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**AGENCY FOR IDENTIFICATION DOCUMENTS, REGISTERS AND DATA  
EXCHANGE OF BOSNIA AND HERZEGOVINA**

**RULEBOOK  
ON MANNER OF ACCESS TO REGISTERS  
AND DATA EXCHANGE  
(Official Gazette of BiH no. 35/09)**

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Pursuant to Article 23, paragraph (2) item b) of the Law on the Agency for Identification Documents, Registers and Data Exchange of Bosnia and Herzegovina ("Official Gazette of BiH", No. 56/08) and the adopted consent of the Council of Ministers of Bosnia and Herzegovina at the 76<sup>th</sup> session, held on 12 February, 2009, the Director of the Agency for Identification Documents, Registers and Data Exchange of Bosnia and Herzegovina has laid down a

**RULEBOOK  
ON MANNER OF ACCESS TO REGISTERS  
AND DATA EXCHANGE**

Chapter I – GENERAL PROVISIONS

Article 1  
(Subject)

(1) This Rulebook shall lay down a method and procedure for access and exchange of data maintained by the Agency on behalf of providing authorities, pursuant to Article 8, paragraph (3), and related to Article 20, paragraph (1) of the Law on the Agency for Identification Documents, Registers and Data Exchange of Bosnia and Herzegovina (Hereinafter: the Law).

(2) Pursuant to Article 9 of the Law, this Rulebook shall lay down technical and operational rules as regards data access and specifically define transfer and exchange of data.

Article 2  
(Terms and phrases)

For the purpose of this Rulebook, terms and phrases referred to in Article 2 of the Law apply. Terms used in this Rulebook have the meanings as follows:

- a) "*Communication network or link*" means telecommunication system for electronic data transfer managed by the Agency, which consists of the SDH network, Wireless network, rented ducts and ADSL connection from telecom operators. Points for system maintenance, i.e. specification of access points, shall be provided for by the Agency.
- b) "*VPN – Virtual Private Network*" means a computer network where several knots of the network may be connected via specially designed virtual connections secured from any kind of reading of data that are sent or received in such manner.
- c) "*jpg*" means Joint Photographic Experts Group, compressed image format with loss excerpted from a bitmap. It is most commonly used format in regular image operations.
- d) "*wsq*" means Wavelet-packet Scalar Quantization Data Format used for recording of data on fingerprints papillary lines.

- e) “*web-service*” means (Web Service) is defined by W3C as a software system designed to support interoperable machine-machine interactions over the network (W3C or World Wide Web Consortium is a core organization for internet standards)
- f) “*JMB*” means personal identification number of a national.
- g) “*MBRB*” means a Main Birth Register Book.
- h) “*MCRB*” means Main Citizenship Register Book of BiH nationals.

## II – DATA ACCESS MANNER

### Article 3 (Data access manner)

- (1) The data maintained by the Agency may be accessed as follows:
  - a) By permanent data access and
  - b) By periodical data access.

### Article 4 (Permanent data access)

Permanent data access means meeting of the rules and regulations as follows:

- a) There is a permanent communication link between the Agency and the applicant over which the applicant is enabled to access the data he/she is entitled to access at any moment.
- b) It is applied by means of technical infrastructure for data exchange based on web services. Exceptionally, the Agency may enable the access through applications on the Agency servers.
- c) Communication link is realized through the network established subject to the Law or by use of rented resources. Both cases require establishment of a secure VPN tunnel subject to rules to be laid down by the Agency.
- d) As far as the use of permanent connection over the individual network established subject to the Law is concerned, the Agency is in charge of operability of the network to the access point at the location of the providing (receiving) authority. Beyond the access point, which is to be specified by the Agency for each location individually, the responsibility of passive, active and computer equipment lays upon authorized officers of the providing (receiving) authority.
- e) At the locations where there is no technical feasibility to use the Agency network, use of rented resources shall be enabled in order to establish connection with the Agency network. All required equipment and renting of necessary resources to the access point of the Agency shall be provided by providing (receiving) authorities.

### Article 5 (Periodical data access)

- (1) Periodical data access means that the applicant may, in specified intervals, request specific data from the Agency.
- (2) Upon written request, the Agency shall issue a Decision on data access.

(3) The data are to be provided as required, in paper format or electronic format on appropriate medium (CD, DVD), or as an email attachment.

(4) Those data include statistic data as well.

#### Article 6 (Providing authority access)

(1) Providing authorities, set out by specific laws related to processing of data contained in the registers, shall deliver data to the central registers and the Agency shall enable constant access to data to those authorities.

(2) Registers maintained by the Agency, subject to Article 9 of the Law and other regulations, are available to any of the providing authority.

(3) Providing authority is obliged to comply with technical security measures laid down by the Agency for each individual register, which is to be set out by a special Agreement between the Agency and a Providing Authority.

(4) The Agreement referred to in the previous Article shall specify all the issues as regards technical access of the providing authority and shall mandatorily contain a list of locations with all the technical data for each individual location.

(5) Providing authority is obliged to deal with the data subject to regulations and to document each access.

#### Article 7 (Receiving authority access)

(1) Access to data shall be enabled to a receiving authority subject to Article 9 of the Law, upon a written request of the authority.

(2) Receiving authorities are legislative authorities, executive and court authorities of Bosnia and Herzegovina at any level.

(3) Receiving authority is obliged to comply with the technical security measures laid down by the Agency for each individual register, which is to be set out by a special Agreement between the Agency and a receiving authority.

(4) The Agreement referred to in the previous paragraph shall set out all the issues related to technical access of the receiving authority and shall mandatorily include a list of all the locations with all technical data for each individual location.

(5) Receiving authority is obliged to deal with the data subject to regulations and to document each access to data.

#### Article 8 (Access of legal and physical entities)

(1) The Agency is obliged to enable physical entities to access the data subject to the Law on Freedom of Access to Information in Bosnia and Herzegovina („Official Gazette BiH“ no. 28/00 and 45/06) and the Law on Protection of Personal Data („Official Gazette BiH“ no. 49/06).

(2) The Agency is entitled to enable legal entities to access the personal data subject to Article 8, paragraph (1), item f) of the Law.

(3) A legal entity is obliged to comply with the technical protective measures laid down by the Agency for each individual location of access and each individual register.

(4) A legal entity is obliged to deal with the data as provided for by regulations and to document each access to data.

(5) Upon awarding of a legal entity with a permanent access to data, the Agency shall make an Agreement with the legal entity to define all the issues regarding access and personal data protection.

(6) The Agreement referred to in the previous paragraph shall specify the obligation of the legal entity to provide conditions for the access subject to Article 5 of the Law on Protection of Personal Data.

### III – DATA TRANSFER AND EXCHANGE

#### Article 9

##### (Receipt of application for transfer of data)

(1) The Agency is entitled to transfer data to legislative, executive and court authority at any level in Bosnia and Herzegovina, upon their written request, if required for the purpose of carrying activities within competences specified by the law or for the purpose of exercising their legal interests.

(2) Apart from the request, legislative, executive and court authority at any level in Bosnia and Herzegovina is obliged to submit valid evidence proving a legal basis for use of data, as well as purpose and time of using the data, and documentation proving the established mechanisms for data protection.

(3) Contents of the application form for transfer of data is given on the Form 1, which is an integral part of this Rulebook.

#### Article 10

##### (Resolving the applications)

(1) Upon resolving of applications related to fulfillment of conditions referred to in Article 8 of the Law (depending on whether the applicant for transfer of data belongs to legislative, executive or court authority at any level of Bosnia and Herzegovina or to other legal entities), the director of the Agency shall make a decision to enable transfer of required data, or a decision by which the application is rejected.

(2) A resolution is to be issued in a form of a decision within 30 days as of the day the application is submitted.

#### Article 12

##### (Registration of access during the data exchange procedure)

(1) Upon setting of technical preconditions in compliance with Article 4 of this Rulebook and the Decision which enables transfer of the requested data, the permanent access to data maintained by the Agency shall be enabled to the applicant.

(2) For each of the transfers, a receiving authority is obliged to provide the Agency with the following data electronically:

- a) identification data of the applicant specified by the Agency;
- b) IP address of data access;
- c) user name of a user who applies for the inquiry using user system or coded user name, but which enables identification of the actual user name of the applicant if necessary;

- d) purpose of inquiry;
- (3) Any data related to transfer shall be kept by the Agency subject to Article 9 of the Law. Receiving authority is responsible for legal access to registers.

### Article 13

(Technical rules for protection and exchange of data)

(1) Computer equipment used for providing data and access to data must be used and administered in compliance with the following rules:

- a) Providing authority, receiving authority, and any other legal entity, entitled to permanent access by “SGT forms”, which is annexed to this Rulebook, shall designate a responsible administrator in charge of administering users on behalf of the providing authority, receiving authority or legal entity and in charge of implementation of the security rules specified by the Agency,
- b) Network equipment used to access the system of the Agency is to be physically secured, and physical and logical access is to be enabled only in presence of administrators,
- c) Only employees of the providing authority, receiving authority or legal entity, entitled to carry out activities concerning data processing for the purpose of their delivery to the central registry, can access a work station and other equipment intended for processing of and access to data. Work station can be accessed by the authorized administrator of the receiving authority, providing authority or legal entity in presence of the operator and in case of repairing.
- d) Upon receipt of the authorization, the employee is responsible for the legitimate use of the password and for keeping it a secret against unauthorized access by other people. An employee is required to change the password once a month.
- e) The user name and password must be previously assigned to each employee who access work stations for data processing.
- f) The employee to whom a user name and password are not assigned, but works in a process related to processing of and access to data is not entitled to access any computer for data processing.
- g) It is forbidden to access or work on the work stations for processing and access to data using the user name of another person.
- h) The access to the premises where work station for processing and access to data are located is strictly forbidden to all other employees of the providing authority, receiving authority or legal entity and other persons.
- i) The use of a floppy disc drive and CD ROM at all workstations is forbidden, unless otherwise provided for by the Agency. The administrator is responsible to disable all of the computer components at the workstations for data processing on the system through which the data are provided.
- j) Any installation and use of any software via flash memory medium over the USB port is forbidden to all of the employees who use the workstation for data processing

- k) After the end of working hours scheduled for processing and access to data, the employees are obliged to leave the application and turn off a workstation.
- l) If a special system of electronic signature is established, the rules specifying working on the system shall be set out by a specific document.

(2) The Agency shall electronically document each access to data subject to Article 9 of the Law. A reason of access as well as the authorized officer who accessed the data shall be recorded for each individual access of the providing authority, receiving authority and legal entity entitled to a permanent access.

(3) Providing and receiving authority is obliged to lay down by-laws that defining the data protection and guarantee legal access of their officers to data maintained by the Agency.

(4) Code of conduct of any legal and physical entity when accessing to data shall be defined by a special agreement subject to Article 6 of this Rulebook.

(3) Subject to the law, the Agency shall more specifically define manners for data protection by a special regulation.

#### Article 14

(Maintenance of the registers of access and transfer)

(1) The Agency shall maintain a special register on received applications for data transfer on the Form no. 2 which is an integral part of this Rulebook.

(2) The Agency shall keep a specific record on occasional access to information.

(3) The Agency shall keep an electronic journal on permanent data access where each individual access to data is to be registered as well as information concerning the data requester and any given response.

### IV – FINAL PROVISIONS

#### Article 15

(Data protection)

The Agency, legislative, executive and judicial authorities at any level of government in Bosnia and Herzegovina, as well as legal and natural entities to whom the data are to be provided are obliged to comply with the Law on protection of personal when processing personal data.

#### Article 16

(Fee amount)

Transfer fee for the exchange of data shall be determined for other legal entities subject to the Decision on transfer and amount of fee for the service of providing data from the central registers of citizens of Bosnia and Herzegovina until the regulation governing fees subject to the Law is adopted ("Official Gazette of BiH" no. 85/05).

#### Article 17

(Entering into force)

(1) This Rulebook shall enter into force as of the date of giving consent by the Council of Ministers, and is to be published in the "Official Gazette of BiH".

(2) The Instruction on manner and procedure for data exchange („Official Gazette BiH" 100/06) shall cease to be effective as of the date of entering into force of this Rulebook.

Ref.: \_\_\_\_\_

Director

Date: \_\_\_\_\_

Mr. Siniša Macan



Applicant

/Name of the authority/name and surname of a third person/

**Application for transfer of personal data**

Register file of the requested personal data (e.g. file contained in the Register for permanent and temporary residence)

Legal basis for data access (specify legal regulations)

Purpose of data transfer (specify the purpose of the requested data)

Requested time period for data access  
(applicable only when direct electronic data access is concerned)

Enclosed:

Signature of the applicant

Form no. 2

Register of received applications for transfer of personal data

No.	Date of application receipt	Applicant Name of the authority/name and surname of a third person	No. of the file to which the requested data refers to	Method of application resolving (approved or rejected)	Direct electronic access to data	Signature of the authorized person	Remark: