

LAW

ON HIGHER EDUCATION

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I. BASIC PROVISIONS

Subject of the Law

Article 1

This law regulates the fundamentals of higher education, conditions for conducting activities, types of study programs, principles of organization of institutions performing this activity, rights and obligations of academic staff and students, ensuring quality, financing higher education, and other matters relevant to the conduct of higher education activities.

Objectives of Higher Education

Article 2

The objectives of higher education are:

- 1) acquiring, improving, and developing knowledge, scientific research activities, arts, and culture;
- 2) transmitting general, scientific, and professional knowledge and skills through teaching and research;
- 3) developing research-oriented higher education;
- 4) providing opportunities for acquiring higher education throughout one's life;
- 5) establishing and developing collaboration in the fields of teaching, research, arts, and culture;
- 6) ensuring conditions for uninterrupted access to higher education.

Public Interest

Article 3

Higher education is an activity of public interest.

Autonomy of Institutions

Article 4

An institution of higher education is autonomous in carrying out its activities, in accordance with this law.

Ethical Code

Article 5

The ethical code of institutions of higher education defines basic and general principles of values based on ethical rights and obligations in higher education and protects the highest values of higher education through the application of appropriate norms regulating academic relations within the university community.

Accessibility of Higher Education

Article 6

Higher education is accessible to all individuals and cannot be directly or indirectly restricted based on gender, race, marital status, color, language, religion, political or other beliefs, national, ethnic, or other origin, financial status, disability, or any similar basis, position, or circumstance, in accordance with special laws.

Ensuring and Improving Quality

Article 7

Ensuring and improving the quality of higher education is achieved through accreditation, self-evaluation, and reaccreditation.

Supervision

Article 8

Supervision over the implementation of the provisions of this law is carried out by the state administration body responsible for education matters (hereinafter: the Ministry), in accordance with the law.

Inspection supervision of the work of institutions of higher education is carried out by the competent education inspection.

Use of Gender-Sensitive Language

Article 9

All expressions used in this law for natural persons in the masculine gender include the same expressions in the feminine gender.

Meaning of Terms

Article 10

The terms used in this law have the following meanings:

- 1) European Higher Education Area includes institutions of higher education of the signatory countries of the Bologna Declaration of European Ministers of Higher Education (1999);
- 2) ECTS is the European Credit Transfer System;
- 3) one ECTS credit corresponds to 30 hours of student work needed for one or more of the following activities: contact teaching, learning, practical work, preparation and defense of independent papers, taking quizzes, and exams;
- 4) study program is the basic unit for the classification of higher education with a defined structure and number of ECTS credits that provide individuals with learning outcomes necessary for acquiring knowledge, skills, and competencies for the field of work at the levels of higher education defined in the national qualifications framework and issuing a diploma;
- 4a) integrated study program represents a combination of bachelor's and master's studies totaling 300 ECTS credits;

- 4b) a module is a functional unit that defines learning outcomes, goals, methods, and content of teaching, as well as conditions that a student must fulfill to access the module;
- 5) publicly valid study program is an accredited study program;
- 6) diploma supplement is a public document attached to a specific diploma of an institution of higher education to provide a detailed insight into the level, nature, content, system, and rules of studying and results achieved during the studies of the person to whom the diploma is issued, based on the basic model determined for the unique European Higher Education Area;
- 7) lifelong learning is the overall activity of learning throughout life with the aim of improving knowledge, skills, and competencies related to personal, civic, social perspective, and/or employment perspective. It includes learning in all life stages (from early youth to old age) and in all forms in which it occurs (formal, non-formal, and informal);
- 8) lifelong learning program is part of a study program or module, with a defined structure that provides learning outcomes for acquiring competencies and issuing certificates for performing related tasks in the fields of work from the higher education activities defined in the national qualifications framework;
- 9) affirmative action involves the introduction of special measures aimed at creating conditions for achieving equality and protecting the rights of individuals who, for any reason, are in an unequal position in education;
- 10) a person or student with a disability is a person who has long-term physical, mental, intellectual, sensory, or combined impairments that, with various barriers in higher education, can hinder their full and effective participation on the basis of equality with others;
- 11) a foreigner is a citizen of another country, stateless person, asylum seeker, and emigrant;
- 12) an expert is a person who possesses exceptional knowledge and skills in a specific area or subject to the extent that is essential in establishing facts, solving problems, or understanding situations.

II. COUNCIL AND AGENCY FOR QUALITY ASSURANCE IN HIGHER EDUCATION

Competence of the Council for Higher Education

Article 11

The tasks of improving and developing higher education are performed by the Council for Higher Education (hereinafter: the Council).

In performing the tasks from paragraph 1 of this article, the Council:

- 1) analyzes the state and achievements in higher education and provides expert proposals to the Ministry and the Government of Montenegro (hereinafter: the Government);
- 2) gives an opinion on the proposal for the development strategy of higher education;
- 3) prescribes conditions and criteria for appointment to academic titles;
- 4) gives an opinion on the amount of funds for financing public institutions of higher education and students at these institutions for each academic year;

- 5) gives an opinion on the number of students and the amount of funds for financing students in study programs of public interest at private institutions of higher education for each academic year;
- 6) gives an opinion on regulations in the field of higher education;
- 7) collaborates with institutions of higher education in ensuring and improving quality;
- 8) performs other tasks prescribed by law.

Composition and Appointment of the Council

Article 12

The Council is appointed and dismissed by the Parliament of Montenegro (hereinafter: the Parliament), on the proposal of the Government.

The Council has seven members appointed for a period of four years.

Members of the Council are appointed from the ranks of prominent experts in the fields of higher education, science, arts, student organizations, and areas of the economy, social activities, and other relevant fields.

Exceptionally, representatives from student organizations are appointed for a period of two years.

Members of the Council from student organizations are proposed by the student parliaments of institutions of higher education.

Work of the Council

Article 13

The work of the Council is public.

The Council, for certain areas of its activities, can establish working bodies, commissions, and independent expert groups.

The Council publishes its conclusions, recommendations, opinions, and reports of bodies from paragraph 2 of this article on the Council's website.

A Council member cannot be a member of the accreditation commission.

Funds for the work of the Council are provided in the budget of Montenegro.

Ministry performs professional and administrative-technical tasks for the needs of the Council.

The organization and method of work of the Council are regulated by the rules of procedure.

Agency for Control and Assurance of the Quality of Higher Education

Article 13a

The tasks related to quality assurance in higher education are carried out by the Agency for Control and Assurance of the Quality of Higher Education (hereinafter referred to as the Agency) in accordance with European standards and guidelines.

The Agency:

- 1) Conducts the accreditation process of study programs and issues a certificate of accreditation for study programs.
- 2) Conducts the external evaluation process of higher education institutions (hereinafter referred to as the reaccreditation of institutions) and issues a certificate of reaccreditation for higher education institutions based on the reaccreditation report.
- 2a) Establishes standards for evaluation in accordance with standards in the European Higher Education Area.
- 3) Conducts periodic assessments of the quality of work of licensed higher education institutions at the request of the authorized institution or the Ministry.
- 4) Establishes a list of experts for the accreditation of study programs or reaccreditation of institutions based on a public call.
- 5) Collaborates with higher education institutions to ensure and improve quality.
- 6) Analyzes reports on self-evaluation and external evaluation of institutions.
- 7) Proposes measures to improve the quality of higher education based on recommendations from reaccreditation reports, submitting them to the Ministry and the Government.
- 8) Maintains a register of accredited study programs and reaccredited institutions.
- 9) Determines the methodology for ranking institutions and conducts rankings of higher education institutions.
- 10) Performs other tasks prescribed by this law.

The Agency is established by the Government.

The Agency has the status of a legal entity and performs tasks of public interest.

Funding for the Agency is provided from the Budget of Montenegro and its own revenues.

Bodies of the Agency

Article 13b

The bodies of the Agency are the Administrative Board and the Director.

The Administrative Board has a president and two members.

The Government appoints and dismisses the Administrative Board for a period of four years, based on the proposal of the Ministry.

The composition, competence, manner of work, and decision-making of the Administrative Board are regulated by the Agency's statute.

Director

Article 13c

The Agency is led by a Director.

The Director is appointed by the Government, based on the proposal of the Ministry, through a public competition, for a period of four years.

Director's Responsibilities

Article 13č

The Director of the Agency:

- 1) Represents and represents the Agency.
- 2) Manages the work and operations of the Agency and is responsible for the legality of its work.
- 3) Prepares reports on the work of the Agency and annual financial reports.
- 4) Executes decisions of the Administrative Board.
- 5) Proposes an act on the internal organization of the Agency.
- 6) Performs other tasks determined by law and the Agency's statute.

Employment Rights

Article 13ć

The Director and employees of the Agency have rights and obligations from employment relationships in accordance with the law regulating the rights and obligations of state officials and employees.

Report on Work

Article 13d

The Agency submits reports on its work and annual financial reports to the Government and the Ministry, along with the opinion of an independent auditor.

Supervision

Article 13dž

Supervision over the work of the Agency is carried out by the Ministry.

III USTANOVE VISOKOG OBRAZOVANJA

Realization of Higher Education**

Article 14

Higher education is provided by higher education institutions (hereinafter referred to as institutions) that are licensed in accordance with this law.

Types of Institutions

Article 15

Institutions include: university, faculty, art academy, and college.

An institution from paragraph 1 of this article is established as a public or private institution.

The institution acquires legal entity status by being registered in the Central Register of Business Entities, unless otherwise prescribed by this law.

Name of the Institution

Article 16

The name of the institution is determined by the founder in accordance with this law.

Institutional Autonomy

Article 17

The institution is autonomous in the field of teaching, research, and artistic work within the scope of its license, in accordance with this law.

Scientific and research work of the institution is regulated by special law.

The determination and ranking of scientific journals that stimulate scientific productivity, as well as other issues, are regulated by the Ministry's regulation.

Institutional Rights

Article 18

The institution has the right to:

- 1) 1) Determine study programs to be implemented and subjects to be studied.
- 2) Independently develop and implement study programs.
- 3) Determine teaching methods and assess students' knowledge.
- 4) Elect governing and managerial bodies, determine their composition, scope of work, and mandate.
- 5) Organize internal structure in accordance with this law and the institution's statute.
- 6) Elect academic staff.
- 7) Conclude contracts with other institutions in Montenegro and international institutions.
- 8) Confer honorary titles in accordance with its general act.
- 9) Exercise property rights and dispose of funds in accordance with the law.
- 10) Have other rights in accordance with this law and the institution's statute.

Inviolability of Space

Article 19

The institution's premises are inviolable, except in cases of preventing an imminent criminal offense, a criminal offense in progress, in the event of a natural disaster, other accidents, or in other cases provided by law, with the approval of the institution's management.

Academic Freedoms and Protection

Article 20

The institution is obliged to guarantee academic staff the freedom of thought, ideas, verification of acquired knowledge, and to ensure freedom of organization and association and protection of academic staff from discrimination on any grounds, in accordance with special law.

Freedom of Research

Article 21

Academic staff of the institution has the freedom to publish the results of their research, in accordance with special law and the institution's acts.

Establishment of the Institution

Article 22

The state establishes a public institution.

A private institution can be established by domestic and foreign legal or natural persons.

Conditions for Establishment and Operation

Article 23

An institution can be established and operate if it has:

- 1) Certificate of accreditation for the study program.
- 2) Adequate space owned or leased (classrooms, laboratories, library, premises for extracurricular activities of students), teaching aids, equipment, and other necessary resources for conducting activities.
- 3) Provided conditions and unhindered access for persons with disabilities.
- 4) Academic staff elected to academic titles according to the regulations of Montenegro, including at least three professors for undergraduate studies or two professors for master's studies, with academic titles, employed full-time.
- 5) Provided half of the associates from the total number of associates needed to conduct teaching for each subject in each academic year, with whom it has a labor contract.
- 6) Provided financial resources for establishment and operation.
- 7) Provided hygiene and technical conditions in accordance with special regulations.

The Ministry prescribes detailed conditions from paragraph 1, items 2 and 3 of this article.

Exceptionally, it is considered that the institution has provided academic staff from the field of medical sciences for clinical subjects, who are employed in a healthcare institution as the teaching base of the institution.

Content of the Founding Act

Article 24

The founding act of the institution contains:

- 1) Name and seat, or name and residence of the founder.
- 2) Name and seat of the institution.
- 3) Activity of the institution.
- 4) Funds for the establishment and operation of the institution and the manner of their provision.;
- 5) Temporary governing and management bodies;
- 6) Deadline for statute adoption; and
- 7) Other issues relevant to the institution's operations.

Article 25

The act on the establishment and abolishment of a public institution is adopted by the Government.

The act on the establishment and abolishment of a private institution is adopted by the founder.

Financial guarantee

Article 26

The founder of a public institution is obliged to submit, in addition to evidence of meeting the conditions from Article 23 of this law, proof from the state administration authority responsible for financial affairs that financial resources in the amount needed for the implementation of the study program have been secured.

The founder of a private institution is obliged to submit, in addition to evidence of meeting the conditions from Article 23 of this law, a guarantee from a commercial bank for earmarked financial resources in the amount needed for the implementation of the study program for a period of one year.

The required funds for the implementation of the study program from paragraphs 1 and 2 of this article are calculated based on the cost of educating a student for a specific study program and the number of students for whom a license is requested.

Before the expiration of the validity period of the financial guarantee from paragraph 2 of this article, the institution is obliged to submit to the Ministry, by the beginning of the next academic year, proof of secured financial resources for the performance of activities for the next academic year.

The guarantee of a commercial bank from paragraph 2 of this article will be activated in case the founder decides to abolish or cease the operation of the institution or study program before the completion of the education of students in the study program, at the request of the state administration authority responsible for financial affairs.

Funds from paragraphs 1, 2, and 4 of this article can only be used to complete the education of students.

Conducting activities outside the seat

Article 27

An institution may conduct activities outside its seat.

The decision on conducting activities outside the seat of a public institution is made by the Government, upon the proposal of the institution's management body.

The decision on conducting activities outside the seat of a private institution is made by the founder.

Accreditation of study programs

Article 28

An institution is obliged to submit a request for accreditation of the study program to the Agency at least six months before applying for licensing.

The accreditation process of the study program includes assessing the quality of the study program and its compliance with professional needs and adopted standards, as well as the comparability with the same or similar programs abroad, and the representation and credit valuation of practical classes.

Accreditation of the study program is issued for a period of up to five years.

Exceptionally, for study programs that last more than five years, accreditation is issued for the duration of that study program.

The Agency establishes a commission for the accreditation of study programs.

The commission is formed from independent experts from Montenegro and abroad, selected from the list of experts.

The list of experts from paragraph 6 of this article is determined by the Agency after a public call.

The costs of accrediting study programs are financed by the institution.

Funds from paragraph 8 of this article are paid to the Agency.

The procedure for accrediting study programs, the content, and form of the accreditation certificate are regulated by the Ministry, upon the proposal of the Agency.

Licensing

Article 29

An institution is obliged to submit a request for licensing to the Ministry at least six months before starting its activities.

Along with the request for licensing, the founder submits the act of establishment and evidence of meeting the conditions from Article 23 of this law.

The institution submits a request for licensing when: undergoing changes in its legal status; changing its seat or premises; conducting activities outside the seat; or introducing new study programs.

Commencement of activities

Article 30

An institution may conduct activities and enroll students when the Ministry determines that the institution meets the conditions prescribed by this law and issues a licensing decision.

The license determines the type of institution, accredited study programs, the maximum number of students who can enroll in individual study programs, levels of education, and diplomas obtained at the institution.

The decision on licensing from paragraph 1 of this article is made by the Ministry and published in the Official Gazette of Montenegro.

An administrative dispute can be initiated against the decision from paragraph 3 of this article.

Register

Article 31

After obtaining the licensing decision, the institution is entered into the Register of Higher Education Institutions kept by the Ministry.

The procedure for licensing and the manner of keeping the register from paragraph 1 of this article are regulated by the act of the Ministry.

Prohibition of work

Article 32

When the competent inspection determines that the institution does not meet the conditions for conducting activities or does not conduct activities in accordance with the law, or does not provide financial guarantees from Article 26 paragraph 4 of this law, it will temporarily prohibit the institution from operating and set a deadline for the institution and the founder to rectify identified deficiencies.

If deficiencies are not rectified within the deadline from paragraph 1 of this article, the Ministry will prohibit the institution from conducting activities and inform the founder about it.

In the event of a ban on conducting activities from paragraph 2 of this article, the institution and the founder are obliged to enable students to continue their education at another appropriate institution.

Changes in legal status

Article 33

An institution may undergo changes in its legal status.

The decision on changes in the legal status of an institution is made by the founder.

Changes in the legal status of the institution cannot be made during the academic year.

The provisions of this law regulating the establishment and conduct of the institution apply accordingly to changes in the legal status of the institution.

Abolition of study programs

Article 34

The decision to abolish a study program at an institution is made by the institution's management body with the consent of the founder.

In the event of the abolition of a study program, the institution is obliged to allow enrolled students to complete their studies within the deadline specified in the decision to abolish the study program.

The decision from paragraph 1 of this article is submitted to the Ministry for changes to be entered into the Register of Higher Education Institutions.

Abolition of the institution

Article 35

The institution is abolished if:

- 1) there is no need for its existence;
- 2) it does not meet the prescribed conditions for conducting activities; and
- 3) it does not conduct the activity for which it was established.

In case of abolishing the institution, the academic year in which the institution ceases to enroll students in the first year of study is determined.

In the event of abolishing the institution, the founder is obliged to allow enrolled students to complete their studies within the deadline specified in the decision to abolish the institution.

The decision to abolish the institution is submitted to the Ministry for changes to be entered into the Register of Higher Education Institutions.

Statute of the institution

Article 36

The statute of the institution regulates in more detail:

- 1) the organization of the institution;
- 2) the bodies of the institution and the way they work;
- 3) the acquisition of diplomas for academic and applied studies;

- 4) the conduct of research, scientific and artistic work;
- 5) the manner of exercising the rights and obligations of employees and students;
- 6) the manner of adopting the ethical code of academic staff;
- 7) financial control;
- 8) records; and
- 9) other issues of importance for the conduct of the institution's activities.

The statute of the institution is adopted by the institution's management body.

For the statute of a public institution, the consent of the Government is required.

Protection of the name

Article 37

The name for institutions from Article 15 of this law can only be used by an institution that is licensed and entered into the Register of Higher Education Institutions.

University

Article 38

A university is an autonomous institution that combines educational, scientific-research, and artistic work in the performance of its activities as parts of a unified higher education process.

The university ensures the development of higher education, science, profession, and art, creative abilities, and prepares students for professional work, as well as promotes human rights and freedoms, civil and national rights, and achieves the highest standards of teaching and learning.

Scientific-research or artistic work is carried out and organized in accordance with special laws and the general act of the university.

Organization of the university

Article 39

An institution can have the status of a university if it realizes at least five different study programs at the undergraduate level, of which at least one study program is implemented as both undergraduate and postgraduate.

Study programs from paragraph 1 of this article must be from at least three of the seven following areas: natural, technical-technological, medical, social, humanities, agricultural, and interdisciplinary.

The university carries out its activities through faculties, art academies, institutes, and colleges, as organizational units.

The university has legal personality.

An organizational unit of a state university does not have legal personality.

A state university may transfer certain powers to enter into legal transactions to an organizational unit from paragraph 3 of this article, in accordance with the university's statute.

An organizational unit of a private university may have legal personality.

The Ministry and the state administration authority responsible for science prescribe the classification of areas from paragraph 2 of this article.

Other ways of organizing studies

Article 40

A public institution may, with the consent of the Government, organize studies in cooperation with a domestic or foreign higher education institution.

A private institution may organize studies in cooperation with a domestic or foreign higher education institution.

When organizing studies from paragraphs 1 and 2 of this article, the institution has the right to implement joint or double degree programs.

A double degree is obtained by completing a study program at two higher education institutions and is confirmed with two diplomas from the institutions.

A joint diploma is issued by at least two or more higher education institutions, based on a study program for obtaining a joint diploma, which are authorized to work for the respective study program.

National Agency for EU Programs

Article 40a

For the implementation and promotion of EU programs and other international programs in the field of science, education, training, and youth, the Government establishes the National Agency for EU Programs.

The organization and operation of the agency from paragraph 1 of this article are regulated by the act of establishment.

IV QUALITY ASSURANCE

Self-evaluation and quality assessment

Article 41

An institution conducts a self-evaluation procedure for the quality of study programs, teaching, and working conditions at the end of each academic year, in accordance with the institution's statute.

In the self-evaluation process, students are surveyed at all levels, at least once a year, about study programs, teaching, conditions, and the work of academic staff.

Student participation in the survey is mandatory.

The survey is anonymous.

The results of student surveys are published on the institution's website.

The reports on self-evaluation are adopted by the institution's management body.

The institution submits the self-evaluation report to the Ministry and the Agency.

The method and criteria for self-evaluation for study programs, teaching equipment, qualifications of academic staff, teaching methods, student enrollment, pass rates in exams, the percentage of graduated students, and the content of the survey are regulated by the Agency's act.

Reaccreditation of the institution

Article 42

The accreditation of the institution is carried out by the Agency.

The reaccreditation of the institution is conducted every five years.

The Agency evaluates the institution in accordance with the standards for the evaluation of institutions, in accordance with this law.

In the reaccreditation process, the institution prepares a self-evaluation report for a period of up to five years.

Based on the self-evaluation report and the conducted reaccreditation commission procedure, appointed by the Agency, a report on the reaccreditation of the institution is prepared.

The report on reaccreditation from paragraph 5 of this article is submitted to the Agency, the institution, and the Ministry.

Based on the positive report of the commission from paragraph 5 of this article, the Agency issues a certificate of institution reaccreditation.

The form of the certificate from paragraph 7 of this article is determined by the Ministry and published on its website.

The institution covers the costs of the evaluation.

Temporary validity of the license

Article 42a

If the institution does not receive a reaccreditation certificate, the license is valid for a period of up to one year, without the possibility of enrolling students in that year.

If the institution does not receive a reaccreditation certificate after the expiration of the deadline from paragraph 1 of this article, the Ministry, by decision, revokes the license from the institution.

An administrative dispute can be initiated against the decision from paragraph 2 of this article.

Exemption

Article 43

During the validity period of accreditation or reaccreditation, a licensed institution can make changes to the undergraduate study program of up to 30 ECTS credits without undergoing the accreditation and licensing procedure.

Labor Market Research

Article 44

The institution is obliged to conduct labor market research at least once every five years by surveying graduates, employers' associations, economic entities, and entrepreneurs about the applicability of acquired knowledge, skills, and competencies necessary for the labor market.

The results of the research from paragraph 1 of this article are considered in the preparation of the self-evaluation and reaccreditation report and are published on the institution's website.

VI MANAGEMENT AND LEADERSHIP

University Governing Body

Article 45

The governing body of the university is the administrative board.

The administrative board determines the business policy of the university.

Governing Body of a State University

Article 46

The administrative board of the state university has 15 members and consists of representatives: academic staff, other employees, students, and representatives of the founder.

Representatives of the founder in the administrative board of the state university make up 1/3 of the total number of members of the administrative board.

Members of the student parliament elect student representatives to the administrative board of the state university in accordance with their rules.

The administrative board is elected for a period of four years, except for student representatives, who are elected for a period of two years.

The jurisdiction, method of election and dismissal, as well as the working and decision-making method of the administrative board, are further regulated by the statute of the state university.

Governing Body of a Private University

Article 47

The founder appoints the administrative board of a private university.

Student representatives must be elected to the administrative board from paragraph 1 of this article.

The founder determines the jurisdiction, number of members, composition, method of election and dismissal, working and decision-making method of the administrative board, as well as the term for which the administrative board is elected, in accordance with its statute.

Governing Body of an Institution that is not a University

Article 48

The governing body of an institution that is not a university is determined by the statute of the institution.

The governing body from paragraph 1 of this article must include representatives of academic staff, other employees, and students.

The jurisdiction, number, composition, duration of mandate, method of election and dismissal, as well as the working and decision-making method of the governing body from paragraph 1 of this article are regulated by the statute of the institution.

Leadership Body of the University

Article 49

The leadership body of the university is the rector.

The rector is responsible for the work at the university, as well as for management within the business policy determined by the administrative board of the university.

The university may have vice-rectors.

Election of the Rector of a State University

Article 50

The rector of a state university is elected for a term of three years based on a public competition and a submitted university development program.

The rector of a state university is elected by the administrative board from among the regular professors of the state university.

The same person can be elected as the rector of a state university twice in a row.

The method and procedure for the election of the rector or vice-rectors, their powers, the duration of the vice-rector's mandate, and other issues are regulated by the statute of the state university.

Election of the Rector of a Private University

Article 51

The founder appoints the rector of a private university from among the regular professors, in accordance with its statute.

The method of electing the rector or vice-rectors of a private university, their powers, the duration of the mandate, and other issues are regulated by the statute of the private university.

Leadership Body of an Organizational Unit of a State University

Article 52

The leadership body of an organizational unit of a state university is the dean or director, elected by the administrative board of the university in accordance with the statute.

The method of electing the dean or director, their powers, the duration of the mandate, and other issues are regulated by the statute of the state university.

Leadership Body of an Institution that is not a University

Article 53

The governing body of an institution that is not a university is determined by the statute of that institution.

The method of electing the governing body, its powers, the duration of the mandate, and other issues are regulated by the statute of the institution.

Professional Body of the University

Article 54

The professional body of the university is the senate.

The senate consists of the rector, vice-rectors, representatives of academic staff, and student representatives, in accordance with the statute of the university.

Of the total number of senate members, at least 50% must be from the ranks of regular university professors.

The jurisdiction, number, composition, duration of mandate, method of election and dismissal, as well as the working and decision-making method of the senate are regulated by the statute of the university.

Professional Body of an Institution that is not a University

Article 55

The professional body of an institution that is not a university is the council of the institution.

The council of the institution consists of academic staff and student representatives, in accordance with the statute of the institution.

The detailed composition, jurisdiction, duration of mandate, method of operation, and decision-making of the council are regulated by the statute of the institution.

Professional Body of an Organizational Unit of a State University

Article 56

The professional body of an organizational unit of a state university is the council.

The council from paragraph 1 of this article consists of the dean, vice-deans, persons with academic titles, representatives of associates, and students, in accordance with the statute of the state university.

The jurisdiction, duration of mandate, method of operation, and decision-making of the council are regulated by the statute of the state university.

VI FINANCING

Funding Sources

Article 57

The institution can be funded from:

- 1) Founder's funds;
- 2) Tuition fees and other fees paid by students;
- 3) Intellectual and other services;
- 4) Donations, gifts, and bequests;
- 5) Income from property (lease);
- 6) Projects and contracts with international, state, or private entities for the purpose of promoting teaching, research, and consulting activities; and
- 7) Other sources in accordance with the law.

Responsibility of Management Bodies

Article 58

The management body of the institution is responsible for the legal and purposeful use of funds provided in accordance with this law.

Audit

Article 59

Independent external and internal financial control is ensured in the operation of the institution.

The method of conducting internal financial control is regulated by the statute of the institution.

Independent Audit

Article 60

The Government may appoint an independent authorized auditor to examine the financial condition of an institution that acquires funds from the budget of Montenegro.

The governing body of the institution is obliged to cooperate during the financial control from paragraph 1 of this article.

Refund of Funds

Article 61

The Government will request the refund of allocated funds from an institution that acquires funds from the budget of Montenegro if the findings of an independent and authorized auditor determine illegal and non-purposeful use of funds.

Authority of a Public Institution

Article 62

A public institution can invest funds for educational or research purposes, with the consent of the Government, provided that:

- 1) The contract does not burden funds from the budget of Montenegro, and
- 2) Funds from the budget of Montenegro are not exposed to risk.

Temporary Financing

Article 63

If a public institution does not receive a reaccreditation certificate in accordance with this law, the founder may provide funds for the financing of the institution for a period of up to one year, without the possibility of enrolling students in that year.

Normatives and Standards for Financing

Article 64

The founder provides funds to a public institution for:

- 1) Material costs, current and investment maintenance;
- 2) Salaries of employees in accordance with the law, collective agreement, and the act on the organization and systematization of jobs;
- 3) Equipment and library fund;
- 4) Conducting scientific research or artistic work, which contributes to the quality improvement of teaching;
- 5) Scientific and professional development of employees;
- 6) Databases and information systems;
- 7) Student Parliament activities and extracurricular activities of students;
- 8) Establishing equal conditions for studying for all students (unhindered access, stay, and work);
- 9) Other purposes in accordance with the law.

Norms and standards for the financing of public institutions from paragraph 1 of this article are adopted by the Government.

Financing of Public Institutions

Article 64a

A public institution acquires funds from the Budget of Montenegro based on the norms and standards for the financing of public institutions from Article 64 of this law, taking into account the number of students determined by the license, the cost of a student for a specific study program, and the assessment of the quality of the institution's work from the external evaluation report.

The mutual rights and obligations between the public institution and the Government for the implementation of study programs I and II cycles are regulated by a financing contract.

The contract from paragraph 2 of this article is concluded for a minimum of one fiscal year.

The contract from paragraph 2 of this article contains, in particular: goals, activities and measures for achieving goals, indicators for monitoring the implementation of the contract, the schedule for submitting reports on the implementation of the contract, and other matters of importance for financing.

The content of the contract from paragraph 4 of this article is determined by the Ministry and published on its website.

Determination of the Number of Students

Article 65

The government determines the number of students to be funded from the budget of Montenegro for a specific study program, in accordance with the number specified in the license of the public institution.

The decision from paragraph 1 of this article is made by the government, upon the proposal of the management body of the public institution, in the process of giving consent to the competition for enrollment in study programs.

Earning Revenue by Public Institution on the Market

Article 66

The activity of the public institution is, as a rule, non-profit.

The public institution may, in accordance with this law, promote and use educational and research activities in the market to generate revenue for the realization of the goals of higher education, which is used to improve teaching and research activities, in accordance with its financial plan.

The public institution is obliged to obtain prior approval from the Government when this activity involves or could involve the use of any significant intellectual property rights

in any literary, artistic, or scientific works, scientific discoveries, projects, inventions, goods, or services provided, in whole or in part, directly or indirectly, from the funds of the budget of Montenegro.

Innovation Activities

Article 66a

The public institution can establish an innovation center, center of excellence, technology transfer center, science and technology park, and other organizations for innovation activities and provide infrastructure support for the development of innovations and commercialization of research and artistic work.

Special Funding Conditions

Article 67

The government may prescribe certain conditions for the use of funds allocated to a public institution for teaching and research, which relate to:

- 1) acquisition, use, and disposal of land, buildings, and equipment;
- 2) the amount and use of tuition and other fees prescribed for students;
- 3) transfer of funds allocated for study programs.

Funding for Students at Private Institutions

Article 68

Funds in the budget of Montenegro may be provided for the financing of students at private institutions in study programs of public interest that are not implemented at a public institution.

The criteria for determining study programs of public interest at private institutions that are not implemented at a public institution are prescribed by the government, with the prior opinion of the Council.

Based on the criteria from paragraph 2 of this article, the government makes a decision on study programs of public interest at private institutions that are not implemented at a public institution for each academic year.

The government, based on the decision from paragraph 3 of this article, with the opinion of the Council, determines the number of students and the amount of funds for financing students in study programs of public interest at private institutions that are not implemented at a public institution for each academic year.

The amount of funds from paragraph 4 of this article is determined based on norms and standards for financing study programs of public interest at private institutions that are not implemented at a public institution, adopted by the government.

Conditions for the Use of Funds

Article 69

The government, for the funds it allocates to a private institution, prescribes certain conditions for their use and requires the private institution to submit a budget proposed for carrying out its activities for the next fiscal year.

The private institution is responsible for the lawful and purposeful use of funds allocated by the government and is obliged to allow the government access to financial books and records.

Tuition Fee

Article 69a

Students of the first and second cycles of studies at public institutions do not pay a tuition fee.

Students of the third cycle of studies at public institutions pay a tuition fee.

Students of the first, second, and third cycles of studies at private institutions pay a tuition fee.

Exceptionally, students of the first and second cycles of studies in programs conducted in English at public institutions pay a tuition fee.

The amount of the fee from paragraph 4 of this article is determined by the management body of the public institution, with the consent of the Ministry.

Determining the Tuition Fee

Article 70

The amount of the fee paid by students at institutions is determined by the management body of the institution.

Exceptionally, the amount of the fee paid by students of the first and second cycles who do not complete 45 ECTS credits at public institutions is determined by the management body, with the consent of the Ministry.

The amount of the fee from paragraph 2 of this article may be determined at different rates depending on the costs of implementing the study program.

Students with disabilities at public and private institutions are exempt from paying the fee.

VII ACADEMIC STAFF

Academic Staff

Article 71

Academic staff, for the purposes of this law, includes individuals with academic titles and associates who directly implement the study program at the institution.

Academic Titles

Article 72

Academic titles, for the purposes of this law, are:

- 1) full professor;
- 2) associate professor;
- 3) assistant professor;
- 4) professor and lecturer in higher education.

Individuals with academic titles from paragraph 1 of this article are elected by the university senate, based on a public competition, for a period of five years, except for full professors who are elected indefinitely.

Election to a higher title is made after the expiration of the time of election to a lower title.

The procedure for election to academic titles from paragraph 1 of this article must be completed within six months from the day of announcing the competition.

Conditions for Election to an Academic Title

Article 73

An individual with a doctoral degree and proven pedagogical abilities may be elected to academic titles from Article 72 paragraph 1 of this law.

For academic titles in artistic and related subjects at a faculty and academy of fine arts, applied arts, music, drama, and architecture, an individual with higher education, recognized artistic works, and proven pedagogical abilities may be elected.

Academic staff from Article 72 of this law, in addition to the conditions from paragraph 1 and 2 of this article, must meet the conditions for election to a title in the relevant scientific/artistic discipline, which must be internationally comparable.

Procedure for Election

Article 74

The procedure for election to academic titles, as well as other issues related to the election, is regulated by the statute of the university.

International experts may be involved in the election to academic titles during the election process, in accordance with the statute of the university.

Associates

Article 75

An associate in teaching may be:

- a master's student who has completed undergraduate or specialist studies with a minimum average grade of B (8.50);
- a doctoral student or doctoral candidate who has completed master's studies with a minimum average grade of B (8.50);
- an individual with a doctoral degree.

An individual from paragraph 1 of this article is selected, based on a public competition announced by the institution in accordance with the institution's statute.

A contract with associates from paragraph 1, item 1 of this article is concluded for a period of one year but not longer than four years.

A contract with associates from paragraph 1, item 2 of this article is concluded for a period of three years but not longer than seven years.

A contract with an associate who has obtained a doctoral degree is concluded for a period of up to five years.

An associate in teaching cannot independently conduct theoretical teaching, conduct examinations, and assess students.

Detailed conditions, manner, and procedure for the selection of associates are determined by the statute of the institution.

Visiting Professor

Article 76

An institution, without a public competition, based on the decision of the competent authority of the institution, may engage an individual with an academic title from another institution outside the territory of Montenegro as a visiting professor.

Rights and obligations between the visiting professor and the institution are regulated by a contract, in accordance with the statute of the institution.

Professor Emeritus

Article 77

A university may confer the title of professor emeritus on a retired full professor who has distinguished himself/herself with scientific or artistic work.

Detailed conditions and procedures for awarding the title of professor emeritus are determined by the general act of the university.

Protection against Plagiarism

Article 78

Deleted. (Law on Academic Integrity, Official Gazette of Montenegro, No. 17/19)

VIII ORGANIZATION OF STUDIES

Study Programs

Article 79

Studies at institutions are implemented based on an accredited study program.

By completing a study program, a certain level of education and qualifications is acquired, in accordance with the law.

Article 80

A higher education institution, within the program it implements, provides students with conditions for acquiring knowledge of at least one foreign language at a higher advanced level.

Types of Study Programs

Article 81

Study programs that can be implemented at institutions are: undergraduate, master's (postgraduate), and doctoral.

Study programs from paragraph 1 of this article can be interdisciplinary and are organized in at least two areas.

Undergraduate and postgraduate study programs can be accredited as academic and applied.

Doctoral study programs can be accredited as academic.

A study program must include practical teaching, as well as learning outcomes for the scientific field to which the study program belongs, or competencies for carrying out activities.

A study program must include learning outcomes for the scientific field to which the study program belongs and practical teaching.

Practical teaching from paragraph 5 of this article amounts to at least 25% in relation to the total student workload per subject or per year, depending on the learning outcomes for a particular study program.

Undergraduate programs include at least two elective modules.

European Credit Transfer System

Article 82

Study programs for obtaining levels of education and higher education diplomas must be aligned with the European Credit Transfer System (ECTS).

The scope of the study program conducted in one academic year is 60 (ECTS) credits.

Transfer of ECTS credits can be realized between different study programs or institutions.

Criteria and conditions for transferring ECTS credits are prescribed by the general act of the institution or by a contract between institutions.

Types of Diplomas

Article 83

Diplomas obtained at an institution are:

- 1) diploma of applied undergraduate studies after completing an applied study program, with a scope of 180 ECTS;
- 2) diploma of academic undergraduate studies after completing an academic study program, with a scope of 180 ECTS;
- 3) diploma of completed integrated undergraduate and master's studies with a scope of 300 or 360 ECTS;
- 4) diploma of applied master's studies after completing an applied master's program, with a scope of 120 ECTS, after obtaining a diploma of applied undergraduate studies and defending a master's thesis or after completing an integrated undergraduate and master's program of 300 ECTS and defending a master's thesis;
- 5) diploma of academic master's studies after completing an academic master's program, with a scope of 120 ECTS, after obtaining a diploma of academic undergraduate studies and defending a master's thesis or after completing an integrated undergraduate and master's program of 300 ECTS and defending a master's thesis.

Exceptionally from paragraph 1 of this article, diplomas in the field of regulated professions are obtained in accordance with a special regulation of the European Union regulating regulated professions.

An individual with the academic title of Master of Science and completed a doctoral study program of 180 ECTS and defended a doctoral dissertation may obtain a diploma of academic doctoral studies.

Exceptionally from paragraph 3 of this article, an individual who has completed an integrated undergraduate and master's study program with a scope of at least 300 ECTS, completed a doctoral study program of 180 ECTS, and defended a doctoral dissertation may obtain a diploma of academic doctoral studies.

Diplomas from paragraphs 3 and 4 of this article are obtained at the university.

IX RULES OF STUDYING

Academic Year and Organization of Classes

Article 84

An institution conducts classes during the academic year, which, as a rule, begins on September 1, in accordance with the academic calendar.

Classes in the academic year can be conducted in two semesters, each lasting 15 weeks.

Teaching individual subjects is conducted during one semester, in accordance with the study program.

Distance Learning

Article 85

Teaching can be organized as distance learning, and exams are held on the premises of the institution.

The conditions and manner of organizing classes and taking exams, as stated in paragraph 1 of this article, shall be prescribed by the Ministry, with the prior opinion of the Council.

Organization of Studies

Article 86

The institution is obligated to organize lectures, exercises, practical training, and other forms of teaching for all students, except for distance learning, in accordance with the study program to achieve learning outcomes.

Practical knowledge, skills, and competencies, or practical training, can be acquired both within the institution's premises and outside the institution.

Practical training outside the institution is carried out at legal entities based on a contract for practical training.

The institution regulates the method and timing of organizing forms of teaching from paragraph 1 of this article by a general act.

At the beginning of the academic year, the institution is obliged to inform students appropriately about the method, timing, and place of conducting classes, knowledge assessments, and exams, as well as exam results and other matters significant for the organization of studies.

Study Rules

Article 87

Upon enrollment in an institution, a student chooses a specific study program.

The study program determines the subjects for each year of study.

By passing exams from subjects in paragraph 2 of this article, the student acquires a certain number of ECTS credits according to the study program.

The institution may allow a student who has not earned at least 45 ECTS credits for a specific study program to enroll in the next academic year if they have not passed an exam in a subject worth more than 15 ECTS credits, in accordance with the institution's statute.

A student who fails an elective subject may choose the same or another elective subject again.

The rules of study are determined in more detail by the institution's general act.

Change of Student Financing Method

Article 88

A student financed from the budget of Montenegro who has earned at least 45 ECTS credits in the first enrolled academic year has the right to continue financing from the budget in the following academic year.

A student financed from the budget of Montenegro who has less than 45 ECTS credits in the first enrolled academic year may continue their studies as a self-financed student.

A student from paragraph 2 of this article who passes all exams or earns 60 ECTS credits has the right to be financed from the budget in the next year.

Assessment

Article 89

A student takes an exam upon completion of the course in that subject according to the study program, in accordance with the institution's statute.

The success of students in mastering the subject and all forms of knowledge assessment before the exam is evaluated and expressed in points.

The total number of points a student can gain through all pre-exam forms of knowledge assessment, or learning outcomes, ranges from 30 to 70 points, in accordance with the study rules.

Based on all pre-exam forms of knowledge assessment, or learning outcomes, and passing the exam, a student can achieve a maximum of 100 points, in accordance with the study rules.

Student success in exams and other forms of knowledge assessment is expressed in letter grades: A, B, C, D, E, and F.

The F grade is an insufficient grade.

Letter grades from paragraph 5 of this article are equivalent to numerical grades as follows:

- 1) Grade A (excellent) is equivalent to grade 10
- 2) Grade B (very good) is equivalent to grade 9
- 3) Grade C (good) is equivalent to grade 8
- 4) Grade D (satisfactory) is equivalent to grade 7
- 5) Grade E (sufficient) is equivalent to grade 6.

The average grade during the study is determined as the quotient of the sum of the product of the numerical grade and ECTS points for each subject and the total number of earned ECTS points.

Exams

Article 90

The exam is public.

A student takes the exam on the premises of the institution.

Exceptionally from paragraph 2 of this article, the exam can be taken outside the institution's premises only if it concerns an exam in a study subject that requires it.

A student takes the exam immediately after completing the course in that subject.

A student with a disability has the right to take the exam in a place and manner adapted to their abilities, in accordance with the institution's statute.

A student can take only one midterm or final exam in one day, and no more than two midterms or final exams in one week.

Exam Period

Article 91

Exam periods are in January, June, and September.

Exam periods from paragraph 1 of this article have two exam terms.

In the September exam period, a student has the right to take all exams and pre-exam assessments (midterms and final exams) they have registered for in that academic year and have not taken or passed in the January or June exam period, in accordance with the institution's special act.

A student who does not pass the exam in the first exam term has the right to take it in the second term of the same exam period.

Terms for organizing exams from paragraphs 1, 2, and 4 of this article are determined by the academic calendar for the academic year adopted by the institution, in accordance with the statute.

Objection

Article 92

A student has the right to submit an objection to the assessment to the institution's management if they believe the exam was not conducted in accordance with the law and the institution's general act within 48 hours of receiving the grade.

The management body is obliged to, upon objection, form a commission within three days, which will determine, in accordance with the objection, whether the grade was given contrary to regulations, review and re-grade the written or other work, or examine the student again.

The commission's decision from paragraph 2 of this article is final.

If a student requests the exclusion of the subject teacher, that teacher cannot be a member of the commission from paragraph 2 of this article.

X STUDENTS

Enrollment in Undergraduate Studies

Article 93

The right to enroll in basic academic and applied studies is granted to individuals who have obtained the corresponding level of education IV-1 sub-level of the National Qualifications Framework.

Enrollment in studies from paragraph 1 of this article is based on:

- 1) General success at the end of individual grades for acquiring the IV-1 sub-level of the National Qualifications Framework;
- 2) Results achieved in external matriculation or professional exams;
- 3) Success in two subjects from the third and fourth grades that are important for further education;
- 4) Success in state or international competitions in subjects important for further education; and
- 5) Diploma of Light.

For enrollment in certain study programs, an entrance exam may be introduced.

For persons with disabilities, affirmative action principles are implemented during enrollment in the study program.

The matriculation or professional exam from paragraph 2, item 2 of this article is valued at a minimum of 15% of the total number of points obtained during enrollment by evaluating all criteria from paragraphs 2 and 3 of this article.

Exceptionally from paragraph 1 of this article, on professional-artistic study programs of undergraduate studies at faculties and academies of arts, a candidate can be enrolled without completing secondary school if they pass the entrance exam in accordance with this law.

The Ministry prescribes more detailed conditions and criteria, the manner and procedure for enrollment in the first year of basic academic and applied studies.

Enrollment in Specialist Studies

Article 94

Deleted. (Law on Amendments to the Law on Higher Education, Official Gazette of Montenegro, no. 42/17)

Enrollment in Master's Studies

Article 95

Enrollment in master's academic and applied studies is based on a competitive basis, in accordance with the results achieved in basic or applied studies of at least 180 ECTS and an entrance exam in accordance with this law and the institution's statute.

The content, manner, and procedure for taking the entrance exam, as well as detailed criteria and their evaluation, and the manner and procedure, and the level of alignment of undergraduate study programs for enrollment in the first year of master's academic and applied studies, are determined by the institution's act.

Enrollment in Doctoral Studies

Article 96

Enrollment in doctoral studies is based on a competitive basis, in accordance with the results achieved in master's academic studies, in accordance with this law and the institution's statute.

More detailed conditions, criteria, manner, procedure, and the level of alignment of master's study programs for enrollment in the first year of doctoral studies are prescribed by the institution's professional body.

Lifelong Learning

Article 97

Institutions can implement special continuing education programs in the field of higher education for the needs of lifelong learning to acquire professional qualifications or part of professional qualifications, or other qualifications in accordance with the law and special regulations of the institution.

A special continuing education program from paragraph 1 of this article is not considered a study program.

The programs from paragraph 1 of this article are accredited by the Agency, except for programs adopted by competent authorities in accordance with the law, and can be implemented in licensed institutions, in accordance with special law.

An individual who completes a continuing education program is issued a certificate by the institution.

The assessment of knowledge, skills, and competencies of individuals who complete special programs is carried out in accordance with the institution's special act.

Admission Competition

Article 98

The competition for enrollment in studies is announced by the institution, in accordance with the license and statute.

The competition for enrollment in studies in a public institution is announced by the management body, in accordance with the license, with the prior consent of the founder.

Number of Enrolled Students

Article 99

The institution determines the number of students enrolled in the study programs it organizes, which cannot be greater than the number specified in the license.

In cases where the number of qualified candidates for enrollment is higher than the number of publicly funded places in any study program, candidates can be enrolled in places for which tuition is paid, based on the criteria in Article 93 of this law, up to the number specified in the competition.

Exceptionally from paragraph 2 of this article, if the candidate is a person with a disability, the principle of affirmative action is implemented.

Foreign citizens

Article 100

A foreigner has the right to enroll in study programs in Montenegro under the same conditions as Montenegrin citizens, in accordance with this law and the institution's statute.

Student status

Article 101

Student status is acquired by enrolling in the corresponding study program at the institution.

Study agreement

Article 102

The student and the institution conclude a study agreement, specifying their mutual rights and obligations.

Alongside the study agreement, students sign statements regarding the adherence to principles of academic ethics. The content of the agreement for public institutions from paragraph 1 of this article is determined by the Ministry and published on its website.

The agreement from paragraph 1 of this article includes the institution's obligation to ensure the continuation and completion of education in case the institution or study program ceases to operate.

Student rights

Article 103

A student has the right to:

- 1) quality education and objective evaluation;
- 2) express opinions on the quality of academic staff's work;
- 3) appeal in case of a violation of their rights determined by the institution's general act;
- 4) suspension of rights and obligations during pregnancy, parental leave, prolonged illness, and other justified cases according to the institution's statute;
- 5) attend lectures, seminars, and other forms of instruction;
- 6) use libraries, computer labs, and other services provided by the institution to students;
- 7) choose and be elected to the institution's bodies, in accordance with this law and the institution's statute;
- 8) representation of at least 20% in relation to the total number of members in professional bodies and management bodies;
- 9) enjoy rights in the field of student standards;
- 10) equality and protection against discrimination; and
- 11) exercise other rights in accordance with this law and the institution's statute.

The manner of exercising the rights from paragraph 1 of this article is regulated in the institution's statute.

Student obligations

Article 104

A student is required to:

- 1) respect the study regime and fulfill student obligations;
- 2) adhere to general acts adopted by the institution;
- 3) participate in academic activities of the institution;
- 4) respect the rights of employees and other students.

Protection of student rights

Article 105

A student has the right to challenge any decision of the institution that violates their rights determined by law, statute, or another act, before the competent court.

Termination of student status

Article 106

Student status ceases:

- 1) by obtaining a diploma of the corresponding level of education;
- 2) by withdrawal;

- 2a) if the student does not complete the study program within the time frame prescribed by law and the institution's statute;
- 3) by exclusion from the institution.

The conditions under which student status ceases from paragraph 1, items 2, 2a, and 3 of this article, as well as the procedures for appeals, are regulated by the institution's statute.

Student exclusion

Article 107

A student may be excluded from the institution, for a maximum of two academic years, by the senate or another professional body, in accordance with the institution's statute.

An appeal against the decision from paragraph 1 of this article is submitted to the institution's management body.

The decision of the body from paragraph 2 of this article is final.

Student standard

Article 108

Rights in the field of the student standard are personal and non-transferable.

Rights from Student Standard

Article 109

A student is entitled to:

- 1) accommodation and meals in the dormitory;
- 2) student loan;
- 3) scholarship for the best students;
- 4) transportation subsidy in suburban and intercity transport;
- 5) healthcare in accordance with a special law;
- 6) establishment of sports clubs in accordance with the law.

Amount of the student loan and scholarship for best students is determined by the Government, upon proposal of the Ministry, depending on available funds, whereby the amount of student loan shall not be lower than 25% of the minimum wage for employees up to fifth qualification level of education, and amount of scholarship for best students shall not be lower than 50% of the minimum wage for employees up to fifth qualification level of education.

Criteria, manner, conditions, and amount of compensation for exercising rights from paragraph 1, items 1 and 4 of this Article shall be prescribed by the Ministry.

Student dormitory

Article 110

Accommodation and meals for students are organized in student dormitories. The establishment, organization, internal organization and work, status changes,

management and leadership methods, financing, representation and representation, and other issues of importance for the operation of the student dormitory shall be governed by the provisions of the General Law on Education and Upbringing.

Student organizations

Article 111

The statute of the institution ensures the establishment of one or more organizations representing students and contributing to satisfying the social, cultural, and academic needs and the need for physical recreation of students.

Student Parliament

Article 112

The Student Parliament is an institutional form of student organization, which is autonomous in its work and authorized to represent and protect the rights and interests of students.

The Student Parliament is formed at the institution, consisting of student representatives.

The jurisdiction, method of election, and organization of the work of the student parliament are regulated by the statute of the student parliament.

Financial assistance to student organizations

Article 113

The institution may provide financial assistance for the establishment and operation of student organizations, including funds for investment and current expenses of space and equipment.

XI RECORDS AND PUBLIC DOCUMENTS

Records

Article 114

The institution keeps: a student register, a record of issued diplomas and diploma supplements, and a record of exams.

The student register and the record of issued diplomas are permanently kept.

The records from paragraph 1 of this article are kept in the form of entries on paper and in electronic form.

Personal data entered in the records from paragraph 1 of this article are collected, processed, stored, and used for the needs of the institution and the Ministry, in accordance with the law.

All forms of collecting, holding, processing, publishing, and using data from paragraph 4 of this article are carried out in accordance with the law regulating the protection of personal data.

Public documents

Article 115

Based on the data from the records, the institution issues public documents.

Public documents, for the purposes of this law, are: an index, a diploma and diploma supplement, a certificate of enrollment, a certificate of passed exams, and a certificate of completed studies.

The method of keeping records, the content of records, and the content of public documents are prescribed by the Ministry.

Nullity of public documents

Article 116

Public documents are declared null and void if:

- 1) issued by an unlicensed institution;
- 2) signed by an unauthorized person;
- 3) the document holder has not fulfilled all exam obligations in the study program in the manner and according to the procedure prescribed by law, subordinate legislation, and the study program.

The procedure for declaring public documents null and void is carried out by the Ministry.

The decision to annul public documents is final in administrative proceedings and is published in the Official Gazette of Montenegro.

XII PENAL PROVISIONS

Penalties for Violations

Article 117

A legal entity - institution shall be fined with a monetary penalty ranging from 2,000 euros to 20,000 euros for a misdemeanor if:

- 1) it starts operating and conducting activities without meeting the prescribed conditions or without a licensing decision (Article 30, paragraph 1);
- 2) in the event of the termination of a study program, it does not allow enrolled students to complete their studies (Article 34, paragraph 2);
- 3) in the event of the termination of the institution, it does not allow enrolled students to complete their studies (Article 35, paragraph 3);
- 4) it applies a statute that the Government has not approved (Article 36, paragraph 3);
- 5) it invests funds for educational or research purposes without the Government's approval (Article 62);

- 6) without prior approval from the Government, it secures funds from the budget of Montenegro when that activity involves or could involve the use of any significant intellectual property rights in any literary, artistic, or scientific works, scientific discoveries, projects, inventions, goods, or services (Article 66, paragraph 3);
- 7) it charges tuition fees higher than the tuition fee approved by the Ministry (Article 70, paragraph 2);
- 8) it selects individuals for academic titles who do not meet the criteria for selection to an academic title according to Article 73, paragraphs 1, 2, and 3 of this Law;
- 9) it selects associates for teaching who do not meet the conditions prescribed by Article 75, paragraphs 1, 2, 3, 4, and 5 of this Law;
- 10) it issues diplomas to individuals who do not meet the conditions prescribed by Article 83 of this Law;
- 11) it enrolls students in undergraduate studies who do not meet the conditions prescribed by Article 93 of this Law;
- 12) it enrolls students beyond the number specified in the license (Article 99, paragraph 1);
- 13) it fails to conclude a study contract with a student (Article 102, paragraph 1);
- 14) it does not keep a register of students, a record of issued diplomas and diploma supplements, and a record of exams (Article 114, paragraph 1);
- 15) it does not issue public documents based on data from the records (Article 115, paragraph 1).

For a misdemeanor under paragraph 1 of this Article, the management body and the responsible person at the institution shall be fined in the amount of 200 euros to 2,000 euros.

XIII TRANSITIONAL AND FINAL PROVISIONS

Deadline for Adoption of Subsidiary Acts

Article 118

Regulations for the implementation of this law shall be adopted no later than one year from the date of entry into force of this law.

Until the adoption of regulations determined by this law, regulations that were in force until the entry into force of this law shall apply if they are not contrary to this law.

Deadline for Adoption of Subsidiary Acts

Article 118a

Regulations for the implementation of this law shall be adopted no later than one year from the date of entry into force of this law.

Until the adoption of regulations in accordance with this law, existing subsidiary acts shall apply if they are not contrary to this law.

Financing

Article 118b

The financing of public institutions for the implementation of new undergraduate study programs begins in the academic year 2017/2018.

The financing of public institutions for the implementation of new graduate study programs begins in the academic year 2020/2021.

Article 118c

Regulations for the implementation of this law shall be adopted no later than one year from the date of entry into force of this law.

Until the adoption of regulations referred to in paragraph 1 of this Article, the existing subsidiary acts shall apply if they are not contrary to this law.

Harmonization of Institution Acts

Article 119

Institutions are obliged to harmonize their organization, work, and general acts with this law within six months from the date of entry into force of this law.

Until the adoption of general acts under paragraph 1 of this Article, existing general acts shall apply if they are not contrary to this law.

Harmonization of Institution Acts

Article 119a

Institutions are obliged to harmonize organization, work, and acts with this law within one year from the date of its entry into force.

Until the adoption of acts under paragraph 1 of this Article, existing acts shall apply if they are not contrary to this law.

Equivalence of Diplomas

Article 119b

Diplomas for completed higher education lasting four, five, or six years obtained according to curricula and programs adopted before the entry into force of the Law on Higher Education (Official Gazette of the RCG, No. 60/03, and Official Gazette of CG, No. 45/10, 47/11, and 48/13) are equivalent to master's degree diplomas regarding the right to employment.

Diplomas for completed postgraduate academic and applied specialist studies obtained under the Law on Higher Education (Official Gazette of the RCG, No. 60/03, and Official Gazette of CG, No. 45/10, 47/11, and 48/13) and under the Law on Higher Education (Official Gazette of CG, No. 44/14, 47/15, and 40/16) are equivalent to master's degree diplomas regarding the right to employment.

Diplomas under paragraph 1 of this Article and diplomas for completed postgraduate academic specialist studies under paragraph 2 of this Article are recognized for enrollment in the second year of master's studies in accordance with this law.

Article 119c

The diploma of the academic title of Master of Science obtained according to the regulations under which it was obtained has the same value (equivalent) as the diploma for completed master's studies regarding the right to continue studies and the right to employment.

Article 119d

Institutions are obliged to harmonize organization, work, and acts with this law within one year from the date of adoption of subsidiary acts in accordance with this law.

Until the adoption of acts under paragraph 1 of this Article, existing subsidiary acts shall apply if they are not contrary to this law.

Commenced Accreditation and Licensing Procedure

Article 120

The accreditation and licensing procedure for institutions or study programs initiated until the entry into force of this law will be completed according to the regulations under which it was initiated.

Deadline for Reaccreditation of Study Programs

Article 120a

Public and private higher education institutions that have been accredited or reaccredited until the entry into force of this law are obliged to submit a reaccreditation request to the Agency by the end of 2018.

Deadline for License Amendment

Article 121

For study programs for which the University of Montenegro does not have a license-specified number of students for enrollment in the first year of study by the entry into force of this law, a license amendment procedure will be conducted by April 30, 2015.

Deadline for Harmonization of Study Programs and Reaccreditation of Institutions

Article 121a

Institutions are obliged to harmonize study programs with this law within one year from the date of entry into force of this law.

Public and private higher education institutions that have been accredited or reaccredited under the new study model, in accordance with the law, are not obliged to submit a request to the Agency before the expiration of the validity period of accreditation of study programs or reaccreditation of institutions.

Article 121b

A higher education institution that has accredited programs for undergraduate, master, and doctoral studies (3+2+3) after January 1, 2016, for a period of three years, the accreditation is valid until the end of the 2021/2022 academic year.

Deadline for Harmonization of Study Programs

Article 122

Institutions are obliged to harmonize study programs with Article 81, paragraph 6 of this law, within one year from the date of entry into force of this law.

Deadline for Completion of Education

Article 122a

Students enrolled at the University of Montenegro who started their studies according to study programs adopted based on the Law on the University (Official Gazette of RCG, No. 37/92, and 6/94) have the right to complete their studies according to the curriculum and program that was valid at the time of enrollment in the first year of study, by the end of the 2016/2017 academic year.

Deadline for Harmonization of Study Programs

Article 122b

Institutions are obliged to harmonize study programs with this law within two years from the date of entry into force of this law.

Enrollment in Undergraduate Studies

Article 122c

Enrollment in undergraduate studies under new study programs implemented by public institutions begins in the academic year 2017/2018.

Enrollment in undergraduate studies under new study programs implemented by private institutions begins after the harmonization of study programs in accordance with this law, but no later than the academic year 2020/2021.

Enrollment in Specialist Studies

Article 122č

Enrollment in specialist studies at public institutions can be done until the academic year 2019/2020.

Enrollment in Master's Studies

Article 122ć

Enrollment in master's academic and applied studies at public institutions can be done until the academic year 2020/21.

Enrollment of Students in Existing Study Programs

Article 122d

Institutions can enroll students in existing accredited undergraduate, specialist, and master's study programs according to programs accredited or reaccredited until the completion of the reaccreditation procedure for those study programs, in accordance with this law.

Status of Students

Article 122dž

Students enrolled in undergraduate, specialist, master, and doctoral studies prior this law enters into force, have the right to complete their studies according to study program that was in effect at the time of enrolment, under the law under which they were enrolled, no later than the end of the 2025/2026 academic year.

Students enrolled at the University of Montenegro in programs adopted on basis of the Law on the University ("Official Gazette of the Republic of Montenegro" no. 37/92 and 6/94), have the right to complete their studies according to program that was in effect at the time of enrolment in the first year of study, by the end of the 2025/2026 academic year.

Students from paragraphs 1 and 2 of this Article may transition into study programs organized in accordance with this law, in the manner and under the conditions prescribed by a special act adopted by the senate of university or competent body of an institution.

Students from paragraphs 1 and 2 of this Article shall pay tuition fees in public institutions as determined by a managing body of the institution with consent of the Ministry.

Issuance of Diplomas

Article 122đ

Students who complete studies according to programs adopted in accordance with the Law on the University (Official Gazette of RCG, No. 37/92, and 6/94) receive diplomas on special forms determined by the public institution, in accordance with this law.

Enrollment in Specialist Studies

Article 122e

Institutions having accredited specialist study programs by the date of entry into force of the Law on Amendments to the Law on Higher Education ("Official Gazette of Montenegro", no. 42/17) may enrol students in specialist studies until the 2025/2026 academic year.

Students enrolled in specialist studies by the date of entry into force of this law, as well as the students referred to in paragraph 1 of this Article, have the right to complete their studies according to the study program that was in effect at the time of enrolment,

under the law under which they were enrolled, no later than the end of the 2025/2026 academic year.

Status of Students

Article 122f

Students enrolled in master studies at public institutions by the date of entry into force of this law, who have paid or will pay tuition fee in accordance with study contract, shall not pay costs for the master thesis, provided they complete these studies by the end of the 2025/2026 academic year.

Status of Teachers and Associates

Article 123

Teachers and associates who were elected before the entry into force of this law continue to work until the expiration of the term for which they were elected.

Procedures for the election of teachers and associates initiated before the entry into force of this law will be completed in accordance with this law.

Status of the Council for Higher Education

Article 124

The Council for Higher Education appointed until the entry into force of this law continues to work until the expiration of the term for which it was appointed.

Deadline for Establishing the Agency

Article 124a

The Agency will be established within three months from the date of entry into force of this law.

Procedures for the accreditation of study programs and reaccreditation of institutions initiated by the Council until the entry into force of this law will be completed by the Agency mentioned in paragraph 1 of this Article, in accordance with the regulations in force until the entry into force of this law.

Deadline for the Appointment of the Council

Article 124b

The Council, in accordance with this law, will be appointed within three months from the date of entry into force of this law.

The day the Council from paragraph 1 of this Article starts working, the Council appointed in accordance with the Law on Higher Education (Official Gazette of CG, No. 44/14, 47/15, and 40/16) ceases to work.

Article 124c

The National Agency for EU Programs will be established after Montenegro's accession to the European Union.

Status of the Administrative Board

Article 125

The Administrative Board of the University of Montenegro, appointed until the entry into force of this law, continues to work until the expiration of the term for which it was appointed.

Termination of Validity

Article 126

Upon the entry into force of this law, the Law on Higher Education (Official Gazette of RCG, No. 60/03 and Official Gazette of CG, No. 47/10, 47/11, and 48/13) and Article 24 of the Law on Amendments and Supplements to the laws prescribing fines for violations (Official Gazette of CG, No. 40/11) cease to be valid.

Article 127

Article 80 will be applied from January 1, 2018.

Entry into Force

Article 128

This law shall enter into force on the day of publication in the Official Gazette.