

Pursuant to Article 12 of the Law on Accreditation (“Official Gazette of Montenegro”, Nos. 54/09 and 43/15) and Article 6 of the Decision on the Establishment of the Accreditation Body (“Official Gazette of the Republic of Montenegro”, No 21/07), the Management Board of the Accreditation Body of Montenegro, at the meeting held on 26th of July 2017, adopted

STATUTE OF THE ACCREDITATION BODY OF MONTENEGRO

Article 1

This Statute regulates the manner of formation of bodies, the manner of work and decision-making, general acts, the manner of informing the public about the work, organisation and other issues of importance for the work of the Accreditation Body of Montenegro (hereinafter referred to as: Accreditation Body).

Article 2

The founder of the Accreditation Body is the Government of Montenegro.

The Accreditation Body is an independent, non-profit organisation.

The Accreditation Body has the status of a legal entity with rights and obligations determined by the law, act on establishment and this statute.

Article 3

The Accreditation Body performs its tasks and participates in legal transactions under the name: Akreditaciono tijelo Crne Gore.

Name of the Accreditation Body in English language is: Accreditation Body of Montenegro.

Abbreviated name of the Accreditation Body is: ATCG.

Headquarters of the Accreditation Body shall be in Podgorica.

Article 4

Accreditation Body has a seal and a stamp.

The Seal of the Accreditation Body has the shape of a circle with a diameter of 32 mm with the coat of arms of Montenegro in the centre.

The Seal of the Accreditation Body contains the text: "Montenegro - Accreditation Body of Montenegro - Podgorica" and is written in concentric circles around the coat of arms of Montenegro.

The Stamp of the Accreditation Body has the shape of a rectangle with dimensions 60x30 mm, and contains the text: "Accreditation Body of Montenegro - Podgorica" and entry fields: date of receipt of the submission, number under which the submission is filed and the number of attachments to the submission.

The number of seals and stamps, the manner of their use, storage and destruction shall be determined by a decision of the Director of the Accreditation Body.

Article 5

The Accreditation Body shall have its logo.

Appearance and shape of the logo referred to in paragraph 1 of this article shall be regulated by the decision of the Management Board.

Article 6

The Accreditation Body shall have a giro account in accordance with the law.

Article 7

The Accreditation Body shall, in addition to the tasks determined by the Law on Accreditation and the establishment act, also perform the following tasks:

- 1) cooperate with European, international and national organizations for accreditation in accordance with the obligations assumed by international agreements and conclude agreements on accreditation;
- 2) organise training of assessors and technical experts in the field of accreditation;
- 3) organise seminars, congresses, conferences, and counsels;
- 4) promote the importance and role of accreditation.

Article 8

Bodies of the Accreditation Body shall be:

- Management Board;
- Director; and
- Supervisory Board.

Article 9

The Management Board shall decide on business operations, determine business policy of the Accreditation Body and monitor its implementation in accordance with the act on establishment.

Chairperson and members of the Management Board shall be appointed in accordance with the act on establishment of the Accreditation Body.

In addition to the tasks determined by the Law on Accreditation and the act on establishment, the Management Board shall also perform the following tasks:

- 1) give consent for bilateral and multilateral cooperation of the Accreditation Body with others accreditation bodies, or regional and international organizations for accreditation;
- 2) form the Accreditation Council, the Appeals Committee and other permanent and temporary bodies for the purpose of resolving certain issues and/or directly deciding on certain issues related to operations of the Accreditation Body;
- 3) adopt other general acts necessary for the functioning of the Accreditation Body.

Article 10

The Chairperson or members of the Management Board may be dismissed from their duties even before the time for which they are appointed:

- 1) at personal request;
- 2) if sentenced to unconditional imprisonment for an act that makes them unfit to perform their duties;

- 3) if they are unjustifiably absent from at least two consecutive sessions of the Management Board;
- 4) if they permanently lose their work capacity;
- 5) if their behaviour violates the code of conduct of the Accreditation Body.

A reasoned proposal for the dismissal of the Chairperson or member of the Management Board shall be submitted to the founder by the Management Board.

Article 11

The Chairperson of the Management Board shall:

- 1) represent the Management Board;
- 2) convene and chair the meetings of the Management Board, and in case of impediment, appoint a member of the Management Board to replace him/her;
- 3) propose the agenda of the Management Board meetings;
- 4) sign acts adopted by the Management Board;
- 5) ensure the implementation of the Rules of Procedure and other general acts of the Accreditation Body;
- 6) perform other tasks determined by the act on establishment of the Accreditation Body and this Statute.

Article 12

The Chairperson shall convene meetings of the Management Board on his own initiative, at the request of the Director of the Accreditation Body and at the proposal of at least two members of the Management Board.

Article 13

The Management Board shall work and make decisions at its meetings.

If necessary, the Management Board may decide on certain issues in another suitable manner without formally holding a meeting.

The quorum required to hold a meeting shall be at least three members present.

The Management Board shall make decisions by a majority vote of the total number of members.

As a rule, the Director also participates in the work of the Management Board, without the right to vote.

If necessary, other persons may be invited to the meetings of the Management Board, upon proposal of the Chairperson and members of the Management Board and the Director.

Article 14

The Director shall, in addition to the tasks determined by the act on establishment, also perform the following tasks of the Accreditation Body:

- 1) adopt Quality Manual;
- 2) determine the quality policy of the Accreditation Body;
- 3) adopt individual acts;
- 4) give authorization to another person for representation in legal transactions;

- 5) form the Accreditation Committee, the Committee for selection and monitoring of accreditation assessors, Technical Committees and other permanent and temporary bodies for the purpose of addressing specific issues and/or direct deciding on certain issues related to accreditation rules, criteria and procedure;
- 6) decide on complaints related to the work of employees of the Accreditation Body.

Article 15

The Director shall submit a written report to the Management Board on the implementation of plans, programs of financial operations of the Accreditation Body, no later than the end of March of the current year for the previous year, or upon a request of the Management Board. The Director shall be appointed and dismissed by the Management Board on the basis of a publicly announced vacancy with the consent of the founder. The vacancy for position of the Director shall be announced no later than three months before the expiration of the mandate of the appointed Director.

Article 16

A person appointed as Director shall:

- 1) be a citizen of Montenegro and have a permanent residence in Montenegro;
- 2) have completed VII-1 level of the national qualifications framework;
- 3) not have been sentenced to unconditional imprisonment for an act that makes him or her unfit to assume functions;
- 4) have at least five years of work experience in performing managerial duties;
- 5) meet other conditions provided by law.

The decision on announcing a vacancy for position of the Director shall be made by the Management Board.

Along with the application, the candidate shall submit a CV and a Work Program for the term of office.

Article 17

The Director may be dismissed from duties even before the time for which he or she is appointed:

- 1) at personal request;
- 2) if sentenced to unconditional imprisonment for an act that makes him or her unfit to perform duties;
- 3) if he or she permanently loses work capacity;
- 4) if he or she acts contrary to the law and general acts of the Accreditation Body;
- 5) if he or she harms the Accreditation Body by negligent or improper work;
- 6) if his or hers conduct violates the Code of Conduct of the Accreditation Body.

Article 18

The Supervisory Board shall perform its tasks in accordance with the act on the establishment of the Accreditation Body.

The Supervisory Board shall work and decide at its meetings.

Article 19

The Accreditation Body shall form expert and advisory bodies, namely: the Accreditation Council and the Accreditation Committee.

Article 20

Accreditation Council (hereinafter: the Council) shall:

- 1) take initiatives and give opinions regarding the development of the accreditation system in Montenegro;
- 2) take initiatives and give opinions regarding the extension of the scope of activities of the Accreditation Body, i.e. establishing new accreditation schemes;
- 3) give opinions on the rules and criteria of accreditation;
- 4) take initiatives and give opinions for the formation of temporary technical committees as working bodies for certain areas of accreditation;
- 5) participate in the promotion of accreditation in Montenegro;
- 6) give opinions on other issues, at the request of the Management Board and / or the Director.

Article 21

The Council shall have a chairperson and six members, consisting of:

- 1) a representative of the founder;
- 2) a representative of an accredited conformity assessment organization founded by the state;
- 3) a representative of an accredited conformity assessment organization not founded by the state;
- 4) a representative of a consumer association;
- 5) a representative of the university;
- 6) a representative of the Chamber of Commerce of Montenegro;
- 7) a representative of the Chamber of Engineers of Montenegro.

The Chairperson of the Council shall be elected from among the members of the Council.

Prominent experts and scientists from the fields of importance for performing tasks within the competence of the Accreditation Body may be appointed as members of the Council.

The members of the Council shall be appointed and dismissed by the Management Board on the proposal of the Director.

The members of the Council shall be appointed for a period of four years.

Article 22

The criteria for the election of members of the Council, the scope and manner of work of the Council shall be regulated in more detail by an act of the Accreditation Body.

Article 23

The Accreditation Committee is an expert body of the Accreditation Body that makes decisions on accreditation status of conformity assessment bodies: granting, maintaining, extending, reducing, suspending and withdrawing of accreditation, on the basis of opinion of the Accreditation Body's assessment team

The Accreditation Committee shall be an ad hoc commission consisting of a chairperson and two members.

The Committee shall consist of one permanent employee of the Accreditation Body who did not participate in accreditation process which is the subject of decision-making, and two external experts for technical expertise in accordance with the schemes and areas of conformity assessment that are the subject of accreditation decision.

The Chairperson of the Accreditation Committee shall be a person permanently employed in the Accreditation Body.

The Director may participate in the work of the Accreditation Committee, without the right to vote.

The members of the Accreditation Committee shall be appointed and dismissed by the Director.

The criteria for the election of members of the Accreditation Committee, the scope and manner of work of the Committee shall be regulated by an act of the Accreditation Body.

Article 24

Scope, manner of work and criteria for selection of members of the Appeals Committee, the Complaints Committee, Committee for selection and monitoring of assessors, Technical Committees as well as other permanent and ad hoc expert and advisory bodies shall be regulated by an act of the Accreditation Body.

Article 25

Financial resources for the operation of the Accreditation Body shall be provided in accordance with the law.

Article 26

The act on the internal organisation and systematisation of job positions of the Accreditation Body shall determine the internal organisation of the Accreditation Body, tasks of organisational units, job titles, job descriptions, number of executors and specific job requirements.

Article 27

The work of the Accreditation Body is public.

The public nature of the work of the Accreditation Body shall be achieved by publishing the statute, work report, general acts and programs of the Accreditation Body on the website, through publications or media presentations depending on the significance.

Article 28

Documents and data of importance for the operation of the Accreditation Body, the publication and communication of which could have harmful consequences for operations and work of the Accreditation Body and its business reputation as well for participants in the accreditation process, shall represent professional secret.

The data that is considered a professional secret, the manner of its storage and communication shall be regulated in more detail by a general act.

Article 29

Amendments to the Statute shall be made in accordance with the procedure for its adoption.

Article 30

On the day this statute enters into force, the Statute of the Accreditation Body of Montenegro, No. 01-6599 / 4 of 2 November 2007, shall cease to be valid.

Article 31

This statute shall enter into force on the eighth day from the day of its publication on the bulletin board of the Accreditation Body, after the consent of the Government of Montenegro had been obtained.

Chairperson of the Management Board
Goran Šćepanović