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Department for Legal Affairs



LAW ON SUCCESSION OF A BH PRESIDENCY MEMBER

“Official Gazette of Bosnia and Herzegovina”, 21/00

NOTE: The High Representative's Decision on Amending the Law on Filling a Vacant Position of the Member of the Presidency of Bosnia and Herzegovina, published in the “Official Gazette of Bosnia and Herzegovina”, 21/00, is not included in this translation.

Pursuant to Article IV 4 (a) of the Constitution of Bosnia and Herzegovina, the Parliamentary Assembly of Bosnia and Herzegovina adopted the following Law at the session of the House of Representatives held on July 27, 2000 and the session of the House of Peoples held on July 31, 2000

LAW ON SUCCESSION OF A BH PRESIDENCY MEMBER

Article 1

If a BH Presidency (hereinafter: the Presidency) member dies, resigns or otherwise dismissed from his duties, the BH Parliamentary Assembly (hereinafter: the Parliamentary Assembly) members shall, at their sessions, elect a successor to fill in the vacant post in the Presidency.

Article 2

By way of the election which shall be held in accordance with this Law, the vacant post of the BH Presidency member may be filled in only by a member of the House of Representatives of the BH Parliamentary Assembly (hereinafter: the House of Representatives), who is from the same constituent people and from the territory of the same Entity as the BH Presidency member whose post was left vacant.

Article 3

The political parties represented in the House of Representatives may each propose a single candidate who meets the requirements referred to in Article 2 of this Law. A member of the House of Representatives who was elected to this Chamber as an independent candidate and who meets the requirements referred to in Article 2 of this Law, may be a candidate for the vacant post in the Presidency.

Article 4

If the post of a BH Presidency member elected from the territory of the Republika Srpska or a BH Presidency member elected from the territory of the BH Federation was left vacant, each member of the House of Representatives, elected from the same Entity as the BH Presidency member whose post was left vacant, may give only a single vote. The candidate who receives the greatest number of votes shall be appointed. If two or more candidates receive the identical number of votes, the appointee shall be determined by drawing lots.

Article 5

If the posts of both BH Presidency members from the BH Federation were left vacant at the same time, there shall be one round of voting for filling in both vacancies. Each member of the House of Representatives, elected from the same Entity as the BH Presidency members whose posts were left vacant, may give only a single vote. One Bosniac and one Croat candidate who receive the greatest number of votes shall be appointed. If the two candidates for the same vacant post in the BH Presidency receive the identical number of votes, the appointee shall be determined by drawing lots.

Article 6

Following the appointment by the House of Representatives, the appointee shall be approved by the majority of delegates to the House of Peoples of the BH Parliamentary Assembly (hereinafter: the House of Peoples) who are from the same constituent people as the appointee.

If the House of Peoples rejects to approve the appointment by the House of Representatives in two rounds of voting, the Presidency member shall be appointed in the third round of voting from among the members of the House of Representatives, by the majority of votes of the delegates in the House of Peoples who come from the same constituent people as the appointee.

Article 7

If the post of the BH Presidency member was left vacant during the period of less than 30 days prior to the scheduled date of the next elections for the House of Representatives, the vacancy shall be filled in by the Speaker or Deputy Speaker of the House of Representative is from same constituent people as the BH Presidency member whose post was left vacant. The Speaker or the Deputy Speaker who succeeds the BH Presidency member whose post was left vacant, shall in accordance with this provision carry out that duty only until the session of the newly elected Parliamentary Assembly, wherein a new BH Presidency member shall be elected in accordance with this Law.

Article 8

The provisions of this Law shall apply to the BH Presidency members elected in accordance with the Rules and Regulations of the Provisional Election Commission.

Article 9

This Law shall be published in the “Official Gazette of Bosnia and Herzegovina” and shall enter into force on the eighth day of its publication.

PS BiH No: 50/00
31 July 2000
Sarajevo

Speaker
of the House of Peoples
of the BH Parliamentary Assembly
Drago Ljubicic

Speaker
of the House of Representatives
of the BH Parliamentary Assembly
Pero Skopljak