

THE LAW ON SCIENTIFIC AND RESEARCH ACITIVITY

Official Gazette MNE, no. 51/2025 from 27.05.2025

I. BASIC PROVISIONS

Subject

Article 1

This Law shall determine, organization, conditions and manner of funding of science and research activity, quality assurance and development of scientific and research work and other issues important for performing this activity.

Scientific Research Activity

Article 2

Scientific research activity implies creative activity in scientific discoveries, application and use of results of science and research, training of scientists and researchers for scientific research work, and professional development of scientists and researchers.

Transparency of Research

Article 3

Scientific research is activity of public interest.

Performing scientific research activity is free and available to each domestic and foreign physical and legal entity.

Principles

Article 4

Scientific research activity is based on principles of:

- 1) Widening and deepening scientific findings;
- 2) Developing science for increasing efficiency, preservation and development of general knowledge fund;
- 3) Encouraging research resulting in innovations with implementation in economy and social benefits;
- 4) Increasing efficiency of science and research activity and intertwining within science sector, as well as with sectors of education and economy;
- 5) Protecting intellectual property;
- 6) Open science and open approach;
- 7) Engaging in European research space and Framework Programs of the European Union for scientific and research activity and other international programs;
- 8) Engagement in regional cooperation programs within the field of scientific and research activity;
- 9) Freedom and autonomy of scientific creation that should be morally and intellectually independent from political authority whatsoever and economic power and which is being performed with respect to ethical standards, principles of scientific truth and criticism;

- 10) Ethics and responsibility of individuals engaged in scientific research work for consequences of their work;
- 11) Ensuring gender equality in science and research;
- 12) Education of top-level experts for research and development;
- 13) Sustainable development and protection and improvement of the environment;
- 14) Protection of personality and dignity of individuals engaged in scientific research work;
- 15) Quality standards; and
- 16) Networking individuals engaged in scientific research work at the national and international level.

Types of Research

Article 5

Scientific and research activity encompasses: fundamental and applied research.

Fundamental research presents theoretical or experimental research work performed primarily for purposes of gaining new knowledge about fundamentals of occurrences and facts, without concrete market exploitation.

Applied research represents research undertaken with the aim of acquiring new knowledge, directed toward a specific practical goal, purpose, or use, such as development of new or improvement of existing materials, technologies, and products, or the introduction of new or improvement of existing processes, systems, and services.

Applied research may be industrial research, experimental development, or a combination of both.

Fields of Science

Article 6

Scientific research activity is implemented in the fields of science as follows: natural and mathematical sciences, technical and technological sciences, medical sciences, agricultural sciences, social sciences, and humanities.

Conducting Scientific Research Activities

Article 7

Scientific research activities are carried out by: the Montenegrin Academy of Sciences and Arts, scientific research institutions, higher education institutions, and other legal and natural persons, in accordance with the law.

The activities of the Montenegrin Academy of Sciences and Arts are regulated by a special law.

Usage of Gender Sensitive Language

Article 8

Terms used in this Law to refer to natural persons in the masculine gender shall be understood to include the same terms in the feminine gender.

Meaning of Terms

Article 9

Terms used in this Law have the following meaning:

- 1) **Research and development (R&D)** include creative and systematic work undertaken with the aim of increasing the body of knowledge and devising new applications of available knowledge, and must be: novel, creative, uncertain, systematic, and transferable and/or reproducible. R&D includes basic (fundamental) research and applied research (industrial research, experimental development, or a combination thereof).
- 2) **Industrial research** is planned research or a critical investigation aimed at acquiring new knowledge and skills for the development of new products, processes, or services, or for achieving significant improvements to existing products, processes, or services, including digital products, processes, or services in any field, technology, industry, or sector (which, among other things, includes digital industries and technologies such as supercomputers, quantum technologies, block chain technology, artificial intelligence, cybersecurity, big data, and cloud computing technologies). Industrial research includes the creation of components of complex systems and may involve the construction of prototypes in a laboratory environment or in an environment with simulated interfaces of existing systems, as well as pilot lines, if necessary for industrial research, particularly for the validation of generic technology.
- 3) **Experimental development** is acquisition, combination, shaping, and use of existing scientific, technological, business, and other relevant knowledge and skills for the purpose of developing new or improved products, processes, or services, including digital products, processes, or services in any field, technology, industry, or sector (which, among other things, includes digital industries and technologies such as supercomputers, quantum technologies, block chain technology, artificial intelligence, cybersecurity, big data, and cloud or edge computing technologies). This may also include, for example, activities aimed at the conceptual definition, planning, and documentation of new products, processes, or services. Experimental development may encompass the creation of prototypes, demonstration, pilot projects, testing, and validation of new or improved products, processes, or services in an environment that reflects real-life conditions, where the primary goal is to achieve further technical improvements of products, processes, or services that are not yet significantly established. It may also include the development of a commercially usable prototype or pilot project which is necessarily the final commercial product, but is too expensive to produce solely for the purpose of demonstration and validation. Experimental development does not include routine or periodic changes to existing products, production lines, manufacturing processes, services, and other ongoing operations, even if such changes may represent improvements.
- 4) **Interdisciplinary or multidisciplinary research** refers to scientific research activity that encompasses two or more subfields and/or fields of science.

- 5) **A scientific research project** is a set of activities created by legal and/or natural persons, with a clearly defined goal, project management model, required resources, timeframe, and expected results, through the implementation of which various types of research are carried out in specific fields of science;
- 6) **A scientific research program** represents a set of scientific research projects and activities created by scientific research institutions, with clearly defined goals and priorities within a specific time period, as well as a general plan for the organization of work, required resources, and expected results, through implementation of which the scientific research strategy of a given scientific research institution is implemented.
- 7) **Research infrastructure** includes facilities, resources, and related services used by scientists to conduct research and development. It encompasses scientific equipment or sets of instruments, knowledge-based resources such as collections, archives, or structured scientific data, supporting infrastructures based on information and communication technologies such as GRID infrastructure, computing, programming and communication infrastructure, and other uniquely characterized assets essential for research.
- 8) **Researcher mobility** refers to the movement of scientists and researchers for the purpose of conducting scientific research activities between scientific research institutions, or between scientific research institutions and the business or public sector. In this context, researcher mobility can be: sectoral or intersectoral, domestic or international, as well as outgoing or incoming.
- 9) **Scientific excellence** refers to scientific research work of the highest quality with the potential for significant scientific breakthroughs, representing a turning point in scientific work through the efforts of top research teams and individuals.

II. DEVELOPMENT AND IMPROVEMENT OF SCIENTIFIC AND RESEARCH ACTIVITY

A Strategy for Scientific and Research Activity

Article 10

The Strategy of Scientific Research Activity (hereinafter: the Strategy) is a sectoral strategic document that defines the priorities of scientific research activity, strategic directions for the development of scientific research activity, and operational goals and activities aimed at promoting scientific research activity in Montenegro.

The Strategy is adopted for a period of five years.

The Strategy is adopted by the Government of Montenegro (hereinafter: the Government), upon the proposal of the state administration body responsible for science affairs (hereinafter: the Ministry), with the prior opinion of the Council for Scientific Research Activity.

Call

Article 11

Funds from the state budget allocated for financing or co-financing scientific research activities are distributed based on a public call announced by the Ministry.

The call referred to in paragraph 1 of this Article is published on the Ministry's website and through other relevant public information channels.

The conditions for approval and the manner of use of the funds referred to in paragraph 1 of this Article are prescribed by the Ministry.

Evaluation of Scientific Research Programs and Projects

Article 12

Evaluation of scientific research programs and projects is carried out by independent experts from the scientific field to which the program or project relates, in accordance with the principles of independence, impartiality, objectivity, accuracy, and consistency in evaluation.

Independent experts are selected from the List of Independent Experts (hereinafter: the List), which is established by the Ministry based on a public call published on the Ministry's website.

By way of exception to paragraph 2 of this Article, if there is no independent expert on the List for the scientific field to which the program or project relates, or if the independent expert from the List is not available, the Ministry may invite independent experts listed on the publicly available lists of independent experts of the European Union Framework Program for Research and Innovation or the lists of independent experts from countries with which Montenegro has established bilateral scientific and technological cooperation.

The Ministry is obliged to protect the identity of the independent expert during the evaluation process and for a period of five years after the evaluation is completed, in order to preserve the integrity and impartiality of the evaluation.

The criteria for inclusion on the List and the method of evaluating scientific research programs and projects are prescribed by the Ministry.

Agreement on Implementation of Scientific Research Program or Project

Article 13

Mutual rights and obligations between the Ministry and funds beneficiary for a scientific research program or project that has been positively evaluated by an independent expert and approved for financing or co-financing shall be regulated by an agreement.

Information System

Article 14

The Ministry establishes and manages the information system for the field of scientific research activity (hereinafter: the Information System for Science and Research).

Within the Information System for Science and Research, the Ministry maintains records in electronic form, in accordance with the law regulating electronic administration.

State administration bodies, scientific research institutions, as well as legal and natural persons conducting scientific research activities, are obliged to submit the necessary data for maintaining the records referred to in paragraph 2 of this Article, upon request and in the manner determined by the Ministry.

The Ministry processes the submitted data exclusively for the purposes of scientific research activity, supervision, provision and control of funds, monitoring and analysis of the state of scientific research activity, as well as for statistical and promotional purposes, in accordance with the law regulating the protection of personal data.

The detailed manner of data management within the Information System for Science and Research, system management, and other matters relevant to the functioning of the system shall be prescribed by the Ministry.

Council for Scientific and Research Activity

Article 15

For purposes of improving scientific research activity, the Council for Scientific Research Activity (hereinafter: the Council) shall be established as an advisory body to the Government.

The Council is established by the Government, upon the proposal of the Ministry, for a period of four years.

The Council is composed of representatives of the Ministry, the scientific and academic community, and the business sector, with respect for the principle of balanced representation of all fields of science.

The act on the establishment of the Council determines the number, composition, method of selection and dismissal of Council members, as well as other matters relevant to the functioning of the Council.

Competence of the Council

Article 16

The Council shall analyze situation and achievements in scientific research activity and it shall:

- 1) provide opinions on the Strategy;
- 2) give recommendations on other strategic documents relevant to the field of scientific research activity;
- 3) give recommendations on draft laws and other regulations in the field of scientific research activity and in other areas that ensure general conditions for promoting scientific research activity and the use of its results;
- 4) review the implementation status of the Strategy and provides recommendations for improvement;
- 5) provide opinions on the need to establish public institutions that conduct scientific research activity;
- 6) give opinions to the Council for Higher Education when determining the conditions and criteria for election to academic and scientific titles;

- 7) provide guidelines for the development and investment in national research infrastructure;
- 8) propose criteria for the selection of research infrastructure projects and indicators for monitoring the performance of national research infrastructure;
- 9) give recommendations for the transparent use of national research infrastructure;
- 10) provide opinions on Montenegro's involvement in international research infrastructures and bodies;
- 11) give recommendations for the improvement of the Information System for Science and Research;
- 12) cooperate with other councils and with Montenegro's representatives in European Union bodies for science and research; and
- 13) consider and provides recommendations on other matters of importance for conducting scientific research activity.

Work of the Council

Article 17

Work of the Council is public.

The Council shall make its conclusions, recommendations, and opinions available to public.

Administrative and technical tasks for needs of the Council are carried out by the Ministry.

Funds for work of the Council are provided from the budget of the Ministry.

III. SCIENTIFIC RESEARCH INSTITUTIONS

1. Joint Provisions

Scientific Research Institutions

Article 18

Scientific research activity is carried out by a scientific research institution licensed to conduct scientific research activity in accordance with this Law.

Conditions for issuing a license to conduct scientific research activity.

Article 19

The right to submit a request for issuance of a license to conduct scientific research activity (hereinafter: license) belongs to a legal entity registered in the Central Register of Business Entities.

In case of a university, the right to submit a request for issuance of license belongs to an organizational unit of the university, regardless of whether it has status of a legal entity or not.

Legal entity, or organization unit of the University may be issued a license in case of having:

- 1) Act on Foundation and Statute;
- 2) Science and research program for the five years period;
- 3) Adequate staff for performing science and research activity;
- 4) Adequate science and research equipment and space for performing activities;
- 5) Funds for conducting science and research;
- 6) Relevant scientific documentation; and
- 7) Suitable hygienic and technical conditions.

In addition to the request for issuing license an adequate documentation is delivered proving that conditions from paragraph 3 of this Article are met.

Verification of the License Application and Fulfilment of Licensing Requirements

Article 20

The Ministry shall conduct an administrative verification of the license application within 15 days from the date of submission of the application.

As part of administrative verification, the Ministry shall engage an independent expert to evaluate the research program referred to in Article 19, paragraph 3, item 2 of this Law.

The evaluation referred to in paragraph 2 of this Article shall be carried out in accordance with Article 12 of this Law.

Complete license applications, along with report of an independent expert who has positively evaluated the research program, shall be forwarded by the Ministry to the Licensing Commission (hereinafter: the Commission) for further procedure.

Commission

Article 21

The Ministry shall establish the Commission composed of three members as follows:

- 1) Two permanent members, from the line of employees in the Ministry, in capacity of president and secretary of the Commission, and
- 2) One member – an independent expert from the field of science related to the science and research program from Article 19 paragraph 3 item 2 of this Law.

The Ministry, when needed, may establish several commissions.

The Commission is competent to:

- 1) Appreciate fulfilment of conditions for license issuance in accordance with this Law;
- 2) Pay a visit to the applicant in order to determine fulfillment of conditions for issuing the license; and
- 3) Propose acceptance or rejection of the license application.

Commission is entitled to remuneration for its work in accordance with the law.

Issuing the License

Article 22

The Ministry issues a decision on granting the license in a specific field of science, based on proposal of the Commission.

The license is issued for a period of five years.

The decision referred to in paragraph 1 of this Article is published in the "Official Gazette of Montenegro."

Competence of the Commission in Implementing the Science and Research Program

Article 23

While implementing the research program, the Commission:

- 1) monitors implementation of the research program through annual reports of the research institution and visits to institution if deemed necessary, prepares report and submits it to the Ministry;
- 2) verifies fulfilment of requirements for issuing the license as referred to in Article 19, paragraph 3 of this Law, at least once a year; and
- 3) performs other tasks related to monitoring implementation of the research program.

License Renewal

Article 24

After expiration of the period for which the license was issued, the research institution submits a request to the Ministry for license renewal.

In addition to evidence on meeting conditions referred to in Article 19, paragraph 3 of this Law, the research institution shall submit, along with the request referred to in paragraph 1 of this Article, a report on implementation of the research program based on which the license was issued, as well as a new research program for the next five years.

The report and the new research program referred to in paragraph 2 of this Article are evaluated by an independent expert in accordance with Article 12 of this Law.

Bylaw Act

Article 25

More detailed requirements for issuing and renewing the license, as well as manner of submitting the request for issuing and renewing the license, shall be prescribed by the Ministry.

Revocation of the License

Article 26

The Ministry shall revoke the license:

- 1) at proposal of the Commission, when Commission determines that research institution does not meet the conditions from Article 19 paragraph 3 of this Law and/or
- 2) in case when research institution does not deliver and/or update data necessary for keeping records within Information System for science and research, in accordance with this Law.

3)

Decision on license revocation, next to data prescribed by the Law, shall contain the reason for license being revoked.

Registrar of Licensed Research Institutions

Article 27

The Ministry keeps the Register of Licensed Research Institutions (hereinafter: the Register) in electronic form.

The Register is published on the Ministry's website.

Detailed content of the Register is prescribed by the Ministry.

2. Public Research Institutions

Foundation of Public Research Institution

Article 28

Decision on the establishment or dissolution of a public scientific research institution is made by the Government, or the competent authority of the local self-government unit. In the case of status changes or dissolution of a public scientific research institution, the opinion of the governing body of that institution shall be obtained.

Governing Body

Article 29

The governing body of a public scientific research institution is the steering committee.

The steering committee of a public scientific research institution has five members and consists of: three representatives of the founder, appointed by the Government or the competent authority of the local self-government unit, and two representatives of the employees of the institution.

The manner of appointment and dismissal, duration of the mandate, as well as the manner of operation and decision-making of the management board shall be regulated by the statute of a public scientific research institution.

Approval of the statute and the act on internal organization and systematization

Article 30

Approval of the statute and the act on internal organization and systematization of job positions of a public scientific research institution is granted by the Government, or the competent authority of the local self-government unit.

Competence of the steering committee

Article 31

The steering committee of a public scientific research institution shall:

- 1) determine the business policy;
- 2) adopt the annual financial plan;
- 3) adopt the periodic and annual financial report;
- 4) elect and dismiss the director of the institution;
- 5) adopt the statute, the act on internal organization and systematization of job positions, and other acts;
- 6) make decisions on the disposal of funds up to the amount specified by the statute of the institution;
- 7) analyze work of a management body; and
- 8) perform other tasks in accordance with the law and the statute of the institution.

Annual report on the work of a public scientific research institution

Article 32

The steering committee of a public scientific research institution shall submit annual report on its work to founder by the end of the first quarter of a current year for the previous one.

Director

Article 33

The steering body of a public scientific research institution is the director.

The director is responsible for efficient and quality operation of the public scientific research institution, as well as for managing in accordance with the business policy determined by the management board.

The director is elected for a term of four years, based on a public competition and a submitted development program of the institution.

The competence, detailed conditions for appointment and dismissal of the director, and other matters of importance for functioning of the director shall be regulated by the statute of the public scientific research institution.

3. Private Scientific Research Institutions

Establishment

Article 34

A private scientific research institution may be established by a domestic or foreign legal or natural person.

Autonomy

Article 35

The management body, executive body, and professional body of a private scientific research institution, their competence, number, composition, manner of election and dismissal, term duration, as well as the manner of operation and decision-making shall be regulated by the statute of the institution.

IV. SCIENTIFIC RESEARCH STAFF

Conducting scientific research activity

Article 36

Scientific research activity is conducted by persons holding scientific titles and research associates in accordance with this Law, as well as persons elected to academic titles and teaching associates in accordance with the law governing higher education.

Scientific research activity may also be conducted by a person holding at least Level VI qualification, 180 ECTS credits, who has not been elected to a scientific title under this Law.

Scientific titles

Article 37

Scientific titles are: Research Associate, Senior Research Associate and Scientific Advisor.

The scientific titles referred to in paragraph 1 of this Article are comparable to academic titles, as follows:

- 1) Research Associate – academic title of Assistant Professor;
- 2) Senior Research Associate – academic title of Associate Professor; and
- 3) Scientific Advisor – academic title of Full Professor.

Promotion into Scientific Titles

Article 38

Promotion to a scientific title is conducted in accordance with the conditions and criteria for election to academic and scientific titles determined by the Council for Higher Education, in accordance with the law.

A person employed at a higher education institution in Montenegro shall be elected to a scientific title at that institution, through analogous application of the provisions of the law governing higher education.

Promotion to a scientific title for a person not employed at a higher education institution in Montenegro is conducted at the University of Montenegro, through analogous application of the provisions of the law governing higher education.

The promotion or re-election procedure for a scientific title is initiated upon request of the scientific research institution or the individual who meets the requirements and criteria from paragraph 1 of this Article.

Research associates

Article 39

Research associates are individuals selected through public competition, in accordance with the statute of the scientific research institution, and may be:

- 1) Junior Research Associate – a postgraduate master's student who has completed undergraduate or postgraduate specialist studies;
- 2) Research Associate – a person who has obtained a master's degree, up to the point of enrolling in doctoral studies;
- 3) Senior Research Associate – a doctoral student; or
- 4) Research Associate – Postdoc – a person who has obtained the title of Doctor of Science or Doctor of Arts at a faculty or academy of fine, applied, music, or dramatic arts, or a Master of Arts in areas where doctoral studies are not organized.

Research associates referred to in paragraph 1 of this Article shall conclude a fixed-term employment contract with the scientific research institution, for a maximum of five years.

Exceptionally, under paragraph 2 of this Article, the employment contract for a Senior Research Associate may be extended for an additional period of up to two years, and for a Postdoctoral Research Associate, if they meet the conditions for election to a scientific title, until election to the title of Research Associate.

Detailed conditions, method, and procedure for the election of research associates shall be determined by the statute of the scientific research institution.

V. ENCOURAGING EXCELLENCE OF SCIENTIFIC AND RESEARCH WORK

Encouraging Excellence

Article 40

The Ministry shall encourage excellence in scientific research work through assigning center of excellence status and through awarding prizes for achievements in the field of scientific research activity.

Centre of Excellence

Article 41

The Ministry grants status of a Centre of Excellence to a scientific research institution, a department/sector/unit within a scientific research institution, or a scientific research team led by a scientific research institution.

The status of a Centre of Excellence is granted based on a proposed project submitted by the scientific research institution referred to in paragraph 1 of this Article, and it is valid for the duration of the project, i.e., for a period of three to five years.

The conditions and criteria that the project referred to in paragraph 2 of this Article shall meet are as follows:

- 1) it has a research plan aimed at achieving scientific discoveries that may significantly alter existing scientific or technological paradigms;
- 2) it generates new knowledge, technologies, and methods that may improve efficiency, competitiveness, and the growth of the economy and society as a whole;
- 3) the scientific research team has high scientific productivity and international recognition;
- 4) it includes a plan for developing a new generation of young excellent scientists and researchers;
- 5) it carries out research activities through participation in national, regional, and international programs and projects, with a plan to attract funding through European and other international funds;
- 6) it demonstrates achieved interdisciplinarity or multidisciplinary; and
- 7) it has secured research infrastructure with a plan for its improvement.

The Ministry prescribes more detailed conditions and criteria for granting the status of a Centre of Excellence.

Awards for Achievements in Scientific Research Activities

Article 42

The Ministry may grant awards for achievements in scientific research activities to:

- 1) most successful scientist;
- 2) most successful young scientist under the age of 35; and
- 3) most successful scientific research institution.

Awards referred to in paragraph 1 of this Article may be granted in two categories:

- 1) natural-mathematical, technical-technological, medical, and agricultural sciences; and
- 2) social sciences and humanities.

Awards referred to in paragraph 1 of this Article are granted once a year for achievements accomplished in the year in which the award is given.

The Ministry prescribes more detailed conditions and criteria for granting the awards referred to in paragraph 1 of this Article, as well as the amounts of the awards.

VI. FUNDING

Funding or Co-Funding of Scientific Research Activities

Article 43

Scientific research activity may be funded or co-funded from the state budget, the budgets of local self-government units, funds of scientific research institutions, donations, and other sources in accordance with the law, as well as through national and international programs and projects implemented in Montenegro.

Funding or co-funding from the state budget includes allocation of funds for:

- 1) national or international scientific research programs and projects implemented by scientific research institutions; and
- 2) other activities of scientists and researchers that stimulate scientific research work and are of significance for conducting scientific research activities.

Tax Incentives

Article 44

Import of equipment used for conducting scientific research activities may be exempt from obligation to pay customs duties and value-added tax, based on the opinion of the Ministry.

VII. SUPERVISION

Supervision

Article 45

Supervision over the implementation of this Law is carried out by the Ministry.

VIII. TRANSITIONAL AND FINAL PROVISIONS

Deadline for Adopting By-laws

Article 46

The by-laws for the implementation of this Law shall be adopted within 120 days from the date of entry into force of this Law.

Until the adoption of the by-laws referred to in paragraph 1 of this Article, the regulations adopted based on the Law on Scientific Research Activity ("Official Gazette of Montenegro", Nos. 80/10, 57/14, and 82/20) shall apply, provided they are not contrary to this Law.

Deadline for Establishing the Council

Article 47

The Council shall be established within 90 days from the date of entry into force of this Law.

Until the Council is established, the functions of the Council, in accordance with this Law, shall be performed by the Council for Scientific Research Activity established under the Law on Scientific Research Activity ("Official Gazette of Montenegro", Nos. 80/10, 57/14, and 82/20).

Initiated Procedures

Article 48

Procedures for issuing and renewing licenses and granting the status of a Centre of Excellence initiated under the Law on Scientific Research Activity ("Official Gazette of Montenegro", Nos. 80/10, 57/14, and 82/20) shall be completed in accordance with this Law.

Relicensing

Article 49

Scientific research institutions that, on the date of entry into force of this Law, hold a license issued under the Law on Scientific Research Activity ("Official Gazette of Montenegro", Nos. 80/10, 57/14, and 82/20), are obliged to submit a request for relicensing to the Ministry within 180 days from the date of entry into force of this Law.

Repeal

Article 50

On the date when this Law enters into force, the Law on Scientific Research Activity ("Official Gazette of Montenegro", No. 80/10, 57/14, and 82/20) shall cease to be valid.

Entry into Force

Article 51

This Law shall enter into force on the eighth day from the date of its publication in the Official Gazette of Montenegro, No. 25/25-2/5, EPA: 480 XXVIII.