

Na osnovu člana 95 tačka 3 Ustava Crne Gore donosim

U K A Z

**O PROGLAŠENJU ZAKONA
O POTVRĐIVANJU SPORAZUMA IZMEĐU VLADE CRNE GORE I
VLADE NARODNE REPUBLIKE KINE O UNAPREĐENJU
SARADNJE U IZGRADNJI INFRASTRUKTURE**

Proglašavam **Zakon o potvrđivanju Sporazuma između Vlade Crne Gore i Vlade Narodne Republike Kine o unapređenju saradnje u izgradnji infrastrukture**, koji je donijela Skupština Crne Gore 25. saziva, na prvoj sjednici drugog redovnog (jesenjeg) zasjedanja u 2013. godini, dana 8. oktobra 2013. godine.

Broj: 01-1641/2
Podgorica, 11.10.2013.



Na osnovu člana 82 stav 1 tač. 2 i 17 Ustava Crne Gore i Amandmana IV stav 1 na Ustav Crne Gore, Skupština Crne Gore 25. saziva, na prvoj šednici drugog redovnog (jesenjeg) zasjedanja u 2013. godini, dana 8. oktobra 2013. godine, donijela je

**ZAKON
O POTVRĐIVANJU SPORAZUMA IZMEĐU VLADE CRNE GORE I VLADE
NARODNE REPUBLIKE KINE O UNAPREĐENJU SARADNJE U IZGRADNJI
INFRASTRUKTURE**

Član 1

Potvrđuje se Sporazum između Vlade Crne Gore i Vlade Narodne Republike Kine o unapređenju saradnje u izgradnji infrastrukture, koji je potpisani 23. juna 2011. godine u Podgorici, u originalu na engleskom i crnogorskom jeziku.

Član 2

Tekst Sporazuma iz člana 1 ovog zakona, u originalu na engleskom i crnogorskom jeziku glasi:

The Government of Montenegro and the Vlada Crne Gore i Vlada Narodne Republike Government of the People's Republic of China Kine (u daljem tekstu: strane);
(hereinafter referred to as the Parties); Na osnovu tradicionalnog prijateljstva između Based on traditional friendship between the dva naroda i prijateljske saradnje između dvije two peoples and friendly cooperation between vlade; the two governments, Posvećeni daljem jačanju bilateralne saradnje Committed to further enhancing bilateral u infrastrukturnom sektoru i izgradnji bliskih cooperation in infrastructure sector and ekonomskih odnosa između dvije zemlje u XXI building closer economic relations between the vijeku; two countries in the 21st century; Shvatajući da je izgradnja infrastrukture od Recognizing the infrastructure construction is ključnog značaja za ekonomski i društveni of key importance to the economic and social razvoj dvije zemlje, da postoje čvrsta volja, development of the two countries, that sound nužni zahtjevi i čvrst osnov za saradnju u willingness, urgent demands and solid sektoru infrastrukture između preduzeća dviju foundation for cooperation in the infrastructure zemalja, da su ogromni potencijal za saradnju i sector exist between enterprises of the two obećavajuće perspektive pokazani u countries, that huge cooperation potential and infrastrukturi dvije zemlje i da je saradnja u promising prospect are shown in the sektoru infrastrukture pogodna za povećanje infrastructure of the two countries, and that stepena bilateralne ekonomiske saradnje i the cooperation in infrastructure sector is promovisanje nivoa bilateralne saradnje, stoga conducive to expending bilateral economic su se u skladu sa osnovnim interesima dvije cooperation scale and promoting bilateral zemlje i dva naroda; cooperation level, therefore consistent with the Saglasile su se o sljedećem: fundamental interests of the two countries and the two peoples;

Član 1

Have agreed as follows:

Article 1

The Parties encourage and support their enterprises to conduct cooperation in infrastructure construction, including designing, engineering, installation, operation and production, processing, supply of building materials and equipment manufacturing.

Strane podstiču i podržavaju svoja preduzeća da ostvaruju saradnju u izgradnji infrastrukture,

Article 2

The Parties agree, in accordance with the existing national regulations, that their enterprises may enter into contracts by the concessions in the field of construction of motorways, other transport infrastructure and capital infrastructural objects.

Strane su saglasne da, u skladu sa važećim nacionalnim propisima, njihova privredna društva mogu zaključiti ugovore kojim bi se realizovale koncesije u oblasti izgradnje autoputeva, druge saobraćajne infrastrukture i kapitalnih saobraćajnih objekata.

Article 3

With the purpose of implementation of concessions the Parties agree that their enterprises may regulate mutual rights and obligations in the form of specially concluded contracts.

Član 3

Article 4

The Parties shall make the decision on projects referred to in Article 2 of this Agreement in accordance with their national legislation, and, if provided, with the agreement of the national Parliaments.

Strane odluku o dodjeli koncesija za realizaciju shodno svom nacionalnom zakonodavstvu, i

Article 5

The cooperation between the parties in infrastructure sector follows the principle of reciprocity, Being Equal and Reciprocal, Being Complementary, Mutual Promotion and Development, Guided by the Government and Operated by Businesses.

Saradnja između strana ugovornica u sektoru

Article 6

The Parties shall advance and support cooperation in the infrastructure sector mainly from the following aspects:

Strane unapređuju i podržavaju saradnju u sektoru infrastrukture naročito u sljedećim oblastima:

1. Providing convenience for exit & entry of personnel, import & export of cargos

1. Obezbeđenje olakšica za izlazak i ulazak osoblja, uvoz i izvoz tereta i

- and circulation of capitals;
2. Strengthening technological cooperation, exchange and transfer based on mutual certification of technical standards;
 3. Employing local technicians, management and laborers to the utmost with the purpose of creating more job opportunities for local communities and urging those dispatched to return to the home country upon completion of the projects concerned;
 4. Providing convenience for approving work permits for the technicians, management and laborers dispatched for the implementation of the projects;
 5. Highlighting environment protection and security and adopting any measures necessary to safeguard the safety of persons properties of the enterprises implementing the cooperation projects;
 6. Strengthening the training for the employees concerned.
- promet kapitala;
2. Jačanje tehnološke saradnje, razmjene i transfera na osnovu obostranog potvrđivanja tehničkih standarda;
 3. Zapošljavanje lokalnih tehničkih lica, uprave i radnika do najvećeg stepena u cilju stvaranja više mogućnosti za posao za lokalne zajednice i podstičući one koji su došli da rade da se vraćaju u matičnu zemlju nakon završetka predmetnih projekata;
 4. Obezbeđenje olakšica za priznavanje radnih dozvola za tehnička lica, upravu i radnike koji su raseljeni zbog realizacije projekata;
 5. Isticanje zaštite životne sredine i bezbjednosti i usvajanje mera koje su neophodne za čuvanje bezbjednosti lica i imovine preduzeća koja realizuju kooperativne projekte;
 6. Unapređenje obuke za odnosne zaposlene.

Article 7

The Parties shall strengthen information exchanges and report to each other their plan on infrastructure development and laws, statutes and policies concerned on a regular basis and advance intermediary organizations and enterprises of relevant industries to deepen their mutual understanding, friendship and cooperation by signing MOUs and holding exhibitions, seminars and symposiums.

Article 8

The Parties encourage and support their financial institutions to offer more convenient, more effective and more diversified financial services for bilateral infrastructure projects based on scientific evaluation and business operation.

Article 9

The Parties shall preferentially consider cooperation with the contracting Party of the drugom stranom u skladu sa svojim zakonima i

Strane unapređuju razmjenu informacija i obaviještavaju jedna drugu o njihovom planu za razvoj infrastrukture i o zakonima, statutima i politikama koje se odnose na regularne i napredne posredničke organizacije i privredna društva relevantnih industrija da se produbi njihovo međusobno razumijevanje, prijateljstvo i saradnja potpisivanjem Memoranduma o razumijevanju (MoR), i održavanjem izložbi, seminara i simpozijuma.

Član 7

Strane podstiču i podržavaju svoje finansijske institucije da pruže pogodnije, efikasnije i raznovrsnije finansijske usluge za bilateralne infrastrukturne projekte zasnovane na naučnoj evaluaciji i poslovanju.

Član 8

Član 9

Agreement in accordance with their laws and statutes when open or limited bidding is done for the projects in infrastructure sector or through direct negotiations in accordance with this Agreement.

The Parties shall designate intermediary organizations in the industry to recommend qualified enterprises to participate in the bidding to the other Party.

Article 10

The Parties urge their domestic enterprises to realize harmonious coexistence, mutual benefits and common wins with local communities when the cooperation projects in infrastructure sector are carried out.

1. Abide by local laws and statutes strictly;
2. Fulfill the contracts signed and ensure the progress of the projects and the quality and safety of the projects;
3. Respect local custom and habits;
4. Fulfill seriously necessary social responsibilities.

Član 10

Strane pozivaju svoja domaća preduzeća da ostvare skladnu koegzistenciju, obostrane koristi i zajedničke uspjehe sa lokalnim zajednicama kada se izvode kooperativni projekti u sektoru infrastrukture.

1. Strogo poštovati lokalne zakone i statute;
2. Ispunjavati potpisane ugovore i obezbjediti napredak projekata i kvalitet i bezbjednost projekata;
3. Poštovati lokalne običaje i navike;
4. Ozbiljno ispunjavati neophodne društvene odgovornosti.

Article 11

The Parties appointed the Ministry of Transport and Maritime Affairs of Montenegro and the Ministry of Commerce of the People's Republic of China as executive organs of the Agreement to set up a joint working group of infrastructure construction within the framework of Montenegro- China Joint Economic and Trade Committee.

Član 11

Strane određuju Ministarstvo saobraćaja i pomorstva Crne Gore i Ministarstvo trgovine Narodne Republike Kine kao izvršne organe Sporazuma da osnuju radnu grupu za infrastrukturnu izgradnju u okviru Zajedničke komisije Crne Gore i Kine za ekonomiju i trgovinu.

Article 12

The Parties shall inform each other of legal procedures required for effectiveness of the Agreement in Montenegro and China respectively. The Agreement shall enter into force on the date when the last written notification delivered by the other party is received.

This Agreement may be amended or supplemented by mutual consent of the Parties.

The Agreement shall remain effective unless

Član 12

Strane ugovornice obavještavaju jedna drugu o pravnim procedurama koje su potrebne za stupanje na snagu Sporazuma u Kini odnosno Crnoj Gori. Ovaj Sporazum stupa na snagu danom dobijanja posljednjeg pisanih obavještenja dostavljenog od druge Strane. Ovaj Sporazum može da bude izmijenjen ili dopunjjen uz obostranu saglasnost Strana.

Sporazum ostaje na snazi sve dok jedna strana ne obavijesti drugu u pisanoj formi diplomatskim putem da raskida Sporazum. Sporazum postaje nevažeći 30 dana nakon što

one Party of the Agreement notify the other Party in written form through diplomatic channel to terminate the Agreement. The Agreement shall go invalid after 30 days when the notice terminating the Agreement is sent out.

The Agreement is signed on June 23 2011 in three copies each in the English, Chinese and Montenegrin languages, all texts being equally authentic. In case of divergence in interpretation of this Agreement, the English version shall prevail.

se pošalje obaveštenje o okončanju sporazuma.
Ovaj sporazum je potписан 23. juna 2011. godine u tri primjeka, svaki na crnogorskom, kineskom i engleskom jeziku, pri čemu su svi tekstovi iste važnosti. U slučaju razlika u tumačenju ovog Sporazuma, mjerodavna je engleska verzija.

Andrija Lompar

For the Government of Montenegro

Zhong Shan

For the Government of the People's Republic of China

Andrija Lompar

Za Vladu Crne Gore

Zhong Shan

Za Vladu Narodne Republike Kine

Član 3

Ovaj zakon stupa na snagu osmog dana od dana objavljivanja u „Službenom listu Crne Gore – Međunarodni ugovori“.

Broj 14-1/13-2/3
EPA 282 XXV
Podgorica, 8.oktobra 2013.godine

SKUPŠTINA CRNE GORE 25. SAZIVA

P R E D Š E D N I K

Ranko Krivokapić