

The consolidated text of the Regulation on the conditions for granting the status of authorized economic operator in the customs territory of Montenegro includes the following regulations:

1. Regulation on the conditions for granting the status of authorized economic operator in the customs territory of Montenegro ("Official Gazette of Montenegro", No. 038/15 of 17/07/2015),
2. Regulation amending the Regulation on conditions for granting the status of authorized economic operator in the customs territory of Montenegro ("Official Gazette of Montenegro", No. 045/19 of 05/08/2019), indicating their date of entry into force.

## **REGULATION**

### **ON THE CONDITIONS FOR GRANTING THE STATUS OF AUTHORIZED ECONOMIC OPERATOR IN THE CUSTOMS TERRITORY OF MONTENEGRO**

**("Official Gazette of Montenegro", no. 038/15 of 17/07/2015, 045/19 of 05/08/2019)**

#### **Subject**

##### **Article 1**

This Regulation lays down the conditions for granting the status of authorized economic operator (hereinafter: the authorized operator) to a person established in the customs territory of Montenegro, as well as the conditions and procedure under which the status of the authorized operator may be revoked or temporarily discontinued (suspended).

#### **Facilitations**

##### **Article 2**

Authorization for authorized operator may be issued for the use of the following facilitations:

- 1) for customs simplifications, for economic operators who obtain facilitations related to the simplifications provided for in customs regulations, and who fulfil the conditions of Art. 6, 7, 8 and 8a of this Regulation;
- 2) in the case of security controls, for economic operators that obtain facilitations relief from customs controls relating to security controls at the entry and exit of goods from the customs territory of Montenegro, and which meet the requirements of Art. 6, 7, 8 and 9 of this Regulation.

#### **Inspection and control of an authorized operator**

##### **Article 3**

- (1) If the holder of the approval of the status of authorised operator for facilitations referred to in Article 2 paragraph 1 item 1 of this Regulation submits a request for one or more approvals referred to in Articles 131 through 169 and Articles 475 through 520 of the Regulation on the Implementing provisions to the Customs Law, (Official Gazette of the Republic of Montenegro, No. 15/03 and 81/06 and Official Gazette of Montenegro, No. 38/08, 11/16 and 40/17) (hereinafter: the Implementing Provisions to the Customs Law), the administrative authority responsible for customs affairs (hereinafter referred to as: "the customs authority") shall not check the compliance with conditions that are checked when issuing authorization of the status of authorised operator, in accordance with this Regulation.
- (2) The holder of the authorization of the status of authorised operator shall be subject to a smaller number of customs controls, including physical checks and inspection of documents in relation to other business entities, if the customs authority does not decide otherwise for reasons of safety of the customs territory or performance of prescribed control.
- (3) If the customs authority following the risk analysis decides to conduct a further inspection and control of consignments covered by a customs declaration lodged by an authorised operator, this control shall be carried out as a priority.

- (4) Control referred to in paragraph 3 of this Article may be carried out outside the seat of the customs authority, at the request of an authorised operator, with the consent of the customs authority.
- (5) In order to achieve benefits referred to in paragraphs 1 through 4 of this Article, the economic operator shall submit to the customs authority the reference number of the authorization of the status of authorised operator.
- (6) If the authorised operator who has authorization for using facilitations referred to in Article 2 paragraph 1 item 2 of this Regulation, has lodged entry summary declaration or, in the events referred to in Article 45c of the Customs Law, has lodged customs declaration or temporary storage declaration or if it submitted notification and gave access to data relating to entry summary declaration in its computer system referred to in Article 45a of the Customs Law and if the consignment is chosen for a physical control, the customs entry office shall notify the authorised operator on this before the goods are brought at the customs territory.
- (7) If the carrier has approval for using facilitations referred to in Article 2 paragraph 1 item 2 of this Regulation and is connected to the customs information system, the notification referred to in paragraph 6 of this Article shall be sent to the carrier as well.
- (8) If the authorised operator lodges temporary storage declaration or custom declaration pursuant to Article 111č paragraph 2 and 3 of the Implementing provisions to the Custom Law, the competent customs authority shall inform it that such consignment is chosen for physical control, before it is submitted to the customs authority.
- (9) The notification referred to in paragraphs 6, 7 and 8 of this Article shall not be sent if the provision of such notification would jeopardize the control that needs to be performed or the results of such control.
- (10) The provisions of paragraphs 6, 7 and 8 of this Article shall not apply to customs checks and controls that were decided on the basis of the temporary storage declaration or the custom declaration following the submission of the goods.
- (11) An economic operator holding the authorization referred to in Article 2 (1) (2) of this Regulation should only provide information from declarations prior to shipping in the form of a customs declaration or a re-export declaration, if it submits those declarations on its own behalf.
- (12) An economic operator holding an authorization referred to in Article 2 (1) (2) of this Regulation shall only submit information from declarations prior to shipping in the form of a customs or re-export declaration, if it submits those declarations for the account of another person authorized under Article 2 paragraph 1 item 2 of this Regulation.
- (13) The provisions of par. 1 to 4 of this Article shall not apply to customs control where there is a certain level of risk that customs procedures will not be carried out in accordance with the Customs Law.

## **Application for granting the status of authorised operator**

### **Article 4**

- (1) Application for granting the status of authorised operator (hereinafter: "Application") shall be in written or electronic form, on a template given in Annex 1, which makes an integral part hereof.
- (2) Accompanying the Application referred to in paragraph 1 of this Article, the applicant shall also submit a self-evaluation questionnaire, on the form that customs authority submits to it beforehand.
- (3) If the applicant of the application for granting the status of authorised operator fulfils conditions referred to in Article 2 hereof, the custom authority may issue a combined authorization.
- (4) The authorised operator shall notify the customs authority that issued the authorization on all circumstances occurring after the authorization issuance that could affect validity or the content of the authorization.

## **Refusal of the application**

### **Article 5**

- (1) The customs authority shall refuse the application if:
  - 1) has not been filed in accordance with this Regulation;
  - 2) the applicant has been convicted of a criminal offense related to the conduct of an economic activity or bankruptcy proceedings are being instituted against the applicant;
  - 3) the applicant's representative has been punished for criminal offenses related to violation of customs and tax regulations and the performance of duties as a representative;

- 4) the application was submitted before the expiry of a period of three years from the date of cancellation of the authorization of the status of authorized operator, in accordance with Article 17, paragraph 4 of this Regulation.
- (2) Refusal of the application for the status of authorized operator shall affect the authorizations granted to the applicant in accordance with customs regulations only if those authorizations are based on the conditions for fulfilling the criteria for the status of the authorized operator, which were found not to be fulfilled, when examining the application for the status of the authorized operator.

### **Compliance with customs and tax regulations in the previous period**

#### **Article 6**

- (1) Economic operator meets the criteria of compliance with customs regulations in the previous period, if in the last three years preceding the request, the applicant, persons who manage the economic operator or persons exercising control over its management, and/or person responsible in the economic operator for customs issues did not seriously or multiple times violated customs and tax regulations.
- (2) It is considered that the business operator adhered to regulations referred to in paragraph 1 of this Article if the competent customs authorities, considering the number or extent of customs procedures of the applicant, concludes that the violations of customs regulations are negligible in relation to the number or extent of actions related to customs procedure and if "good faith" of the applicant were not brought into question.
- (3) If three years have not passed from the establishment of the economic operator of the applicant, the customs authority shall assess the fulfilment of the criteria referred to in paragraph 1 of this Article on the basis of records and data at its disposal, from the date of establishment of the economic operator.
- (4) If persons managing the economic operator or persons performing control over management of that operator have registered office or permanent residence in a foreign country, the customs authority shall evaluate the fulfilment of criteria referred to in paragraph 1 of this Article on the basis of records and data available to it.

### **Business and transport records**

#### **Article 7**

- (1) Business operator meets the criteria of a satisfactory manner of conducting business, and transport records allowing customs controls, if:
- 1) it uses accounting system in compliance with generally accepted accounting standards, enabling the customs inspection based on audit, and keeps the records enabling control from the moment of recording data;
  - 2) records kept for customs purposes are included in its accounting system or allow mutual comparison of data;
  - 3) it allows the customs authority physical or electronic access to the accounting system and, if necessary, business and transport records;
  - 4) it has a logistics system that distinguishes domestic from foreign goods, and as needed, marks its location;
  - 5) it has the administration corresponding to the type and scope of business and which is suitable for the goods trade management and if there is an internal control, which enables prevention, detection and correction of mistakes and prevention and detection of transaction that are contrary to the law and regulations;
  - 6) as necessary, it has a proper procedure for managing permits and authorisations in relation to commercial policy measures or in connection with trade in agricultural products;
  - 7) it has appropriate procedures for archiving records and data, as well as for protection against data loss;
  - 8) it ensures that employees receive instructions to notify the customs authorities in the event of difficulties in meeting the requirements, and has established procedures for notifying the customs authority on such difficulties;
  - 9) has appropriate security measures of information technology established to protect information systems from unauthorised access and use, and ensures protection of its documentation;
  - 10) if necessary, it has procedures established for managing import and export licences with regard to goods whose trade is subject to prohibitions and restrictions, including also measures for distinguishing goods subject to prohibitions or restrictions from other goods and measures that are taken for ensuring compliance with prohibitions and restrictions.
- (2) The applicant for facilitations referred to in Article 2, paragraph 1, item 2 of this Regulation, does not need to meet the requirements referred to in paragraph 1, item 4 of this Article.

## Financial solvency

### Article 8

- (1) The status of authorised operator may be granted to an economic operator satisfying financial solvency criteria as follows if:
- 1) bankruptcy procedure has not been initiated for the applicant;
  - 2) during the last three years prior to submitting the request, the applicant has fulfilled its financial obligations of paying collectable customs duty and other levies, taxes and fees, or are payable with regard to import and export of goods;
  - 3) for the last three years prior to submitting the request, based on the records and available data the applicant has financial means necessary for fulfilling obligations in accordance with law, and business activities and if it is solvent.
- (2) Financial solvency of the applicant doing business less than three years prior to submitting request, shall be checked on the bases of available records and data.

## Competence and Professional Qualifications

### Article 8a

- (1) The status of authorised operator may be granted to an economic operator meeting competence criteria, i.e. professional qualifications that are directly related to the tasks of using benefits referred to in Article 2 paragraph 1 item 1 of this Regulation, if the applicant or a person authorised for customs affairs of the applicant has:
- 1) proof of professional experience in performing customs tasks of at least three years; or
  - 2) certificate of competence in the field of familiarity with customs regulations proportionate to the tasks the approval is requested for, issued by the competent authority, or the competent educational institution.
- (2) If the person authorised for custom affairs of the applicant is a contracting partner, criteria referred to in paragraph 1 herein is meet if the contracting partner is an operator authorised for using benefits referred to in Article 2 paragraph 1 item 1 of this Regulation.

## Security and safety measures

### Article 9

- (1) The applicant shall meet security and safety measures if:
- 1) facilities used for the activity to which the status of authorised operator referred to in Article 2 paragraph 1 item 1 of this Regulation relates, are constructed of a material that prevents unauthorised entry and provide protection against unauthorised entry;
  - 2) it has appropriate control measures established to prevent unauthorised entry to offices, the area from which delivery takes place, and/or the docks where loading takes place, cargo holds and other relevant places;
  - 3) has established measures for the handling of goods including protection measures against unauthorised bringing or replacing goods and incompetent handling of goods or change of load units;
  - 4) it has applied the measures that enable a clear identification of his business partners, and ensured, through implementation of appropriate contractual provisions or other appropriate measures in accordance with the applicant's business model, that its business partners guarantee the security of their part of international supply chain;
  - 5) it performs security checks of potentially employed persons that will work at security sensitive job positions, and performs checks on employees working at this job positions, periodically or when the circumstances require it;
  - 6) it established security measures for all external service providers;
  - 7) enables its employees in charge of security and protection affairs to periodically participate in programs related to raising awareness of that;
  - 8) jit appointed contact person for security and protection affairs.
- (2) Satisfying security and protection measures shall be proved by submitting approvals:

- for security and protection issued on the bases of an international covenant, the International Standardisation Organisation standards or on the bases of an European standardisation body standards, if the criteria based on which the approval is issued are at least equivalent to the criteria referred to in Article 6c paragraph 1 item 5 of the Customs Law;
- the status issued pursuant to regulations governing air traffic and air traffic safety, if the approval is issued based on criteria at least equivalent to criteria referred to in Article 6c paragraph 1 item 5 of the Customs Law.

## **Granting the status of authorized operator**

### **Article 10**

- (1) The customs authority in the process of granting the status of authorized operator checks whether the criteria and conditions under Art. 6-9 of this Regulation are met and, develops a report thereof.
- (2) When granting authorizations, the customs authority shall, in order to examine the criteria set out in Article 6 of the Customs Law, use the findings of previous controls if those findings are relevant for the examination of those criteria.
- (3) Compliance with the criteria referred to in Articles 7 and 9 of this Regulation shall be checked for all facilities associated with customs activities of the applicant.
- (4) If the customs authority is not able to perform inspection of all the facilities within the deadline for granting the status of authorized operator, it can inspect only part of those premises, if there is no doubt regarding compliance with the safety standards of the applicant.
- (5) During the check of compliance with the criteria referred to in Articles 6 through 9 of this Regulation, the customs authority shall take into account the characteristics of the economic operators, especially for small and medium legal entity.
- (6) The customs authority may accept the conclusions of an expert of appropriate profession submitted by the applicant, in respect of the compliance with the requirements and criteria referred to in Art. 7, 8 and 9 hereof.
- (7) The expert referred to in paragraph 6 of this Article and the applicant may not be associated persons.
- (8) Granting the status of authorized operator shall be issued on a template given in Annex 2 which makes an integral part hereof.

## **Time period for issuance of authorization for status of authorized operator**

### **Article 11**

- (1) The customs authority shall check the compliance with requirements for acceptance of the application within the period not longer than 30 days from the date of receiving that application.
- (2) If the customs authority should establish that the application does not have all the necessary information for acceptance of the application, the applicant would be required to submit required information within the period not longer than 30 days.
- (3) Decision on the application shall be made within a period of 120 days from the day of acceptance of the application.
- (4) The period referred to in paragraph 3 of this Article shall commence on the date of receiving all the data necessary for acceptance of the application, on which the customs authority shall inform the applicant.
- (5) If the customs authority is unable to grant the status of authorised operator within a period of time referred to in paragraph 3 of this Article, this period may be extended by 60 days, and it shall inform the applicant on the reasons for the extension of the period.
- (6) Deadline referred to in paragraph 3 of this Article may also be extended if the applicant, in the course of checking the compliance with the requirements and criteria referred to in Articles 6 through 9 of this Regulation performs harmonisation of business in order to meet these requirements and criteria and informs the customs authority thereof.
- (7) If the custom authority should establish shortcomings during the checking procedure referred to in Article 10 of this Regulation, it shall inform the applicant on this and leave it the period of 30 days from the date of delivering notification to comment on shortcomings established.
- (8) The custom authorities shall inform the applicant on refusing the application with reasons for refusing, within deadlines referred to in paragraphs 1 through 7 of this Article.

## Validity of status of authorized operator

### Article 12

- (1) The status of authorised operator shall be granted for an indefinite period.
- (2) The customs authority shall control the compliance with the requirements and criteria based on which the status of the authorised operator was granted.
- (3) The customs authority shall re-examine compliance with the requirements and criteria based on which the status of authorised operator was granted, as follows:
  - in the event of amended regulations that may affect the decision;
  - when there is reasonable suspicion that the authorised operator no longer meets the requirements and criteria, based on which the authorization was granted;
  - upon request of the authorised operator.
- (4) If the status of authorised operator was approved to an authorized operator established in a period shorter than three years, during the first year after granting the authorization the customs authority shall carry out intensive supervision over the authorised operator.

## Temporary discontinuation (suspension)

### Article 13

- (1) The status of authorised operator shall be temporarily discontinued (hereinafter: suspended) if there is reasonable suspicion that the authorised operator:
  - 1) no longer meets the requirements and criteria based on which the status of authorised operator was obtained;
  - 2) performed an action due to which a procedure may be initiated for violation of customs and tax regulations, as well as of those governing business activity performed by the authorised operator.
- (2) If the authorized operator has carried out the action referred to in paragraph 1 item 2 of this Article, the customs authority shall suspend the authorization of the status of the authorized operator as long as the appropriate procedure is ongoing if it is initiated and shall inform the holder of the authorization accordingly.
- (3) Notwithstanding paragraph 1 item 2 and paragraph 2 of this Article, the customs authority may decide not to suspend the authorization of the status of authorized operator if, having regard to the number or volume of customs procedures of the authorized operator, it finds that the violation of customs regulations is negligible and does not cast doubt in "good faith" of the authorized operator.
- (4) Prior to the decision on suspension, the customs authority shall notify the authorized operator of its findings and set a deadline of 30 days from the date of notification for the economic operator to remedy the identified deficiencies and / or to provide its opinion on such findings.
- (5) The status of authorized operator shall be suspended without delay, if necessary for reasons of safety, security of citizens, public health and the environment.
- (6) If the authorized operator fails to remedy the deficiencies referred to in paragraph 1, item 1 of this Article, within the time limit referred to in paragraph 4 of this Article, the customs authority shall suspend the status of the authorized operator and shall inform the authorized operator thereof and shall set an additional period of 30 days to remedy those deficiencies.
- (7) The time limit referred to in paragraph 6 of this Article may be extended by 30 days if the applicant provides evidence that it will remedy the identified deficiencies within that period.

## Effect of suspension

### Article 14

- (1) The suspension shall not affect customs procedures initiated before the suspension and not yet completed.
- (2) The suspension shall not affect other authorizations issued to the authorized operator, unless the reasons for the suspension also affect those authorizations.
- (3) If the authorization referred to in Article 4 paragraph 4 of this Regulation is suspended due to non-compliance with the criteria referred to in Article 8a of this Regulation, the status of authorised operator referred to in Article 2 paragraph 1 item 1 of this Regulation shall be suspended, and the status referred to in Article 2 paragraph 1 item 2 of this Regulation remain to be valid.

- (4) If the approval referred to in Article 4 paragraph 4 of this Regulation is suspended due to non-compliance with the criteria referred to in Article 9 of this Regulation, the status of authorised operator referred to in Article 2 paragraph 1 item 2 of this Regulation shall be suspended, and the status referred to in Article 2 paragraph 1 item 1 of this Regulation remain to be valid.

## **Cancellation of suspension**

### **Article 15**

- (1) Suspension of the status of authorized operator shall be cancelled, if the economic operator takes necessary measures to meet the conditions and criteria based on which the status of authorized operator was granted.
- (2) In the case referred to in paragraph 1 of this Article, suspended authorization referred to in Article 14 paragraph 4 of this Regulation shall be renewed.
- (3) If an economic operator fails to take the necessary measures within a period referred to in Article 13 paragraphs 6 and 7 of this Regulation, the status of authorized operator shall be revoked.
- (4) In the case referred to in paragraph 3 of this Article, the approval referred to in Article 14 paragraph 4 of this Regulation that was suspended shall be cancelled.

## **Suspension at the request of an authorized operator**

### **Article 16**

- (1) An authorized operator that is temporarily unable to meet the criteria and conditions laid down in this Regulation may request the customs authority to suspend the authorization of the status of the authorized operator and specify a period (date) when it will again be able to fulfil those criteria and conditions, as well as planned actions and time limits for their implementation.
- (2) If the authorized operator fails to remedy the deficiencies within the time limit specified in the request referred to in paragraph 1 of this Article, the status of the authorized operator shall be revoked.
- (3) Notwithstanding paragraph 2 of this Article, the customs authority may authorize the extension of the time limit for elimination of deficiencies, provided that the authorized operator acted in a "good faith" manner.

## **Revoking the status of authorized operator**

### **Article 17**

- (1) Authorization of the status of authorized operator shall be revoked:
  - 1) if the authorized operator no longer fulfils one or more of the conditions and criteria on the basis of which the status of the authorized operator has been granted;
  - 2) if the authorized operator has committed a serious violation of customs and tax regulations and no longer has the right to appeal;
  - 3) if the authorized operator fails to take the necessary measures during the suspension period;
  - 4) at the request of the authorized operator.
- (2) Notwithstanding paragraph 1 item 2 of this Article, the customs authority may decide not to revoke authorization of the status of authorized operator if, having regard to the number or volume of customs procedures of the authorized operator, it finds that the violation of customs regulations is of negligible importance and does not question the "good faith" of the authorized operator.
- (3) Revocation of authorization of the status of authorized operator shall apply from the day following the day of receipt of the decision on revocation of the status of authorized operator.
- (4) An economic operator may not be issued a new authorization for the status of an authorized operator within three years from the date of revocation of the authorization of the status of the authorized operator, except in cases of revocation referred to in paragraph 1 item 4 of this Article.
- (5) The revocation of the status of authorized operator shall have an effect on authorizations granted to that operator if the status was a condition for that decision or is based on the criterion referred to in Article 6c of the Customs Law, which is no longer fulfilled.

- (6) Revocation or amendment of authorizations granted in accordance with customs regulations shall have effect on authorizations of the status of authorized operator if it is found that it no longer fulfils one of the criteria referred to in Article 6c of the Customs Law.
- (7) If the same person is the holder of the authorization referred to in Article 2, paragraph 1, items 1 and 2 of this Regulation, and if it does not fulfil the conditions laid down in Article 6c, paragraph 1, item 4 of the Customs Law, the authorization of the status referred to in Article 2, paragraph 1, item 1 of this Regulation shall be revoked, and the authorization of the status referred to in Article 2, paragraph 1, item 2 shall remain in force.
- (8) If the same person is the holder of the authorization referred to in Article 2, paragraph 1, items 1 and 2 of this Regulation, and if it does not fulfil the conditions laid down in Article 6c, paragraph 1, item 5 of the Customs Law, the authorization of the status referred to in Article 2, paragraph 1, item 2 of this Regulation shall be revoked, and the authorization of the status referred to in Article 2, paragraph 1, item 1 shall remain in force

## **Notification**

### **Article 18**

The customs authority shall notify the special organizational unit responsible for risk analysis of the issue, modification, suspension or revocation of authorization of the status of authorized operator.

## **Application**

### **Article 19**

This Regulation shall apply until the date of accession of Montenegro to the European Union.

## **Entering into force**

### **Article 20**

This Regulation shall enter into force on the eighth day after its publication in the »Official Gazette of Montenegro«.

## ZAHTEJEV ZA IZDAVANJE ODOBRENJA ZA OPS

Napomena: Prilikom popunjavanja obrasca potrebno je uzeti u obzir pojašnjenja

1. Podnosilac zahtjeva	Popunjava carinski organ
2. Oblik obavljanja privredne djelatnosti	3. Datum registracije
4. Adresa sjedišta	
5. Adresa za poštu	
6. Kontakt osoba (ime i prezime, kontakt telefon, faks, elektronska adresa) nadležna za zahtjev	
7. PIB	
8. Zastijevana vrsta odobrenja <input type="checkbox"/> Odobrenje za OPSP - carinska pojednostavljenja <input type="checkbox"/> Odobrenje za OPSS - sigurnost i zaštita <input type="checkbox"/> Odobrenje za OPSP/OPSS	
9. Privredna djelatnost	
10. Podaci o graničnim prelazima	
11. Već dobijena pojednostavljenja ili olakšice, potvrde za sigurnost i zaštitu izdane na osnovu međunarodnih konvencija, međunarodnog standarda Međunarodne organizacije za standardizaciju ili na osnovu evropskih standarda evropskih tijela za standardizaciju, ili potvrde istovjetne statusu OPS-a izdane u drugim zemljama.	
12. Mjesto na kom se čuva ili je dostupna glavna računovodstvena evidencija u carinske svrhe	
13. Kontakt osoba nadležna za carinska pitanja	
14. Osoba koja je nadležna za podnosioca zahtjeva ili obavlja nadzor nad njegovim upravljanjem	
15. Uloga podnosioca zahtjeva u međunarodnom lancu snabdijevanja	

<p>16. Pristanak na razmjenu informacija iz odobrenja statusa OPS radi osiguravanja pravilnog funkcionisanja sistema uspostavljenih međunarodnim sporazumima / dogovorima sa drugim zemljama o uzajamnom priznavanju statusa OPS i mjerama u pogledu sigurnosti.</p> <p>Ime i prezime:</p> <p>Adresa i kućni broj:</p> <p>Poštanski broj i grad:</p> <p>Država:</p> <p>E-mail:</p> <p>Pristanak za objavu:</p> <p><input type="checkbox"/> Da</p> <p><input type="checkbox"/> Ne</p>	
<p>17. Mjesto na kome se čuva i dostupna je carinska dokumentacija</p>	
<p>18. Pristanak na objavljivanje podataka na popisu imaoca odobrenja</p> <p><input type="checkbox"/> Da</p> <p><input type="checkbox"/> Ne</p>	
<p>19. Priložene isprave</p>	
<p>20. Mjesto i datum:</p> <p>.....</p>	<p>21. Naziv, potpis i pečat podnosioca zahtjeva:</p> <p>.....</p>

Objašnjenje:

**1. Podnosilac zahtjeva:**

Upisati puno ime privrednog društva podnosioca zahtjeva.

**2. Oblik obavljanja privredne djelatnosti:**

Upisati oblik privredne djelatnosti za koju je privredno društvo registrovano.

**3. Datum registracije:**

Upisati brojevima - dan, mjesec i godinu registracije.

**4. Adresa sjedišta:**

Upisati adresu sjedišta privrednog društva.

**5. Adresa za poštu:**

Upisuje se samo ako se razlikuje od podataka iz polja 4.

**6. Kontakt osoba:**

Upisati ime i prezime, broj telefona, faksa i elektronsku adresu lica imenovanog od strane privrednog subjekta za kontakt sa carinskim organom u pogledu zahtjeva. U slučaju da je ova kontakt osoba ista kao iz polja 13 unijeti i podatak o JMBG i datum rođenja.

**7. PIB:**

Upisati poreski identifikacioni broj.

**8. Zahtijevana vrsta odobrenja:**

Upisati znak "X" u odgovarajuće polje.

**9. Privredna djelatnost:**

Unosi se podatak o privrednoj djelatnosti podnosioca zahtjeva upisom šifre iz Klasifikacije djelatnosti. U nastavku opisati svoju djelatnost.

**10. Podaci o graničnim prelazima:**

Upisati granične carinske ispostave preko kojih se obično vrši prenos robe (upisati referentne šifre carinskih ispostava koje se redovno koriste za prelazak granice). Ako je podnositelj zahtjeva carinski zastupnik unose se referentne šifre carinskih ispostava koji carinski zastupnik redovno koristi za prelazak granice.

**11. Već dobijena pojednostavljenja ili olakšice, potvrde za sigurnost i zaštitu izdate na osnovu međunarodnih konvencija, međunarodnih standarda Međunarodne organizacije za standardizaciju ili na osnovu evropskih standarda evropskih tijela za standardizaciju, ili potvrde istovjetne statusu OPS-a izdate u drugim zemljama.**

Ako su pojednostavljena već odobrena, navodi se vrsta pojednostavljenja, odgovarajući carinski postupak i broj odobrenja. Ako su olakšice već odobrene, navodi se vrsta olakšice i broj potvrde. Ako je podnositelj zahtjeva imao odobrenja istovjetnog statusu OPS-a izdatog u drugoj zemlji, navodi se broj odobrenja i zemlja koja ga je izdala.

**12. Mjesto na kom se čuva ili je dostupna glavna računovodstvena evidencija u carinske svrhe**

Mjesto na kojem se čuva ili je dostupna glavna računovodstvena evidencija u carinske svrhe i adresa

**13. Kontakt osoba (ime i prezime, kontakt telefon, faks, elektronska adresa, datum rođenja i JMBG) nadležna za carinska pitanja**

Ovaj podatak se unosi ako se razlikuje od osobe nadležne u pogledu zahtjeva.

**14. Osoba koja je nadležna za podnosioca zahtjeva ili obavlja nadzor nad njegovim upravljanjem**

Unose se imena i prezimena i puni podaci predmetnih osoba u skladu sa oblikom obavljanja privredne djelatnosti podnosioca zahtjeva posebno: direktor, predsjednik i članovi upravnog odbora, ako ih ima, odnosno sva odgovorna lica u društvu. Puni podaci uključuju: puno ime i prezime, adresu, datum rođenja i JMBG.

**15. Uloga podnosioca zahtjeva u međunarodnom lancu snabdijevanja**

Unosom jedne ili više šifara koje slijede, navedite ulogu podnosioca zahtjeva u lancu snabdijevanja:

MF-proizvođač robe; IM-uvoznik; EX-izvoznik; CB-carinski posrednik/zastupnik; CA-prevoznik; FW-otpremnik; CS-konsolidator; TR-operator terminala; WH-držalac skladišta; CF-rukovaoc kontejnerima; DEP-slagač tereta; HR-brodarske usluge; 999-drugo

**16. Pristanak na razmjenu informacija iz odobrenja statusa OPS radi osiguravanja pravilnog funkcionisanja sistema uspostavljenih međunarodnim sporazumima / dogovorima sa drugim zemljama o uzajamnom priznavanju statusa OPS i mjerama u pogledu sigurnosti.**

Navedite (Da/Ne) pristaje li podnositelj zahtjeva na razmjenu informacija iz OPS odobrenja radi osiguranja pravilnog funkcionisanja sistema uspostavljenih međunarodnim sporazumima / dogovorima sa drugim zemljama o uzajamnom priznavanju statusa OPS i mjerama u pogledu sigurnosti

**17. Mjesta na kojima se čuva i dostupna je carinska dokumentacija**

Unosi se puna adresa predmetnih lokacija. Ako postoji druga lokacija na kojoj se pruža carinska dokumentacija, a koja je različita od one lokacije na kojoj se carinska dokumentacija čuva, navodi se i njena puna adresa.

**18. Pristanak na objavljivanje podataka na popisu imaoca odobrenja**

Navedite (Da/Ne) pristaje li podnositelj zahtjeva na objavu sledećih podataka iz odobrenja za koje podnosi zahtjev na javnom dostupnom popisu imaoca statusa OPS-a:

Naziv imaoca odobrenja

Vrsta odobrenja

Datum stupanja na snagu

**19. Priložene isprave**

Upisati priložene isprave.

**Napomena: Podnositelj zahtjeva treba da dostavi sledeće informacije:**

1) Pregled većinskih (glavnih) vlasnika/akcionara, uz navođenje njihovih imena i prezimena i adresa i dijela učešća u kapitalu. Pregled članova upravnog odbora. Da li su vlasnici poznati carinskim organima od ranije zbog nepoštovanja carinskih propisa?

2) Podaci o licu koje je odgovorno za carinska pitanja u privrednom subjektu.

3) Opis ekonomske djelatnosti podnosioca zahtjeva.

4) Precizirati mjesto poslovanja izdvojenih djelova podnosioca zahtjeva i kratko opisati aktivnosti svakog od njih. Precizirati da li podnositelj zahtjeva i svaki od njegovih izdvojenih djelova istupa u svoje ime i za svoj račun, ili u svoje ime, a za račun drugog lica, ili istupa u ime i za račun drugog lica.

5) Precizirati da li je roba kupljena od i/ili dostavljena privrednim subjektima koji su povezani sa podnosiocem zahtjeva.

6) Opisati unutrašnju organizaciju podnosioca zahtjeva. Priložiti, ako postoji, dokumentaciju o zadacima/nadležnostima za svaki sektor i/ili funkciju.

7) Upisati podatke o ukupnom broju zaposlenih i za svaki sektor (službu) posebno.

8) Upisati imena i prezimena glavnih rukovodilaca (generalni direktor, direktori svih sektora, šefovi svih službi, šef službe za poslove carinjenja, itd.). Priložiti opis usvojenih postupaka u situacijama kada je nadležni zaposleni odsutan, privremeno ili stalno.

9) Upisati ime i prezime i položaj lica koja imaju posebno stručno znanje u oblasti carina. Ocjena (procjena) nivoa znanja ovih lica u pogledu korišćenja informacionih tehnologija u carinskim i trgovinskim postupcima i opštim poslovnim pitanjima.

**20. Mjesto i datum:**

Upisati mjesto i datum podnošenja zahtjeva.

**21. Naziv, potpis i pečat podnosioca zahtjeva:**

Upisati naziv podnosioca zahtjeva, potpisati ga od strane ovlašćenog lica i ovjeriti ga pečatom.

Objašnjenje:

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**ODOBRENJE ZA OVLAŠĆENOG PRIVREDNOG SUBJEKTA**

..... Broj odobrenja	
1. Imalac odobrenja za OPS	2. Carinski organ

Imalac odobrenja za OPS iz polja 1 je

ovlašćeni privredni subjekt za

- carinska pojednostavljenja
- bezbjednosne provjere
- carinska pojednostavljenja/ bezbjednosne provjere

3. Datum stupanja na snagu odobrenja:	K a t a o g p r o p i s a © 2 0 1 5
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Objašnjenje:

**Broj odobrenja**  
 Broj odobrenja uvijek počinje sa slijedećim slovnim oznakama:  
 OPSC za odobrenje OPS - carinska pojednostavljenja;  
 OPSS za odobrenje OPS - bezbjednosne provjere;  
 OPSCS za odobrenje OPS - carinska pojednostavljenja/ bezbjednosne provjere.

Nakon gore navedenih slovnih oznaka upisuje se nacionalna oznaka i broj odobrenja.

**1. Imalac odobrenja za OPS**

Upisati puni naziv imaoaca odobrenja kao što je navedeno u polju 1 obrasca zahtjeva iz Priloga 1, kao i PIB iz polja 6 obrasca zahtjeva iz Priloga 1.

**2. Carinski organ**

Upisati naziv carinskog organa koji izdaje odobrenje, potpisati ga od strane starješine organa i ovjeriti ga pečatom.

**Vrsta odobrenja**

Upisati znak "X" u odgovarajuće polje.

**3. Datum stupanja na snagu odobrenja:**

Upisati datum stupanja na snagu odobrenja u skladu sa članom 12 stav 1 ove uredbe.