



**MONTENEGRO
MINISTRY OF FINANCE
REAL ESTATE ADMINISTRATION DIRECTORATE**

R U L E B O O K

ON THE MANNER OF DEVELOPMENT AND CONTROL OF TECHNICAL DOCUMENTATION FOR THE EXECUTION OF GEODETIC WORKS, ACQUIRING AUTHORIZATION FOR PLANING AND EXECUTION OF GEODETIC WORKS, LEDGER OF WORKS AND INSPECTION BOOK, OPERATING LICENSE AND IDENTITY CARD FOR CARRYING OUT GEODETIC WORKS

Podgorica, November 2009

Pursuant to Article 16, paragraph 3, 175 item 1, 2 and 13 of the Law on State Surveying and Real Estate Cadastre ("Official Gazette of RoM", no. 29/07), Ministry of Finance has enacted the following

RULEBOOK

ON THE MANNER OF ON THE MANNER OF DEVELOPMENT AND CONTROL OF TECHNICAL DOCUMENTATION FOR THE EXECUTION OF GEODETIC WORKS, ACQUIRING AUTHORIZATION FOR PLANING AND EXECUTION OF GEODETIC WORKS PROJEKTOVANJE, LEDGER OF WORKS AND INSPECTION BOOK, OPERATING LICENSE AND IDENTITY CARD FOR CARRYING OUT GEODETIC WORKS

I BASIC PROVISIONS

Article 1

This rulebook regulates methods and manners of developing and controlling of technical documentation for execution of geodetic works, acquiring authorization for planning and execution of geodetic works, contents and manner of keeping ledger of geodetic works and inspection book, manner of obtaining operating licenses for geodetic organizations and keeping records on operating licenses, as well as the contents and form of identity card for carrying out geodetic works

Article 2

Geodetic works include:

1. Basic geodetic works:

- 1.1. spatial reference system and horizontal reference system (points of reference grids);
- 1.2. vertical reference system;
- 1.3. gravimetric reference system;
- 1.4. astronomic reference system.

2. State survey:

- 2.1. cadastral survey (determining and marking cadastral territorial units; mjerenje, measuring, gathering and determining spatial and descriptive data on immovable property – surveying details; gathering data on a holder of right on immovable property);
- 2.2. survey of utility lines;
- 2.3. survey of the state borderlines;

2.4. topographic survey (survey for development of topographic and indicative topographic maps);

3. Producing of the real estate cadastre:

- 3.1. mapping details and producing and numbering cadastral parcels, calculating parcels area, producing temporary database;
- 3.2. producing a detailed study for public display of data;
- 3.3. public display of data on immovable property and rights thereof;
- 3.4. producing a final database of the real estate cadastre and corpus of documents;

4. Producing of the utility lines cadastre:

- 4.1. mapping details and producing temporary database;
- 4.2. producing a detailed study for public display of data;
- 4.3. public display of data on utility lines and rights thereof;
- 4.4. producing a final database of the real estate cadastre and corpus of documents;

5. Main state map, topographic maps, indicative topographic maps;

6. Geodetic and technical works related to economic redistribution of agricultural land;

7. Maintenance of cadastral survey and utility lines survey:

- 7.1. renewal of destroyed markers of points of geodetic basis or amending them for the purpose of surveying details in the procedure of maintaining the cadastral survey and utility lines;
- 7.2. determining spatial changes on immovable properties and utility lines having impact on data from survey, cadastre of immovable property and utility lines, after the effective date of the cadastre of immovable property and utility lines cadastre (surveying details);
- 7.3. marking borders of cadastral parcels;
- 7.4. division and merger of cadastral parcels;
- 7.5. identification of cadastral parcels;
- 7.6. marking underground utility lines.

II MANNER OF WORK REGARDING DEVELOPMENT AND CONTROL OF TECHNICAL DOCUMENTATION FOR EXECUTION OF GEODETIC WORKS

1. RESPONSIBLE PLANNERS FOR DEVELOPMENT OF TECHNICAL DOCUMENTATION

Article 3

Geodetic organization that is registered and authorized for development of technical documentation (hereinafter: main project), shall determine the responsible planner.

Responsible planner shall determine the contents and scope of previous works, concept and project solution of geodetic works, in accordance with the terms of reference and shall be responsible for the accuracy of technical and project solutions, data and calculations included in the main project, as well as for the deadlines for preparing of the main project.

2. TERMS OF REFERENCE

Article 4

Terms of reference is the starting point for development of the main project. Terms of reference for development of the main project shall be provide and certified by the investor.

Terms of reference shall include:

- subject matter of the terms of reference;
- objectives and purpose of the development of the project;
- subject matter of the project (general data on the works, location, stages of execution of works, etc.);
- bases for development of the project (regulations for development of the main project, available documentation, required previous works, coordination and cooperation of participants in development of the main project);
- basic contents of the main project, composition and equipment of the main project by group and individual documents;
- deadlines for finalization of the project (partial and ultimate);
- special conditions for the procedure of technical control of the main project.

3. PREVIOUS WORKS

Article 5

Previous works are executed prior to the development of the main project.

Previous works include general assessment of quantitative and qualitative characteristics of existing data and state survey study and the degree of their usability and potential additional geodetic works required for development of the main project.

Results of previous works are presented in the technical report on executed previous works.

Technical report on executed previous works with the results of measurements, calculations and analysis represents an integral part of the main project.

4. CONTENTS OF THE MAIN PROJECT

Article 6

Main project of geodetic works is developed based on the terms of reference and technical report on executed previous works.

Main project includes:

1. general data and project documentation (name and address of the investor, data on the work site and subject matter of the project, excerpt from the Central Register of the Commercial Court for execution of geodetic works and development of technical documentation, or other relevant register for geodetic organization that has prepared the project, decision on meeting the requirements for development of technical documentation – license for project design, authorization for development of the project for persons involved in the project design;
2. terms of reference for development of the main project;
3. bases for development of the project (regulations, data and project design base documents);
4. technical report on executed previous works;
5. project solution for geodetic works (conception and technical and technological elaboration);
6. organization of works and technical conditions for execution of works (sequence of activities, time of realization);
7. survey and priced bill of quantities (scope, type and price of works).
8. numeric documentation;
9. graphic documentation and
10. other documentation.

5. TECHNICAL CONTROL OF THE MAIN PROJECT

Article 7

Technical control includes compliance control of the main project with the law and other regulations implemented when executing appropriate type of geodetic works.

If the expert commission that performs technical control of the main project determines that it is required to check the accuracy of numeric results of specific parts of the main project, it will propose to the investor and planner of the main project to provide additional evidence on the correctness and accuracy of the main project.

Article 8

Report is prepared on the performed technical control of the main project, which includes the following:

- data on the investor;
- name and location of the work site;
- name of the main project that is the subject of technical control;
- data on geodetic organization that has developed the main project;
- name and surname and qualifications of the members of the commission for carrying out technical control of the main project, as well as the number of the decision based on which the commission was established;
- basic description of the main project;
- date on which technical control has been carried out;
- conclusion on completed technical control of the main project, stating that the main project has been developed in accordance with the terms of reference and the law, or that some irregularities have been observed during the technical control and measures for eliminating those deficiencies are proposed to the investor.

Correctness of the main project is confirmed based on the copies of the main project, by writing on the front page of each individual part of the main project notebook the following wording: "Project is accepted", names and surnames of the commission members, their qualifications and signatures, as well as the date on which the technical control has been carried out.

6. COMPOSITION AND LAYOUT OF THE MAIN PROJECT

Article 9

Main project is prepared and layout is set as analogue (paper) books in A4 format, in three copies, in hardback that have to be numbered, as well as in the digital form in some of digital forms of data storing (CD or DVD).

Text, numeric data and drawings in the main project have to be clear and readable. Graphical annexes that make an integral part of the main project are put in the A4 format and bounded or placed in a special compartment at the end of the book.

Graphical annexes included in the special compartments are signed and certified by the responsible planner.

Pages of the main project book are numbered in sequence, while the drawings are numbered as annexes, regardless of them being bounded or not.

Main project in the digital form is produced in five copies in the PDF format and three copies in Word, Auto CAD or ArcGis format.

Article 10

Main project book includes: front page, legend and list of other volumes of the main project, contents of the book and supporting documentation.

Article 11

In the header on the front page there is the name of geodetic organization that has developed the main project; name of the project is written in the middle of the front page, while the date is written at the bottom part of the front page.

Data from the paragraph 1 of this article is written on the front of each book of the main project.

Article 12

Legend of each book of the main project includes data on the content of the book, form, and number of copies of the book, name of the investor and geodetic organization that has developed the main project and a list of persons that have participated in the development of the project, as well as the signatures of responsible persons.

III CONTENTS AND MANNER OF MAINTAINING THE LEDGER OF GEODETIC WORKS AND INSPECTION BOOK

1. LEDGER OF GEODETIC WORKS

Article 13

Ledger of geodetic works is kept on the work site from the day of starting of previous works until the day of completion of works.

Ledger of geodetic works is maintained as a book that is banded and certified with the seal of the contractor with double numerated pages (original and a copy).

Data written in the ledger of geodetic works cannot be erased, altered or subsequently changed or amended.

Changes and amendments of the data from the ledger of geodetic works are made exclusively as new entries, when it is obligatory to state the date of the entry.

Entry of data in the ledger of geodetic works is done with ballpoint pen.

Investor shall permanently store the ledger of geodetic works.

Article 14

Entry of data and observations in the ledger of geodetic works is done by the manager and a person that is performing the professional supervision.

Article 15

Manager is entering the following data in the ledger of geodetic works:

- date of the entering of data;
- weather conditions (temperature, precipitations, etc.);
- working hours;
- data on employees, instruments and equipment;
- data on the type and position of works that are being executed (position of works);
- data on approximate quantity of specific executed works;
- data on deficiencies or errors in the main project according to which the works are executed;

- data on unexpected circumstances that require the change of existing technical solutions, that is, an increase of the volume of contracted works or execution of subsequent works; and
- other data relevant for the execution of works.

Article 16

Person that performs professional supervision is entering in the ledger of geodetic works data and observations related to:

- comprehensiveness of the general project and additional explanations of the planner;
- quality and procedure of execution of specific works, as well as mutual compliance with other works;
- informing the investor about deficiencies of the main project and appropriate measures that have been undertaken;
- conditions and procedure for the change of the main project and approval for the execution of additional or subsequent works;
- additional technical and other documentation that has been submitted to the contractor;
- deadline and dynamics of the execution of works;
- comment on the objections and observations written in the ledger of works by the manager; and
- other objections and observations deemed useful for guiding further process of execution of works.

Article 17

Ledger of geodetic works includes written findings and documentation that has been submitted to the work site by the investor, planner and other persons.

Ledger is signed by the person that conducts professional supervision and by the manager.

2. INSPECTION BOOK

Article 18

Inspection book is maintained as a notebook that is binded and certified by the seal of the contractor, with single mumeration of pages (only the original).

Manager is entering in the inspection book and certifies with his signature, data related to:

- starting date of keeping of the inspection book;
- name and location of the work site;
- investitor (name and headquarters);
- geodetic organization (name and headquarters);
- state of available technical and other documentation in the moment of beginning of works;
- manager (name and surname, qualifications);
- person that is conducting lice koje vrši stručni nadzor (ime i prezime, stručna sprema) i

-other data relevant for the execution of works.

Article 19

Geodesy inspector enters in the inspection book data on determined condition and other observations related to the execution of works during each inspection supervision, in particular:

- date of inspection;
- detailed description of works and documentation that were the subject of inspection supervision;
- observation and assessments that he made during the inspection supervision for elimination of observed deficiencies;
- orders for undertaking measures that the contractor needs to undertake (ban on specific works, undertaking of urgent safety measures, etc.).

Each entry in the inspection book is certified by the geodetic inspector signature.

Manager, with his signature certifies that he is aware if the findings, suggestions and orders of the geodetic inspector that were entered in the inspection book.

Article 20

Inspection book is kept in the work site during the execution of works.
Manager is responsible for keeping and regular maintenance of the inspection book.

IV MANNER OF ACQUIRING AUTHORIZATION FOR PLANING AND EXECUTION OF GEODETIC WORKS

1. PROGRAMME FOR PASSING PROFESSIONAL EXAM FOR ACQUIRING AUTHORIZATION FOR PRODUCING TECHNICAL DOCUMENTATION

Article 21

Authorization for planning and execution of geodetic works is acquired by passing professional exam in accordance with the Programme for Professional Exam (hereinafter: Programme) included in the Annex 1, which has been printed with this Rulebook and makes its integral part.

2. COMMISSION FOR PASSING OF PROFESSIONAL EXAM

Article 22

Professional exam is taken before the Commission for Professional Exam (hereinafter: Commission), established by the administration authority responsible for state survey and real estate cadastre activities (hereinafter: administration authority).

Commission is composed of a president and four members (all being respectable geodetic experts) that are appointed for the period of four years, with the possibility of reappointment.

President and Commission members are examiners for specific field of geodetic works.

Commission also has a secretary that performs administrative and expert activities for the Commission.

President, members and a secretary are all entitled to the compensation for their work, the amount of which is determined by the special decision of the administration authority.

3. COSTS OF PASSING OF PROFESSIONAL EXAM

Article 23

Cost of passing of professional exam, as well as the costs of passing of the resit exam are beard by the applicant.

4. APPLICATION AND MANNER OF PASSING OF PROFESSIONAL EXAM

Article 24

Written application for passing of professional exam is submitted by the applicant to the administration authority.

Application from the paragraph 1 of this Article includes:

- name, fathers name and surname of the candidate;
- date and birth place of the candidate;
- type of qualifications;
- work experience.

Candidate is also stating in the application the field of geodetic works for which he has applied to pass the professional exam.

In addition to the application from the paragraph 1 of this Article, candidate is submitting: birth certificate, certified copy of his diploma, certified copy of the employment booklet (proof of work experience) and his Curriculum Vitae – CV.

Professional biography (CV) can include: main qualifications, main work experience, publications and copyright works (title, subject, year of publishing, ISBN number, publisher, etc.).

Candidate that has submitted required documentation is informed by the Commission on the date and place of taking of professional exam.

Article 25

Candidate on the professional exam is marked as "passed" or "not passed" the professional exam.

Candidate that has not passed the professional exam has the right on the resit exam in the period of no less than 30 days from the day of taking the professional exam. Commission informs the candidate on the date on which the resit exam will take place.

Article 26

During the professional exam. Secretary of the Commission is taking minutes of the professional exam.

Minutes from the paragraph 1 of this Article contains: name and surname of the candidate, qualifications, final result of the candidate, Commission members, date and place of the professional examination.

Minutes are signed by the president and Commission members.

Article 27

Forms for authorization for planning and execution of geodetic works are given in the attachments 2 and 3 that are printed together with this Rulebook and make its integral part.

V OPERATING LICENSE FOR GEODETIC ORGANIZATION

Article 28

Operating license is issued upon the application of geodetic organization that is fulfilling the prescribed conditions.

In addition to the application from the paragraph 1 of this Article, geodetic organization is submitting the following evidence:

- that it has been registered in the Central register of the Commercial Court for producing technical documentation, i.e. execution of geodetic works;
- that it meets the prescribed requirements related to qualifications of its employees;
- of passed professional examination (authorization)
- that disposes of work premises i.e. required instruments, tools and equipment;

Form for the operating license is given in the Attachment 4 that is printed together with this Rulebook and makes its integral part.

1. KEEPING RECORDS ON OPERATING LICENSES

Article 29

Administration authority is keeping records on issued and revoked licenses that includes: ordinal number, name of geodetic organization, type of license, date of issuing, signature of geodetic organization for the delivery of the operating license, date of license revocation and space for writing the notes.

VI IDENTITY CARD FOR CARRYING OUT GEODETIC WORKS

Article 30

Identity card for carrying out geodetic works (hereinafter: Identity Card) is produced in a plastic foil, as rectangular shape, dimension are 100 x 70 mm, with text on both sides.

For of the Identity Card is given in the Annex 5 that is printed together with this Rulebook and makes its integral part.

VII TRANSITIONAL AND FINAL PROVISION

Article 31

On the day of entry into force of this Rulebook, The Rulebook on technical Documentation and Execution of Geodetic Works ("Official Gazette of RoM", no. 61/01 and 17/02) shall cease to have effect.

This Rulebook shall enter into force on the eight day from its publication in the " Official Gazette of Montenegro".

Number:
Podgorica, - _____ 2009

**Minister
Igor Lukšić**

ANNEXES:

ANEX 1

PROGRAMME FOR PASSING PROFESSIONAL EXAM FOR ACQUIRING AUTHORISATION FOR PLANNING AND EXECUTION OF GEODETIC WORKS

1. Professional exam for acquiring authorization for planning and execution of geodetic works, includes a written part that consists of producing of expert paper and the oral part.

Expert paper for acquiring authorization for planning is a main project for execution of geodetic works in the field for which the authorization is acquired. Candidate is developing the main project based on the terms of reference.

Terms of reference for the development of the main project is prepared by the Commission.

2. Expert paper is prepared in one of the following fields:

- 1) basic geodetic works, state survey and cadastre of real estate and utility lines;
- 2) economic redistribution of agricultural land;
- 3) main state map, topographic and indicative topographic maps.

1. Oral part of the exam consists of the following:

- 1) Defense of expert paper;
- 2) testing the knowledge of laws, technical regulations, norms and standards and other regulations in the field in which the candidate is passing professional exam, namely:
 - state survey and real estate cadastre,
 - property law relations,
 - spatial and urban planning and construction of buildings,
 - protection of the environment and cultural and historical heritage,
 - development, protection and use of agricultural land,
 - development, protection and use of water and forests,
 - public roads,
 - state borderline,
 - expropriation,
 - measurement units and meteorologic standards,
 - territorial division of the state and territorial units,
 - local self-government,
 - inspection supervision,
 - public procurement.

ANNEX 2 (Authorization)



**MONTENEGRO
REAL ESTATE ADMINISTRATION DIRECTORATE**

O V L A Š Ć E N J E

This is to certify that _____
(surname, fathers name, name),

_____, *born on* _____, *date* _____.
(qualifications) (date and place of birth)

year, has passed professional exam and acquired authorization for

EXECUTING GEODETIC WORKS

in the field: _____
(field of geodetic works)



Number: _____

AUTHORIZED PERSON

Podgorica, _____

Annex 3



C R N A G O R A
U P R A V A Z A N E K R E T N I N E

O V L A Š Ć E N J E

This is to certify that _____
(surname, fathers name, name),

_____, *born on* _____, *date* _____.
(qualifications) (date and place of birth)

year, has passed professional exam and acquired authorization for

PLANNING GEODETIC WORKS

in the field: _____
(field of geodetic works)



Number: _____
Podgorica, _____

AUTHORIZED PERSON

Annex 4



C R N A G O R A
U P R A V A Z A N E K R E T N I N E

L I C E N C A

This is to certify that geodetic organization _____ (name)

_____, day _____, year, has fulfilled the
requirements for
(address)

(type of license)

(field of geodetic works)





Number: _____

AUTHORIZED PERSON

Podgorica, _____

ANNEX 5

Identity Card for execution of geodetic works - front

 CRNA GORA UPRAVA ZA NEKRETNINE	(Photo 25 x 30 mm)
Identity Card for execution of geodetic works	
_____ Name, surname, title	
_____ ID number	
Employed in _____ Name and headquarters of geodetic organization	
	
Identity Card Number: _____	M.P. _____

Identity Card for execution of geodetic works - back

<p>This Identity card proves authorisation for execution of geodetic works, namely:</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>NOTE: To be presented upon request of authorised person. To be returned to geodetic organization upon termination of employment or expiration _____</p> <p>_____ Name of administration authority</p>
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