

Ref: 15-04/02-2-29/15  
Date: January 22, 2015

Pursuant to Article 61, Paragraph (2) of the Law on Administration („Official Gazette of BiH“, no. 32/02 and 102/09), the Director of the Agency for Identification Documents, Registers and Data Exchange of Bosnia and Herzegovina, has passed the

**GUIDELINES**  
**on Amendments to the Guidelines for the Implementation of Regulations on**  
**Consultations in Legislative Drafting in the**  
**Agency for Identification Documents, Registers and Data Exchange**

Article 1

In the Guidelines for the Implementation of Regulations on Consultations in Legislative Drafting in the Agency for Identification Documents, Registers and Data Exchange ref.15-04-07-1-3936/10 of 30 December 2011, the word „Rulebook“ in Article 1 shall be replaced by the word „Guidelines“.

Article 2

In Article 5 Paragraph (1), after the word „maintain“, a comma punctuation mark and the wording „update and post on the website“ shall be added.

Article 3

In Article 6 Paragraph (1), the word „programme“ shall be used instead of the word „plan“.

Paragraph (3) shall be deleted.

Article 4

In Article 7 Paragraph (1), after the word „individuals“, a comma punctuation mark shall be added and followed by the wording „apart from those who are on the list referred to in article 5 Paragraph (1) of the „Guidelines“.

Paragraph (3) shall be amended and read:

„(3) With a public call for submission of comments in accordance with these Guidelines, the Agency shall post on its website a Statement of purpose of a legal regulation.“

After Paragraph (3), a new Paragraph (4) shall be added and read as follows:

„(4) A Statement referred to in Paragraph (3) of this Article shall particularly include a list of questions that are, according to the opinion of the creators of a regulation, as well as target groups to whom the regulation is particularly aimed, of significant interest for the regulation which is being drafted and subject to consultation process.“

## Article 5

Article 9 shall be amended and read:

### „Article 9 (Comments)

(1) Comments and proposals of amendments to the pre-draft shall be delivered to the Agency on the foreseen form, which may be found in Annex 1 of these Guidelines.

(2) For the purpose of their usage during preparation of a regulation draft, the Agency shall collect comments and proposals of amendments in the foreseen form, which may be found in Annex 2 of these Guidelines.

(3) The Agency shall provide the feedback to the providers of comments and proposals of amendments to the pre-draft of the regulations on the foreseen form, which may be found in Annex 3 of these Guidelines. “

## Article 6

In Article 10 Paragraph (2), the wording „21 day“ shall be replaced by the wording „15 days“.

After Paragraph (2), a new Paragraph (3) shall be added and read as follows:

- „ (3) Minimum obligations regarding consultations are not related to:
- a) Amendments aimed to correct orthographic or spelling errors; and
  - b) Legal regulations where codification shall be done or where provisions are consolidated or reorganized in a different manner or transferred in other parts of the legal regulation with no change of contextual meaning.
- “

## Article 7

In Article 12, in the title of the Article, the word „additional“ shall be deleted.

Paragraph (1) shall be amended and read:

“ (1) The Agency shall decide of the form of consultations for legislative drafting of regulations that significantly affect public, which will most probably provide relevant guidelines for legislative drafting of the regulations. Those forms of consultations particularly include:

- a) notice or publication of the pre-draft regulation in print media,
- b) informing and publication of the pre-draft legal regulation via radio and television,
- c) direct delivery of the pre-draft legal regulation to organizations and individuals,
- d) public meetings or roundtables with selected organizations and individuals,

## Article 8

In Article 13 Paragraph (1) point a), after the word “circumstances”, the following wording shall be added „for the purpose of protection of health and security of citizens and property or adoption of budget.“

Paragraph (3) shall be deleted.

## Article 9

In Article 14, a new Paragraph (3) shall be added and read as follows:

„(3) Foreseen form of the Statement may be found in Annex 4 of these Guidelines.“

## Article 10

Article 16 shall be deleted.

## Article 11

These Guidelines shall enter into force on the day of their adoption.

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DIREKTOR  
mr Siniša Macan

дигитално потписано / digitalno potpisano / digitally signed

## **Annex 1 - Instruction for filling up the form**

In the title of the **Form for submission of comments on and proposals of amendments to a pre-draft of regulation**, please specify the exact title of the regulation on which you give comments and propose amendments.

In the row **General observations regarding the pre-draft regulation**, please insert your observations regarding the pre-draft of regulation which is in the consultation process and on which you give comments. Those observations may relate to the need for enacting the regulation on which you give comments, its relation with other regulations that directly or indirectly regulate the same or similar matter, sequence of the articles in the text of the regulation and their possible different sequence, lack of some important provisions etc.

In the column **Individual comments on the articles of the pre-draft regulation**, please specify the exact article and paragraph your comment is related to. Within that column, please give for each such article or paragraph a comment, explanation, i.e. a reason why you think that the offered solution is not appropriate, and finally explain the consequences of the adoption of the offered text of the regulation. Apart of that, please offer the text of the article or paragraph concerned within the proposed amendment to the article or paragraph concerned as you consider it should be formulated.

<b><i>Name and surname of the person or name of the organization providing comments</i></b>		
<b><i>General observation on a draft document</i></b>		
<b><i>Individual comments on the articles of a pre-draft regulation</i></b>		
<b><i>Article__Paragraph__</i></b>	<b><i>Comment</i></b>	
	<b><i>Explanation</i></b>	
	<b><i>Proposed text of the amendment to the article concerned</i></b>	
<b><i>Article__Paragraph__</i></b>	<b><i>Comment</i></b>	
	<b><i>Explanation</i></b>	
	<b><i>Proposed text of the amendment to the article concerned</i></b>	
<b><i>Article__Paragraph__</i></b>	<b><i>Comment</i></b>	
	<b><i>Explanation</i></b>	
	<b><i>Proposed text of the amendment to the article concerned</i></b>	
<b><i>Article__Paragraph__</i></b>	<b><i>Comment</i></b>	
	<b><i>Explanation</i></b>	
	<b><i>Proposed text of the amendment to the article concerned</i></b>	

## **Annex 2 – Form for consolidation of comments on and proposals of the amendments to a pre-draft regulation**

### **Instruction for filling up the form**

In the title of the **Form for consolidation of comments on and proposals of amendments to a pre-draft regulation**, please specify the exact title of the regulation on which you give comments and propose amendments.

In the row **Summary of observations on a pre-draft regulation**, please insert your consolidated comments and observations that comment providers specified in the Form for submission of comments on a pre-draft of regulation in the column named general observation. If equal or similar observation appears several times by various comment providers, please specify the number of appearance of such an observation next to it.

In the column **Individual comments on the articles of the pre-draft regulation**, please specify the exact articles and paragraphs on which the comment providers gave specific comments and amendment proposals. Please, insert comments, with explanations, as well as amendment proposals of a specific article or paragraph in exact words as comment providers specified it in the provided part of the Form for submission of comments to the pre-draft regulation.

In case more than one comment providers share the same or essentially similar comment, specify the number of the comment providers who share equal opinion.

Moreover, in this part of the form there is a space provided for comments on and proposals of the amendments to regulation in case where several comment providers have different opinions on the same articles and paragraphs.

Finally, please specify any comment provider, individual or organization, where foreseen.

<b><i>Summary of the observations on a pre-draft regulation</i></b>		
<b><i>Individual comments on the articles of a pre-draft regulation</i></b>		
<b><i>Article__Paragraph__:</i></b>	<b><i>1. Comment and explanation</i></b>	
	<b><i>Proposed text of the amendment to the article concerned</i></b>	
	<b><i>2. Comment and explanation</i></b>	
	<b><i>Proposed text of the amendment to the article concerned</i></b>	
<b><i>Article__Paragraph__:</i></b>	<b><i>1. Comment and explanation</i></b>	
	<b><i>Proposed text of the amendment to the article concerned</i></b>	
	<b><i>2. Comment and explanation</i></b>	
	<b><i>Proposed text of the amendment to the article concerned</i></b>	

**Annex 3. – Form for providing feedback to providers of comments on and proposals of the amendments to a pre-draft regulation**

<b><i>Providers of comments and amendment proposals to whom feedback on acceptance or unacceptance of their proposals is to be delivered</i></b>		
<b><i>Summary of general observations on pre-draft regulation</i></b>		
<b><i>Individual comments on articles of a pre-draft regulation</i></b>		<b><i>Feedback on acceptance or unacceptance of the proposed comment, and, when unaccepted, appropriate explanation thereof</i></b>
<b><i>Article__Paragraph__:</i></b>	<b><i>1. Proposed text of the amendment to the article, i.e. paragraph concerned:</i></b>	
	<b><i>2. Proposed text of the amendment to the article, i.e. paragraph concerned:</i></b>	
<b><i>Article__Paragraph__:</i></b>	<b><i>1. Proposed text of the amendment to the article, i.e. paragraph concerned:</i></b>	
	<b><i>2. Proposed text of the amendment to the article, i.e. paragraph concerned:</i></b>	
<b><i>Article__Paragraph__:</i></b>	<b><i>1. Proposed text of the amendment to the article, i.e. paragraph concerned:</i></b>	
	<b><i>2. Proposed text of the amendment to the article, i.e. paragraph concerned:</i></b>	
<b><i>Article__Paragraph__:</i></b>	<b><i>1. Proposed text of the amendment to the article, i.e. paragraph concerned:</i></b>	
	<b><i>2. Proposed text of the amendment to the article, i.e. paragraph concerned:</i></b>	

#### **Annex 4 – Statement Form**

Pursuant to Article 24 of the Rules for Consultations in Legislative Drafting („Official Gazette of BiH“, 81/06 and 80/14), the Agency for Identification Documents, Registers and Data Exchange of BiH, together with a pre-draft of \_\_\_\_\_ provides a

#### **STATEMENT**

1.	<b><i>Minimum obligations regarding consultations</i></b>	
2.	<b><i>Explanation of the conclusion whether a legal regulation significantly affects public or not</i></b>	
3.	<b><i>Explanation of the decision on applied form of consultations</i></b>	
4.	<b><i>Non-governmental organizations engaged in the consultation process</i></b>	
5.	<b><i>Opinion of the nongovernmental sector (support, accepted after adoption of proposals and text amendments subject to the requests of the NGO, supportless)</i></b>	
6.	<b><i>Methods of informing the public and public opinion</i></b>	
7.	<b><i>Consultations with national and international consultants</i></b>	
8.	<b><i>A statement that the institution has handled the received comments subject to this procedure and delivered required report in accordance with Article 23 Paragraph (3) of the Rules for Consultations in Legislative Drafting</i></b>	
9.	<b><i>Other information</i></b>	

DIRECTOR:

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