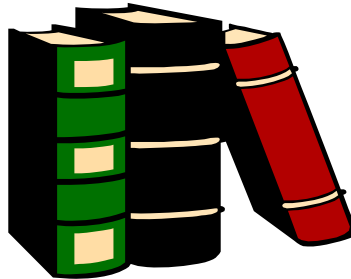




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LAW AMENDING THE LAW ON THE CIVIL SERVICE IN THE REPUBLIKA SRPSKA ADMINISTRATION

“Official Gazette of Republika Srpska”, 49/06

[NOTE: Law on the Civil Service in the Republika Srpska Administration was published in the “Official Gazette of Republika Srpska”, 16/02.](#)

NOTE: On the day of entering into force of the Law on the RS Administration (“Official Gazette of Republika Srpska”, 118/08, 16.12.2008), Provisions of Articles 2 through 6, Article 12, Articles 14 through 19, Articles 29 through 31, Articles 33 through 41 and Articles 91 through 199 of the Law on the Civil Service in the Republika Srpska Administration, shall cease to be valid.

NOTE: On the day of entering into force of the Law on Civil Servants (“Official Gazette of Republika Srpska”, 118/08, 16.12.2008), Provisions of Articles 7 through 11, Article 13, Article 32, Articles 42 through 77, Articles 85 through 89, Article 122 and Article 126 of the Law on the Civil Service in the Republika Srpska Administration, shall cease to be valid.

LAW
AMENDING THE LAW ON THE CIVIL SERVICE IN
THE REPUBLIKA SRPSKA ADMINISTRATION

Article 1

In the Law on the Civil Service in the Republika Srpska Administration (Official Gazette of RS, 16/02, 62/02, 38/03 and 42/04), in Article 1, after the word “appointment”, the word “selection” shall be deleted and the words “and employment” shall be inserted.

Article 2

Article 4 shall be deleted.

Article 3

(1) In Article 5, Paragraph 7 shall be deleted.

(2) In Article 5, Paragraph 8, the word “select” shall be replaced by the word “appoint” and the words “four years” shall be replaced by the words “five years”.

Article 4

(1) In Article 6, Paragraph 1, sub-paragraph a) after the words “appointment”, the words and “and selection” shall be replaced by the words “employment and release from duty”.

(2) In the same Paragraph 1, sub-paragraph d) shall be deleted.

Article 5

(1) In Article 7, Paragraph 5 shall be deleted.

(2) In Paragraph 6, which becomes Paragraph 5, the words “is conducted at least 30 days” shall be replaced by the words “must start within 15 days”.

(3) New Paragraph 6 shall be added, to read as follows:

“The procedure of appointment and employment must be completed within not later than 75 days after the expiration of the deadline for submitting the applications to the open competition.”

Article 6

In Article 20, Paragraph 2 the words “civil servants” shall be deleted.

Article 7

Chapter IV. "SELECTION AND APPOINTMENT TO THE CIVIL SERVICE" shall be amended to read as follows: "EMPLOYMENT AND APPOINTMENT TO THE CIVIL SERVICE".

Article 8

In Article 43, Paragraph 1, sub-paragraph 3 shall be amended to read as follows: "act on an appointment of up to 90 days".

Article 9

In Article 45, Paragraph 4 shall be amended to read as follows:

"An open competition is announced in the public media, and remains open 21 days after its publication in the daily newspapers."

Article 10

(1) In Article 48, after paragraph 1, new paragraph 2 shall be added to read as follows:

"Selection and appointment of Assistant Ministers, Secretaries to the Ministries, Heads of the RS Administration and Administrative Organizations, shall be carried out for the period of five years, with the possibility of renewal of the mandate.

(2) Paragraph 4 shall be amended to read as follows:

"Should the Government after the end of the mandate release from duty a civil servant who performs the managerial duties, the civil servant shall be returned to the same or similar previous position, at latest within three months from the day on which the decision on release is passed."

(3) Previous paragraphs 2, 3, and 4 shall be become paragraphs 3, 4, and 5.

Article 11

(1) In Article 51, Paragraph 1, Item 1, after the words "Bosnia and Herzegovina" the words "and reside in the Republika Srpska" shall be deleted.

Article 12

In Article 68, Paragraph 1 shall be amended to read as follows:

"A civil servant is responsible for a damage done to the Civil Service body, which he intentionally caused at work."

Article 13

(1) In Article 72, Paragraph 1, item 2 shall be amended to read as follows:

“suspension of the right to take part in civil service open competitions for two years”.

(2) In Article 72, Paragraph 1, Item 3, the number “50%” shall be replaced by the “20% for the duration up to six months”.

Article 14

(1) Article 87 shall be amended to read as follows:

“A civil servant may not exercise a function, activity or be in a position which constitutes a conflict of interests with his official duties, and may not in particular perform the activities for which remuneration is provided, unless the Minister or Head of the Administrative Organisation has approved it.

(2) The Government of the Republika Srpska shall provide by its order for such cases for which the approval under Paragraph 1 of this Article may be given.”

Article 15

In Article 98, Paragraph 2, the word “earnings” shall be replaced by the word “salaries”.

Article 16

(1) In Article 113, Paragraph 1 shall be amended to read as follows:

“The competent Ministry shall decide upon an appeal against the first-instance decision of the regional office, the RS Administration or RS Administrative Organization.”

(2) In Paragraph 2, the word “Minister” shall be replaced by the word “the competent Ministry”.

Article 17

Article 114 shall be deleted.

Article 18

In Article 122, Paragraph 1 shall be amended to read as follows:

“(1) Civil servants, occupying civil service positions under Article 32, items 1-9 of this Law are subject to the Agency’s review procedure. The review procedure aims to establish whether the civil servants were employed in accordance with the Law on

Civil Service and the Law on Working Relations in the State Bodies and whether they meet the requirements of Article 51 of this Law.

(2) Employment of a civil servant shall be terminated if the review procedure shows that:

1. the civil servant was employed contrary to the provisions of the Law on Civil Service and the Law on Working Relations in the State Bodies or if
2. the civil servant does not meet the requirements of Article 51 of this Law.

(3) Decisions under Paragraph 2 of this Article shall be taken by the RS Civil Service Agency.

(4) The Agency shall announce an open competition to fill the vacancies.

Article 19

After Article 125, new Article 125a. shall be added to read as follows:

“Article 125a

(1) An open competition for selection and appointment of the civil servants referred to in Article 10 of this Law shall be announced not later than within 30 days following the entry into force of this Law.

(2) The open competition referred to in the preceding paragraph shall not be announced to fill the vacant positions in regard of which, until the entry into force of this Law, the open competition procedure was already started.”

Article 20

After Article 126, new Article 126a shall be added to read as follows:

”Article 126a

The Legislative Board of the National Assembly of the Republika Srpska shall be authorized to prepare an edited text of this Law.”

Article 21

This Law shall enter into effect on the eighth day after its publication in the “Official Gazette of Republika Srpska.”

No: 01-554/06
11 May 2006
Banja Luka

Speaker
National Assembly
Igor Radojicic, M.A.