**Council Regulation (EC) No 2173/2005 of 20 December 2005 on the establishment of a FLEGT licensing scheme for imports of timber into the European Community (FLEGT Regulation)**

**IMPLEMENTATION**

• **Has a competent authority for the FLEGT Regulation been designated as required by Article 7, paragraph 1 of the Regulation?**

A competent authority for the FLEGT Regulation has not been designated as required by Article 7, paragraph 1 of the Regulation but the provisions of the Regulation are transposed to a low extent. Forest Law is implemented by Forest Administration, which is under the jurisdiction of the Ministry of Agriculture and Rural Development.

• **Have any penalties been foreseen to be imposed where the provisions of the Regulation are infringed, as provided for in Article 5, paragraph 8 of the Regulation?**

The sentences were imposed by the Law on forests (“Official Gazette of Montenegro ”, no. 74/10) of Article 89, item 11 for any person who distributes wood products without origin of issued certificates.

Pursuant to the Article 324 of the Criminal Code (“Official Gazette of the RoM”, no. 70/2003, 47/2006 and in the “Official Gazette of Montenegro”, no. 40/2008, 25/2010 and 32/2011):

**(1)** Anyone who, in view of stealing, cuts down one or more trees in a forest, park or a avenue of trees, and the quantity of cut down trees is larger than one cubic meter, shall be punished by a fine or imprisonment not exceeding one year.

**(2)** Where an offence referred to in paragraph 1 of this Article was committed with the intention to sell the cut down tree, or if the quantity of trees cut down exceeds five cubic meters, or if the offence was committed in a protective forest, a national park or other special purpose forest, the offender shall be punished by an imprisonment sentence of three months to three years and by a fine.

**(3)** An attempted offence as of paras. 1 and 2 of this Article shall be punished.