

MONTENEGRO
PHARMACEUTICAL CHAMBER OF MONTENEGRO

STATUTE

Consolidate and adopted text

Podgorica, march 2014

Pursuant to Article 106 of the Law on Health Care (OGRM 39/04, OGRM 14/08, 73/10 i 40/11), the Assembly of the Pharmaceutical Chamber, at its meeting held on 25 March 2014, passed the

STATUTE OF THE PHARMACEUTICAL CHAMBER OF MONTENEGRO

I. GENERAL PROVISIONS

ARTICLE 1

Pharmaceutical Chamber of Montenegro is a professional organisation founded by graduate pharmacists with the objective of providing conditions for executing its profession, protection of professional interests, improving professional health ethics and participation in improving quality of pharmaceutical health activity.

ARTICLE 2

Pharmaceutical Chamber of Montenegro (hereinafter: the Chamber) is a legal person performing its activity with full responsibility.

ARTICLE 3

The registered activity of the Chamber is **Farmaceutska komora Crne Gore**.

The headquarters of the Chamber is in Podgorica, Square of Nikola Kovacevic No. 12.
The name of the Chamber on English is : “Pharmaceutical chamber of Montenegro “

ARTICLE 4

The Chamber has its giro account opened with the Hipotekarna banka in Podgorica.

ARTICLE 5

The Central Bank shall have round and rectangular stamps.

The round stamp of the Chamber, with the 3cm diameter, shall bear the following text: “Crna Gora – Farmaceutska komora Crne Gore – Podgorica” and the logo in the middle (stylised dish with the snake).

Besides the data contained in the round stamp the rectangular stamp of the Chamber contains the field for entering the number of document and date of its registration.

The text of the round and rectangular stamps is inscribed in Serbian language with Latin alphabet.

The manner of use, handling, and destroying of stamps and their number shall be regulated in more detail in an act to be passed by the Chamber's Executive Board.

ARTICLE 6

The President of the Chamber shall represent and act for on behalf of the Chamber

In the cases the President of the Chamber is absent the Deputy President of the Chamber shall represent and act for on behalf of the Chamber.

Within its authority, the President of the Chamber may authorise other person in writing to execute some tasks under the competence of the Chamber.

ARTICLE 7

The work of the Chamber shall be public.

ARTICLE 8

The Chamber shall perform the following operations:

1. Enacts the Plan and the Programme of activities of the Chamber,
2. Enacts the Pharmaceutical Code of Ethics, and ensures its application,
3. Maintains the Register of operational licences and of licences from practice and issues certificates on facts from the register,
4. Issues and revokes operational licences and issues, renews and revokes licences from practice,
5. Monitors and studies the work and working conditions of all its members in performing the pharmaceutical health activity,
6. Passes rules on valuing professional and scientific papers and other means for professional training of its members,
7. Takes necessary measures aimed at raising quality in the professional work of its members,
8. Gives opinions in the procedure of drafting and application of the Law, planning documents and other regulations in the area of pharmacy pursuant to the Law, and
9. Performs other tasks pursuant to the Law.

The Chamber shall perform tasks referred to in Article 1 items 3 and 4 as commissioned tasks financed through the State Budget.

II. MEMBERSHIP IN THE CHAMBER

ARTICLE 9

Members of the Chamber shall be pharmacists performing the tasks of the health activity in the area of pharmacy (pharmaceutical tasks) at the territory of Montenegro.

ARTICLE 10

With a view to implementation of the Chamber's tasks and objectives, members of the Chamber shall execute their rights, obligations and responsibilities pursuant to the Law and this Statute.

ARTICLE 11

Members of the Chamber shall have the right of:

- Participating in all activities in achieving the tasks of the Chamber,
- Electing and being elected in all bodies of the Chamber,
- Starting the initiative against a member of the Chamber who breached professional and ethical norms of pharmacy,
- Being informed on the Chamber's operations, and
- Use the assistance and services of the Chamber under its competence.

ARTICLE 12

Members of the Chamber shall have the obligation to:

- Conform to the Statute of the Chamber and its other internal acts,
- Knowingly and professionally perform tasks of their profession,
- Preserve the reputation of the pharmaceuticals,
- Act according to the Law, the Statute of the Chamber and the Pharmaceutical Code of Ethics ,
- Pay the membership fee, and
- Performs other duties prescribed by the Statute and its other internal acts.

ARTICLE 13

Membership in the Chamber shall cease by:

- Being permanently deleted from the Register,
- Being temporarily deleted from the Register – while this measure is in force,
- Upon the request of a member of the Chamber, and
- In the case of death of a member of the Chamber.

III. BODIES OF THE CHAMBER

ARTICLE 14

Bodies of the Chamber shall be *Assembly, President, Executive Board, the Court of Chamber, Prosecutor and Prudential Committee for Financial Operational of the Chamber*.

The terms of office of members of the Assembly and of other bodies of the Chamber shall be **four (4)** years with the possibility of being re-elected.

1. ASSEMBLY OF THE CHAMBER

ARTICLE 15

The Assembly shall have 37 members.

Members for the first electoral Assembly are elected by the subsidiaries of the Pharmaceutical Association of Montenegro, by municipality areas, as follows:

- **PODGORICA and DANILOVGRAD** _____ **18 members**
- **NIKŠIĆ , ŠAVNIK and PLUŽINE** _____ **3 members**
- **PLJEVLJA and ŽABLJAK** _____ **2 members**
- **BERANE, PLAV, ROŽAJE and ANDRIJEVICA** _____ **2 members**
- **BIJELO POLJE, KOLAŠIN and MOJKOVAC** _____ **2 members**
- **BAR and ULCINJ** _____ **3 members**
- **KOTOR, TIVAT and HERCEG NOVI** _____ **4 members**
- **CETINJE and BUDVA** _____ **3 members**

In the upcoming period, appointment of members of the Assembly shall be under the competence of the Chamber and it shall be done following the principle from paragraph 2 above.

ARTICLE 16

The Assembly of the Chamber shall:

- Enact the Statute of the Chamber and other internal acts,
- Enact the Pharmaceutical Health Code of Ethics,
- Prescribe the manner and procedure for registering and de-registering from the Register,
- Enact the Plan and the Programme of activities of the Chamber,
- Enact the Rules of procedure on operations,
- Enact the Rulebook on organization, procedure and the manner of work of the Court of Chamber,
- Enact the financial plan and passes the Annual statement of the Chamber,
- Appoint and dismiss the President and the Deputy President of the Chamber,

- Appoint and dismiss members of the executive Board of the Chamber,
- Appoint and dismiss the Secretary of the Chamber,
- Appoint and dismiss the Prosecutor and the Members of the Court of Chamber,
- Appoint and dismiss presidents and members of permanent and temporary committees of the Chamber and their deputies,
- Discuss the reports of bodies and working bodies,
- Make decisions on dismissing the Assembly and on early elections,
- Discuss, make conclusions, determine positions and give opinions to issues important for the operations of the Chamber and performs other tasks pursuant to the Law and th Statute.

ARTICLE 17

The members of the Assembly shall be elected using the secret vote procedure.

ARTICLE 18

The terms of office of members of the Assembly shall be verified at the first Meeting.

ARTICLE 19

The terms of office of a member of the Assembly may cease before the end in the case that:

- He/she is recalled,
- He/she resigns,
- He/she is sentenced to prison fine longer than six months, and
- He/she is deleted from the Register.

ARTICLE 20

The Assembly of the Chamber shall meet as needed, and at least once in a year.

The meeting of the Assembly shall be chaired by the President of the Assembly.

The meeting of the Assembly shall be called by the President of the Assembly upon his/her own initiative, the initiative of the President of the Chamber, upon the proposal of the Executive Board or a third of members of the Assembly.

President of the Assembly shall be obliged to call a meeting of the Assembly not later than 30 days from receiving the proposal referred to in paragraph 3 above.

Should the President of the Assembly not act pursuant to paragraph 4 above, the initiators may call the meeting by themselves.

The Meeting of the Assembly may start if more than half of total number of members is present.

The Assembly shall make decisions by the majority of votes of present number of members.

Exceptionally, the Assembly shall decide using the majority of votes of total number of votes in the following cases:

- Passing of Statute,
- Making decision on early dismissing of Assembly and announcing new elections,
- Passing the financial plan and passing the annual statement,
- On appointment and dismissal of the President of the Assembly of the Chamber,
- On appointment and dismissal of the President of the Chamber,

Decisions in the Assembly shall be made using the public vote procedure.

2. EXECUTIVE BOARD

ARTICLE 21

The Executive Board shall be the executive body of the Chamber, which shall perform its function pursuant to the Law, the Statute and other internal acts of the Chamber.

ARTICLE 22

The Executive Board shall:

- Prepare documents to be discussed and enacted by the Assembly of the Chamber,
- Propose to the Assembly the establishment of permanent and temporary committees and other working bodies,
- Propose to the Assembly the appointment and dismissal of the President of the Chamber and its Deputy, president and members of committees and other bodies, the Prosecutor and members of the Court of Chamber,
- Propose the appointment and dismissal of the Secretary of the Chamber,
- Decide on objections from the working relations,
- Execute decisions and other acts of the Assembly of the Chamber,
- Monitor and comply the work of committees of the Chamber and discusses other issues in the area of health and of the Chamber,
- Enact the legal act on systematization of the Professional Service,
- Manage the Chamber's funds pursuant to the Financial plan,
- Submit the Report on its operations to the Assembly,
- Perform other tasks pursuant to the Law and the Statute.

ARTICLE 23

The Executive Board shall have five members, which are elected from members of the Chamber.

President and the Deputy President of the Chamber are simultaneously the President and the deputy president of the Executive Board.

The meeting of the Executive Board shall be called by the President of the Chamber, and in the case of his absence, the Deputy President.

The Executive member may hold a meeting if it is attended by majority of members.

The Executive member shall make decisions using the majority of total number of members.

The Executive Board shall be liable to the Assembly of the Chamber for its operations.

3. CHAIRMAN OF THE CHAMBER

ARTICLE 24

Chairman of the Chamber shall:

- Represent and act on behalf of the Chamber and manage its operations,
- Convene and conduct Executive Board meeting,
- Coordinate operations of organs and bodies of the Chamber and the Executive Board,
- Perform other tasks determined by Chamber's internal regulations.

In case of justified absence of the Chairmen of the Chamber, Deputy Chairman shall act on his behalf.

ARTICLE 25

Chairman of the Chamber shall answer to the Parliament.

4. COURT OF THE CHAMBER

ARTICLE 26

Court of the Chamber shall:

- Maintains the Register,
- Institute proceedings for determination of liability of the pharmacist – member of the Chamber for breaching the Law, Statute and Pharmaceutical Code of Ethics t the request of the Prosecutor, and render an appropriate decision.
- Keep records on imposed measures.

ARTICLE 27

The Court of the Chamber shall be independent in performing its functions and it shall dispense justice pursuant to the Law, Statute and Pharmaceutical and Health Code of Ethics, Organisation, method and mode of operations of the Court of Chamber Rulebook.

ARTICLE 28

The Court of the Chamber shall consist of the chairman and four members and their deputies with one member and Deputy nominated by the Judicial Council of Montenegro.

Members of the Chamber's bodies and persons performing clerical and professional work for the purposes of the Chamber can not be chosen as members of the Court of Chamber.

ARTICLE 29

The Court of the Chamber shall render a decision by majority of votes.

ARTICLE 30

In case of breach Court of Chamber shall impose the following measures:

- Warning,
- Public warning,
- Temporary de-registration from the register,
- Permanent de-registration from the register.

The measure of temporary de-registration from the register cannot be imposed for the period less than three months or longer than five years.

ARTICLE 31

In the Proceeding before the Court of the Chamber, the appropriate provisions of Criminal Procedure Court shall be applied unless otherwise appropriated by this Statute.

ARTICLE 32

In the Proceeding before the Court of the Chamber the defendant shall have the right to counsel.

By way of exception, the Court of the Chamber may assign a public defender to a defendant who does not have a defence counsel among the Chamber members namely for an action which represents a breach of the Pharmaceutical Health Code of Ethics.

ARTICLE 33

The Court of the Chamber shall be responsible for its operations to the Assembly of the Chamber.

5. PROSECUTOR OF THE CHAMBER

ARTICLE 34

Prosecutor of the Chamber shall be self-supportive and independent in performing operations.

ARTICLE 35

Prosecutor of the Chamber shall institute proceedings against the Chamber member for whom there is reasonable doubt that he/she is in breach of the Law, Statute and Pharmaceutical or Health Code of Ethics.

ARTICLE 36

Complaints may be filed by:

- The Chamber,
- Ministry of Health,
- Health institutions,
- Republic Health Insurance Fund,
- State attorney and
- Injured party.

ARTICLE 37

Prosecutor of the Chamber shall be selected by the Assembly of the Chamber among the members of the Chamber.

Prosecutor shall have a Deputy, selected pursuant to paragraph 1 above.

IV. PRUDENTIAL COMMITTEE FOR FINANCIAL OPERATIONS

ARTICLE 38

Prudential Committee for Financial Operations shall supervise:

- Utilisation of Chamber's funds,
- Material and financial operations of the Chamber,
- Enforcement of rights and execution of obligations of the members of the Chamber,
- Utilisation of funds for the functioning of the Administrative and Professional service,
- Chamber's Cashier's office operations and
- Other tasks in line with the Law and this Statute.

ARTICLE 39

Prudential Committee for Financial Operations shall consist of three members.

Prudential Committee for Financial Operations shall be selected by the Assembly among the members of the Chamber.

Prudential Committee for Financial Operations shall be responsible to the Assembly.

V. COMMITTEES OF THE CHAMBER

ARTICLE 40

Chamber shall have permanent and temporary committees.

ARTICLE 41

Permanent committees of the Chamber are:

- Committee for professional issues and award presentation,
- Committee for ethical issues,
- Committee for economic issues,
- Committee for private practice and
- Committee for continuous education.

ARTICLE 42

Committees set out in Article 41 of this Statute shall be selected by the Assembly of the Chamber among the members of the Chamber.

1. COMMITTEE FOR PROFESSIONAL ISSUES AND AWARD PRESENTATION

ARTICLE 43

Committee for professional issues and award presentation shall:

- Supervise the work of the members of the Chamber based on complaints filed to the Chamber,
- Provide expert opinion and views from the competence of the Chamber,
- Pursuant to Award Presentation Rulebook, present awards to the individual pharmacist or health institution for conscientious and responsible performance of pharmaceutical health function, i.e., consistent application of the principles of Pharmaceutical Health Code of Ethics.
- Cooperate with health institutions in Montenegro,
- Perform other work from pharmaceutical profession from the competence of the Chamber.

ARTICLE 44

Committee for professional issues and award presentation consists of: Chairman of the committee, Deputy of the chairman and three members.

Committee set in the paragraph above shall be selected by the Assembly among the members of the Chamber.

The Committee shall be liable for its work to the Assembly.

2. COMMITTEE FOR ETHICAL ISSUES

ARTICLE 45

Committee for ethical issues shall:

- Assess the meeting of the conditions prescribed by the Law based on requests for entry and decisions on deleting from the Register,
- Consider applications submitted to the Chamber on breach of the Pharmaceutical Health Code of Ethics and submit its views to the Prosecutor.

ARTICLE 46

Committee for ethical issues shall consist of: Chairman of the committee, Deputy of the chairman and three members.

Committee for ethical issues shall be selected by the Assembly among the members of the Chamber.

The Committee for ethical issues shall be liable for its work to the Assembly.

3. COMMITTEE FOR ECONOMIC ISSUES

ARTICLE 47

Committee for economic issues shall:

- Participate in the preparation of rules for the evaluation of the work of pharmacists,
- Cooperate in the process of determination of the prices of health services,
- Propose the amounts of membership fees for the members of the Chamber,
- Work on compiling of the financial plan and Annual Final Statement,
- Perform other tasks in line with the Law and this Statute.

ARTICLE 48

Committee for economic issues shall consist of: Chairman of the committee, Deputy of the chairman and three members.

Committee for economic issues shall be selected by the Assembly among the members of the Chamber.

Committee for economic issues shall be liable for its work to the Assembly.

4. COMMITTEE FOR PRIVATE PRACTICE

ARTICLE 49

Committee for private practice shall:

- Provide expert opinions on work organisation issues in private pharmaceutical practice,
- Participate in the drafting the price list for services in private pharmaceutical practice,
- Deal with other issues in the private pharmaceutical practice area of work.

ARTICLE 50

Committee for private practice shall consist of: Chairman of the committee, Deputy of the chairman and three members.

Committee for private practice shall be selected by the Assembly among the members of the Chamber.

The Committee for private practice shall be liable for its work to the Assembly.

5. COMMITTEE FOR CONTINUOUS EDUCATION

ARTICLE 51

Committee for continuous education shall:

- Render a decision on the acknowledgement and categorisation of expert meetings, courses and other types of continuous education in line with articles 95 and 96 of the Law on Health Care and the Prolongation of Rulebook on licence validity and continuous education,
- Cooperate with the Committee for professional issues and award presentation of the Chamber and with health institutions,
- Participate in the plan for continuous education of the members of the Chamber.

ARTICLE 52

Committee for professional issues and award presentation consists of: Chairman of the committee, Deputy of the chairman and three members.

Committee set in the previous paragraph above shall be selected by the Assembly among the members of the Chamber, and the Committee shall be liable for its work to the Assembly.

6.COMMITTEE FOR PUBLISHING

ARTICLE 53

Committee for publishing:

- Regulates the professional literature (newsletters, magazines, etc.).
- Perform other tasks in terms of preparation of materials related to appearances in public;
- Perform other tasks related to the issuing of press releases

ARTICLE 54

Committee for publishing issues and award presentation consists of the Chairman of the Committee , Deputy of the Chairman and three members.

Committee from the previous paragraph elected by the Assembly from among the members of the Chamber, which is responsible for their work.

VI. PROFESSIONAL SERVICE

ARTICLE 55

Professional, clerical and technical, support and other work for the purposes of the Chamber shall be performed by the Professional Service of the Chamber.

Professional Service of the Chamber shall perform work related to enforcement of the Statute, decisions, conclusions and other internal regulations rendered by the Assembly and the organs of the Chamber, monitor the application of legal and sublegal acts related to the operations of the Chamber and realisation of its goals and tasks, prepares regulation proposals, information and other materials which are to be debated on before the organs of the Chamber, perform other task related to the work of the Chamber.

ARTICLE 56

Number of persons employed in the Professional Service and their tasks shall be determined by the Executive Board in line with the Rulebook on systematisation of work and tasks for the jobs of the Professional Service of the Chamber.

Salaries and other Chamber's Professional Service employees' rights shall be determined in line with the Law, Collective Bargaining Agreement and internal regulations of the Chamber.

ARTICLE 57

Chamber shall employ a **Secretary**.

Secretary shall be appointed by the Assembly of the Chamber, upon the proposal of the Executive Board, with four year terms of office and the possibility of renewing.

The Secretary of the Chamber shall assist the Chairman and participate in preparing and organising meetings of the Assembly of the Chamber, Executive Board, Prudential Board and the Committees.

The Secretary shall take care of timely preparing the materials to be debated on by the Assembly and the assembly organs, answer for their execution, represent the Chamber in property and legal relations in line with the Law, and see to the execution of the financial plan of the Chamber and other material costs.

The Secretary shall organise and manage operations of the Professional Service of the Chamber and perform other tasks in line with the Statute and other internal regulations of the Chamber.

For his/her operations the Secretary shall answer to the Assembly, Executive Board and the Chairman of the Chamber.

VII. FINANCING OF THE CHAMBER

ARTICLE 58

Funds for the operation of the Chamber shall be provided via:

- **Membership fees ,**
- **Budget of the Republic, for material expenditures,**
- **Donations and**
- **Other sources.**

ARTICLE 59

Funds for the financing of the Chamber, their sources and earmark schedule shall be set by the financial plan.

Financial plan shall be adopted by the Executive Board of the Chamber, not later than 31 December of the year previous to the year for which the plan is being adopted.

ARTICLE 60

In case the financial plan is not adopted by the deadline set in article 56 of this Statute, the Executive Board of the Chamber shall render a decision on temporary financing, which shall be applicable for a period not longer than two months.

ARTICLE 61

At the end of the calendar year the Executive Board adopts the Annual Financial Statement of the Chamber.

VII. INTERNAL REGULATIONS OF THE CHAMBER

ARTICLE 62

Internal regulations of the chamber are:

- **Statute, Pharmaceutical Health Code of Ethics, Organisation, method and mode of operations of the Court of Chamber Rulebook**, Rules on continuing education and the way of evaluating all forms of professional development , Rules of keeping records of members of the Pharmaceutical chamber , Rules of conditions procedure of registration and deletion from the register of pharmacists which can independently perform the tasks of their activities; Ordinance on registration of pharmacists, **Rules of Procedure of the Assembly of the Chamber, Rulebook on internal organization and systematisation of the Professional Service of the Chamber**, and other internal regulations in line with the Law.

ARTICLE 62

The STATUTE is the basic internal regulation of the Chamber.

Other internal regulations of the Chamber can not be contradictory to the Statute.

In case that the provisions of other internal regulations are contradictory to the Statute, provisions of the Statute are directly applied.

ARTICLE 63

Amendments to the Statute and other internal regulations of the Chamber shall be performed in line with the procedure prescribed for their rendering.

ARTICLE 64

The Statute of the Chamber shall be published in the Official Gazette of Montenegro.

Other internal regulations of the Chamber are published in line with the method determined by the decision of the organ of the Chamber which shall render them.

ARTICLE 65

This Statute shall be in force as at the day of publishing, and it shall be published in the Official Gazette of of Montenegro.

**CHAIRMAN OF THE ASSEMBLY OF THE
CHAMBER**

Ana Pantovic, M.S. in pharmacy