

Pursuant to Article IV (4) a of the Constitution of Bosnia and Herzegovina, the Parliamentary Assembly of Bosnia and Herzegovina at the XXIX Session of the House of Representatives held on 14 of May and 4 June 2008 and at XVIII Session of the House of People held on 17 June 2008, has adopted the

**LAW
ON AMENDMENTS TO THE LAW
ON PERMANENT AND TEMPORARY RESIDENCE
OF THE CITIZENS OF B&H**

Article 1

Article 2 of the Law on Permanent and Temporary Residence of Citizens of BiH (Official Gazette No.32/01) is amended and says:

“Article 2

Data covered by this Law shall be processed, stored, used and forwarded with the intention of serving the needs of the citizens in exercising their rights and the performance of their duties, and shall be used to monitor population stock and flow in Bosnia and Herzegovina. The acquisition of data pursuant to this Law shall proceed in accordance with the law governing the field of personal data protection in Bosnia and Herzegovina, and the law governing central registers and data exchange.”

Article 2

In Article 5 paragraph (1) is amended and says:

“Registration and deregistration of permanent and temporary residence as well as of home address shall be performed in the Federation of BiH by the Cantonal Ministries of Interior; in the Republic of Srpska by the RS Ministry of Interior; and in Brcko District of Bosnia and Herzegovina by the competent authority functionally acting as a state-level institution (hereinafter: competent authority).”

Paragraph (2) is amended and says:

“Competent authority shall act as the second-instance authority in an appellate procedure addressing decisions of the authorities that solved at the first-level instance for registration and deregistration of permanent residence, as well as of the home address.

Article 3

In Article 8 paragraph (3), after the words: “child’s birth certificate” there shall be a full stop, and further text shall be erased.

In paragraph (4) after words:”child’s birth certificate” there shall be a full stop and further text shall be erased.

Paragraph (5) is amended and says:

“Deregistration of the permanent residence could be carried out directly with the competent authority or ex officio. Upon receipt of the request for registration of permanent residence in accordance with the procedure set in previous paragraphs of this Article, the competent authority shall register permanent residence of the citizen once deregistration of permanent residence has been completed. The competent authority to which a request for registration of permanent residence is filed shall, ex officio, notify the competent authority in the place of preceding permanent residence of a citizen, for the purpose of deregistration of permanent residence. The competent authority to which a request for registration of permanent residence has been filed shall be notified regarding deregistration of permanent residence.”

Article 4

After Article 8, a new Article 8a is added, and says:

“Article 8a

If the competent authority in the ex officio procedure or upon a request of the client who has a legal interest determines that a BiH citizen has registered a permanent or temporary residence contrary to the provisions of Article 8, paragraph (1) of this Law, shall, by Decision, annul the permanent residence.”

Article 5

In Article 11, paragraph (1) is amended and says:

In accordance with the Law on Central Registers and Data Exchange, the MCAC shall keep and maintain a central register containing data on citizens’ permanent and temporary residence through electronic data processing (hereinafter: central register).

“The authority responsible for maintenance of central registers, in accordance with the Law governing the field of central registers and data exchange, shall through electronic data processing keep and maintain central registers of data of permanent and temporary residence of the citizens (hereinafter: central registers).”

Article 6

Article 12 is amended and says:

“Article 12

The competent authority is obliged to regularly provide the authority keeping the central registers at the Bosnia and Herzegovina level with the data contained in their local

registers. The authority that keeps central registers may provide the competent authority with the data contained in central registers in order to carry out its duties provided for by the Law.”

Article 7

In Article 13 paragraph (2) shall be erased.

Article 8

In Article 31, paragraph 1 words “between 10 and 100 BAM” shall be replaced with words “between 30 and 300 BAM”.

Paragraph (1) Item 2 shall be erased, and current Items 3 and 4 shall become Items 2 and 3.

Article 9

In Article 32, after paragraph (2) a new paragraph (3) shall be added, and says:
“Within 90 days as of the date of entering into force of this Law, the authority that keeps central registers in accordance with the law governing the field of central registers and data exchange in BiH shall pass the regulations on:

- a) Protection of data contained in central registers in accordance with the law governing the data protection in BiH;
- b) Method of forwarding data;
- c) Method of data exchange between the authority keeping the central registers and competent authorities.”

Article 10

In Article 37 words “personal identification number” shall be replaced with the words “permanent/temporary residence”.

Article 11

In the whole text of the Law the words: “the Ministry of Civil Affairs and Communications of BiH” shall be replaced with words “the Ministry of Civil Affairs”.

Article 12

This Law enters into force on the eight day as of the date of its publicizing in “Official Gazette of BiH”, and shall be publicized in Official Gazettes of the Entities and Brcko District of BiH.

Parliamentary Assembly of BiH, No.200/08
17 June 2008
Sarajevo

Chairman of the
House of Peoples of the
Parliamentary Assembly of BiH,
Niko Lozančić, signature

Chairman of the
House of Representatives of the
Parliamentary Assembly of BiH,
Sulejman Tihić, Ph.D., signature

