

Pursuant to Article IV 4 a) of the Constitution of Bosnia and Herzegovina, the Parliamentary Assembly of Bosnia and Herzegovina at the session of the House of Representatives held on June 6, 2001 and at the session of the House of Peoples held on May 23, 2001, has endorsed the

LAW ON AMENDMENTS TO THE LAW ON TRAVEL DOCUMENTS OF BOSNIA AND HERZEGOVINA

Article 1

The Article 1 of the Law on Travel Documents of Bosnia and Herzegovina, published in the Official Gazette of Bosnia and Herzegovina (Nos. 4/97, 1/99, 9/99, 27/00, 32/00 and 19/01) is hereby amended and read as follows:

“This Law shall set up types, design, contents of travel documents of Bosnia and Herzegovina, competent authorities for issuing travel documents, issuing procedure and central register of travel documents of Bosnia and Herzegovina.”

Article 2

In Article 5 after paragraph (1), a new paragraph (2) shall be added and read as follows:

“Under conditions specified by bilateral agreements between Bosnia and Herzegovina and another country, the nationals of Bosnia and Herzegovina could use an ID card to cross the state border.”

Article 3

In Article 8, paragraph (3) shall be erased.

In Article 8, paragraph (4) item b) the words “Children younger than 16 years of age must be accompanied by the holder” shall be replaced by the words:

“A holder of a travel document younger than 15 years of age may travel abroad accompanied by a parent or a legal representative, or must have a consent of both parents or legal representative, i.e. tutor, verified with the competent authority, if traveling accompanied by another person.”

Article 4

In Article 10, after paragraph (4), a new paragraph (5) shall be added and read as follows:

“Each person registered in the Group Passport must have an ID card or other document for proving identity during the travel, and a leader of the group must possess his/her own passport.”

Current paragraph (5) of Article 10 shall become paragraph (6).

Article 5

Article 11 shall be erased.

Article 6

In Article 12, paragraph (2) shall be amended and read:

“The form and the content of the travel certificate shall be specified by the Ministry of Civil Affairs of Bosnia and Herzegovina.”

Article 7

In Article 15, paragraph (2), the words: “The passport issued in accordance with this paragraph shall be valid no longer than three months” shall be erased.

Article 8

In Article 18, paragraph (3), a new item d) shall be added after the item c) and read as follows:

“d) If one of the parents have been awarded custody over a child by the court decision, unless required by the same court decision that traveling of a child abroad is subject to mutual consent of both parents.”

Article 9

In Article 19, paragraph (1), words “and permanent residence” shall be added after the word “identity”.

In Article 19, paragraph (1), shall be amended to read as follows:

“To an application for issuance of travel documents, an applicant shall submit a photography authentically showing his/her face and the evidence proving the payment of travel document cost. No administrative tax shall be paid for the administrative procedure for issuing travel documents in Bosnia and Herzegovina. ”

In Article 19, paragraph (4), number “15” shall be replaced by number “30”, and the full stop after the word “submitted” shall be erased and the following text shall be added:

“except when resolving applications for travel documents submitted to diplomatic or consular representations of Bosnia and Herzegovina, and the deadline for resolving of applications shall be 60 days as of the day the application has been submitted.”

In Article 19, paragraph (5), number “24” shall be replaced by number “48”.

Article 10

After Article 19, new articles 19a and 19 b shall be added and read as follows:

“Article 19a

A holder of a travel document is obliged to report any loss of travel document or its finding to the competent authority for issuing travel documents without delay.

Competent authority shall declare a travel document as invalid by a Decision.

No complaints could be lodged against the Decision referred to in the preceding paragraph.

A travel document is declared invalid in the “Official gazette of BiH”, official gazettes of the Entities or Brcko District of Bosnia and Herzegovina.

Article 19b

Competent authority responsible for issuing travel documents shall, at the request of the holder of travel document, replace the travel document which has not expired, if filled in, damaged, destroyed or changes of identity data of the holder occurred and issue a new travel document.”

Article 11

In Article 21, paragraph (1) item 2, a full stop at the end shall be erased and the words: “at the request of the responsible Prosecutor’s Office” shall be added.

In Article 21, paragraph (1) item 3, a full stop at the end shall be erased and the words: “at the request of the responsible court” shall be added.

In Article 21, paragraph (1) after item 3, a new item 4 shall be added and read as follows:

“4. In case of reasonable doubt that the applicant shall avoid execution of a due property-legal obligation implied by the marital relations of parents and children, tax obligation or other determined property-legal obligation set forth by a law which comprises executive title - at the request of the competent court.”

In Article 21, after paragraph (1), a new paragraph (3) shall be added and read as follows:

“An application for issuing travel documents may be refused if there is a reasonable doubt that the applicant shall act against the regulations on prohibition or restriction of import and export, transport or dealing of narcotics, or against regulations in the field of customs or foreign trade.”

Current paragraph (2) shall become paragraph (3).

In Article 21, a new paragraph (4) shall be added and read as follows:

“The competent authorities shall be obliged to provide data referred to in paragraphs (1) and (2), apart from the data referred to in paragraph (1), item 1 of this Article to the competent authorities for issuing of travel documents on regular basis. The authorities responsible for issuing travel documents shall keep special registers on delivered data, which are an obstacle for issuing of travel document in terms of this Article, and register them in the central register of travel documents electronically.”

Article 12

In Article 23, paragraph (1) item d) after the words: “items 2 and 3”, the words: “of item 4, and hindrance referred to in paragraph (2) of Article 21 of this Law”.

Article 13

After Article 25, new articles 25a, 25b, and 25c shall be added and read as follows:

“Article 25a

A fine in amount of 200 to 400 BAM shall be pronounced for an infringement to:

1. a person who travel without visa to countries where visa is required (Article 12a).
2. a person who possesses more than one travel document of the same kind (Article 4)
3. a person who, by providing false and misleading data, causes issuing of travel document or visa by the competent authority (Article 23).

For the infringements referred to in paragraph (1), items 1), 2), and 3) of this Article, a protective measure of withdrawal of travel document, i.e. of prohibition of travel document issuing up to two years could be pronounced.

For any attempt to commit infringements referred to in paragraph (1) of this Article, a person who has committed the infringement shall be fined in amount of maximum 200 BAM.

Article 25b

A fine in amount of 300 to 500 BAM shall be pronounced for infringement to:

1. a person who allows someone else to use his/her ID card or uses someone else's travel document as his/her own (Article 23)
2. a person who does not notify a competent authority as regards loss of travel document or its finding without delay (Article 19a).

Article 25c

Criminal procedure referred to in the preceding articles shall be carried out in accordance with the relevant regulations governing this field.”

Article 14

Article 30 shall be amended and read as follows:

“A travel document issued prior to the entry into force of this Law shall be valid until the date of expiry specified in that travel document.”

Article 15

Articles 14 and 15 of the Law on amendments to the Law on Travel Documents of Bosnia and Herzegovina (“Official Gazette of BiH, no. 19/01) shall be erased.

In the text of the Law on Travel Documents of Bosnia and Herzegovina, the words: “the Ministry of Civil Affairs and Communications” shall be replaced by the words: “the Ministry of Civil Affairs”.

Article 16

This Law shall enter into force on the eighth day after its publication in the Official Gazette of Bosnia and Herzegovina, and shall be published in the official gazettes of the entities and Brčko District of BiH.

PS BiH no. 108/04
October 12, 2004
Sarajevo

Chairman of the House of Peoples of
The Parliamentary Assembly of BiH
Martin Raguž, signed

Chairman of the House of the Representatives of
The Parliamentary Assembly of BiH
Goran Milojević, signed