Department for Legal Affairs

LAW
AMENDING THE CRIMINAL CODE
OF THE FEDERATION OF BOSNIA AND HERZEGOVINA

“Official Gazette of the Federation of Bosnia and Herzegovina”, 42/11

NOTE: The Criminal Code of the Federation of the Bosnia and Herzegovina was published in the “Official Gazette of the Federation Bosnia and Herzegovina”, 36/03.
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AMENDING THE CRIMINAL CODE
OF THE FEDERATION OF BOSNIA AND HERZEGOVINA

Article 1

In the Criminal Code of the Federation of Bosnia and Herzegovina (“Official Gazette of
the Federation of BiH”, nos. 36/03, 37/03, 21/04, 69/04, 18/05 and 42/10), after Article
43b, a new Article 43c shall be added to read as follows:

“Article 43c.

House arrest with electronic surveillance

(1) Persons convicted to imprisonment for a term up to one year may, with their consent,
serve that sentence also as the *house arrest with electronic surveillance*, which implies
that the convicted person may not leave the premises on which he or she resides, except
in the cases prescribed by the law governing the execution of criminal sanctions.

(2) The decision that the imprisonment may also be executed as the *house arrest with
electronic surveillance* shall be based upon the assessment that, considering all the
circumstances determining the type and range of the sentence, the perpetrator of a
criminal offense is not necessarily required to be committed to an institution for
execution of imprisonment, but that instead the purpose of punishment and the purpose of
execution of imprisonment can also be achieved in this way.

(3) A convicted person serving the house arrest with electronic surveillance and who
leaves unjustifiably the premises on which he or she resides, shall be ordered by the court
to serve the remainder of imprisonment in an institution for execution of punishment.

(4) No execution of imprisonment sentence may be ordered in the way prescribed under
paragraph 1 of this Article for the persons convicted for criminal offenses against
marriage, family and youth, who live in the same household with the injured person.”

Article 2

In Article 110, after paragraph (2), a new paragraph (3) shall be added to read as follows:

“(3) The house arrest with electronic surveillance shall be executed on the premises in
which the convicted person resides in the place of permanent or temporary residence.”
Article 3

This Law shall enter into force on the eight day following its publication in the “Official Gazette of the Federation of BiH.”

Chairwomen
of the House of Peoples
of the BiH Federation Parliament

Karolina Pavlović, manu propria

Chairman
of the House of Representatives
of the BiH Federation Parliament

Dr. Denis Zvizdić, manu proprio