyle of Police Officers
Article 188

(Law Amending the Law on Internal Affairs, Official Gazette of Montenegro 084/24 as of 6 September 2024, Article 12)

In addition to the control referred to in Article 183 of this Law, the officer for control of work in the Ministry shall also control the assets, income and lifestyle of police officers, their spouses or common-law partners and children, as well as persons connected with them.

Control referred to in paragraph 1 of this Article shall be conducted by the officer for control of work in the Ministry by applying Articles 184 to 187 of this Law accordingly, as well as by inspecting and analysing the reports referred to in Article 169 paragraphs 2 and 4 of this Law.

Detailed manner of controlling the assets, income and lifestyle of police officers, their spouses or common-law partners and children, as well as persons connected with them, shall be prescribed by the Ministry.

Integrity Testing
Article 188a

(Law Amending the Law on Internal Affairs, Official Gazette of Montenegro 137/26 as of 21 September 2026, Article 4)

Integrity testing shall be conducted for the purpose of strengthening the integrity of employees of the Ministry and taking preventive action.

Integrity testing shall constitute an assessment of the reaction and conduct of an employee of the Ministry in a simulated situation identical to the employee's work activities, without an obligation to notify the organisational unit in which the employee being tested is employed in advance.

Integrity testing may be targeted or random.

Targeted testing shall be conducted to verify specific suspicions or risks related to the integrity of employees, based on specific information, risk assessment or other indications justifying its conduct.

Random testing shall be conducted for preventive purposes and for general verification of the employee's integrity where there is no prior suspicion, information or other indication of their improper conduct.

Procedure for conducting integrity tests of employees of the Ministry shall be initiated on the basis of a written and reasoned initiative by the immediate head of the organisational unit in which the employee works, the integrity manager or the organisational unit referred to in Article 183 paragraph 1 of this Law.

Initiative referred to in paragraph 6 of this Article shall be submitted to the organisational unit referred to in Article 183 paragraph 1 of this Law.

Head of the organisational unit referred to in Article 183 paragraph 1 of this Law shall decide whether the conditions for conducting an integrity test are met on the basis of the data and facts stated in the reasoning of the initiative referred to in paragraph 6 of this Article.

Organisational unit referred to in Article 183 paragraph 1 of this Law shall conduct an integrity test on the basis of an integrity-test plan approved by the head of that organisational unit.

When conducting an integrity test, the principles of legality, fundamental human rights and freedoms and the integrity and dignity of the employee of the Ministry shall be respected.

Incitement of persons being tested to commit a criminal offence or violate an official duty shall be prohibited.

Integrity testing may be audio and video recorded and the data and materials collected in this manner shall constitute a special category of personal data and may be processed only in line with the law governing personal data protection.

Ministry shall prescribe in greater detail the manner of conducting integrity tests, the content of the integrity-test plan and other matters relevant to the procedure for conducting integrity tests.

2. Control and Supervision of Police Work

Types of Control and Supervision of Police Work
Article 189

Control and supervision of Police work shall be ensured through parliamentary, civil and

internal control, as well as by the Protector of Human Rights and Freedoms of Montenegro when performing the affairs of the national preventive mechanism for the protection of persons deprived of liberty from torture and other forms of cruel, inhuman or degrading treatment or punishment and acting upon complaints concerning the work of police officers.

Parliamentary Control
Article 190

Parliamentary control of Police work shall be exercised in the manner prescribed by a separate law.

Civil Control of Police Work
Article 191

Civil control of Police work shall be exercised by the Council for Civil Control of Police Work (hereinafter referred to as: the Council).
Council shall be a body which assesses the exercise of police powers for the purpose of protecting human rights and freedoms.
Citizens and police officers may address the Council.
Council shall comprise five members, one member being appointed by each of the following: the Bar Association of Montenegro, the Medical Chamber of Montenegro, the Association of Lawyers of Montenegro, the University of Montenegro and non-governmental organisations dealing with human rights.
President of the Council shall be elected by the Council by a majority of votes of the total number of members.
President of the Parliament shall initiate the procedure for appointment of Council members by issuing a public call to the entities authorised to make appointments referred to in paragraph 4 of this Article no later than three months prior to expiry of the term of office.
Parliament shall acknowledge the appointment of Council members.
Funds for the work of the Council shall be provided in the budget of Montenegro.

Term of Office and Work of Council Members
Article 192

Term of office of Council members shall be five years.
Council members may not be members of a political party or engage in party political activities.
Work of the Council shall be public.
Police shall, upon request of the Council, provide the necessary information and notifications concerning the exercise of police powers.
Professional affairs for the Council shall be performed by the Parliamentary Service.
Technical and logistical support for the work of the Council and its action upon complaints and initiatives shall be provided by the Ministry.

Acts Adopted by the Council
Article 193

Council shall issue assessments, recommendations and conclusions which shall be submitted to the Ministry.
Ministry shall ensure implementation of the assessments, recommendations and conclusions of the Council.
Minister shall inform the Council, without delay and no later than 20 days from receipt of an assessment, recommendation or conclusion, of the measures and actions undertaken in connection with paragraph 1 of this Article.

Council shall adopt Rules of Procedure governing the manner of work, decision-making and other matters of importance for the work of the Council.

Internal Control of the Police
Article 194

Internal control of the Police shall be performed by a special organisational unit of the Ministry.
In performing affairs within its competence, internal control shall be operationally independent of the Ministry, the Police and other state administration authorities.
Head of internal control shall be accountable to the Minister for their work and for the work of internal control of the Police.

Police Internal Control Affairs
Article 195

(Law Amending the Law on Internal Affairs, Official Gazette of Montenegro 137/26 as of 21 September 2026, Article 5)

Police internal control affairs shall comprise undertaking preventive and operational measures and actions in line with law to detect and suppress criminal offences committed by police officers at work or in connection with work, control of the lawfulness of the performance of police affairs, in particular with regard to respect for and protection of human rights when performing police tasks and exercising police powers and other controls of importance for the efficient and lawful work of the Police.

Police Officer Authorised to Perform Internal Control
Article 196

Internal control shall be performed by a police officer authorised to perform internal control (hereinafter referred to as: the internal control police officer).
Provisions of this Law concerning the rights, obligations, duties and responsibilities of police officers and the issuance and content of the official badge and official identification card shall apply accordingly to internal control police officers.
Official identification card and official badge shall be issued to an internal control police officer for the purpose of proving their capacity.
Content and form of the official identification card and appearance of the official badge of an internal control police officer and an officer for control of work in the Ministry shall be prescribed by the Ministry.

Action by an Internal Control Police Officer
Article 197

In performing internal control affairs, an internal control police officer shall act:

1) on their own initiative;
2) on the basis of collected information and other knowledge;
3) on the basis of proposals, complaints and petitions of natural persons and police officers concerning the exercise of police powers in the performance of police affairs;
4) on the basis of requests and orders of the competent State Prosecutor's Office;
5) upon the objection referred to in Article 32 paragraph 6 of this Law where it concerns the response to a complaint regarding the exercise of police powers in the performance of police affairs;
6) on the basis of a proposal or conclusion of the Committee for Security and Defence;
7) on the basis of recommendations of the Protector of Human Rights and Freedoms of Montenegro;
8) on the basis of an analysis of the assessments and recommendations of the Council.

Minister shall be informed in writing and in a timely manner of all actions, omissions or conduct of the Police established in internal control proceedings to be contrary to law.
State authorities, state administration authorities, local self-government authorities, local administration authorities and services established in line with the law governing local self-government, business entities and legal and natural persons may not disclose information concerning requests submitted by an internal control police officer.

Powers, Rights and Duties of an Internal Control Police Officer
Article 198

In addition to exercising police powers prescribed by this Law and other laws, an internal control police officer shall, when performing internal control, have the power to:

1) inspect records, documents and data filing systems which the Police acquires, drafts or issues within its competence;
2) take statements from police officers, officers of the Ministry, injured parties and citizens;
3) require the Police and police officers to submit reports and other data and information within their competence necessary for conducting internal control no later than five days;
4) inspect official premises used by the Police and inspect means used by police officers in their work;
5) order the urgent undertaking of measures and actions where delaying or failing to undertake them would result in a violation of human rights and freedoms in the performance of police affairs or exercise of police powers;
6) request polygraph testing of a police officer referred to in Article 120 paragraph 1 of this Law;
7) initiate criminal, disciplinary or misdemeanour proceedings against a police officer;
8) address the State Prosecutor's Office in order to obtain data concerning a suspect or accused police officer at all stages of criminal proceedings.

Police officer shall enable an internal control police officer to conduct control and shall provide the necessary professional, technical and other assistance.
When conducting internal control, an internal control police officer may not affect the course of individual Police operations or otherwise interfere with work or jeopardise the confidentiality of a Police operation.
Police officer may temporarily, pending a decision of the Police Director or the Head of the Financial Intelligence Unit and for no longer than 24 hours, refuse to make documentation available for inspection, prevent inspection of premises or refuse to provide certain data and information where there is a risk that conducting internal control of the Police would prevent or significantly hinder the exercise of police powers prescribed by this or another law or endanger the life or health of persons exercising those powers.

Written Report on Internal Control
Article 199

In conducting internal control, an internal control police officer shall undertake the necessary actions, establish the facts, collect evidence and draft a written report thereon.
Where irregularities or unlawful conduct in the exercise of police powers in the performance of police affairs are established, the report referred to in paragraph 1 of this Article shall also contain a proposal for eliminating the identified irregularities or an initiative for instituting appropriate proceedings to determine the liability of police officers.
Police shall act upon the proposal contained in the report referred to in paragraph 2 of this Article and inform internal control of the activities undertaken within the shortest period objectively sufficient to act upon that proposal.
Report referred to in paragraph 1 of this Article and documentation drafted in the internal

control proceedings may be submitted to the Minister and the Police Director for the purpose of initiating proceedings to determine disciplinary liability of a police officer and to the competent State Prosecutor's Office, court or another authority on the basis of powers prescribed by a separate law.

Protection of Data and Persons
Article 200

For the purpose of protecting data and persons, a police officer shall not provide an internal control police officer with data or information concerning:

1) the identity of a police associate;
2) members of the Police with an undercover identity;
3) security and intelligence sources; and
4) financial intelligence information collected from obliged entities and foreign financial intelligence units in line with the law governing the prevention of money laundering and financing of terrorism.

Annual Internal Control Report
Article 201

(Law Amending the Law on Internal Affairs, Official Gazette of Montenegro 040/26 as of 23 March 2026, Article 25)

Annual report on internal control of the Police shall be drafted.

Annual report referred to in paragraph 1 of this Article shall be submitted to the Minister, the Bureau for Operational Coordination of Intelligence and Security Sector Authorities and the National Security Council no later than 31 March of the current year for the previous year.

Control of Police Work by the Protector of Human Rights and Freedoms of Montenegro
Article 202

Protector of Human Rights and Freedoms of Montenegro shall perform the affairs of the national preventive mechanism for the protection of persons deprived of liberty from torture and other forms of cruel, inhuman or degrading treatment or punishment and shall act upon complaints concerning the work of police officers in line with the law governing the competence, powers, manner of work and action of the Protector of Human Rights and Freedoms of Montenegro.

VIII. INTERNATIONAL COOPERATION AND POLICE REPRESENTATIVES

International Cooperation
Article 203

International cooperation, within the meaning of this Law, shall be cooperation of the Ministry and the Police with competent authorities of other states and international organisations and institutions in line with law, ratified and published international agreements and generally accepted rules of international law.

Police shall, at operational and other levels, cooperate with police services of other states and international police organisations on the basis of ratified international agreements and concluded special police cooperation agreements, while respecting the principle of reciprocity.

Within the cooperation referred to in paragraph 2 of this Article, the Police may, in line with law or an international agreement, exchange existing information and criminal intelligence for the purposes of conducting investigations or collecting criminal intelligence concerning criminal offences, exchange other data and information, undertake jointly agreed measures against terrorism, organised crime, illegal migration

and other forms of international crime and violations of border security, search for persons and items at international level and perform certain police affairs abroad in cooperation with police services of other states.
Ministry may establish joint working bodies, refer employees for education and training and conduct training for officers of other states or international organisations in cooperation with authorities of other states.
At the request of an international organisation or on the basis of an international agreement to which Montenegro is a member or signatory, the Ministry may participate in the performance of police or other peacetime tasks.

Police Representative
Article 204

Police officer may be assigned to work at a diplomatic mission or consular post of Montenegro abroad or at an international organisation in the capacity of a police attaché or liaison officer (hereinafter referred to as: the police representative).
Police representatives shall be appointed by the Government upon proposal of the Minister and with the prior consent of the state administration authority responsible for foreign affairs.
Police representatives shall have diplomatic status in line with the agreement concluded between the Minister and the minister responsible for foreign affairs, the regulation governing foreign affairs and/or an international agreement.
Conditions and manner of selection of a police representative and their rights and obligations shall be determined by the Government.
IX. FINANCING

Funds
Article 205

Funds for the work, programmes and activities of the Ministry shall be determined in the budget of Montenegro.

Funds for Special Operational Needs
Article 206

For the payment of expenses and rewards to persons and police officers for acting and participating in the application of measures and actions authorised on the basis of this Law and the law governing criminal proceedings, earmarked financial resources shall be allocated within the budget of the Ministry.
Social security contributions and personal income tax shall not be payable on the funds referred to in paragraph 1 of this Article and provisions of the relevant regulations concerning the obligation to calculate and pay such liabilities and report them to the tax authority shall not apply.

Procurement of Special Means
Article 207

Procurement of special means, vehicles and equipment used in the work of the Ministry shall be confidential and regulations governing public procurement shall not apply to such procurement.
Special means, vehicles and equipment referred to in paragraph 1 of this Article shall comprise:

- means, vehicles and equipment necessary for implementing secret surveillance measures and preparatory actions;
- means, vehicles and equipment necessary for implementing special police actions;
- means and equipment necessary for implementing measures and actions under the

law governing criminal proceedings.

Taxes and contributions shall not be payable in respect of procurement referred to in paragraph 1 of this Article and provisions of the relevant regulations concerning the obligation to calculate and pay such liabilities and report them to the tax authority shall not apply.

Detailed manner and procedure for conducting procurement referred to in paragraph 1 of this Article shall be prescribed by the Government.

IXa PENAL PROVISIONS

Article 207a

(Law Amending the Law on Internal Affairs, Official Gazette of Montenegro 084/24 as of 6 September 2024, Article 13)

Person whose employment in a police rank has terminated shall be fined from EUR 1,000 to EUR 2,000 for a misdemeanour if they:

- fail to submit a report on assets and income within 30 days following termination of employment in a police rank and once a year during the following two years after termination of employment in a police rank (Article 169 paragraph 5);

- fail to provide complete and accurate data in the report on assets and income (Article 169 paragraph 6);

- fail to submit a report on assets and income in line with Article 212a paragraph 2 of this Law for each year from the date of termination of employment in a police rank until the date of entry into force of this Law.

Deadline for Adoption of Secondary Legislation
Article 208

Secondary legislation for the implementation of this Law shall be adopted by 1 July 2022.

Until adoption of the legislation referred to in paragraph 1 of this Article, regulations adopted on the basis of the Law on Internal Affairs (Official Gazette of Montenegro 44/12, 36/13, 1/15 and 87/18) shall apply unless contrary to this Law.

Until adoption of the act referred to in Article 132 paragraph 16 of this Law, positions of heads of internal organisational units of the Police may be filled by reassigning police officers who meet the requirements for those positions for a period not exceeding six months.

Article 208a

(Law Amending the Law on Internal Affairs, Official Gazette of Montenegro 084/24 as of 6 September 2024, Article 14)

Secondary legislation for the implementation of this Law shall be adopted within 60 days from the date of entry into force of this Law.

Article 208b

(Law Amending the Law on Internal Affairs, Official Gazette of Montenegro 040/26 as of 23 March 2026, Article 26)

Secondary legislation for the implementation of this Law shall be harmonised within six months from the date of entry into force of this Law.

Deadline for Adoption of the Act on Internal Organisation and Job Descriptions
Article 209

Act on internal organisation and job descriptions of the Ministry in line with this Law shall be adopted within 30 days from the date of entry into force of this Law.
Police officers assigned to positions requiring level IV of educational qualification who, on the date of entry into force of this Law, are assigned in the Police Directorate or the Ministry shall retain their ranks and salaries under the previous regulations and may be promoted to the ranks referred to in Article 135 paragraph 1 item 3 of this Law without being required to complete the training referred to in Article 149 of this Law.

Article 210

Government shall, upon proposal of the Ministry, within six months from the date of entry into force of this Law, analyse the positions or affairs in the Police in respect of which pensionable service is calculated at an accelerated rate.

Taking Over Officers, Affairs, Equipment and Official Documentation
Article 211

On the date of entry into force of this Law, in line with the remit laid down by this Law, the Ministry shall take over from the Police Directorate the police officers and civil servants and state employees who performed the affairs being taken over, as well as the equipment and official documentation.

Submission of Reports on Assets and Income of Police Officers
Article 212

Reports on assets and income of police officers referred to in Article 169 paragraph 3 of this Law shall be submitted by police officers whose employment in a police rank terminated from 2012 until the date of entry into force of this Law.

Article 212a

(Law Amending the Law on Internal Affairs, Official Gazette of Montenegro 084/24 as of 6 September 2024, Article 15)

Police officers shall submit the special report referred to in Article 169 paragraph 3 of this Law within 90 days from the date of entry into force of the secondary legislation governing the manner of submission and form of that report.

Report on assets and income referred to in Article 169 paragraph 4 of this Law shall also be submitted by persons whose employment in a police rank terminated from 3 July 2021 until the date of entry into force of this Law.

Article 213

Provisions of Article 16 paragraph 4 of this Law shall apply starting with the report to be submitted by 1 December 2021 in line with this Law.

Initiated Proceedings
Article 214

Proceedings which have not been finally concluded by the date of entry into force of this Law shall be concluded under the Law on Internal Affairs (Official Gazette of Montenegro 44/12, 36/13, 1/15 and 87/18).
Procedure concerning the public competition for selection of the Police Director initiated in line with the Law on Internal Affairs (Official Gazette of Montenegro 36/13, 1/15 and 87/18) shall be concluded in line with that Law.

Article 214a

(Law Amending the Law on Internal Affairs, Official Gazette of Montenegro 040/26 as of 23 March 2026, Article 27)

Provisions of Article 162 of this Law shall apply to disciplinary proceedings initiated in line with the Law on Internal Affairs (Official Gazette of Montenegro 70/21, 123/21, 3/23 and 84/24) due to the existence of security impediments to further work which have not been finally concluded by the date of entry into force of this Law.

Disciplinary proceedings initiated in line with the Law on Internal Affairs (Official Gazette of Montenegro 70/21, 123/21, 3/23 and 84/24) due to the existence of security impediments to further work arising from the conduct of criminal proceedings shall be concluded in line with Article 162 paragraph 1 items 3, 4 and 5 of this Law.

Disciplinary proceedings initiated in line with the Law on Internal Affairs (Official Gazette of Montenegro 70/21, 123/21, 3/23 and 84/24) due to the existence of security impediments to further work in all other cases shall be concluded in line with Article 162 paragraph 1 items 1 and 2 of this Law.

Article 214b

Provisions of this Law shall be harmonised with the provisions of the Law on Personal Data Protection within six months from the date of adoption of that Law.

Article 214v

(Law Amending the Law on Internal Affairs, Official Gazette of Montenegro 117/26 as of 7 August 2026, Article 1)

Commission for the Verification of Security Impediments under this Law shall be established immediately following the entry into force of this Law and no later than within the period prescribed by law.

On the date of establishment of the Commission for the Verification of Security Impediments under this Law, the Commission for the Verification of Security Impediments established in line with the Law on Internal Affairs (Official Gazette of Montenegro 70/21, 123/21, 3/23, 84/24 and 40/26) shall cease to operate.

On the date of its establishment under this Law, the Commission for the Verification of Security Impediments shall take over the cases and documentation from the Commission for the Verification of Security Impediments established in line with the Law on Internal Affairs (Official Gazette of Montenegro 70/21, 123/21, 3/23, 84/24 and 40/26).

Pending proceedings for verification of security impediments conducted in line with the Law on Internal Affairs (Official Gazette of Montenegro 70/21, 123/21, 3/23, 84/24 and 40/26) which have not been completed by the date of establishment of the Commission for the Verification of Security Impediments under this Law shall be completed by the Commission for the Verification of Security Impediments established under this Law.

Recognition of Volunteer Work
Article 215

Volunteer work commenced by a police officer in line with Article 90a of the Law on Internal Affairs (Official Gazette of Montenegro 44/12, 36/13, 1/15 and 87/18) prior to the date of entry into force of this Law shall, upon completion, be recognised as work experience required for acquiring the corresponding higher rank.

Conclusion of the Branch Collective Agreement
Article 216

Branch Collective Agreement for employees of the Ministry and the Police shall be concluded, in line with labour regulations, no later than 31 December 2021.

Continuation of Work of the Council
Article 217

Council elected in line with the Law on Internal Affairs (Official Gazette of Montenegro 44/12, 36/13, 1/15 and 87/18) shall continue its work until expiry of its term of office.

Article 217a

(Law Amending the Law on Internal Affairs, Official Gazette of Montenegro 084/24 as of 6 September 2024, Article 16)
(Law Amending the Law on Internal Affairs, Official Gazette of Montenegro 040/26 as of 23 March 2026, Article 28)

Provisions of Articles 133a to 133d of this Law shall apply until 31 December 2027.

Notwithstanding Article 133a of this Law, the Ministry may also conduct the special employment procedure for filling positions in the organisational unit performing information technology affairs, by applying Articles 133b to 133d of this Law accordingly and no later than until 31 December 2027.

Repeal
Article 218

On the date of entry into force of this Law, the Law on Internal Affairs (Official Gazette of Montenegro 44/12, 36/13, 1/15 and 87/18) shall cease to have effect.

Entry into Force
Article 219

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