

Pursuant to Article 82, paragraph 1, item 2 and Article 91, paragraph 1 of the Constitution of Montenegro, 24<sup>th</sup> Parliament of Montenegro at the second sitting of the first ordinary session in 2010, on 9 March 2010 adopted the following

LAW  
ON INFORMATION SECURITY

I. GENERAL PROVISIONS

Subject

Article 1

Information security shall be provided by applying information security measures and standards, in accordance to the present Law.

Term

Article 2

Information security shall include state of data confidentiality, integrity and availability.

The data, under the present Law, shall be information, message and document prepared, sent, received, recorded, stored or displayed by electronic, optical or similar means, including internet transfer and electronic mail.

Data confidentiality shall include that data are available only to persons authorised to access or handle the data.

Data integrity shall include maintenance of existence, accuracy and completeness of data, as well as protection of process or programme preventing unauthorised data modification.

Data availability shall include that authorised users may always access the data when they have the need for that.

Obligation to Implement

Article 3

National authorities, state administration bodies, local self-government units authorities, legal entities with public authorisation (hereinafter "authorities") and other legal entities and natural persons having access to or handling the data shall act according to the present Law.

Limitation of Implementation

Article 4

The present Law shall not be applied to data whose information security is provided in accordance to regulations governing data confidentiality.

## II. INFORMATION SECURITY MEASURES AND STANDARDS

### Basic Protection

#### Article 5

Information security measures shall be general rules ensuring basic data protection on the physical, technical and organisational level.

The measures referred to in paragraph 1 of this Article shall be implemented in accordance with information security standards.

### Establishing Measures

#### Article 6

Information security measures shall be established in accordance with type of data, risk to their security and type of protection.

Information security shall include measures for:

- 1) physical protection;
- 2) data protection;
- 3) information system protection.

### Physical Protection

#### Article 7

Physical protection shall include protection of buildings, premises and devices where the data are stored.

### Data Protection

#### Article 8

Data protection shall include prevention and elimination of damage from loss, disclosure or unauthorised data modification.

The protection referred to in paragraph 1 of this Article shall apply to:

- 1) rules for handling the data;
- 2) content and manner of keeping record on performed data access;
- 3) monitoring data security.

### Information System Protection

#### Article 9

Information protection system shall include protection of data being processed, stored or transferred to information system, as well as protection of confidentiality, integrity and availability of information system in planning, designing, construction, use, maintenance and termination of system operation.

## Responsibility for Defining Measures and Standards

### Article 10

Information security measures referred to in Article 5, paragraph 1 of the present Law shall be stipulated by the Government of Montenegro.

Act of state administration body responsible for information society shall define which information security standards shall be applied for implementing measures referred to in paragraph 1 of this Article, in accordance with the Law.

## III. PROTECTION SYSTEM AGAINST COMPUTER SECURITY INCIDENTS

### Coordination of Prevention and Protection

#### Article 11

Coordination of prevention and protection against computer security incidents on the internet and other information system security risks of authorities and other legal entities and natural persons referred to in Article 3 thereof shall be performed by state administration body responsible for information society, through separate organisational unit (hereinafter "CERT").

CERT shall take measures to:

- 1) establish protection system against computer security incidents on the internet and other information system security risks of authorities and other legal entities and natural persons referred to in Article 3 thereof;
- 2) prevent computer-security incidents;
- 3) eliminate consequences in case of security incidents on the internet that exceed information systems scope of action of authorities and other legal entities and natural persons referred to in Article 3 thereof;

### Organising Protection of Individual Information Systems

#### Article 12

Authorities and other legal entities and natural persons thereof may organise prevention and protection of their information systems against computer security incidents on the internet and other security risks of those systems.

CERT shall coordinate work of authorities and other legal entities and natural persons referred to in paragraph 1 of this Article.

### Coordination of Procedures in Case of Computer Incidents

#### Article 13

In case of computer security incidents in the information system of authorities and other legal entities and natural persons referred to in Article 3 thereof, CERT shall coordinate procedure of authorities mentioned above in the implementation information security measures.

## Regulation on the manner of coordination of prevention and protection

### Article 14

Further manner of coordination and protection referred to in articles 11, 12 and 13 of the present Law shall be regulated by state administration body responsible for information society.

## IV. SUPERVISION

### Supervising

### Article 15

Supervision of the implementation of the present Law shall be performed by state administration body responsible for information society, through inspectors, in accordance to the Law.

For the purpose of supervision, authorities and other legal entities and natural persons referred to in Article 3 thereof, shall provide for the inspector access to space, computer equipment and devices and make available or submit the required data and documents pertaining to the subject of supervision.

## V. TRANSITIONAL PROVISIONS AND FINAL PROVISION

### Article 16

Regulation referred to in Article 10 thereof shall be passed within 30 days from the day of entry into force of this Law.

### Article 17

Regulations referred to in Article 10, paragraph 2 and article 14 of the present Law shall be passed within six months from the day of entry into force of the regulation referred to in Article 16 thereof.

### Article 18

The present Law shall enter into force on the eighth day following its publication in the Official Gazette of the Republic of Montenegro.

SU-SK Number 01-1031/6-09  
Podgorica, 9 March 2010

24<sup>TH</sup> PARLIAMENT OF MONTENEGRO

PRESIDENT

Ranko Krivokapic