

L a w o n Y a c h t s

Podgorica, 26 July 2007

Section 1

Introductory Provisions

Subject of the Law

Article 1

This Law regulates: flagging, identification and inscription of yachts in the register of yachts, manner of entering, staying and leaving of yachts as well as rights and obligations in relation to chartering.

Definitions

Article 2

Some of the terms used in this Law, have following meaning:

- *yacht* – navigable vessel intended for leisure, sports and recreation, of the length in excess of 7 meters, not engaged in international trade;
- *foreign yacht* – foreign flagged yacht;
- *Register* – the book and the electronic evidence of yachts, their identity, features, proprietors and mortgages;
- *Certificate of Registration* - a proof evidencing that the yacht is inscribed into the Register and is capable of operation;
- *surveyor* – an authorized officer i.e. person authorized by the Administrative Body for Maritime Safety (hereinafter referred to as Administrative Body) on the grounds of his/her professional qualifications and experience for assessing operating capability of yachts;
- *IMO* - International Maritime Organization;
- *IMO number* – international identification number obligatory for each commercial yacht carrying more than 12 passengers and weighing 100 GT and above ;
- *MMSI number* - Maritime Mobile Service Identity number;
- *GMDSS* - Global Maritime Distress safety System;
- *SOLAS* - The International Convention for the Safety of Life at Sea;
- *MARPOL* - The International Convention for the Prevention of Pollution from Ships;
- *STCW* - The International Convention on Standards of Training, Certification and Watchkeeping for Seafarers;
- *Bareboat Charter* – Contract on charter or sub-charter with a limited period of time between the proprietor and the lessee whereby a lessee acquires a full control over the yacht, gains the right of possession, right to appoint the master and the crew during the course of charter, however is deprived of the right to sell or mortgage the yacht;
- *piloting* – providing the master with the professional advice by a qualified person (pilot) to pilot the yacht for the purpose of safe navigation through the waterways, ports and marinas;
- *vignette* – a proof evidencing performed registration of a foreign yacht on the event of its arrival and its compliance with the rules for navigation in territorial sea, internal seawaters, rivers and lakes of the Republic.
- *maximum persons allowed* – total number of passengers and the crew allowed aboard as prescribed by the registration document.

Section 2

Montenegrin Yacht Register

Flagging

Article 3

The yacht shall acquire Montenegrin nationality/affiliation once it is inscribed into the Register of the Republic of Montenegro (hereinafter referred to as Register).

Name of the Register in English is Montenegro Yacht Register.

The yacht which has acquired Montenegrin nationality shall be under the sovereignty of the Republic of Montenegro (hereinafter referred to as the Republic) when sailing out of territorial sea, internal seawaters, rivers and lakes of the Republic.

The flag of Montenegro is a sign of a nationality assigned to a yacht.

The yacht which has acquired Montenegrin nationality has the right and the duty to sail under the flag of the Republic.

Size and method of flag hoisting

Article 4

The Flag of the Republic hoisted on the yacht, shall have the ratio of width to length of 1:1,5.

On motor-powered yacht, the flag is to be hoisted on stern.

On a yacht with sails, flag is to be hoisted on stern javelin whereas in case of one-mast yacht, the flag is to be hoisted on it.

Flag should be hoisted so that its upper edge reaches the top of the stern javelin, i.e. the mast.

If the flag is hoisted on the stern javelin, i.e. mast, no other mark or flag may be hoisted on it.

Name and mark

Article 5

Yachts inscribed into the Registry, must have their names and marks in accordance with the law.

No two yachts of the same name may be inscribed in the Register. The mark of a yacht shall consist of the internationally recognized insignia of the Republic and the Registry number which actually is the ordinal number under which the yacht is listed in the Register.

The name must be written clearly and may not affect the visibility of the mark.

Mark of the yacht must be written out on both sides of yacht's bow or if it is more appropriate – on visible place on both sides of superstructure.

Font size of the name and the mark must be of at least 200 millimeters.

Formal decision on yacht's name and mark shall be issued by Administrative Body in accordance with law.

International marks

Article 6

Such yacht, which has been entered into Register and carries more than 12 passengers weighing more than 100 GT, is to have an IMO number which is to remain the same even in the event of ownership or registry change.

Such yacht, which is entered into the Register, being equipped with the radio-telephone and/or GMDSS device, must have a call-letter and/or MMSI number in accordance with the regulations on international radio transmission.

Formal decision on IMO number, call-letter and MMSI number shall be issued by the administrative body.

Competent Registry body

Article 7

The procedure of inscription into, deletion from and the management of Register shall be performed by the Administrative Body.

Rights and obligation of registration

Article 8

A yacht may be inscribed into the Register on condition it is not inscribed in a different register, under the conditions provided by this Law and other regulations.

A yacht in possession of domestic companies, legal entities and entrepreneurs or natural entities must be inscribed into the Register, whereas a yacht in possession of a foreign legal or natural entity, may be inscribed into the Register.

A yacht under a bareboat charter may be inscribed in the Register under the name of a person who takes into charter for the duration of bareboat charter.

In order for the yacht, referred to in paragraph 3 of this Article, to be inscribed into the Register, the following original documents are to be served along with the documents referred to in Article 13:

1. Bareboat charter
2. Owner's consent as to the inscription into the Register.

Rights and obligations of the owner of the yacht inscribed as per the provisions of the paragraph 3 of this Article and related to national and international regulations shall be transferred onto the person who takes into charter.

Provisions of Article 14 of this Law shall not apply on the yacht referred to in paragraph 3 of this Article.

Registration of ownership

Article 9

Article 13 hereof provides to register a yacht either on proprietor's name, co-owner's name or on all co-owners' names, whereas a yacht may be registered on lessee/charterer name in accordance with Article 8, paragraphs 3 and 4 hereof.

Mortgage

Article 10

It is possible to establish a mortgage over a yacht inscribed in Register, whereby a creditor and a debtor by way of contract may define basic mortgage rights related to mortgage that may be inscribed in the Register.

Contents of Register

Article 11

Yacht Register consists of the main book and the set of documents.

The main book consists of files. The Yacht is registered in a designated file of the main book.

Each file shall include the following information:

1. Data on yacht's identity, purpose and its basic features;
2. Data on proprietor, co-owner, i.e. co-owners: address of the seat and the firm of a legal entity, or the full name, place of residence of a natural//physical entity;
3. Encumbrances established over a yacht in its entirety or over its parts, rights related to Bareboat Charter, pre-emption rights and other restraints concerning disposition of a yacht.

Management of Register and issuing of certificates

Article 12

The Register is public book and an electronic version kept in a manner prescribed by the Ministry in charge of maritime affairs (hereinafter referred to as "Ministry").

Administrative body is bound to provide an authorized officer or a person authorized by the owner, co-owner or charterer, on its demand with the certificates related to the status of the registered yachts as well as the copies of the archived documents should the Register direct to such documents.

Article 13

The following documents are required for entry of a yacht into the Register:

1. Application to inscribe into the Register along with the proposed name of the yacht;
2. Certified copy of proprietor's identification document for natural person or registration document for legal entity;
3. Evidence of ownership, statement on purpose of the yacht and the power of attorney in case when the inscription in the Registry is not performed by the owner personally or co-owner or charterer;
4. Certificate of regulated insurance at the amount of at least €800.000;
5. Application for radio license;
6. Document proving the deletion from previous register or a constructor's papers in case the yacht is registered for the first time;
7. Certified copy of sale and purchase agreement or in case of the first registration, constructor's papers with inscribed name of buyer;
8. An International Tonnage Certificate or constructor's papers with the information on technical performances and on tonnage.

In case of a yacht previously registered in a different register, the Administrative Body shall assess the need for its inspection, as a precondition for its inscription into the Register, on the basis of its previous registration and the seas where the yacht has previously sailed.

Inspection of a yacht is a pre-condition for inscription into the Register should the yacht be registered for the first time, unless such yachts was built in accordance with the EU Directive 94/25/EC or Federal Regulations Code 33 of the USA, Sections 181 and 183 of MGN Codes 280 (M) and MSN 1792 (M) of the Maritime and Coastguard Agency of the United Kingdom.

Further to the paragraphs 2 and 3 of this Article, should the inspection appear to be necessary the Registry Authority shall, at the expense of the yacht's proprietor, appoint a surveyor to perform an inspection and submit a report.

The Administrative Body shall issue the Registration Certificate (hereinafter referred to as "Certificate") within 4 days as of the submission of the documents referred to in the paragraphs 1 and 4 of this Article

Certificate issued for the yacht for personal use less than 24 m long and of the capacity of 12 passengers at most shall be valid for the period of three years, whereas all other yachts shall be issued a certificate for the period of one year.

Application forms for inscription into the Register, Ownership Statement, statement of utilization/purpose of the yacht, application for radio license issuing and the Certificate are prescribed by the Ministry.

Temporary registration

Article 14

Yacht may be temporary registered for the maximum period of three months on the basis of the copies of the requisite documents, in which period the applicant is obliged to submit the originals of the subject documents requisite for inscription into the Register.

For registration of a yacht, according to the paragraph 1 of this Article, it is necessary to provide copies of the documents described in Article 13 of this Law, paragraph 1, points 1 through 5.

The Administrative Body shall issue the Temporary Registration Certificate within three days upon receipt of the documents from the paragraph 2 of this Article.

Application form of the Temporary Registration Certificate is prescribed by the Ministry.

Categories on the basis of the navigation areas

Article 15

The yachts may be classified in the following categories, the record of which shall be classified in the Registration Certificate or Temporary Registration Certificate:

1. A – navigation without limitations,
2. B – navigation up to 200 nautical miles from the port of refuge,
3. C1 – navigation up to 60 nautical miles from the port of refuge and 25 nautical miles from the shore,
4. C2 – navigation up to 20 nautical miles from the port of refuge and 6 nautical miles from the shore,
5. C3 – navigation, during daylight and under good weather conditions, up to 20 nautical miles from the port of refuge and 6 nautical miles from the shore.

Periodical inspection

Article 16

A yacht of 7 to 24 meters, with upper limits of 12 passengers is requisite to be technically inspected at least once in three years.

A yacht not affected by the paragraph 1 of this Article ought to be inspected at least once a year.

Obligations in case of damage

Article 17

The Master or the pilot of the yacht inscribed into the Register shall immediately inform Administrative Body of the damage inflicted upon the yacht which may affect the validity of the Certificate. The Administrative Body shall undertake requisite measures in order to maintain the validity of Certificate.

Deletion of the yacht from the Register

Article 18

Administrative Body shall pass the resolution on deletion of a yacht from the Register should one of the following conditions occur:

1. at proprietor's request;
2. yacht is destroyed or it is assumed to be destroyed;
3. yacht is permanently out of function;
4. yacht is inscribed into different register;
5. yacht no longer fulfills registration conditions according to this Law;
6. if a yacht undergoes alteration or upgrade without prior written consent of the Administrative Body;
7. if the Certificate matures in excess of 30 days;

Fees for registration, renewal of registration and deletion from the Register

Article 19

The fees payable for inscription, extension and deletion from the Register:

1. inscription and extension of the Registration Certificate
 - €350, 00 for a yacht of 7 to 12 metres
 - €500, 00 for a yacht of 12 to 17 metres
 - €800, 00 for a yacht of 17 to 24 metres
 - €1.200, 00 for a yacht of over 24 metres
2. Deletion from the Register shall amount €150,00

Fees referred to in paragraph 1 of this Article shall be contributed to the Republican budget.

Section 3

Staying of Yachts in Republican Waters

Entry of a foreign yacht

Article 20

A master or a pilot of a foreign flagged yacht entering Republican waters is required to proceed first to a designated port of entry opened for international traffic for clearance, vignette and crew and passengers list inspection by Harbour Master or Harbor Master's office (hereinafter referred to as Harbour Master or Harbour Master's office)

A Master or a pilot of a foreign yacht may, prior to arrival into the designated port of entry, post, fax or email to the Harbour Master or Harbour Master's office copies of the documents requisite to perform clearance, obtain vignette and inspect passenger and crew list.

Vignette serves as a proof of evidence that a foreign yacht:

1. has registered its entry into Republican waters;
2. has a valid Certificate of Registration and is seaworthy;
3. has a master and crew members that are qualified for steering the yacht in accordance with the regulations of the yacht's flag state, such regulations being in compliance with the STCW Convention and/or Republican regulations;
4. has valid insurance cover against damage caused to third parties.
5. proof of ownership or authorization for use;
6. that the fee payable for marine safety objects and administrative fees are settled.

Should some of the evidences lack, Harbour Master or Harbour Master`s Office shall instruct the master of a foreign yacht to provide all the evidences referred to in paragraph 3 hereof, requisite to obtain a vignette, during which time the yacht shall remain in the designated port of entry.

Animals on board require health certificate issued by the relevant institution in the domicile state of the animal's owner to be delivered/produced.

Application forms for crew and passengers list, as well as vignette, are set by the Ministry.

Tenders belonging to a foreign yacht

Article 21

The vignette shall also prove that the tenders carried aboard the yacht, inscribed in the registration certificate as belonging to a foreign yacht and insured against third parties, are capable of navigation as well as the belonging yacht.

It shall be deemed that the tenders are insured in accordance with paragraph 1 of this Article if a yacht`s insurance policy covers utilization/employment of tenders, either by way of listing and numbering each tender in use or by way of stating in a general clause that utilization/employment of each tender carried on board the yacht is covered by the yacht`s insurance.

Should the tenders referred to in paragraph 1 hereof fail to be inscribed in the registration certificate, the approval for them may be issued at the request of a master of a foreign yacht once the Harbour Master or Harbour Masters Office performs the inspection of a yacht.

The request referred to in paragraph 3 of this Article must contain identification data and the technical characteristics as well as the evidence that the subject tender has an insurance against damage caused to third parties.

Consent to the request referred to in paragraph 3 of this Article is issued by Harbour Master or Harbour Master`s office.

The application form for the request referred to in paragraph 4 is prescribed by the Ministry.

Pass allowing movement and staying of crew members

Article 22

The pass may be issued to the crew member who does not possess visas for staying in the Republic. It allows him to move freely throughout and stay anywhere in the Republic whilst the yacht is staying in the Republic.

The master or the pilot of the yacht may request a pass from the paragraph 1 of this Article which shall be processed by the competent body.

Vignette

Article 23

Vignette must be visibly placed on a foreign flagged yacht.

Vignette shall be valid for a period of up to one year starting as of the day of issuance.

Refusal to issue a vignette

Article 24

A Master or a pilot of a foreign flagged yacht, whose request has been refused by Harbour Master or Harbour Master's office, shall depart Republican waters within the period of time and on the route designated by Harbour Master or Harbour Master's office.

As the exception to the rule from paragraph 1 of this Article, Harbour Master or Harbour Master's office may allow the yacht to remain in the port for as much time as is needed to carry out the necessary repairs, supply the yacht, undergo medical assistance or during the course of the storm.

Exceptions for vignette

Article 25

Foreign yachts left for safeguarding, undergoing a refit or repair or moored in the port or elsewhere where designated/allowed are not obliged to obtain a vignette.

Foreign yacht participating in a sports competition or attending nautical fair is not obliged to have a vignette providing that the organizer of the sports competition or nautical fair checked in the visiting yacht to the Harbour Master or Harbour Master's office at least 48 hours prior to competition or nautical fair.

The organizer is bound to enclose a full list of persons on board the Yacht.

The dispatch of a foreign flagged yacht in need to be safe-kept or refitted

Article 26

The master or a pilot of a yacht that has been dispatched by inland or sea route to the place or port of refit/repair or safe-keeping needs to be issued a vignette and the list of his passengers and the crew needs to be verified by Harbour Master or Harbour Master's office prior to sailing in Republican waters.

A formal list of passengers and crew members pertaining to a foreign flagged yacht

Article 27

Crew and passenger list is presented by the master or a pilot to the competent authorities at the occasion of customs clearance into the Republic, containing full names of all the people aboard the yacht whilst sailing in the Republican waters.

Such list may be altered and expanded successively, and is verified by the Harbour Master or Harbour Master's Office.

Each additional name of a passenger or a crew member must be entered in the list before the foreign yacht leaves the port, and each such entry needs to be verified by Harbour Master or Harbour Master's office.

During the period of vignette validity, the combined number of passengers and crew members aboard the yacht not chartered in accordance with this Law, may not exceed the four-fold number of the total compliment of the yacht, counting both passengers and crew, that the yacht is certified to carry as regulated in the foreign yacht's papers and documentation.

Persons occupying the yacht whilst in port or anchored shall not be included in the list of passengers and crew members.

Persons whose names are not on the list of passengers and crew members verified by the Harbour Master or Harbour Master Office are not allowed to occupy a foreign yacht in operation/whilst sailing.

Fees payable at the account of use of navigation routes

Article 28

Fees payable for use of navigation routes are as follows:

| Length of yacht/period | 1 week | 1 month | 3 months | 6 months | 1 year |
|------------------------|----------|----------|----------|-----------|------------|
| 7 to 12 meters | 40,00 € | 95,00 € | 200,00 € | 280,00 € | 40,00 € |
| 12 to 17 meters | 120,00 € | 220,00 € | 400,00 € | 540,00 € | 750,00 € |
| 17 to 24 meters | 200,00 € | 340,00 € | 600,00 € | 800,00 € | 1.100,00 € |
| Over 24 meters | 420,00 € | 600,00 € | 900,00 € | 1240,00 € | 1.500,00 € |

Fees referred to paragraph 1 of this Article are attributable to the Republican budget.

Piloting
Article 29

All yachts weighing 1000 GT, either registered or foreign flagged, must be manned with a pilot, on entering Republican port.

Piloting for a yacht referred to in paragraph 1 hereof is prerequisite in the waters of Boka Kotorska bay.

As an exception to the paragraph 1, piloting is not compulsory in case of a yacht under the direction of a master who entered the same port for more than 5 occasions and to whom the Harbour Master or Harbour Master's Office has granted an approval.

Compulsory papers
Article 30

Registered yacht or a foreign flagged yacht navigating Republican waters shall carry the following certifications:

1. Registration certificate;
2. proof evidencing that the master and the crew are qualified to navigate the yacht in accordance with the regulations of the yacht's flag state, i.e. with the STCW Convention and the regulations of the Republic in case of home/domestic yachts;
3. proof that the yacht is insured against damage inflicted to the third parties;
4. proof of ownership or authorization to use the yacht.
5. an excerpts from the book of records referred to in Article 38 paragraph 1 of this Law.

A foreign flagged yacht, sailing in Republican waters must carry in addition to documents provided for in paragraph 1 of this Article the following:

1. Vignette;
2. verified crew and passenger list, save for a yacht referred to in Article 27, paragraph 5 of this Law.

Exit
Article 31

Master or a pilot of a Montenegrin registered yacht or a foreign yacht sailing Republican waters is obliged to perform a clearance prior to departing the Republican waters and to verify the crew and passenger list at the Harbour Master or Harbour Master's office.

Once the obligations referred to in paragraph 1 hereof has been performed, master or a pilot ought to sail from the Republican waters within 24 hours.

Implementation of the regulations

Article 32

Both Montenegrin registered yachts as well as foreign yachts must comply with all applicable provisions of all international conventions, codes, recommendations and applicable directives and ratified or adopted by the Republic and/or the Republican regulations.

Prevention of sea pollution

Article 33

Both Montenegrin registered and foreign yachts are forbidden to release or to discard in the sea oils, oily waters, waste and garbage, as well as any other substance that may pollute the environment.

Where required by the International Convention for the Prevention of Pollution from Ships – MARPOL, Convention on protection of the marine life and Mediterranean coastal area, or the International Convention on Civil Liability for Bunker Oil Pollution Damage –Bunkers Convention, both Montenegrin registered and foreign yachts must be supplied with the equipment designed to prevent sea pollution by oils and oily waters, waste and garbage, as well as reservoirs for storage of such substances which may be emptied and disposed at the proper containers kept ashore, in a manner regulated by the Republican regulations.

Crew of the registered and the foreign yacht need to be aware of the details of the instructions for prevention of sea pollution by oils, oily waters and garbage, according to the paragraphs 1 and 2 of this Article.

Safety and security of sailing

Article 34

Both registered and foreign yacht must comply with the provisions of the International Convention for the Safety of Life at Sea – SOLAS, the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers – STCW, in a manner regulated by the Republican regulations.

Section 4

Yacht Charter

Right to charter

Article 35

Yacht chartering is to be carried out by a commercial entity or an entrepreneur registered in the Republic for such activity (hereinafter referred to as the Lessor), pursuant to law.

The Lessor may lease its own yachts or yachts in possession of any other domestic or foreign, natural or legal person.

The yacht under charter may be either domestic or foreign flagged.

Transfer of contractual obligations

Article 36

The Lessor shall be hold liable in relation to each obligation, right and liability arising from the provisions of this Law should he charter a yacht not owned by him, whereas the owner shall be hold accountable in line with the separate regulations.

Should the yacht be bareboat chartered, the Lessee undertakes by the contract all the obligations, rights and liabilities of the Lessor in terms of usage of the yacht and in line with this Law and the separate regulations.

Fees on chartering a foreign flagged yacht

Article 37

A Lessor who charters a foreign flagged yacht shall pay an annual fee plus the fee referred to under Article 28 hereof. The annual fees are as follows:

1. €1.500,00 for the yacht of 7-12 metres
2. €3.500,00 for the yacht of 12-17 metres
3. €6.000,00 for the yacht of 17-24 metres
4. €10.000,00 for the yacht of over 24 metres

Fees referred to in paragraph 1 of this Article shall be contributed to the Republican budget.

Records and Crew and Passenger List

Article 38

The Lessor must keep book of records of all charters.

Master or pilot of a yacht being chartered needs to certify crew and passenger list before the Harbour Master or Harbour Master`s office before sailing off/leaving.

Verified crew and passenger list must be kept on yacht and the master or a pilot is to produce it at the request of an authorized person.

Form of the book of records of chartering the yachts and the manner of keeping the books shall be set by the Ministry.

Section 5

Monitoring

Article 39

Ministry of Traffic shall monitor the implementation of this Law and the related bylaws.

Article 40

Inspection referred to in Article 39 shall be carried out by the Republican Inspector of Maritime Security (hereinafter referred to as Inspector) pursuant to the law.

Article 41

Apart from the activities referred to in the Law on Inspection, the Inspector's duty is to perform the inspection of flagging of the yacht, inscription into the Register, name and marks of the yacht, inspection of the yacht, list of crew and the passengers on board, vignette, tenders on yacht, clearance documents of the yacht sailing through the waters of the Republic, equipment on yacht for pollution prevention and protection of lives, authorizations of the crew i.e. licenses of the crew members as well as the books keeping the records on chartering of the yachts.

Section 6

Penalties

Article 42

Legal entity shall be penalized with the penalty 10 times to 300 times higher than the minimal salary in Montenegro for the following offences:

1. if a person fails to inscribe a yacht into the Register and does not hoist the flag of the Republic (Article 3, paragraphs 1 and 5)
2. does not hoist the Republican flag on the position and in a manner described herein (Article 4)
3. fails to write the name and the marks on the surface of the yacht as described herein (Article 5)
4. is not in a possession of the international marks, calling sign, name, MMS and the number (Article 6, paragraphs 1 and 2)
5. fails to inspect the yacht in the prescribed period (Article 16)
6. fails to inform Administrative Body that the yacht has been damaged (Article 17)
7. fails to use proceed first to a designated port of entry (Article 20 paragraphs 1 and 3)
8. fails to leave the Republic on route and in time prescribed by Harbour Master or Harbour Master`s office (Article 24 paragraph 1)
9. the yacht is not reported to the Harbour Master or Harbour Master`s Office in a manner and in time prescribed herein (Article 25, paragraph 2 and 3)
10. prior to sailing in Republican waters it fails to obtain a vignette or fails to verify the crew list or the passenger list (Article 26)
11. does not have crew and passenger list, fail to verify such list or if the yacht is inhabited with a passenger who is not on the list of crew and passengers (Article 27)
12. fails to provide pilot for a yacht weighing more than 1000 gt (Article 29)
13. clearance documents are not kept on the yacht sailing in the waters of the Republic and inscribed into the Register. (Article 30)
14. fails to verify the crew and the passengers list with the Harbour Master or Harbour Master`s Office or fails to leave the waters of the Republic by the prescribed time limit. (Article 31)
15. pollutes sea or the environment, lacks the equipment and storage space for protection of the sea. (Article 33 paragraph 1 and 2)
16. fails to keep the records or verify the list of crew and the passengers with the Harbour Master or Harbour Masters Office or if the verified crew and passenger list is not kept on the yacht. (Article 38, paragraphs 1, 2 and 3).

The responsible person in the legal entity shall be penalized with the penalty half the minimal salary to the amount 20 times higher than the minimal salary in Montenegro for the offence in paragraph 1 of this Article.

An entrepreneur shall be penalized with the penalty 10 times to 200 times higher than the minimal salary in Montenegro for the offence in paragraph 1 of this Article.

Physical entity shall be penalized with the penalty half the minimal salary to the amount 20 times higher than the minimal salary in Montenegro for the offence in paragraph 1 of this Article.

Section 7

Transitional and Final Provisions

Article 43

Foreign flagged yachts owned by domestic legal and physical entities or entrepreneurs shall be inscribed in the Register kept with the Administrative Body once their existing certificates have ceased to be valid.

Yachts inscribed in the Book of boats shall be inscribed in the Register kept with the Administrative Body, once their existing operating permits cease to be valid.

Article 44

The Bylaws and the general acts in relation to this Law shall be enacted within 6 months as of the enactment of this Law.

Until such time when the bylaws referred to in paragraph 1 of this Article are enacted, the regulations ratified on the basis of the Law on Marine and Internal Sailing (Official Gazette of the FRY 12/98, 44/99, 74/99, 73/00, Official Gazette of the Federal Republic of Montenegro 19/78, 19/87, 22/90, 13/91 and the Official Gazette of the Republic of Montenegro 48/91) shall be in use.

Article 45

On the day of this Law's implementation, the provisions of the Section 1 (Flagging and the identification of the boat), Section 2 (Inscription of the ships) and Section 3 (Procedure to inscribe ships) of the Law on Marine and Internal Sailing (Official Gazette of the FRY nos. 12/98, 44/99, 74/99 and 73/00) referring to yachts, Decree on entry and staying of the foreign yachts and foreign boats for leisure and sport in the coastal sea, rivers and lakes of the Federal Republic of Yugoslavia (Official Gazette of the Socialist Federal Republic of Yugoslavia nos. 38/87 and 33/88 and Official Gazette of the FRY no. 28/02), provisions referring to yachts of Articles 9 and 10 of the Decree on fees payable for the use of the safety facilities for sailing the waterways of the Montenegrin coastal sea (Official Gazette of the Republic of Montenegro no. 36/05) and the provisions referring to yachts of Articles 1, 2, 3 and 4 of the Rulebook on determination of prices for the forms issued by the Harbour Master (Official Gazette of the Republic of Montenegro no. 29/03)

Article 46

This Law shall come into force on the eighth day as of its publication in the Official Gazette of the Republic of Montenegro and shall be implemented as of 1 January 2008.