

RULEBOOK ON INTERNAL ORGANISATIONAL AND JOB DESCRIPTIONS OF THE SPECIAL STATE PROSECUTOR'S OFFICE¹

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Date of last check: 15 April 2024

Pursuant to Article 152 paragraph 2 of the Law on Public Prosecutor's Office (Official Gazette of Montenegro 11/15, 42/15, 80/17, 10/18, 76/20 and 59/21), and Article 159a of the Law on Civil Servants and State Employees (Official Gazette of Montenegro 2/2018, 34/2019 and 8/2021), the Chief Special Prosecutor, with the agreement of the Government of Montenegro 04-4796/2 as of 28 July 2022, adopted the

RULEBOOK ON INTERNAL ORGANISATIONAL AND JOB DESCRIPTIONS OF THE SPECIAL STATE PROSECUTOR'S OFFICE PODGORICA

Article 1

Rulebook on Internal Organisation and Job Descriptions of the Special State Prosecutor's Office (hereinafter referred to as the Rulebook) shall regulate the internal organisation and job descriptions of the Special State Prosecutor's Office and determine the organisational units and their scope of work, working positions and conditions for performing certain tasks, number of employees – civil servants and state employees, as well as the description of tasks.

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¹ Tu-S I-7 broj 2/2022 od 1 augusta 2022.godine

INTERNAL ORGANISATION

Article 2

The following organisational units shall be established for the performance of affairs from the scope of work and competence of the Special State Prosecutor's Office:

- 1. Division of Criminal Prosecution,**
- 2. Division for Financial Investigations,**
- 3. Division for Analytics and Research,**
- 4. Division for International Cooperation,**
- 5. Professional Service for IT and Digital Evidence,**
- 6. Cabinet of the Chief Special Prosecutor and**
- 7. Service for Administrative, Technical and Accounting Affairs,**
- 7.1 Registry Office.**

Article 3

1. Division for Criminal Prosecution

Division for Criminal Prosecution performs affairs significant to the work of the Special State Prosecutor's Office and professional affairs under the supervision of the Chief Special Prosecutor and special prosecutors which refer to the affairs of preliminary investigation and investigation, systemic collection of information on the cases of high corruption and organised crime which can serve as a source of information in the proceedings for criminal offences referred to in Article 3 of the Law on Special State Prosecutor's Office, as well as encouraging and steering cooperation between public authorities aimed at uncovering high corruption and organised crime instances. Affairs referring to record keeping are performed within this Division.

2. Division for Financial Investigations

Division for Financial Investigations shall perform the affairs significant for the work of the Special State Prosecutor's Office and professional affairs aimed at assisting the Chief Special Prosecutor and special prosecutors in steering the work of the police, investigators, experts, etc. In uncovering criminal offences referred to in Article 3 of the Law on Special State Prosecutor's Office as well as collecting information on those offences and their analyses in order to determine the precise amount of assets, locating the assets obtained through the commission of a criminal offence and undertaking measures in order to secure the seizure of assets. Affairs referring to record keeping are performed within this Division.

3. Division for Analytics and Research

Division for Analytics and Research shall perform the affairs significant for the work of the Special State Prosecutor's Office and professional affairs under the supervision of the Chief Special Prosecutor and special prosecutors referring to the affairs of creating and maintaining technical and other conditions for the exchange and access to information from the data bases of other public authorities, statistical reporting and case management as well as record keeping affairs.

4. Division for International Cooperation

Division for International Cooperation shall perform the affairs significant for the work of the Special State Prosecutor's Office and professional affairs under the supervision of the Chief Special Prosecutor and special prosecutors referring to the cooperation with competent authorities and bodies of other states and international organisations in line with international agreements; determining members in a joint investigation team established on the basis of an international agreement for criminal prosecution of offences under the competence of the Special State Prosecutor's Office. Affairs referring to record keeping are performed within this Division.

5. Professional Service for IT and Digital Evidence

Professional Service for IT and Digital Evidence shall perform complex affairs referred to providing the entire IT support and care of the IT security of the Special State Prosecutor's Office, ensuring implementation of procedures providing for the validity of evidence; encrypting data as well as encrypting communication within the Special State Prosecutor's Office, care of the network security, developing and maintaining data base, care on the maintenance of the entire computer equipment in this Prosecutor's Office, obtaining and processing digital evidence, processing data collected through secret surveillance measures, ensuring technical conditions for IT protection of data obtained from databases of the IT system of other public authorities and public administration bodies, applying forensic procedures ensuring validity of evidence and processing of digital evidence, collecting data gathered through OSINT, carries out the affairs of ensuring teleconferences, development and processing of audio and video material, cooperation with employees in this Prosecutor's Office regarding the correct use of informatic procedures and resources.

6. Cabinet of the Chief Special Prosecutor

Cabinet of the Chief Special Prosecutor shall perform the coordination of affairs concerning the implementation of the function of the Chief Special

Prosecutor, organize media conferences and public appearances of the Chief Special Prosecutor, keep the records of daily tasks of the Chief Special Prosecutor, take care of the protocol obligations of the Chief Special Prosecutor, cooperate with competent national and international institutions, organize meetings of the Chief Special Prosecutor in the country and abroad and perform other affairs under the competence of the Chief Special Prosecutor's Office upon the order of the Chief Special Prosecutor. Furthermore, the Cabinet shall also perform affairs under the instructions of and upon the request of the Chief Special Prosecutor regarding press releases, managing and taking care of the news administration on the website of the Special Prosecutor's Office, organising media conferences, monitoring and informing the Chief Special Prosecutor and special prosecutors on media events of interest in a certain case or of interest for the work of the Special State Prosecutor's Office as well as monitoring the implementation of projects the beneficiary of which is the Special State Prosecutor's Office. Cabinet shall also perform translation of material significant for the work of the Special State Prosecutor's Office, from Montenegrin into English and from English into Montenegrin, as well as affairs upon the free access for information requests, in line with the Law on Free Access to Information.

7. Service for Administrative, Technical and Accounting Affairs

7.1 Registry Office

Service for Administrative, Technical and Accounting Affairs shall perform affairs that ensure the correct and timely work and operation of the Special State Prosecutor's Office, which refer to the following:

- affairs pertinent to the work organisation of the Special State Prosecutor's Office,
- keeping all employment records and cooperation with the Human Resource Management Authority regarding publishing of public and internal vacancies, training and keeping the Central Personnel Records; HR planning,
- preparation of individual acts on exercising employment rights of employees in the Special State Prosecutor's Office,
- preparation of acts for the calculation of salaries, fees and other income of employees,
- monitoring and collecting information for the development of action plans and reports,
- general office, typing, technical and other auxiliary affairs,
- receiving and sorting mail,
- administrative processing and keeping of all registries, directories and records,
- administrative and technical processing of case files from reception to mailing stage,
- providing information to interested parties from official records,
- work of the archive,
- financial and material affairs,
- property records of the Special State Prosecutor's Office,

- drafting statistical work reports,
- drafting periodical and annual work reports,
- receipt of complaints, charges and other applications,
- records via IBM Case Manager system and other applications,
- use of stamp as well as other affairs prescribed by the Rulebook on Internal Operation of the Public Prosecutor's Office.

Affairs pertaining to the Secretary General of the Special State Prosecutor's Office shall be performed outside the organisational units.

Article 4

The terms used in this Law for individuals in the masculine gender shall equally refer to the same terms in the feminine gender.

II JOB

DESCRIPTIONS

Article 5

For the purposes of performing affairs from the scope of work of the Special State Prosecutor's Office, in addition to the Chief Special Prosecutor and twelve special prosecutors, civil servant positions are determined for 60 persons as follows:

No	Name of the position and conditions	Number of employees	Job Description

1	<p style="text-align: center;">Secretary General</p> <ul style="list-style-type: none"> - VII1 level of qualification of education, - Faculty of Law, - Bar exam passed, - at least five years of working experience, - computer literacy. 	1	<p>Assists the Chief Public Prosecutor in the affairs of prosecutorial administration; performs affairs that require particular expertise – developing the Rulebook on internal organisation and job description; performs the compliance of regulations with the regulations in the area of labour relations; adopts general and individual acts on exercising rights from labour relations; participates in human resource planning and initiates the public vacancy procedure; ensures timely cooperation with the Human Resource Management Authority; performs inventory affairs in the Prosecutor’s Office; performs affairs of the integrity manager in line with the Integrity Plan; in line with the regulations relating to the secrecy of data performs protection of the secrecy of data and regular internal controls of the implementation of protection measures of secret data in the Special State Prosecutor’s Office; performs other affairs according to the instructions/order of the superior.</p>
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1. Division for Criminal Prosecution

2-5	Advisor <ul style="list-style-type: none"> - VII1 level of qualification of education, - Faculty of Law, - passed bar exam, - at least five years of working experience, - computer literacy. 	4	<p>Assists the Chief Special Prosecutor and special prosecutors in work related to preliminary investigation, investigation, cooperation with other authorities; drafts acts; drafts minutes of charges, applications and statements of citizens; performs other professional affairs prescribed by law and other regulations independently or under the supervision and as per instructions of the special prosecutor; upon the authority of the Chief Special Prosecutor and special prosecutor he can perform certain evidence gathering affairs; performs other affairs as per the order of the superior.</p>
6-9	Independent Advisor I - Expert Associate <ul style="list-style-type: none"> - VII1 level of qualification of education, - Faculty in the area of social sciences - economics, - at least three years of working experience, - computer literacy, - has passed professional examination for working in state authorities. 	4	<p>Assists the Chief Special Prosecutor and special prosecutors in work related to preliminary investigation and investigation in cases which require accounting, financial, banking and tax expertise; perform other affairs as per the order of the superior.</p>

10-14	<p style="text-align: center;">Independent Clerk - Typist - Operator</p> <ul style="list-style-type: none"> - IV1 level of qualification of education, - at least two years of working experience, - typewriting knowledge, - has passed professional examination for working in state authorities. 	5	<p>Performs computer text processing of decisions, documents, orders, invitations, etc. for the needs of the Chief Special Prosecutor and special prosecutors; transcribes texts from audio and video recordings, performs administrative and technical affairs; sorts cases for dispatch; writes invitations and delivery notes and delivers them for dispatch; copies cases and certification of transcripts, compares transcripts with the source, sorts case files before handing them over to the entry clerk, sorts files or documents during his work and controls their orderliness, accuracy of data, transcripts, etc; performs other affairs as per the order of the superior.</p>
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2. Division for Financial Investigations

<i>2. Division for Financial Investigations</i>			
15-17	<p style="text-align: center;">Advisor</p> <ul style="list-style-type: none"> - VII1 level of qualification of education, - Faculty of Law, - passed Bar exam, - at least five years of working experience, - computer literacy. 	3	<p>Assists the Chief Special Prosecutor and special prosecutors in work related to affairs of collecting data and their analysis for the purpose of determining accurate value of assets, finding illicit assets and undertaking measures to secure asset seizure; develops draft acts; drafts minutes of charges, applications and statements of citizens; performs other professional affairs prescribed by law and other regulations independently or under the supervision and as per instructions of the special prosecutor; according to the instructions of the Chief Special Prosecutor and special prosecutor able to perform certain evidentiary actions; perform other affairs as per the order of the superior.</p>

18-22	<p style="text-align: center;">Independent Advisor I - Expert Associate</p> <ul style="list-style-type: none"> - VII1 level of qualification of education, - Faculty in the area of social sciences - economics, - at least three years of working experience, - computer literacy, - has passed professional examination for working in state authorities. 	5	<p>Assists the Chief Special Prosecutor and special prosecutors in work in cases which require accounting, financial, banking and tax knowledge for the purpose of providing expertise aimed at identifying illicit assets as well as collecting data and their analysis to accurately determine the value of assets, performs other affairs as per the order of the superior; performs other affairs as per the order of the superior.</p>
23-26	<p style="text-align: center;">Independent Clerk - - Typist - Operator</p> <ul style="list-style-type: none"> - IV1 level of qualification of education, - at least three years of working experience, - typewriting knowledge, - has passed professional examination for working in state authorities; 	4	<p>Performs computer text processing of decisions, documents, orders, invitations, etc. for the needs of the Chief Special Prosecutor and special prosecutors; transcribes texts from audio and video recordings, performs administrative and technical affairs; sorts cases for dispatch; writes invitations and delivery notes and delivers them for dispatch; copies cases and certification of transcripts, compares transcripts with the source, sorts case files before handing them over to the entry clerk, sorts files or documents during his work and controls their orderliness, accuracy of data, transcripts, etc; performs other affairs as per the order of the superior.</p>
3. Division for Analytics and Research			

27-28	<p style="text-align: center;">Advisor</p> <ul style="list-style-type: none"> - VII-1 level of qualification of education, - Faculty of Law, - Bar exam passed, - at least five years of working experience, - computer literacy. 	2	<p>Assists the Chief Special prosecutor and special prosecutors in work related to creating and maintaining technical and other conditions for the exchange and access to data from data bases of other public authorities; statistical reporting and case flow monitoring; draft acts; drafts minutes of charges, applications and statements of citizens; independently or under the supervision and per instructions of a special prosecutor performs other professional affairs prescribed by Law and other regulations; in line with the authority of the Chief Special Prosecutor he can perform certain evidentiary actions, as well as affairs in a joint investigation team which is established based on an international agreement for the purpose of criminal prosecution of offences under the competence of the Special State Prosecutor's Office; performs other affairs as per the order of the superior.</p>
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29-33	<p style="text-align: center;">Independent Advisor I - Expert Associate</p> <ul style="list-style-type: none"> - VIII level of qualification of education, - Faculty in the area of social sciences - economics, - at least three years of working experience, - computer literacy, - has passed professional examination for working in state authorities. 	5	<p>Assists the Chief Special Prosecutor and special prosecutors in work in cases which require accounting, financial, banking and tax knowledge; analyses and investigates data obtained during work and proposes solutions for improving work in financial investigations, statistic reporting and monitoring cases; performs other affairs as per the order of the superior.</p>
	<p style="text-align: center;">Independent Clerk - Typist - Operator</p>		

34-35	<ul style="list-style-type: none"> - IV1 level of qualification of education, - at least two years of working experience - typewriting knowledge. - has passed professional examination for working in state authorities. 	2	<p>Performs computer text processing of decisions, documents, orders, invitations, etc.</p> <p>for the needs of the Chief Special Prosecutor and special prosecutors; transcribes texts from audio and video recordings, performs administrative and technical affairs; sorts cases for dispatch; writes invitations and delivery notes and delivers them for dispatch; copies cases and certification of transcripts, compares transcripts with the source, sorts case files before handing them over to the entry clerk, sorts files or documents during his work and controls their orderliness, accuracy of data, transcripts, etc; performs other affairs as per the order of the superior.</p>
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4. Division for International Cooperation			
36-37	<p style="text-align: center;">Advisor</p> <ul style="list-style-type: none"> - VIII1 level of qualification of education, - Faculty of Law, - Bar exam passed, - at least five years of working experience, - English language knowledge - B2 level, - computer literacy. 	2	<p>Assists the Chief Special prosecutor and special prosecutors in work related to cooperation with competent authorities and bodies of other states and international organisations; develops draft acts; drafts minutes of charges, applications and statements of citizens; independently or under the supervision and per instructions of a special prosecutor performs other professional affairs prescribed by Law and other regulations; in line with the authority of the Chief Special Prosecutor he can perform certain evidentiary actions, as well as affairs in a joint investigation team which is established based on an international agreement for the purpose of criminal prosecution of offences under the competence of the Special State</p>

			Prosecutor's Office; performs other affairs as per the order of the superior.
38-39	<p style="text-align: center;">Independent Clerk Typist - Operator</p> <ul style="list-style-type: none"> - IV1 level of qualification of education, - at least three years of working experience, - typewriting knowledge, - has passed professional examination for working in state authorities; 	2	<p>Performs computer text processing of decisions, documents, orders, invitations, etc.</p> <p>for the needs of the Chief Special Prosecutor and special prosecutors; transcribes texts from audio and video recordings, performs administrative and technical affairs; sorts cases for dispatch; writes invitations and delivery notes and delivers them for dispatch; copies cases and certification of transcripts, compares transcripts with the source, sorts case files before handing them over to the entry clerk, sorts files or documents during his work and controls their orderliness, accuracy of data, transcripts, etc; performs other affairs as per the order of the superior.</p>

5. Professional Service for IT and Digital Evidence

40	<p style="text-align: center;">Head of Service</p> <ul style="list-style-type: none"> - VIII1 level of qualification of education, - Faculty in area of the technical, technological science, electronics, telecommunications and computers or natural sciences - mathematics and computer sciences, - At least four years of work experience; - has passed professional examination for working in state authorities; 	1	<p>Coordinates and manages the work of the Service; instructs the work of employees in the Service; performs the most complex affairs and ensures the legal and efficient performance of affairs within the Service; creates, controls and applies forensic procedures ensuring the validity of evidence; performs forensic analysis of communication and information devices; performs forensic analysis of data carriers and data contained therein; performs other affairs as per the order of the superior.</p>
41	<p style="text-align: center;">Independent Advisor I-IT expert</p> <ul style="list-style-type: none"> - VIII1 level of qualification of education, - Faculty in area of the technical, technological science, electronics, telecommunications and computers or natural sciences - mathematics and computer sciences, - at least three years of working experience, - has passed professional examination for working in state authorities; 	1	<p>Applies forensic procedures ensuring the validity of evidence and performs processing of digital evidence; administers and provides support to end users of the Special State Prosecutor's Office IT system; prepares and present audio and video materials; develops and processes audio and video materials; establishes video conference connections; handles technical equipment during interrogations and prosecutor investigation; makes copies of audio and video recording and he is responsible for their authenticity; maintains computer equipment and is responsible for the proper operation and procurement of equipment and spare parts; performs other affairs as per the order of the superior.</p>

42-43	<p style="text-align: center;">Independent Advisor I - analyst</p> <ul style="list-style-type: none"> - VII1 level of qualification of education, - Faculty in area of the technical, technological science, electronics, telecommunications and computers or natural sciences - mathematics and computer sciences, - at least three years of working experience, - passed professional examination for working in state authorities; 	2	<p>Performs most complex affairs in the area of information technology in cases in which professional expertise in the area of IT is required; analyses digital evidence; collects data gathered via Osint; performs other affairs as per the order of the superior.</p>
44-45	<p style="text-align: center;">Advisor I - analyst</p> <ul style="list-style-type: none"> - VI level of qualification of education, - Faculty in the area of technical, technological science, electronics, telecommunications and computers or natural sciences - mathematics and computer sciences, - at least three years of working experience, - passed professional examination for working in state authorities. 	2	<p>Performs most complex affairs in the area of information technology in cases in which professional expertise in the area of IT is required; analyses digital evidence; collects data gathered via Osint; performs other affairs as per the order of the superior.</p>

46	<p>Independent Clerk for Data Processing</p> <ul style="list-style-type: none"> - IV1 level of qualification of education, - at least two years of working experience, - computer literacy, - passed professional examination for working in state authorities. 	1	<p>Carries out user support for systemic software and cooperation in the process of maintaining the information system and applications; maintains computer equipment and is responsible for the soundness of equipment; participates in the installation and maintenance of hardware and communication infrastructure, drafts reports and information on the state of computer equipment in the Special State Prosecutor's Office and performs other affairs as per the order of the superior.</p>
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6. Cabinet of the Chief Special Prosecutor			
47	<p>Head of Cabinet</p> <ul style="list-style-type: none"> - VII1 level of qualification of education, - Faculty of Law; - Bar exam passed, - at least five years of working experience, - English language knowledge – C1 level, - computer literacy 	1	<p>Manages the work of the Cabinet of the Chief Special Prosecutor and coordinates affairs regarding the implementation of the function of the Chief Special Prosecutor; drafts necessary information for the Chief Special Prosecutor; makes sure the conclusions of the Chief Special Prosecutor are implemented; performs affairs concerning cooperation with competent national and international institutions, takes care of protocol obligations of the Chief Special prosecutor; organizes meetings of the Chief Special Prosecutor in the country and abroad; organizes official trips and study visits of the Chief Special Prosecutor and performs other affairs under the competence of the Chief Special Prosecutor's Office upon the order of the Chief Special Prosecutor.</p>

48	<p style="text-align: center;">Independent Advisor I</p> <ul style="list-style-type: none"> - VIII1 level of qualification of education, - Faculty of Social Sciences - Law, - at least three years of working experience, - computer literacy, - passed professional examination for working in state authorities. 	1	<p>Performs affairs related to developing necessary information, reports and other materials for the needs of the Chief Special Prosecutor; conducts administrative proceedings upon free access to information requests; keeps records of the obligations of the Chief Special Prosecutor; prepares draft protocol on cooperation; performs cooperation affairs with competent national institutions; performs and other affairs as well upon the order of the superior.</p>
49	<p style="text-align: center;">Independent Advisor I – for public relations</p> <ul style="list-style-type: none"> - VIII1 level of qualification of education, - Faculty of Social or Humanities Sciences, - at least three years of working experience, - computer literacy, - passed professional examination for working in state authorities. 	1	<p>Performs public relation affairs; prepares material for informing the public via press releases; organizes media conferences and public appearances of the Chief Special Prosecutor; monitors informing the public on the work of the Special State Prosecutor's Office; monitors the implementation of projects for the benefit of the Special State Prosecutor's Office; performs also other affairs as per the order of the superior.</p>

50	<p align="center">Independent Advisor I - Interpreter</p> <ul style="list-style-type: none"> - VII1 level of qualification of education, - Faculty of Human Sciences - English Language and Literature, - at least three years of working experience, - computer literacy, - passed professional examination for working in state authorities. 		<p>Performs affairs related to the translation of correspondence, professional material, adopted decisions and acts, simultaneous and consecutive interpretation and the meetings for the needs of the Special State Prosecutor's Office from English into Montenegrin and from Montenegrin into English, performs other affairs as per the order of the superior.</p>
51	<p align="center">Senior Advisor III - for Free Access to Information</p> <ul style="list-style-type: none"> - VII1 level of qualification of education, - Faculty of Social Sciences - Law, - at least one year of working experience in affairs within VII1 or VI level of educational qualification, - computer literacy, - passed professional examination for working in state authorities. 		<p>Performs affairs in accordance with the Law on Free Access to Information, manages administrative procedure according to free access to information requests; keeps track of data protection regulations; performing other affairs as per the order of the superior.</p>

7. Service for Administrative, Technical and Accounting Affairs

	<p align="center">Independent Advisor I</p> <ul style="list-style-type: none"> - VII1 level of qualification of education, - Faculty of Social 		<ul style="list-style-type: none"> - Performs affairs relating to the cooperation with the Human Resources Management Authority related to the publishing of public and internal vacancies, education, professional development; prepares draft decisions on the evaluation of civil servants and employees on the basis of their work;
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52	<p>Sciences - Law,</p> <ul style="list-style-type: none"> - at least three years of working experience, - computer literacy, - passed professional examination for working in state authorities 		<p>registers and deregisters employees at competent funds; establishes and updates personnel files; keeps Central Personnel Records of civil servants and state employees; develops an HR Plan; drafts appropriate reports and information related to labour relations; preparation of acts for the calculation of salaries, fees and other income of employees; o performs other affairs as per the order of the superior</p>
53-55	<p style="text-align: center;">Independent Clerk</p> <ul style="list-style-type: none"> - IV1 level of qualification of education, - at least two years of working experience, - Category B driver's licence - has passed professional examination for working in state authorities. 		<ul style="list-style-type: none"> - Receives all documents sent to the Special State Prosecutor's Office via mail or directly, dispatches mail and packages via delivery register to other bodies and public prosecutor's offices, records or registers reception of mail in the register, separates documents according to their urgency and subject matter and distributes them according to organisational units, performs courier affairs - submission of documents to the Post Office, delivery of files to other public authorities, delivery of summons to attorneys. Keeps records on deadlines indicates in cases and delivery notes, drafts a report. Performs internal mail delivery within the Public Prosecutor's Office, dispatches mail, keeps records and issues case files for inspection. When required, drives and performs other affairs as per the order of the superior.
7.1 Registry Office			

56	<p style="text-align: center;">Independent Advisor I – Head of Registry Office</p> <ul style="list-style-type: none"> - VII1 level of qualification of education, - Faculty in the area of social sciences - law, - at least three years of working experience, - computer literacy, - passed professional examination for working in state authorities. 	1	<p>Ensures accurate and timely flow of all documents and files at the Prosecutor's Office; ensures the up-to-date keeping of registers, directories and other records; keeps registries of records of the prosecution office; ensures reception of parties for the purpose of visitation and copying official files and supervises them; handles all types of stamps and seals in the Prosecutor's Office Registry; processes Prosecutor's Office work reports; keeps track of deadlines related to case flow; ensures timely and accurate handover of files to special prosecutors as well as orderliness of case files and their submission for dispatch by prosecutors or typists; ensures orderly functioning of the dispatch service; performs other affairs as per the order of the superior.</p>
57-59	<p style="text-align: center;">Independent Clerk - Recording Clerk</p> <ul style="list-style-type: none"> - IV1 level of qualification of education, - at least two years of working experience, - computer literacy, - has passed professional examination for working in state authorities. 	3	<p>Keeps directories, registers and other records and drafts reports thereof; performs entire administrative case processing in the working area he covers; receives documents and applications; dispatches decisions; monitors deadlines in terms of case flow; maintains special types of records; records each change or movement of the prosecutorial case according to regulations; works as a computer operator and enters necessary data into the IBM Case Management System; performs other affairs as per the order of the superior.</p>

60	<p>Independent Clerk - Archivist</p> <ul style="list-style-type: none"> - IV1 level of qualification of education, - at least two years of working experience, - computer literacy, - passed professional examination for working in state authorities. 	1	<p>Performs affairs of archiving closed cases, maintains archive of the Prosecutor's Office as per prescribed archiving criteria, keeps archive registry, performs affairs of extraction of the archive documents, separation of files according to category lists and issuing the archived case files records for inspection and placing the files and cases permanently kept at the Prosecutor's Office. Keeps prosecutorial deposit which contains seized items, performs other affairs as per the order of the superior.</p>
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TRANSITIONAL AND FINAL PROVISIONS

Article 6

Assignment of employees in line with this Rulebook shall be performed within 30 days from the day this Rulebook enters into force.

Article 7

On the day of entry into force of the present Rulebook, the Rulebook on Internal Organisation and Job Description of the Special State Prosecutor's Office (Tu-S I-7 2/19 as of 31 May 2019) shall be repealed.

Article 8

This Rulebook shall enter into force on the eight day from the day of publishing on the bulletin board of the Special State Prosecutor's Office following the approval of the Government of Montenegro.

PROSECUTOR

Tu S I-7 No 2/22

Podgorica, 1 August 2022

CHIEF

SPECIAL

Vladimir Novović

Table overview of the positions with the number of employees

Number	Position	Number of employees
1.	Head of Cabinet	1
2.	Secretary General	1
3.	Advisor	11
4.	Independent Advisor I - Expert Associate	14
5.	Head of Service	1
6.	Independent Advisor I	2
7.	Independent Advisor I – IT expert	1
8.	Independent Advisor I - Analyst	2
9.	Independent Advisor I for Public Relations	1
10.	Independent Advisor I - Interpreter	1
11.	Independent Advisor I - Head of Registry	1
12.	Senior Advisor III - for Free Access to Information	1
13.	Advisor I - Analyst	2
14.	Independent Clerk - Typist -Operator	13
15.	Independent Clerk for Data Processing	1
16.	Independent Clerk - Recording Clerk	3
17.	Independent Clerk - Archivist	1
18.	Independent Clerk	3

Statement of Reasons

Draft Rulebook on Internal Organisation and Job Description of the Special State Prosecutor's Office (hereinafter: the Rulebook) has been drafted in accordance with the Law on Public Administration (Official Gazette of Montenegro 78/2018 and 70/2021), Law on Civil Servants and State Employees (Official Gazette of Montenegro 2/2018, 34/2019 and 8/2021), Law on Special State Prosecutor's Office (Official Gazette of Montenegro 10/15 and 53/2016),), Decision on the Number of State Prosecutors (Official Gazette of Montenegro 21/15, 13/18), Decree on the Criteria for Internal Organisation and Job Description of Posts in the public administration bodies (Official Gazette of

Montenegro 7/2013), Decree on the Criteria for the Classification of Job Positions of Civil Servants based on the Degrees and Categories (Official Gazette of Montenegro 12/2013), Rulebook on Internal Operations of the State Prosecution Service (Official Gazette of Montenegro 6/16, 29/17 and 68/22) and the Rulebook on the Framework Criteria for Determining the Necessary Number of Public Prosecutors and Civil Servants and State Employees within a Prosecutor's Office (Official Gazette of Montenegro 17/2015 and 68/22).

Concerning the previous Rulebook, in line with the Law on Amendments to the Law on Civil Servants and State Employees, changes of conditions for the performance of work regarding the required work experience for certain positions have been changed.

Taking into account the amendment of Article 19 paragraph 2 of the Rulebook on the Framework Criteria for Determining the Necessary Number of Public Prosecutors and Civil Servants and State Employees within a Prosecutor's Office (Official Gazette of Montenegro 17/2015 and 68/22) which prescribes that the number of typists in the Special State Prosecutor's Office is determined according to the number of state prosecutors in that prosecution office and the fact that the Decision on the Number of State Prosecutors (Official Gazette of Montenegro 21/15, 13/18) determined that Chief Special Prosecutors and 12 special prosecutors work in the Special Prosecutor's Office, the new Rulebook envisages the increase of the number of employees for the position of Independent Clerk-Typist-Operator by 7 (total of 13), two in the Division for Criminal Prosecution, three in the Division for Financial Investigations, one in the Division for Analytics and Research and one in the Division for International Cooperation.

Furthermore, within the Work Programme with the vision of work organisation in the Special Prosecutor's Office for a period of five years which the Chief Special Prosecutor presented before assuming duties, one of the priority objectives was the initiation of financial investigations, parallel to criminal investigations, which should be completed quickly and efficiently. Thus, the need for an increase of the number of experts in the area of finance arose i.e. that each special prosecutor has an expert associate to assist in their work. Therefore the new Rulebook envisaged an increase in the number of employees for the position of an Independent Advisor – Expert Associate by 7 (total of 14) which refers to two in the Division for Criminal Prosecution, two in the Division for Financial Investigations, and three in the Division for Analytics and Research.

In addition, taking into account the development of information technology and an increasing significance of evidence in criminal proceedings gathered through the search of phones, computers and other transferable devices, the new Rulebook amended the level, profession and conditions within the Professional Service for IT and Digital Evidence. In addition to the envisaged positions of the Head of Service and an Independent Advisor for Data Processing and Analytics within the Service, new positions have been planned as follows: one employee for the position of an Independent Advisor I - IT expert and two employees for the position of Independent Advisor I – Analyst and Advisor I – Analyst with job descriptions necessary for a more efficient work of this Service. Positions of an Independent Advisor I, Independent Advisor II – for Security and Protection of IT systems and Independent Advisor III have been taken out.

Taking onto account that the role of the Chief Special Prosecutor, as the head, involves an intensive communication and cooperation with national and

international institutions and that appropriate conditions in terms of coordination and communication of the Chief Special Prosecutor need to be provided and taking into account Article 11b of the Rulebook on Internal Operations of the State Prosecution Service (Official Gazette of Montenegro 6/16, 29/17 and 68/22) providing for the possibility to establish the Cabinet of the Chief Special Prosecutor, this Rulebook envisages a new service within the Special State Prosecutor's Office – the Cabinet of the Chief Special Prosecutor. In this regard and considering the partial overlap of the description of tasks of this Service with the Service for Public Relations, prescribed by the previous Rulebook, the new Rulebook discontinued the Service for Public Relations and the positions envisaged in this Service are now envisaged within the Cabinet of the Chief Special Prosecutor with the job descriptions necessary for the efficient work of this service. The new Rulebook envisages that the Cabinet of the Chief Special Prosecutor contains five employees for the positions of the head of Cabinet of the Chief Special Prosecutor, position of Independent Advisor I, position of Independent Advisor I for Public Relations, position of Independent Advisor I – Translator and position of Senior Advisor III for free Access to Information.

Within the Service for Administrative, Technical and Accounting Affairs, the new Rulebook envisages a new organisational unit – The Registry Office aimed at clear delimitation of tasks within this Service. New Rulebook, within the Service for Administrative, Technical and Accounting Affairs envisages a position of an Independent Advisor I (one employee) and the number of employees for the position of Independent Clerk has been increased by one, while the Registry Office will have employees assigned to already existing positions as follows: Independent Advisor I – Head of Registry Office, Independent Clerk – Recording Clerk and Independent Clerk – Archivist.

This Rulebook in comparison to the previous Rulebook increased the number of employees from 40 to 60.

Organisational Scheme of the Special State Prosecutor's Office



