The Law on Protection of Population against Communicable Diseases


I GENERAL PROVISIONS

Article 1

This law defines the communicable diseases that threaten the health of the population of Montenegro (hereinafter referred to as communicable diseases), and infections that occur as a consequence of carrying out health activities (hereinafter referred to as: nosocomial infections); measures for their prevention and control; competent authorities for their implementation, the method of securing funds for their implementation, as well as overseeing the enforcement of this Law.

See:
Art. 1 Law - 14/2010-19.

Article 2

Communicable diseases, according to this law are:
1) A 00 Cholera;
2) A 01 typhoid fever and paratyphoid (Typhus abdominalis et paratyphus);
3) A 02 other salmonellas (Salmonelloses aliae);
4) A 03 Shigellosis (Shigellloses);
5) A 04.3 infection of the gut caused by Enterohemorrhagic E. coli (Infectio intestinalis per enterohaemorrhagica Escherichia coli enterohaemorrhagica);
6) A 04.5 Campylobacteriosis (Enteritis campylobacterialis);
7) A 04.6 Yersinia (Enteritis yersiniosae Enterocolitica);
8) A 04.9 Other bacterial intestinal infections (Infections intestinales bacteriales aliae);
9) A 05.0 staphylococcal food poisoning (Intoxicatio alimentaria staphylococcica);
10) A 05.1 botulism (Botulismus);
11) A 05.2-9 other bacterial alimentary intoxications (Intoxications alimentaries bacteriales);
12) A 06 Amoebiasis;
13) A 07.1 Lamblia;
14) A 07.2 Cryptosporidiosis;
15) A 09 diarrhea and gastro intestinal inflammation, probably of communicable origin (Diarrhea et gastroenteritis, causa infectionis suspect);
16) A 15-A 19 TB (Tuberculosis);
17) A 20 Plague (Pestis);
18) A 21 Tularemia (Tularaemia);
19) A 22 Anthrax (Anthrax);
20) A 23 Brucellosis;
21) A 27 Leptospirosis;
22) A 32 Listeriosis;
23) A 33-A 35 tetanus;
24) A 36 Diphtheria;
25) A 37 whooping cough (pertussis);
26) A 38 Scarlet fever (Scarlatina);
27) A 39 Meningococcal disease (Infectio meningococcica);
28) A 40-41 Sepsis (Septicaemia);
29) A 48.1 Legionnaires' Disease (Legionellosis);
30) A 50-53 Syphilis (Syphilis);
31) A 54 Gonorrhea (Infectio gonoroccica);
32) A 56 pin Chlamydialis (Infections sexuales chlamydiales);
33) A 69.2 Lyme disease (Morbus Lyme);
34) A 70 Ornithosis, psittacosis;
35) A 75 spotted fever (Typhus exanthematosus per Rickettsiam prowazeki);
36) A 75.1 Brill's disease (Morbus Brill);
37) A 78 Q fever (Q-ifebris);
38) A 80 Poliomyelitis (Poliomyelitis anterior acuta);
39) A 81.0 Creutzfeldt-Jakob disease (CJB);
40) A 82 Rabies (Rabies-lyssa);
41) A 85 viral encephalitis (Encephalitis viralis);
42) A 87 viral meningitis (Meningitis viralis);
43) A 93.1 Paptachi fevers (Febris sant-dily);
44) A 95 Yellow fever (Febris flava);
45) A 96.2 Lassa hemorrhagic fever (Febris Lassa);
46) A 98.0 Crimean-Congo Hemorrhagic Fever (Febris haemorrhagica Crim-Congo);
47) A 98.3 Marburg disease (Morbus viralis Marmurg);
48) A 98.4 Ebola disease (Morbus viralis Ebola);
49) A 98.5 Haemorrhagic fever with renal syndrome (Febris haemorrhagica cum renali syndrome);
50) B 01 Chickenpox (Varicella);
50a) B 03 Smallpox (Variola vera);
51) B 05 Morbili (Morbilli);
52) B 06 russet (Rubella);
53) P 35.0 congenital rubella (Syndrome rubellae congenitae);
54) B 15 acute viral hepatitis A (hepatitis A acuta);
55) B 16 B acute viral hepatitis (Hepatitis B acuta);
56) B 17.1 Acute viral hepatitis C (Hepatitis C acuta);
57) B 17.2 Acute viral hepatitis E (Hepatitis E acuta);
58) B 18 chronic viral hepatitis B, C, (viralis chronica Hepatitis B, C);
59) B 19 unspecified viral hepatitis (hepatitis non viralis specificat);
60) B 20-24 HIV disease (Morbus HIV);
61) B 26 Mumps (Parotitis);
62) B 27 Infectious mononucleosis (Mononucleosis Infectiva);
63) B 50-54 Malaria;
64) B 55 Leishmaniasis;
65) B 58 Toxoplasmosis;
66) B 67 Echinococcosis;
67) B 75 Trichinelliosis;
68) B 77 Ascariasis;
69) B 80 Enterobiasis;
70) B 86 Mange (Scabies);
71) B 96.3 disease whose cause is Haemophilus influenzae (Haemophilus influenzae);
72) G 00. Bacterial meningitis (Meningitis bacterialis);
73) J 02.0, J 03.0 streptococcal pharyngitis and tonsillitis (Pharyngitis et tonsillitis streptococcica);
74) J 10 - J 11 Flu (Influenza);
75) J 12, J 12.9, J 13, J 14, J 15, J 84th pneumonia (Pneumonia viralis et bacterialis);
76) SARS.

If there is a risk of communicable disease that is not listed in paragraph 1 above, and which may endanger the health of the population of Montenegro, the Government of Montenegro (hereinafter: Government), upon the proposal of the state administration responsible for health (hereinafter: competent government authority), may decide to protect the population by applying all or some of the measures envisaged by this law, other measures to protect the population against communicable diseases and other measures that the nature of this disease requires, as well as the measures prescribed by international health and sanitary Conventions and other international acts.

The proposal of the competent government authority under paragraph 2 above shall be made based on the opinion of the Institute of Public Health (hereinafter: Institute) and contains the name of communicable disease, measures to prevent and combat the disease, the method of implementation and resources needed to implement these measures.

The decision referred to in paragraph 2 above shall be published in the "Official Gazette of Montenegro".

Article 3

Protecting people against communicable diseases consists of planning, programming, organization, implementation and monitoring of the implementation of measures for the prevention, control, removal and eradication of communicable diseases, as well as providing financial and other resources to protect the population from communicable diseases and has priority over the other health care measures.

Everyone is entitled to protection from communicable diseases and nosocomial infections, and has the obligation to protect their own health and health of others against these diseases.

Health care facilities, businesses and citizens are obliged to cooperate with the competent government authorities, and competent health care facilities and to enable them carry out the prescribed examinations, take necessary materials and implement other measures to protect the population from communicable diseases and nosocomial infections as determined by the present Law.

Article 4

International obligations relating to the prevention, control, removal and eradication of communicable diseases referred to in Article 2 of this Law shall be executed in accordance with international health regulations, the programs of the World Health Organization and other international acts.

Article 5

Terms used herein shall have the following meanings:

- **Protecting people against communicable diseases** is an organized and universal activity, with the aim of preventing and combating communicable diseases, as well as the removal and eradication of certain communicable diseases;
- **Prevention of communicable diseases** represents a set of measures that are constantly being implemented in order to preclude infection or communicable disease;
- **Control of communicable diseases** represents a set of measures to be implemented against communicable diseases already present, in order to cure patients and to reduce its incidence;
- **Removal of a certain communicable disease** is a condition when at a certain territory indigenous cases of infection are no longer occurring, although the cause is still present in a given territory, due to which it is necessary to further implement prevention measures;
- **Eradication of certain communicable disease** is a condition when in a certain territory there are no longer indigenous cases of infection, because the infective agent has been completely destroyed and due to which permanent measures to prevent and combat the disease are no longer needed;
- **Epidemic of communicable disease** represents a growing incidence of illness, complications or death from communicable disease which is higher than normal for a particular population group and a specific period of time;
- **Epidemics of greater epidemiological significance** marks the mass occurrence of severe forms of communicable disease and/or death from communicable diseases where there is risk of serious economic and social consequences, as well as the international spread of disease;
- **Communicable disease pandemic** is a disease which crosses the state border and spreads over most of the world or the world at large, endangering people in all affected areas;
- **State of Emergency** means a sudden event in the community that poses a risk to public health for the increased incidence of multiple diseases and/or death compared to the usual number of patients and/or deaths in a given population over time, as well as the occurrence of particularly hazardous diseases or suspected such illness, which requires prompt epidemiological assessment.
- **The protection zone** is an area in which there are one or more reservoirs or sources of the infective diseases and conditions for the spread of communicable diseases;
- **A surveillance zone** is an area in which from the infected area communicable disease can be transmitted, and where there are conditions for the spread of communicable diseases;
- **Zoonosis** is a communicable disease that can, under certain conditions, be transmitted from animals (vertebrates) to humans;
- **A health care institution** is a legal entity which is a separate legal entity registered for health services;
- **Health education** involves a process by which individuals and groups of people learn to behave in a way directed towards improving and maintaining health, and prevention and control of communicable diseases;
- **Immunoprophylaxis** means a measure of protection of vulnerable people from communicable disease using vaccines or specific immunoglobulin;
- **Haemiprophylaxis** means a measure of protection of vulnerable people from communicable diseases by applying chemicals, including antibiotics;
- **Health surveillance** is the measure by which the persons coming from areas where cholera, plague, hemorrhagic fevers (except for hemorrhagic fever with renal syndrome) and other communicable diseases determined by a competent government authority, are ordered to report daily to an appropriate medical institution for medical examination without limitation of movement;
- **A quarantine** is a measure restricting freedom of movement and order of compulsory medical examinations of healthy persons who were or who are suspected to have been in contact with persons who are infected or suspected to be suffering from a quarantine disease;
- **Quarantine diseases** are diseases which have airborne and contact cause agent, and that have a high mortality rate, or that represent a great danger to the health of the population, which is why in the case of the outbreak or suspected appearance quarantine measures apply and strict isolation as well (plague, hemorrhagic fever except for hemorrhagic fever with renal syndrome, and other communicable diseases determined by a competent government authority);
- **Isolation** is a method of isolating infected persons or animals during the infection period in such manner and under such conditions to prevent or limit the direct or indirect transmission of the infective disease from infected or ill person or animal to a sensitive person;
- **Strict isolation** is one kind of isolation that is applied in relation to persons or animals that are infected or ill or suspected of being infected or suffering from infective disease that causes high mortality in humans and can be easily transmitted by contact and air;
- **Epidemiological surveillance** involves continuous or part-time collection, analysis and dissemination of epidemiological data in order to monitor the movement of communicable diseases and to undertake the prevention and control of communicable diseases and epidemics of such diseases;
- **Epidemiological investigation** represents a procedure of field and administrative data collection and analysis of epidemiological data on reservoir, source of infection and mode of transmission of infective disease, and disease characteristics of infective and exposed population group, in order to take appropriate measures to prevent and combat the disease;
- **Disinfection** is a procedure to reduce the number or destroy the communicable disease agents present on the surface of the human body, clothes and the environment by the use of chemical or physical means;
- **Fumigation** is the process of destroying or removing undesirable arthropods present in humans, clothing and the environment that surrounds humans or domestic animals by using chemical or physical means;
- **Pest Control** is the process of destroying small animals, especially rodents, present in the environment surrounding humans or domestic animals by using chemical or physical means;
- **Facilities under the sanitary supervision** are the facilities in which the production and sale of medicines, medical supplies, food (food, drinking water and water used for preparing food for people) and cosmetics is performed; objects that are used for educational activity and accommodation of children and the elderly; objects that are used in diagnosis, treatment and care, as well as were traditional and alternative forms of treatment are provided, care and cosmetic facial and body and non-medical interventions which may damage skin integrity;
- **Closed and open public spaces** are intended for communal use, including the areas in which educational activities are carried out, collective meals provided, cultural, entertainment, sports and other events, parades, competitions and other gatherings are organized.

+ See: 
  Art. 3 of the Law - 14/2010-19.
II JURISDICTION

Article 6

In providing and implementing care for the population against communicable diseases the following shall take participation: local government bodies and state administration; health institutions and other entities discharging health care activities in accordance with the law, health workers and associates, health insurance organizations, educational, sporting and other institutions and organizations that perform services, legal entities and entrepreneurs, humanitarian, religious and other organizations, associations, communities and citizens.

Article 7

The competent government authority monitors the movement of communicable diseases in the territory of Montenegro, declares epidemics of communicable diseases of major epidemiological importance, declares infected or affected area, orders measures that in this case must be implemented.

The decision referred to in paragraph 1 of this Article, the competent government authority shall pass based on the proposal of the Institute.

Institute's proposal must contain the name of communicable disease, the definition of infected and surveillance zones, measures that must be implemented, the method of implementation and resources needed to implement these measures.


Article 8

The Institute shall monitor and analyze the movement of communicable diseases in accordance with the law, international regulations and programs of the World Health Organization and inform the competent government authority, other competent authorities and other entities in the country and abroad, with the aim of early warning and information exchange.

Based on the information referred to in paragraph 1 above, in accordance with the Health Development Strategy of Montenegro, the Institute, in collaboration with the Clinical Center of Montenegro and the Special hospital for lung diseases, prepares programs for prevention, control, removal and eradication of communicable diseases, as well as with the competent government authority for veterinary care in case of zoonoses.

Programs referred to in paragraph 2 above shall be issued by the state authority each year or for a longer period.

Program of measures referred to in paragraph 2 above must include their executors, the period required for implementation, material and other resources necessary for implementation.

See: Art. 5 of the Law - 14/2010-19.

Article 8a

The Institute shall inform the World Health Organization, within 24 hours of the assessment of events, of the emergence of communicable diseases, epidemics and other health hazards of international importance, according to the International Health Regulations.

See: Art. 6 Law - 14/2010-19.

Article 9

Health care institutions and other entities engaged in health activities must keep proper records, registers and databases on communicable diseases which are merged into a single information system, in accordance with the law.

The entities referred to in paragraph 1 of this Article are obliged to immediately inform organized health care center for the territory in which they are located on the appearance of communicable diseases, or nosocomial infections.
Health Care Center, through its departments, and especially through sanitary-epidemiological services, shall perform epidemiological surveillance and shall immediately implement measures of prevention, control, removal and eradication of communicable diseases in the territory of the local government for which it is organized. Health Centre is obliged to inform the Institute, local government authorities and other entities about the movement of communicable diseases with the aim of early warning and information exchange.

Article 10

Protecting people against zoonotic diseases is organized and implemented in cooperation with the competent government authority for veterinary care. Health facilities, competent authorities and organizations in the veterinary field are obliged to inform each other about the occurrence and movement of communicable diseases specified in paragraph 1 of this article, and to comply with the organization and implementation of epidemiological and sanitary and other measures for their prevention, control, removal and eradication. Form and manner of cooperation referred to in paragraph 1 of this Article shall be prescribed by the competent government authority and government body responsible for veterinary care.

III MEASURES FOR PREVENTION AND CONTROL OF COMMUNICABLE DISEASES

Article 11

Protection of people against communicable diseases shall be performed by implementing general, special and other measures in accordance with this Law.

1. General measures

Article 12

General measures include:
1) health education of the population;
2) providing hygienic and technical conditions in the facilities under the sanitary supervision and other facilities in which public service is performed and in public places;
2a) the provision of health food safety, consumer goods and water used for public supply of population with drinking water, sanitary and hygienic and recreational needs - pool water;
3) removal of human and animal excreta, carcasses, organs and tissues, wastewater and other waste matter in a manner and under conditions that do not endanger the health of the population, and
4) implementation of measures of preventive disinfection, pest and rodent control (hereinafter DDD), in populated areas, public areas, buildings, public transportation, sanitary facilities under supervision and in their immediate surroundings.

Local authorities, government bodies, health institutions, companies, entrepreneurs, legal persons and other citizens shall be responsible to organize and implement the measures referred to in paragraph 1 above, in accordance with this and special laws.

Preventive DDD measures referred to in paragraph 1, item 4 of this Article are performed by health care institutions, legal entities and entrepreneurs who meet the requirements regarding personnel, equipment and resources. The competent government authority shall prescribe the requirements regarding personnel, equipment and funds to be met by entities referred to in paragraph 3 of this Article and Article 13, paragraph 3 of this Act.

The competent government authority shall determine which health care institutions, legal entities and entrepreneurs are eligible for performing DDD measures.

The Act referred to in paragraph 5 above shall be published in the “Official Gazette of Montenegro”. Health institutions, legal entities and entrepreneurs referred to in paragraph 5 of this Article shall inform the competent government authority on any change of conditions for DDD measures prescribed by this law.

The competent government authority shall prescribe the minimum sanitary and other requirements for swimming pool water.
2. Special measures

Article 13
Special measures for the prevention and control of communicable diseases are:
1) Immunoprophylaxis and haemio prophylaxis;
2) health checks of certain groups, carriers and employees in the facilities under sanitary supervision, with counseling;
3) health monitoring and quarantine;
4) laboratory testing to determine the cause of communicable disease and the cause of epidemic diseases;
5) early detection and reporting of communicable diseases and epidemiological surveillance;
6) transportation, isolation and treatment of communicable diseases;
7) epidemiological survey;
8) health education of patients, their families and other persons who are at risk of developing communicable diseases;
9) disinfection, fumigation and pest control, according to epidemiological indications.
The measures set out in paragraph 1.1 to 8 of this Article shall be organized and conducted by health care institutions and other entities discharging health care activities in accordance with the law.
The measures provided for in paragraph 1, item 9 of this Article shall be performed by healthcare institutions, companies, entrepreneurs and other legal entities that meet the requirements regarding personnel, equipment and resources.

Article 14
Specific measures under Article 13 of this Law shall be determined and implemented in accordance with special programs and professional-methodological guidelines.
Programs and professional-methodological guidelines referred to in paragraph 1 of this Article shall be issued by the competent government authority.

Article 15
Funds for implementation of specific measures for the prevention and control of communicable diseases specified in Article 13 paragraph 1 of this Law, except for health checks of certain categories of people with counselling and immunizations for persons in international traffic shall be provided in accordance with the laws that govern health care and health insurance.

1) Immunoprophylaxis and haemio prophylaxis

Article 16
Immunoprophylaxis is conducted by vaccines (hereinafter referred to as vaccination) and specific immunoglobulin.
Vaccination is required against:
1) tuberculosis, diphtheria, tetanus, pertussis, polio, measles, mumps epidemic, reddish, viral hepatitis "B" and haemophilus influenza type "B", for all persons of a certain age;
2) Hepatitis "B", tetanus, rabies, flu, haemophilus influenza type "B", streptococcal pneumonia, meningococcal disease, typhoid, yellow fever, tick-borne encephalitis and hepatitis "A" for persons who are identified based on epidemiological and clinical reasons;
3) other communicable diseases for which there is an effective vaccine, included by a competent government authority in the mandatory immunization program.
Protection with specific immunoglobulins is compulsory according to epidemiological indications for persons who have been exposed to agents causing tetanus, rabies, hepatitis "B" and other communicable diseases, for which there are specific immunoglobulins and that the competent government authority included in the mandatory immunization program.

**Article 17**

Chemoprophylaxis is discharged in a prescribed manner, for all persons who are exposed to the infection of tuberculosis, meningococcal meningitis, malaria, and according to epidemiological indications in persons who are exposed to other communicable diseases.

**Article 18**

Immunoprophylaxis and chemoprophylaxis are carried out by health care workers and institutions, in accordance with the law. The competent government authority, at the proposal of the Institute, provides detailed requirements regarding the organization and implementation of immunoprophylaxis and haemoprophylaxis and passes annual mandatory program of immunization in the territory of Montenegro.

+ See: [Art. 4 Law - 14/2010-19](#).

**2) Medical examinations of certain groups, carriers and employees in the facilities under sanitary supervision with counselling**

+ See: [Art. 9 Law - 14/2010-19](#).

**Article 19**

Compulsory medical examination in the prescribed manner with the counselling is obligatory for:
1) pregnant women;
2) donors of blood, semen, ova, tissues and human body parts;
3) persons treated with hemodialysis;
4) employed people in production and trade of medicines, medical supplies, food and cosmetics;
5) employees in educational and other institutions for children and youth and in collective accommodation establishments for the elderly;
6) employed in medical examinations, treatment, patient care, as well as sanitary maintenance;
7) employed in the following services: traditional and alternative methods of treatment, care and cosmetic facial and body and non-medical interventions, which may damage skin integrity;
8) persons engaged in the schooling compulsory internship prescribed in items 4 to 7 above;
9) persons in Montenegro who come from countries where there are registered cases of cholera, plague, viral haemorrhagic fever (except for hemorrhagic fever with renal syndrome) or malaria, according to epidemiological indications and persons who may bring other communicable diseases determined by a competent government authority;
10) persons secreting causes of typhoid, paratyphoid, other salmonella infections, shigelloses and campylobacteriosis.

Mandatory medical examinations referred to in paragraph 1, items. 1, 2 and 3 above shall be organized and conducted by the relevant medical institution in accordance with the law.

Mandatory medical examinations referred to in paragraph 1, items. 4, 5, 6, 7, 8, 9 and 10 shall be organized by the Institute and a healthcare centre that has organized sanitary epidemiological service.

Medical examination of persons referred to in paragraph 1, items 4 to 8 of this Article shall commence before performing certain job, during the discharge, and when the doctor of medicine deems necessary so.

Type, amount, terms and methods of examination required under paragraph 3 above, as well as necessary medical documentation proving that the checkups have been performed shall be adopted by the competent government authority.
3) Health surveillance and quarantine

Article 20

Persons who come from countries where there are registered cases of cholera, plague, yellow fever, viral haemorrhagic fever (except for hemorrhagic fever with renal syndrome) and malaria shall be placed under medical surveillance.

The competent government authority, at the proposal of the Institute, shall appoint a supervisory measure for persons coming from countries where there are other communicable diseases if some of these diseases may endanger the population of Montenegro.

The persons referred to in paragraphs 1 and 2 of this Article who are put under medical surveillance at the border or at the point of entry, shall be presented with the act that is putting them under medical supervision.

A copy of the act referred to in paragraph 3 above shall be submitted to the health centre responsible for the territory of the person who is placed under medical supervision, within 24 hours.

Health Centre is obliged to report to the competent government authority of a person not abiding by an act, or who do not report to this medical institution in order to monitor their health.

Detailed requirements regarding the manner of organizing and conducting health surveillance referred to in paragraph 1 of this Article shall be prescribed by the competent government authority.

+ See: Art. 4 and 10 Law - 14/2010-19.

Article 21

Quarantine is instituted against persons who were or who are suspected to have been in contact with the infected, or with persons who are suspected of a quarantine disease.

The duration of quarantine referred to in paragraph 1 of this Article shall be determined in the maximum duration of incubation of a certain disease for which it is quarantined.

Organization and implementation of quarantine referred to in paragraph 1 above, as proposed by Institute, shall be performed by the competent government authority.

A person who is, in accordance with this law, determined the measure to the quarantine is required to abide by the order of a competent government authority under the threat of forced quarantine restriction.

Quarantine measures are carried out in facilities that meet the requirements for implementing the measures prescribed by the competent government authority.

Facilities referred to in paragraph 5 above shall be determined by the Government, upon proposal of the competent government authority prescribing the requirements for organization and implementation of quarantine.

Companies, entrepreneurs and other legal entities, whose facilities are determined for quarantine referred to in paragraph 6 above, are obliged to concede their temporary structures for use in the prevention and control of communicable diseases, i.e. epidemics of these communicable diseases.

For usage of the facility referred to in paragraph 7 above, the owner of the facility shall receive financial compensation in the amount of actual costs, which is provided from the budget of Montenegro.

The procedure for compensation referred to in paragraph 8 of this Article shall be initiated by the owner of the facility, with the application.

The application and supporting documentation shall be submitted to the competent government authority within 30 days from the day of cessation of the use of the facility for quarantine.

The right of the owner to compensation shall be decided by the competent government authority, upon the Commission proposal.

Commission under paragraph 11 of this Article shall be established by the competent government authority.

+ See: Art. 4 Law - 14/2010-19.
4) **Laboratory testing to determine the cause of communicable disease and the cause of epidemic diseases**

**Article 22**

Laboratory testing to determine the cause of communicable disease or cause of epidemic diseases (hereinafter referred to as laboratory testing) shall be performed in all cases of doubt or the occurrence of communicable diseases, where identification of the causes of communicable disease is necessary for the diagnosis, as well as in the case of occurrence or threat of epidemic disease. Laboratory testing under paragraph 1 of this Article shall be performed by the healthcare institutions that meet the requirements for performing laboratory tests in the field of microbiology, in accordance with the law. Evaluation of laboratory tests referred to in paragraph 2 shall be performed by health care institutions accredited in the field of microbiology, in accordance with the law. The competent government authority shall prescribe the requirements regarding the management of data on laboratory testing, method of reporting and deadlines for giving notice of the results obtained.

5) **Early detection and reporting of communicable diseases and epidemiological surveillance**

**Article 23**

Compulsory reporting for epidemiological surveillance, in accordance with this Law, is necessary in case of:
1) Illness or death from a disease referred to in Article 2 of this Act;
2) Laboratory identified cause of communicable diseases;
3) Death from a communicable disease that is not listed in Article 2 of this Act;
4) Suspected cases of cholera, quarantine disease, poliomyelitis, diphtheria, smallpox, measles, SARS and botulism;
5) Epidemics of communicable diseases of known or unknown causes;
6) Nosocomial Infection;
7) Secretion of the causes of typhoid, paratyphoid, other salmonella infections, shigelloses, campylobacteriosis, as well as carriers of antigens and viral hepatitis "B", antibodies to viral hepatitis "C" and HIV and carriers of parasites - the cause of malaria;
8) Every bite or contact with a rabid or rabies suspicious animal;
9) Acute flaccid paralysis;
10) Suspected use of biological agents;
11) Side effects after vaccination;
12) Antimicrobial resistance.

Reports referred to in paragraph 1 of this Article shall be filed by the healthcare institutions and other entities engaged in health activities. Epidemiological surveillance referred to in paragraph 1 shall be performed in health care with organized sanitary - epidemiological protection and the Institute. More detailed requirements regarding the reporting of communicable diseases, hospital infections, conditions, and death by these diseases, as well as conducting epidemiological surveillance referred to in paragraph 1 of this Article shall be prescribed by the competent government authority.

+ See:

Art. 11 Law - 14/2010-19.

6) **Transportation, isolation and treatment of communicable diseases**

**Article 24**

A person suffering from communicable disease is transported under conditions and in a manner that prevents the spread of communicable diseases. A person who is ill or suspected to be ill of cholera, quarantine diseases and other diseases of unknown causes shall be transported by ambulance.
Medical institution or a medical doctor who works with a certain person with a contagious disease, illness or raises suspicion of a communicable disease prescribed in paragraph 2 above shall provide an ambulance for transport of the person to hospital treatment of persons suffering from communicable diseases.

Article 25

A person who is ill or suspected to be ill of a communicable disease must be treated in any case when lack of treatment would jeopardize the health of other people or cause the spread of communicable diseases.

For a person suffering from or suspected of suffering from a quarantine disease, strict isolation and treatment in health facilities shall be required, which meet the requirements in terms of personnel, space and medical-technical equipment for the hospital treatment of patients with a quarantine disease.

Strict isolation measures referred to in paragraph 2 above shall apply and lasts until the danger of its spreading has passed.

In addition to persons listed in paragraph 2 above, in medical institutions for hospital treatment of patients with quarantine diseases persons who are suspected to be ill with a disease of unknown etiology that has a high mortality rate and which is transmitted by air and contact, shall be isolated and treated.

Strict isolation measures referred to in paragraph 4 of this Article shall be executed and last until the diagnosis is set that does not require strict isolation.

Persons suffering from cholera, yellow fever, typhoid, anthrax (except skin type), tetanus, diphtheria, meningococcal disease, bacterial meningitis, polio, rabies, tick-borne encephalitis, viral hemorrhagic fever with renal syndrome, brucellosis, tularemia, leptospirosis, malaria, leishmaniasis (except skin type), HIV disease are treated in health facilities that meet the requirements in terms of personnel, space and medical-technical equipment for hospital treatment of persons suffering from communicable diseases.

Persons suffering from pulmonary forms of tuberculosis are treated in medical institutions for hospital treatment of patients with pulmonary tuberculosis, as long as there is a risk of spreading the disease.

Persons suffering from a communicable disease that is not listed in paragraphs 2, 4, 5 and 6 above are treated according to clinical indications and in other health care facilities or in a patient’s apartment if the situation permits so, and there is no risk of spreading communicable diseases.

A physician determining illness of communicable diseases specified in para. 2 and 6 of this article or suspecting the communicable diseases specified in paragraph 4 of this Article shall immediately send ill person to a health facility in which persons suffering from communicable diseases are isolated and treated in accordance with this Law.

The competent government authority shall prescribe the requirements regarding personnel, facilities, medical-technical and safety equipment for health facilities in which the hospital treatment of patients with quarantine and other communicable diseases is conducted.

Article 26

In the case of epidemic communicable disease to a large extent, persons suffering from the disease can be treated in all facilities in which they can provide the conditions for treatment, or isolation and treatment of persons suffering from communicable diseases.

Facilities referred to in paragraph 1 of this Article shall be determined by the competent government authority.

Article 27

Medical institution, which has isolated or admitted alien who has contracted a disease referred to in Article 25 para. 2, 4, 6, 7 and 8 of this Law and in the event of an outbreak of disease to a large extent, is obliged to immediately inform the competent government authority and government body responsible for internal affairs.
Article 28

Health institutions in the framework of their activities for a given discharge of epidemiological surveillance of communicable diseases and treatment of communicable diseases shall provide stocks of medicines and medical supplies in case of a disease outbreak to a larger extent.

7) An epidemiological investigation

Article 29

Epidemiological survey is carried out in order to identify the infective agent, reservoirs, sources, methods of transmitting communicable diseases and their prevention, detection and prevention of epidemics of communicable diseases. Epidemiological survey referred to in paragraph 1 of this Article shall be implemented in health care centres that have organized sanitary - epidemiological prevention and must be conducted in case of:
1) epidemic diseases;
2) suspected cases of cholera, quarantine disease, acute flaccid paralysis, diphtheria, smallpox, measles, SARS and botulism;
3) outbreak of diseases referred to in Article 2 of this Act;
4) an outbreak of a disease of unknown etiology which may endanger the population of Montenegro.

See: Art. 4 and 12 Law - 14/2010-19.

8) Health education of patients, their families and other persons who are at risk of a disease

Article 30

Health education of patients with communicable diseases, ill family members and all others who are at risk of developing the disease shall be performed by health care institutions that directly treat people with communicable diseases and health centres in which sanitary - epidemiological care is organized.

9) Disinfection, fumigation and pest control according to epidemiological indications

Article 31

Disinfection of the excreta, and other personal items as well as the vehicles in which ill person with a disease stayed in is required, when there is danger of its spreading.

Article 32

It is mandatory to disinfect rooms, clothes, personal belongings, home, office and other buildings, and vehicles, in cases of infective diseases transmitted by arthropods.

Article 33

It is mandatory to treat by pest control towns, ports, airports, ships and other means of public transport, as well as warehouses and commercial premises in the event of an outbreak of a disease transmitted by rodents.
3. OTHER MEASURES FOR THE PROTECTION OF THE POPULATION AGAINST COMMUNICABLE DISEASES

Article 34

In order to prevent the introduction into the country, and combating the spread of communicable disease, the competent government authority may order other measures to protect the population against communicable diseases, such as to:
1) determine the conditions of travel for persons travelling to infected areas or coming from such;
2) restrict or prohibit the movement of population in the infected or affected area;
3) prohibit the gathering of people in enclosed and public places;
4) restrict or prohibit trade in certain goods and products.
The measures referred to in paragraph 1 of this Article may last only until there is a danger of bringing communicable diseases into the country, and the spread of communicable diseases for which the measures were introduced.
The act referred to in paragraph 1 of this article is published in "Official Gazette of Montenegro".

See:
Art. 5 Law - 14/2010-19.

Article 35

Transport and burial, as well as excavation and burial of the remains of the deceased, is done in a manner and under conditions which prevent the spread of communicable diseases.
Transport and burial as well as excavation and burial of the remains of the deceased from disease in the country, transfer of deceased persons from abroad and from the country abroad is carried out upon approval of the competent government authority.
The method and conditions for the transport and burial, as well as excavation and burial of the deceased from par. 1 and 2 of this Article shall be prescribed by the competent government authority.

IV PREVENTION AND CONTROL OF NOSOCOMIAL INFECTIONS

Article 36

Health care institutions and other entities engaged in health activities shall provide sanitary and technical requirements and implement appropriate technical, organizational and other prescribed measures to prevent the occurrence, early detection and prevention of nosocomial infections.
In order to implement the measures referred to in paragraph 1 of this article, health care institutions and other entities engaged in health activities must enact a program for monitoring, prevention and control of nosocomial infections.
The program referred to in paragraph 2 above shall include, at a minimum:
1) developed method of epidemiological monitoring of nosocomial infections;
2) the doctrine of performing all diagnostic, therapeutic, nursing and other procedures conducted in a medical institution;
3) the doctrine of sterilization, disinfection, cleaning and removing medical and other waste;
4) the doctrine of treating the sick, health workers and associates who are ill with communicable diseases or carriers of communicable diseases;
5) the rules and guidelines to protect employees against communicable diseases and nosocomial infections.

V CONTROL

Article 37

Supervision over the implementation of this Law and other regulations made under this Law shall be performed by the competent government authority.
Inspection supervision under the jurisdiction of the state administration under paragraph 1 of this Article shall be conducted by sanitary inspectors, in accordance with the law.

See:
Article 38
Sanitary Inspector shall, in addition to administrative measures and actions prescribed by the law governing the inspection, after determining that the law or regulation was violated, take the following administrative measures and actions:
1) Persons coming from countries where there are registered cases of cholera, plague, yellow fever, malaria and viral haemorrhagic fevers (except for hemorrhagic fever with renal syndrome) should be placed under medical surveillance at the border or at the point of entry;
2) prohibit the crossing in both directions when certain disease occurred or was spread in the border region of Montenegro, or in a neighboring country border crossing.
+ See: Art. 4 and 13 Law - 14/2010-19.

VI PENALTIES

Article 39
A fine of thirty to sixty times the minimum wage in Montenegro shall be imposed on a health care institution or other entity carrying out health activities, if:
1) it does not fulfill the international obligations regarding the prevention, control, removal and eradication of communicable diseases (Article 4);
2) The Institute does not monitor, study the movement of communicable diseases in accordance with law, international regulations and with the World Health Organization program and Institute does not prepare programs for prevention, control, removal and eradication of communicable diseases (Article 8 par. 1 and 2);
3) it acts in contravention of Article 9 of this Law;
4) it acts contrary to Article 10, paragraph 2 above;
5) it acts before a competent government authority determines that the conditions for the execution of DDD measures do exist (Article 12, paragraph 5);
6) failing to inform the competent government authority on the changing conditions of DDD measures (article 12 paragraph 7);
7) it acts in contravention of Article 23 of this Law;
8) fails to provide an ambulance for the transport of a person suffering from cholera, quarantine diseases and other diseases of unknown cause (Article 24);
9) does not provide strict isolation and treatment of persons suffering or suspected of suffering from a quarantine disease (article 25 paragraph 2);
10) does not provide strict isolation and treatment of persons suspected of suffering from a communicable disease of unknown etiology that has a high mortality rate and that is airborne and communicated by contact (Article 25, paragraph 4);
11) does not provide for treatment of persons referred to in Article 25 par. 6 and 7 of this law in medical institutions for hospital treatment of persons suffering from communicable diseases;
12) does not treat persons suffering from contagious diseases referred to in Article 25, paragraph 8 of this Act;
13) acts contrary to Article 27 of this Law.
For the offense referred to in paragraph 1 of this Article, the responsible person shall be liable to penalty of five to ten times the minimum wage in Montenegro.

Article 40
A fine of seventy to one hundred times the minimum wage in Montenegro shall be imposed on health care institution or other entity carrying out health activities, if:
1) it does not implement other measures that the nature of the disease requires (article 2, paragraph 2);
2) it does not cooperate with the competent government authorities and competent health care facilities and does not conduct the prescribed examination, necessary materials and the implementation of other measures to protect the population against communicable diseases and nosocomial infections (Article 3, paragraph 3);
3) Institute in the case of epidemic communicable diseases of major epidemiological importance fails to submit to the competent government authority the proposal under Article 7 paragraph 3 of this Act;
4) it does not perform immunoprophylaxis and chemoprophylaxis or they are not performed in the manner prescribed by this Law (Articles 16 to 18);
5) it does not conduct mandatory medical examinations for persons referred to in Article 19 of this Law;
6) without the completion of the compulsory medical examination it recruits or retains in employment or practice the persons referred to in Article 19, paragraph 1. 4, 6, 7 and 8 and paragraph 2 of this Act;
7) acts in contravention of Article 20, paragraph 5 of this Act;
8) acts contrary to Article 22 of this Law;
9) acts contrary to Article 28 of this Law;
10) it fails to carry out epidemiological investigation in cases prescribed by law (Article 29);
11) it acts contrary to the other ordered measures to protect the population against communicable diseases (Article 34);
12) transports and burial, as well as the excavations and the remains of the deceased are not done in a manner and under conditions which prevent the spread of communicable diseases (Article 35);
13) it does not implement appropriate technical, organizational and other prescribed measures to prevent the occurrence, early detection and prevention of nosocomial infections and does not make a program to monitor, prevent and suppress them (Article 36).

For the offense referred to in paragraph 1 of this Article, the responsible person shall be punished by a fine of ten to twenty times the minimum wage in Montenegro.

+ See:

**Article 41**

A fine ranging from fifty to two hundred times the minimum wage in Montenegro shall be imposed on a company, entrepreneur or other legal entity, if:
1) it does not cooperate with the competent authority, competent health care facilities and does not conduct the prescribed examination, necessary materials and the implementation of other measures to protect against communicable diseases and nosocomial infections (Article 3, paragraph 3);
2) it does not enable health care centre to conduct epidemiological surveillance and immediately implement measures of prevention, control, control and eradication of communicable diseases (article 9 paragraph 3);
3) it performs the activity before the competent government authority determines that the conditions for the execution of DDD measures do exist (Article 12, paragraph 5);
4) failing to inform the competent government authority on the changes of the conditions for the execution of DDD measures (article 12 paragraph 7);
5) without a medical examination recruits or retains in employment or practice the persons referred to in Article 19, paragraph 1. 4, 5, 7 and 8 and paragraph 2 of this Act;
6) it does not concede its structure for temporary use for the prevention and combating of communicable diseases, epidemics and certain communicable diseases (Article 21, paragraph 7);
7) it does not cooperate and allow epidemiological studies to detect pathogens, reservoirs, sources, methods of transmitting communicable diseases and their prevention, detection and prevention of epidemics of communicable diseases (article 29 paragraph 1);
8) transportation and burial, as well as the excavations and the remains of the deceased are not done in a manner and under conditions which prevent the spread of communicable diseases (Article 35).

For the offense referred to in paragraph 1 of this Article, the responsible person shall be punished by a fine ranging from five to fifteen times the minimum wage in Montenegro.

For violation under paragraph 1 items 1, 2 and 8 of this Article a fine ranging from five to fifteen times the minimum wage in Montenegro shall be imposed on an individual.

+ See:

**Article 42**

A fine ranging from two to ten times the minimum wage in Montenegro shall be imposed on an individual and a parent or guardian of a minor or a person deprived of legal capacity who commits an offense, if the act is the consequences of their failure to exercise care about the minor or the persons deprived of legal capacity, if:
1) it refuses immunoprophylaxis and chemoprophylaxis against certain communicable diseases (Articles 16 and 17);
2) acts contrary to Article 19 of this Law;
3) the person, during the health surveillance measures acts in contradiction with Article 20 par. 1 to 3 of this Act;
4) a person acts contrary to Article 21, paragraph 4 of this Act;
5) refuses laboratory testing in all cases of doubt or the occurrence of communicable diseases, where identifying the causes of communicable disease is necessary for the diagnosis, as well as, or in case of danger of epidemics of communicable diseases (Article 22, paragraph 1);
6) prevents the transport based on the requirements and in a manner that prevents the spread of communicable diseases (article 24 paragraph 1);
7) does not allow treatment measures prescribed by Article 25 par. 1 to 8 of this Law;
8) In case of epidemic of communicable disease to a large extent, the treatment in a facility where the conditions for treatment are provided, or isolation and treatment of persons suffering from communicable diseases (article 26 paragraph 1);
9) fails to comply with other ordered measures to protect the population against communicable diseases (Article 34).


Article 43

A fine ranging from two to ten times the minimum wage in Montenegro shall be imposed on health care provider if:
1) he does not report communicable diseases in accordance with the law (Article 23);
2) he fails to provide an ambulance for the transport of persons suffering from communicable diseases and for hospital treatment of persons suffering from communicable diseases (Article 24, paragraph 3), and
3) he does not immediately refer the person suffering from communicable diseases in a health facility in which persons suffering from communicable diseases are isolated and treated (Article 25, paragraph 9).


VII TRANSITIONAL AND FINAL PROVISIONS

Article 44

By-laws for implementation of this law shall be passed within one year from the date of enactment of this Law. Until the bylaws referred to in paragraph 1 of this Article are adopted, regulations adopted before the entry into force of this Law shall be in force, unless they are contrary to this law.

Article 44a

Regulation under Article 12 of this Law shall be passed within three months from the date of enactment of this Law.

Article 45

Legal persons and entrepreneurs who carry out tasks of protecting the population from communicable diseases that threaten the health of the population of Montenegro are obliged to adjust their business to this Law and regulations adopted under this Law, within two years of the date of enactment of this Law.
+ See: Art. 4 Law - 14/2010-19.

Article 46

Upon entry into force of this Law, the Law on Protection of Population against Communicable Diseases ("Official Gazette of the Republic of Montenegro", no. 53/75, 4/76, 28/87, 29/89 and 39/89 and "Official Gazette of Montenegro", no. 48/91 and 27/94) and the application of the Law on protection of the population against communicable diseases that threaten the whole country ("Official Gazette of Montenegro ", no. 46/96, 12/98 and 37/02), cease to be in force.

Article 47

This Law shall enter into force eight days after its publication in the "Official Gazette of Montenegro".