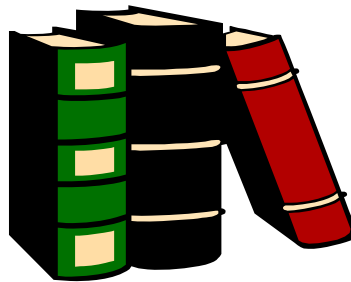




Emerika Bluma 1, 71000 Sarajevo
Tel. 28 35 00 Fax. 28 35 01

Department for Legal Affairs



LAW ON AMENDMENTS TO THE CRIMINAL CODE OF REPUBLIKA SRPSKA

“Official Gazette of Republika Srpska”, 73/10

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LAW ON AMENDMENTS TO THE CRIMINAL CODE OF REPUBLIKA SRPSKA

Article 1

In the Criminal Code of Republika Srpska (“Official Gazette of Republika Srpska”, nos. 49/03, 108/04, 37/06 and 70/06), after Article 3, a new Article 3a shall be added to read:

“Principle of Guilt

Article 3a

No one can be punished or subjected to other criminal sanctions if he is not guilty of the committed criminal offence.”

Article 2

In the title of the Chapter Two, the words: “CRIMINAL RESPONSIBILITY” shall be replaced with word: “CULPABILITY”, as well as in the entire text of the Law in corresponding grammatical case.

Article 3

After Article 12, new Article 12a shall be added to read:

“Force and Threat

Article 12a

- (1) A criminal offence perpetrated under irresistible force shall not constitute a criminal offence.
- (2) A perpetrator who has perpetrated a criminal offence under resistible force or threat may be sentenced to a more lenient punishment.
- (3) In the case specified in paragraph (1) herein, the person who has applied irresistible force shall be considered a perpetrator of the criminal offence.”

Article 4

Article 13 shall be amended to read:

“Content of Culpability

Article 13

- (1) Culpability exists if at the time of the perpetration of the criminal offence the perpetrator was mentally accountable and acted with intent.
- (2) Culpability for the criminal offence exists even if the perpetrator acted out of negligence only if the law explicitly prescribes so.”

Article 5

In Article 14, paragraph 3, the words: “shall be held criminally responsible” shall be replaced with words: “shall be guilty”, as well as in the entire text of the Law in corresponding grammatical case, and words in parentheses: “(voluntary intoxication)” shall be deleted.

Article 6

Article 18 shall be amended to read:

“Mistake of Fact

Article 18

(1) A person shall not be guilty if he perpetrates an offence while under an irreparable mistake of fact.

(2) The mistake of fact shall be considered irreparable if the perpetrator, at the time of the perpetration of the criminal offence, was not aware of a legally prescribed element of the criminal offence or wrongly believed that there existed circumstances which, if they truly existed, would have made his conduct permissible.

(3) If the perpetrator was under a mistake of fact due to negligence, that shall be considered a criminal offence perpetrated out of negligence only if the law prescribes punishment for that criminal offence committed out of negligence.”

Article 7

In Article 24, paragraph 2, the words: “five years” shall be replaced with words: “three years”.

After paragraph 2, new paragraph 3 shall be added to read:

“(3) Incitement to commit a criminal offence shall be construed to mean, in particular: pleading, persuading or prompting, portraying benefits of the perpetration of the criminal offence, giving or promising gifts, abusing the state of subordination or dependency, making a person believe in and keeping a person under a mistake of fact or law, deceiving.”

Article 8

Article 29 shall be amended to read:

“Types of Punishments

Article 29

Perpetrator of the criminal offence who has been found guilty may be sentenced to:

- 1) imprisonment;
- 2) long-term imprisonment;

3) fine.

Article 9

After Article 31, new Article 31a shall be added to read:

“Long-Term Imprisonment

Article 31a

(1) For the gravest forms of serious criminal offences perpetrated with intent, a long-term imprisonment for a term between twenty-five and forty-five years may be imposed.

(2) Long-term imprisonment may never be imposed as the sole principal punishment for a particular criminal offence.

(3) Long-term imprisonment cannot be imposed on a perpetrator who has not reached twenty-one years of age at the time of perpetrating the criminal offence.

(4) Long-term imprisonment shall be meted out in full years only.

(5) If long-term imprisonment has been imposed, amnesty or pardon may be granted only after three-fifths of the punishment has been served.”

Article 10

Article 32 shall be amended to read:

“Imprisonment

Article 32

(1) Imprisonment may not be shorter than thirty days or longer than twenty years.

(2) Juvenile imprisonment may be imposed under the conditions prescribed by Chapter VI of this Code. By its purpose, nature, duration and manner of execution, juvenile imprisonment constitutes a special punishment of deprivation of liberty.”

Article 11

In Article 33, paragraph 1, the words: “Long-term imprisonment shall be pronounced only in full years” shall be deleted.

In paragraph 2, the word: “three” shall be replaced with word: “six”.

Article 12

In Article 34, paragraph 1, the words: “six months” shall be replaced with words: “one year”.

In paragraph 4, the words: “imposed imprisonment” shall be replaced with words: “six months”.

Article 13

In Article 35, paragraph 3, the number: “50” shall be replaced with number: “500” and the number “50.000” shall be replaced with number: “100.000”.

In paragraph 4, the words: “shall rely on” shall be replaced with words: “shall take into account”.

In paragraph 7, the word: “two” shall be replaced with word: “one”.

Article 14

In Article 36, paragraph 3, the number: “50” shall be replaced with number: “100”, and words: “whereby the imprisonment may not exceed six months” shall be replaced with words: “whereby it may not exceed the prescribed punishment for that offence”.

Article 15

In Article 37, after paragraph 1, new paragraphs 2 and 3 shall be added to read:

“(2) A circumstance representing the characteristics of a particular criminal offence may not be taken into consideration also as an aggravating or extenuating circumstance, unless it surpasses the measure that is necessary for the existence of a criminal offence or a particular form of a criminal offence, or if there are two or more such circumstances but only one is sufficient for the existence of a more serious or less serious criminal offence.

(3) In cases when criminal offence was perpetrated out of hatred as provided in Article 147, paragraph 25 of this Code, the court shall take it into consideration as an aggravating circumstance and fashion a more severe sentence unless the code provides for harsher sentence for the aggravating form of a criminal offence.”

Current paragraphs 2 and 3 shall become paragraphs 4 and 5, respectively.

Article 16

In Article 39, paragraph 1, subparagraph 5, the number: “50” shall be replaced with number: “500”.

Article 17

After Article 42, new Article 42a shall be added to read:

“Continued Criminal Offence

Article 42a

(1) A criminal offence arises out of the same transaction when the perpetrator intentionally perpetrates a number of identical criminal offences or offences of the same type in which, according to the manner of perpetration, the temporal connection and other material circumstances connecting them constitute a whole.

(2) When a criminal offence arising of the same transaction comprises offences of the same legal description, the court shall choose the type and the range of the punishment prescribed for such a criminal offence. If criminal offences of the same type are at issue, the court shall choose the type and the range of punishment prescribed for the most serious of these offences.

(3) The provisions of this Code regarding concurrence of criminal offences shall not apply to a criminal offence arising out of the same transaction.”

Article 18

In Article 44, paragraph 3, the number: “50” shall be replaced with number: “100”.

Article 19

In Article 47, after paragraph 3, new paragraph 4 shall be added to read:

“(4) A suspended sentence may not be imposed to an offender who has been already imposed a suspended sentence for a criminal offence neither to an offender who has been once or several times imposed final and binding imprisonment sentence.”

Article 20

Article 48 shall be amended to read:

“Revocation of Suspended Sentence Because of a New Criminal Offence

Article 48

(1) The court shall revoke the suspended sentence if the convicted person commits one or more criminal offences before the probation period expired.

(2) In the event of revocation of the suspended sentence, the court shall impose one total punishment both for the previously committed and the new criminal offence, pursuant to the provisions of Article 42 of this Code, taking the revoked suspended sentence as an already fixed punishment.”

Article 21

Article 49 shall be amended to read:

“Revocation of Suspended Sentence Because of Previously Committed Criminal Offence

Article 49

(1) The court shall revoke a suspended sentence in the event that, after it was imposed, it learned that the offender had committed a criminal offence prior to the imposition of the suspended sentence.

(2) In the event referred to in paragraph 1 of this Article the court shall apply the provision set forth under Article 48, paragraph 2 of this Code.”

Article 22

In Article 51, paragraph 1, the words: “entailing revocation of the suspended sentence” shall be deleted.

Article 23

In Article 54, paragraph 5 shall be deleted.

Article 24

In Article 91, paragraph 3 shall be amended to read:

“(3) An appropriate correctional measure of intensified supervision, institutional correctional measure may be imposed on an adult for a criminal offence he committed as a senior juvenile, and under conditions referred to in Article 87 of this Code, a punishment of juvenile imprisonment may also be imposed. In deciding whether to impose a sanction and which of the sanctions to impose, the court shall take into account all the relevant circumstances of the case, in particular the gravity of the criminal offence committed, the time that has elapsed since its commission, the conduct of the offender, as well as the purpose of these sanctions.”

Article 25

In Article 98, paragraph 1, subparagraph 3 shall be amended to read:

“(3) Confiscation of permits or approvals issued by an authority or status recognized by the decision of the authority.”

Article 26

In Article 103, paragraph 5, the word: “abroad” shall be replaced with words: “or interests”.

Article 27

In the title of Article 120, after the word: “committed”, the words: “outside its territory or abroad” shall be added.

Article 28

In Article 126, after paragraph 2, new paragraph 3 shall be added to read:

“(3) Pursuant to this Code a domestic legal person shall also be liable for a criminal offence perpetrated outside the territory of Republika Srpska against a foreign state, foreign citizens or foreign legal persons, under conditions referred to in Article 121 of this Code.”

Article 29

In Article 135, after paragraph 2, new paragraph 3 shall be added to read:

“(3) If a fine is not paid within the deadline set forth in the verdict, the procedure for forcible collection shall be implemented immediately.”

Article 30

Article 142 shall be amended to read:

“Ban on Certain Activities

Article 142

(1) By ordering the security measures of a ban on a certain activity, the court may prohibit a legal person from manufacturing certain products or performing certain businesses, or prohibit a legal person from performing certain activities of trade in commodities or from performing other business i.e. activities.

(2) The security measure referred to in paragraph 1 of this Article may be imposed on a legal person if its further performing of a certain activity would present a threat to life and limb of people or be prejudicial to the economic and financial operation of other persons or detrimental to the economy, or if the legal person has already been sentenced for the same or a similar criminal offence over the past two years preceding the perpetration of the criminal offence.

(3) The security measure referred to in paragraph 1 of this Article may be imposed for a period of six months to five years, commencing on the day of the entering into force of the judgement.”

Article 31

In Article 147, paragraph 6, the words: “with or without remuneration” shall be added in the end of the sentence.

Paragraph 8 shall be amended to read:

“(8) A business enterprise, for the purpose of this Code, means partnership, limited partnership, limited liability company and corporation (open and closed joint stock).”

In paragraph 12, the word: “criminal” shall be deleted. (TRANSLATOR’S REMARK: N/A TO ENGLISH TEXT VERSION)

Paragraph 16 shall be deleted.

Current paragraphs 17, 18, 19, 20, 21, 22, 23, 24 and 25 shall become paragraphs 16, 17, 18, 19, 20, 21, 22, 23 and 24, respectively.

After paragraph 24, new paragraph 25 shall be added to read:

“(25) The hatred represents a motive for perpetration of a criminal offence provided in this code that is entirely or partly perpetrated due to actual or assumed ethnic or national origin, language or script, religious beliefs, race, colour, sex, sexual orientation, political or other affiliation, social origin, social status, age, health and other characteristics, or due to associating with persons with such characteristics.”

Article 32

In Article 149, paragraph 1, subparagraph 2, after the words: “from other low motive”, comma punctuation mark shall be deleted and words: “or out of hatred,” shall be added.

Article 33

Article 155 shall be amended to read:

“Light Bodily Harm

Article 155

(1) Whoever inflicts light bodily injury upon another person or lightly impairs his health shall be punished by a fine or imprisonment for up to one year.

(2) If such injury was inflicted by a weapon, dangerous tools or other means suitable for inflicting serious injuries or seriously impairs health, shall be punished by imprisonment for a maximum term of three years.

(3) The court may pass a judicial admonishment on the offender under paragraph 1 of this Article if he was provoked by severe insulting and violent behaviour of the victim.

(4) Prosecution of the offence from paragraph 1 of this Article shall be initiated upon filed motion.”

Article 34

In Article 156, after paragraph 2, new paragraph 3 shall be added to read:

“(3) Whoever commits criminal offence under paragraph 1 of this Article out of hatred shall be punished by imprisonment for a term of between one and eight years.”

Current paragraphs 3, 4 and 5 shall become paragraphs 4, 5 and 6, respectively.

Article 35

In Article 187, paragraph 1, the word: “one” shall be replaced with word: “three”.

In paragraph 2, the words: “two years” shall be replaced with words: “term of between six months and five years”.

Article 36

In Article 191, the words: “three years” shall be replaced with words: “term of between six months and five years”.

Article 37

In Article 192, paragraph 2, the words: “three years” shall be replaced with words: “term of between six months and five years”.

Article 38

In Article 193, paragraph 1, the word: “one” shall be replaced with word: “two”.

In paragraph 2, the words: “between three and fifteen years” shall be replaced with words: “minimum five years”.

Paragraph 3 shall be amended to read:

“(3) If any criminal offence under paragraph 1 of this Article results in the death of the victim, the offender shall be punished by imprisonment term of minimum five years.”

After paragraph 3, new paragraphs 4 and 5 shall be added to read:

“(4) If any criminal offence under paragraph 2 results in the death of the victim, the offender shall be punished by imprisonment term of minimum ten years or long-term imprisonment.

(5) Whoever commits the offence from paragraph 1 of this Article out of hatred shall be punished by imprisonment for a term of between three months and fifteen years.”

Current paragraph 4 shall become paragraph 6.

Article 39

In Article 194, paragraph 1, the words: “six months and five” shall be replaced with words: “one and eight”.

In paragraph 2, the words: “three and fifteen” shall be replaced with words: “minimum five”.

Paragraph 3 shall be amended to read:

“(3) If any criminal offence under paragraph 1 results in the death of the victim, the offender shall be punished by imprisonment for a minimum term of five years.”

After paragraph 3, new paragraph 4 shall be added to read:

“(4) If any criminal offence under paragraph 2 results in the death of the victim, the offender shall be punished by imprisonment for a minimum term of ten years or long-term imprisonment.”

Article 40

In Article 195, paragraph 1, the word: “eight” shall be replaced with word: “ten”.

Article 41

In Article 196, paragraph 1, the words: “three years” shall be replaced with words: “term of between six months and five years”.

In paragraph 2, the words: “six months and five” shall be replaced with words: “one and eight”.

Article 42

In Article 198, paragraphs 1, 2 and 3, after the word: “financial benefit”, the words: “or other benefits” shall be added.

In paragraph 2, the word: “five” shall be replaced with word: “eight”.

In paragraph 4, the words: “one and twelve” shall be replaced with words: “two and fifteen”.

Article 43

In Article 199, paragraph 1, the words: “six months and five” shall be replaced with words: “one and eight”.

Article 44

In the title of Article 200, after the word: “Production”, comma punctuation mark and word: “Possession” shall be added.

In paragraph 1, after the word: “Whoever”, the word: “possesses” and coma punctuation mark shall be added, and the words: “fined or punished by imprisonment for a term not exceeding one year” shall be replaced with words: “imprisonment for a maximum term of three years”.

In paragraph 2, the words: “for a maximum term of three years” shall be replaced with words: “of between six months and five years”.

In paragraph 3, the words: “six months and five years” shall be replaced with words: “one and eight years”.

Article 45

Title of Article 201 shall be amended to read: “Incest”. (TRANSLATOR’S REMARK: N/A TO ENGLISH TEXT VERSION)

Article 46

In Article 204, paragraph 1, the word: “between” shall be deleted.

Article 47

In Article 205, paragraph 2, the words: “between three months and three years” shall be replaced with words: “between six months and five years”.

Article 48

In Article 224, paragraph 1, the word: “one” shall be replaced with word: “three”.

In paragraph 2, the word: “three” shall be replaced with word: “five”.

In paragraph 3, the word: “one” shall be replaced with word: “three”.

Article 49

In Article 225, paragraph 1, the words: “six months and five years” shall be replaced with words: “two and ten years”.

In paragraph 2, the word: “one” shall be replaced with word: “three”.

Article 50

In Article 232, paragraph 1, subparagraph 6, full stop punctuation mark shall be deleted, and comma punctuation mark and new subparagraph 7 shall be added to read:

“7) out of hatred”.

Article 51

In Article 233, paragraph 2, after the word: “person”, the words: “or if the criminal offence was perpetrated out of hatred” shall be added.

Article 52

In Article 234, paragraph 2, after the word: “person”, the words: “or if the criminal offence was perpetrated out of hatred” shall be added.

Article 53

Article 238 shall be deleted.

Article 54

In Article 249, after paragraph 2, new paragraph 3 shall be added to read:

“(3) Whoever commits criminal offence under paragraphs 1 and 2 of this Article out of hatred, shall be punished by imprisonment for a term of between six months and five years.”

Current paragraph 3 shall become paragraph 4.

Article 55

Article 271 shall be deleted.

Article 56

After the Chapter Twenty-Four, new Chapter Twenty-Four A: “Criminal Offences Against Computer Data Security” and articles 292a, 292b, 292v, 292g, 292d, 292đ and 292e shall be added to read:

“Damage to Computer Data and Programs

Article 292a

(1) Whoever, without authorization, deletes, alters, damages, conceals or otherwise renders unusable computer data or program, shall be punished by a fine or imprisonment term of a maximum one year.

(2) If the offence referred to in paragraph 1 of this Article caused damages in the amount exceeding 10,000.00 KM the perpetrator shall be punished by imprisonment of a term between three months and three years.

(3) If the offence referred to in paragraph 1 of this Article caused damages in the amount exceeding 30,000.00 KM the perpetrator shall be punished by imprisonment of a term between three months and five years.

(4) Devices and means used for the perpetration of the offences referred to in paragraphs 1 and 2 of this Article, if owned by the perpetrator shall be forfeited.

Computer Sabotage

Article 292b

Whoever enters, destroys, deletes, alters, damages, conceals or otherwise renders unusable computer data or program, or destroys or damages a computer or other device for electronic processing and transmission of data with intent to prevent or significantly interfere with the process of electronic processing and transmission of data which are important for the governmental bodies, public services, institutions, companies or other entities shall be punished by imprisonment for a term of between six months and five years.

Developing and Introducing Computer Viruses

Article 292v

(1) Whoever develops a computer virus with the intention to introduce it into someone else’s computer or computer network or telecommunications network, shall be punished by a fine or imprisonment term for maximum six months.

(2) Whoever enters a computer virus to someone else's computer or computer network and causes damage shall be punished by a fine or imprisonment term for maximum two years.

(3) Devices and means used for perpetration of criminal offence under paragraphs 1 and 2 of this Article shall be forfeited.

Computer Fraud

Article 292g

(1) Whoever enters false information, fails to enter correct data or otherwise conceals or falsely represents data and thus affects the results of the electronic data processing with the intent of obtaining for himself or another illicit proceeds and thereby causes property damage to another, shall be punished by a fine or imprisonment term for maximum three years.

(2) If the material gain acquired by the offence referred to in paragraph 1 of this Article exceeds 10,000.00 KM the perpetrator shall be punished by imprisonment of a term between one and eight years.

(3) If the material gain acquired by the offence referred to in paragraph 1 of this Article exceeds 30,000.00 KM the perpetrator shall be punished by imprisonment of a term between two and ten years.

(4) Whoever commits the offence referred to in paragraph 1 of this Article with the intention of only causing damage to another, shall be punished by a fine or imprisonment term for maximum six months.

Unauthorised Access to Protected Computer, Computer Network, Telecommunications Network and Electronic Data Processing

Article 292d

(1) Whoever, in violation of security measures, connects to a computer or computer network or accesses electronic data processing without authorization shall be punished by a fine or imprisonment term for maximum six months.

(2) Whoever records or uses data obtained in a manner provided in paragraph 1 of this Article, shall be punished by a fine or imprisonment term of maximum two years.

(3) If the offence referred to in paragraph 1 of this Article stalls or seriously disrupts functioning of electronic processing and transmission of data or network or of there are other serious consequences, the perpetrator shall be punished by imprisonment term for maximum three years.

Preventing and Limiting Access to Public Computer Network

Article 292d

(1) Whoever obstructs or prevents access to public computer network without authorisation, shall be punished by a fine or imprisonment term for maximum one year.

(2) If an official person in execution of duties commits the offence referred to in paragraph 1 of this Article, shall be punished by imprisonment term for maximum three years.

Unauthorised Use of Computers or Computer Networks

Article 292e

(1) Whoever uses computer services or computer networks without authorization with the intention of acquiring illicit material gain to himself or another, shall be punished by a fine or imprisonment term for maximum three months.

(2) The prosecution of the offence referred to in paragraph 1 of this Article shall be initiated upon filed motion.”

Article 57

After Article 294, new Article 294a shall be added to read:

“Inciting National, Racial or Religious Hatred, Discord or Hostility

Article 294a

(1) Whosoever incites and inflames national, racial or religious hatred, discord or hostility, or spreads ideas of superiority of one race or nation over another, shall be punished by a fine or imprisonment for a term of not more than two years.

(2) Whosoever commits an offence under paragraph 1 above by employing duress and torture, jeopardizing the safety of any person, exposing national, ethnic or religious symbols to derision, damaging other people’s belongings, desecrating monuments or graves, shall be punished by imprisonment for a term of between six months and five years.

(3) Where an offence under paragraphs 1 and 2 above results in riots, violence or any other serious consequence to the co-existence of the constituent peoples and others who live in the Republika Srpska, the offender shall be punished by imprisonment for a term of between one and eight years.

(4) Any material or article bearing messages under paragraph 1 above and equipment for their production, duplication or distribution shall be subject to forfeiture.”

Article 58

After Article 361, new Article 361a shall be added to read:

“Preparation of a Criminal Offence

Article 361a

Whoever procures or prepares means or removes obstacles or engages in any other activity that creates conditions for a direct perpetration, but is not a substantive part of the act of perpetration, of a criminal offence prescribed by law, for which a punishment of imprisonment of five years or a more severe punishment may be imposed, unless more severe punishment is foreseen for preparation of a particular criminal offence, shall be punished by a fine or imprisonment term of maximum three years.”

Article 59

In Article 362, paragraph 1, the words: “up to twenty” shall be replaced with words: “from twenty” and the word: “life-long” shall be replaced with word: “long-term”.

Article 60

In Article 363, paragraph 3, the word: “life-long” shall be replaced with word: “long-term” (TRANSLATOR’S REMARK: N/A TO ENGLISH TEXT VERSION).

Article 61

In Article 369, paragraph 1, the words: “or their deputies” shall be deleted.

Article 62

Article 387 shall be amended to read:

“Obstructing an Official in Execution of His Official Duty Article 387

- (1) Whoever, by force or threat of immediate use of force, prevents an official person in the institutions of Republika Srpska from performing an official act falling within the scope of his authority or, by using the same means, coerces him to perform an official act, shall be punished by imprisonment term of maximum three years.
- (2) If, by the criminal offense referred to in paragraph 1 of this Article, the official person is maltreated or a light bodily harm is inflicted upon him, or the criminal offense has been perpetrated by threatening to use weapons, the perpetrator shall be punished by imprisonment for a term between six months and five years.
- (3) Whoever perpetrates the criminal offense referred to in paragraphs 1 and 2 of this Article against an official person carrying out the work related to the security of Republika Srpska, to the apprehension of perpetrators of criminal offenses or to the guarding of confined persons, shall be punished by imprisonment for a term between one and ten years.
- (4) If the perpetrator of the criminal offense referred to in paragraphs 1 through 3 of this Article has been provoked by illegal or rude treatment on the part of the official person, he may be relieved of punishment.”

Article 63

After Article 387, new article 387a shall be added to read:

“Attack against an Official Person while Carrying out Security Work, Discovering or Apprehending Perpetrators of Criminal Offenses Article 387a

- (1) Whoever attacks or seriously threatens to attack an official person of the institutions of Republika Srpska or a person who assists an official person in carrying out work related to the security of Republika Srpska, discovering or apprehending perpetrators of criminal offenses or to the guarding of confined persons shall be punished by imprisonment term of maximum three years.

(2) If, by the criminal offense referred to in paragraph 1 of this Article, a light bodily harm is inflicted upon the official person or upon the person who assists him, or if the criminal offense referred to in paragraph 1 of this Article is perpetrated with the threat to use weapons, the perpetrator shall be punished by imprisonment for a term between six months and five years.

(3) If, by the criminal offense referred to in paragraph 1 of this Article, a grievous bodily harm is inflicted upon the official person or upon the person who assists him, the perpetrator shall be punished by imprisonment for a term between one and ten years.

(4) If the perpetrator of the criminal offense referred to in paragraph 1, 2 and 3 of this Article has been provoked by illegal or rude treatment on the part of the official person or the person who assists him, he may be relieved of punishment.”

Article 64

Article 390 shall be deleted.

Article 65

In Article 398, paragraph 1, the words: “three months and three years” shall be replaced with words: “two years and five years”.

In paragraph 2, the word: “one” shall be replaced with word: “three”.

Article 66

In Article 399, paragraph 1, the words: “six months” shall be replaced with words: “two years”.

In paragraph 2, the word: “one” shall be replaced with word: “three”.

In paragraph 3, the words: “three months” shall be replaced with words: “two years”.

In paragraph 4, the word: “three” shall be replaced with word: “five”.

In paragraph 5, the word: “two” shall be replaced with word: “five”.

After paragraph 5, new paragraphs 6 and 7 shall be added to read:

“(6) Whoever, in public, without authority, carries firearms which acquisition to citizens is not forbidden, lacking a gun license or permit, shall be fined or punished by imprisonment term of maximum one year.

(7) Whoever, in public, without authority, carries firearms, chemical, biological or nuclear weapons, ammunition or explosive devices or any other weapon which acquisition is not at all allowed to citizens, shall be punished by imprisonment for a term of between one and three years.”

Current paragraph 6 shall become paragraph 8.

Article 67

In Article 402, after the paragraph 4, new paragraph 5 shall be added to read:

“(5) If the offences referred to in paragraphs 1, 2 and 3 of this Article are committed out of hatred, the perpetrator shall be punished by imprisonment for a term of one to ten years.”

Current paragraph 5 and 6 shall become paragraphs 6 and 7.

Article 68

The Legislative Committee of the Republika Srpska National Assembly is hereby authorized to determine the consolidated text of this Law.

Article 69

This law shall enter into force on the eighth day after its promulgation in the “Official Gazette of Republika Srpska”.

Number: 01-967/10
7 July 2010
Banja Luka

Speaker
National Assembly
Igor Radojicic, M.A.