

Pursuant to Decision on Establishment of Coordinating Body for Monitoring Implementation of the Strategy for Development of the Public Procurement System for the period 2016-2020, no.: 07- 3437/1 of 23 February 2016, the Coordinating Body hereby adopts the following:

RULES OF PROCEDURE

I SUBJECT

Article 1

This Rules of Procedure shall lay down in more detail the organization, method of work and decision-making of the Coordinating Body and some other issues relevant for the operation of the Coordinating Body.

II ORGANIZATION

1. Coordinating Body

Article 2

The Coordinating Body shall consist of a president, a deputy president, 16 members and a secretary. The Secretary of the Coordinating Body shall be a member thereof and shall be appointed by the other members of the Coordinating Body. The work of the Coordinating Body shall be available to the public.

Exceptionally, the Coordinating Body may decide, by majority of votes of all its members, that certain issues of the agenda may be discussed without presence of the public.

2. President and Deputy President of the Coordinating Body

Article 3

The President of the Coordinating Body shall manage the work of the Coordinating Body; convene sessions; propose the agenda and chair the sessions; sign the acts of the Coordinating Body; coordinate cooperation of the Coordinating Body with the Government of Montenegro and other competent state bodies and institutions, private sector, business associations, international institutions, non-governmental sector in the realization of tasks; take care of the implementation of the Rules of Procedure of the Coordinating Body and other documents of the Coordination Body and perform other tasks stipulated by these Rules and other documents of the Coordinating Body. In the absence of the President of the Coordinating Body, the same operation shall be managed by the Deputy President.

3. Members of the Coordinating Body

Article 4

The Members of the Coordinating Body shall have the rights and duties to:

- propose convening of a session of the Coordinating Body in accordance with these Rules;
- submit proposals for decisions, conclusions and other acts within the competence of the Coordinating Body;
- be regularly informed on all issues relevant to the work of the Coordinating Body and decision-making within the jurisdiction of the Coordinating Body;
- attend meeting of the Coordinating Body and take an active part in its work;
- inform duly the Secretary of the Coordinating Body on possible inability to attend the meetings of the Coordinating Body, as well as of the reasons for that inability;
- keep the official or some other type of secret;
- perform other tasks in accordance with these Rules and acts of the Coordinating Body, and act by order of the Coordinating Body.

The Members of the Coordinating Body shall in particular be obliged to:

- provide concrete proposals for the Strategy for development of public procurement (hereinafter: the Strategy) within the scope of competences of their institutions/departments, methods of their realization, as well as the carriers of these activities and deadlines for implementation;
- participate in the preparation of reports on implemented measures within their competence in terms of the set deadlines;
- analyze the reports of involved work teams and give an opinion thereto.

4. Secretary of the Coordinating Body

Article 5

The Secretary of the Coordinating Body shall take care of preparing the session of the Coordinating Body, assists the President of the Coordinating Body in organizing and preparing meetings, ensure the implementation of conclusions and other acts of the Coordinating Body and the preparation of material required for the work of the Coordinating Body, take care of the implementation of the Rules in the part relating to the preparation of the sessions of the Coordinating Body and perform other tasks in accordance with the conclusions of the Coordinating Body and at the request of the President.

5. The working bodies of the Coordinating Body

Article 6

In purpose of more efficient performance of the activities of the Coordinating Body, the permanent or temporary working teams may be established or the experts from relevant fields may be engaged.

III METHOD OF WORK AND DECISION-MAKING

Article 7

Coordinating Body shall work and make decisions at the session. The Coordinating Body may make decisions if the meeting is attended by more than a half of its members. Coordinating body decides by majority of votes of all members present. If the session of the Coordinating Body was not held due to lack of the majority required for the work, a new session shall be convened within a period not longer than 10 days from the date on which it was originally convened.

Article 8

1. Sessions of the Coordinating Body

Sessions of the Coordinating Body shall be held at least once in three months, or more often, if necessary. The Coordinating Body shall report to the Government semi-annually on the progress achieved in its implementation, according to the following dynamics: January - the PPA complies information on realization of the plan for the previous year from all relevant parties in charge of implementation of the AP; February: the PPA prepares a report on implementation of the AP and submits it to the Government. In accordance with the established reporting dynamics, upon expiry of six months from the previous report, the PPA shall compile new information and prepare a new report on implementation of the AP and submits it to the Government. The President of the Coordinating Body shall convene a session and propose the agenda of the session. The President convenes a session on his own initiative, or at the proposal of at least one third of the members. The session of the Coordinating Body shall be convened at latest on eighth day before the day previously determined for its holding. The session of the Coordinating Body may be convened within a shorter period, when there are special reasons. Along with the invitation for the session, members of the Coordinating Body shall be provided by electronic means with the draft agenda, the minutes of the previous session and materials for the session. Exceptionally, for individual agenda items, the material can be supplied subsequently; it will be stated in the invitation for the session, but not later than just before the start of the session. Materials for the session shall be prepared by the authority responsible for the technical and administrative tasks.

Article 9

A session of the Coordinating Body may be attended by other persons and they may participate in its work in cases when, by decision of the Coordinating Body or its President, they have been invited to the session, without voting rights. The persons who were invited to the session of the Coordinating Body shall be provided with the invitation along with proposal of the agenda and material for the session, or the agenda item for discussion of which they were invited.

2. The course of the session

Article 10

President of the Coordinating Body shall open the session, establish whether there is the majority necessary for work and decision-making (quorum), inform the present members on those members who announced their absence and on other persons invited to attend the session, and proceed to determining the agenda.

Article 11

The Member of the Coordinating Body may propose an amendment to the proposed agenda and shall explain that proposal, which is decided upon by the Coordinating Body. The Coordination Body shall declare on the draft agenda as a whole.

Article 12

After determining the agenda, the minutes from the previous session shall be adopted. A member of the Coordinating Body may make objections to the Minutes and require appropriate amendments therein. The Coordinating Body shall decide upon whether those objections are grounded. The President of the Coordinating Body shall state that the Minutes were adopted without any objections, or with the amendments that were accepted.

Article 13

Consideration and decision-making at the session of the Coordinating Body shall be performed in accordance with the established agenda.

Article 14

Nobody may speak at the session of the Coordinating Body before asking and getting a permission to speak from the President. A member of the Coordinating Body and other participants in its work may speak only about the issues on the agenda.

Article 15

The chairman shall open the discussion in accordance with the items of the agenda. Upon completion of the discussion, the President of the Coordinating Body, according to the opinions, suggestions and proposals from the discussion, shall propose the adoption of an appropriate act to be adopted by the Coordinating Body and shall put the proposal to the voting. Voting is public. Outcome of the voting shall be determined by the President of the Coordinating Body

Article 16

The Coordinating Body may, at proposal of the President, in urgent or some other particularly justified cases, decide upon specific issues on basis of obtained consent of majority of members, without holding a session (correspondent session), via electronic means of communication among members of the Coordinating Body or via conference call, whereupon conducting of such type of session shall be stated in the Minutes of the first following session of the Coordinating Body.

Article 17

In performing tasks within its scope of competences, the Coordinating Body shall adopt decisions, conclusions and other appropriate acts.

3. Minutes and method of communication

Article 18

The course of a session shall be recorded in its Minutes. The Minutes shall contain in particular:

- serial number, place and date of the session;
- the name of the person chairing the session;
- the names of present and absent members;
- reasons for absence of those members who did not attend the session;
- the names of other persons invited to attend the session;
- the agenda of the session;
- adopted opinions, proposals and other issues discussed at the session;
- decisions and other acts adopted at the session.

A member may request that his/her opinion on a specific issue stated at the session should be included in the Minutes separately. The Minutes shall be signed by the President of the Coordinating Body, and the same shall be submitted within three days to members and other persons invited to attend the session.

Article 19

Materials for sessions, adopted acts, as well as the minutes (hereinafter: session material) shall be kept in the archives of the authority in charge of administrative-technical tasks of the Coordinating Body. The final session material shall be submitted by the Secretary of the Coordinating Body and it shall be published at the Public Procurement Portal.

Article 20

Communication between the President of the Coordinating Body, the Deputy President, the members of the Coordinating Body, the Secretary, the authority in charge of administrative-technical tasks, working teams, temporary members of the Coordinating Body as well as the additionally recruited persons for specific projects, shall be conducted via electronic means.

Article 21

The Coordinating Body shall report twice a year to the Government on its work on implementation of the Strategy, in purpose of informing the Government and providing it with an insight into the actual effects of the public procurement system development policy.

IV TRANSITIONAL ANF FINAL PROVISIONS

Article 22

Certain issues relating to the operation of the Coordinating Body, which have not been regulated by these Rules may be regulated by a special act of the Coordinating Body.

Article 23

The initiative to amend these Rules of Procedure, including the appropriate explanation, may be submitted by any member of the Coordinating Body. The amendments to these Rules of Procedure shall be decided on in the procedure and the manner in which it was adopted.

Article 24

These Rules of procedure shall enter into force on the day of their adoption.

No.: 01-2541
Podgorica, 10 March 2016

President of the Coordinating Body
PhD Mersad MUJEVIĆ