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LAW ON AMENDMENTS TO THE LAW ON TRAVEL DOCUMENTS OF BOSNIA AND HERZEGOVINA

“Official Gazette of Bosnia and Herzegovina”, 60/13

NOTE: Law on Travel Documents of Bosnia and Herzegovina was published in the
“Official Gazette of Bosnia and Herzegovina”, 4/97.

Pursuant to Article II 3.m) and Article IV 4.a) of the Constitution of Bosnia and Herzegovina, the Parliamentary Assembly of Bosnia and Herzegovina, on the 50th session of the House of the Representatives which was held on 18 July 2013 and the 31st session of the House of Peoples which was held on 23 July 2013, adopted the following:

LAW ON AMENDMENTS TO THE LAW ON TRAVEL DOCUMENTS OF BOSNIA AND HERZEGOVINA

Article 1

In the Law on Travel Documents of Bosnia and Herzegovina (“Official Gazette of Bosnia and Herzegovina” No. 4/97, 1/99, 9/99, 27/00, 32/00, 19/01, 47/04, 53/07, 15/08, 33/08 and 39/08), in Article 2, new paragraph 3 shall be added to read as follows:

“Personal data in a travel document shall be subject to protection. A copy of a travel document may only be requested only in a procedure of revision of a citizenship, termination of citizenship and in other cases when that is expressly specified by law.”

Article 2

In Article 6, paragraph 1, subparagraph 1, new line d) shall be added to read: “d) the mark for electronic travel document.”

Article 3

In Article 7, paragraph 1, subparagraph 2, new line d) shall be added to read: “d) the mark for electronic travel document.”

Article 4

After the Article 7, new articles 7a and 7b shall be added to read:

“Article 7a

Travel document for refugees shall have:

1. Covers that shall be light blue in colour;
2. The front cover shall contain, in following order:
 - a) the words “BOSNIA AND HERZEGOVINA”;
 - b) the words: “TRAVEL DOCUMENT”;
 - c) the words: “(Convention of 28 July 1951)”;
 - d) the mark for electronic travel document.

The text in lines a), b) and c) of the subparagraph 1, paragraph 1 of this Article shall be printed in the Bosnian, Croat and English languages (Latin script) and in the Serb language (Cyrillic script).

The text of the first page of the passport shall be identical to the text of the front cover.

Article 7b

Travel document for stateless persons shall have:

1. Covers that shall be grey in colour;
2. The front cover shall contain, in following order:
 - a) the words “BOSNIA AND HERZEGOVINA”;
 - b) the words: “TRAVEL DOCUMENT”;
 - c) the words: “(Convention of 28 September 1954)”;
 - d) the mark for electronic travel document.

The text in lines a), b) and c) of the subparagraph 1, paragraph 1 of this Article shall be printed in the Bosnian, Croat and English languages (Latin script) and in the Serb language (Cyrillic script).

The text of the first page of the passport shall be identical to the text of the front cover.”

Article 5

In Article 8a, paragraph 1 shall be amended to read:

“Passport, diplomatic and service passport, travel document for refugees and travel document for stateless persons shall contain contactless electronic memory element.”

In paragraph 2, the words: “articles 6 and 7” shall be replaced with words: “articles 6, 6, 7a and 7b”.

Article 6

In Article 13, paragraph 3 shall be deleted.

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

Article 7

In Article 18, paragraph 1 shall be amended to read:

“An application for a travel document shall be filed in person, except the application for issuing of a diplomatic and service passport, which shall be filed by the competent bodies of Bosnia and Herzegovina, i.e. of the entities, as well as for the travel certificate for the citizens of Bosnia and Herzegovina that a competent body may issue *ex officio*”.

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

“Person whose movement, due to advanced age, illness or other handicap is limited or disabled, movement may be enabled to file the application in an expedite manner, by means of the mobile work station. The application for issuing of the travel document in expedite manner by means of the mobile work station may also be enabled for the citizens of Bosnia and Herzegovina abroad in case of a greater number of applicants for travel documents in locations far away from a diplomatic or consular representation office of Bosnia and Herzegovina, when total costs of travel and other circumstances indicate the rationality and justification of enabling the application in expedite manner. The Agency for Identification Documents, Registers and data Exchange (hereinafter: the Agency) shall prescribe the technical requirements and procedures for use of a mobile work station in far away locations.

Travel document may be collected in person, through an authorized person or by mail, in manner that shall be specified by instruction made by the Ministry of Civil affairs of Bosnia and Herzegovina”.

Article 8

In Article 19, paragraph 1, after the words “permanent residence”, the words “or temporary residence for a displaced person, proof on paid price of the travel document”, shall be added.

Paragraph 3 shall be deleted.

Current paragraphs 4, 5, 6 and 7 shall become paragraphs 3, 4, 5 and 6, respectively.

Article 9

After the Article 19b, new Article 19c shall be added to read:

“Article 19c

Along with the application for issuing of the electronic travel document, the applicant or the person for whom, at the request of a competent body the travel document is issued, shall be bound to provide the personal biometric data (photograph, print of two fingers and signature) for authentication for which the unique physiologic characteristics of each human are used in order that the IT system can authenticate it.

The persons referred to in paragraph 1 of this Article shall provide the prints of their left and right index fingers, if the applicant do not have index finger or the top of it is injured, the prints of the middle finger or some other finger, and if the applicant do not have an arm, he/she shall provide the print of the index finger or some other finger of another arm. The fingerprints shall not be taken if that is not possible for the medical reasons that are not of temporary nature.

If the applicant is illiterate or taking of the signature is not possible due to other objective reasons, at the form of the travel document, at the place specified for signature, the mark XX shall be entered, and the official person shall state the reasons at the back of the form for inability to take the signature and shall confirm it by their signature.

The fingerprints and signature shall not be taken from a child up to 12 years of age.

In accordance with the Law on the Agency, the Agency shall specify the manners of taking the biometric data in further detail”.

Article 10

In Article 25b, new line 3 shall be added to read:

“3. Person who, contrary to Article 2, paragraph 3 of this Law, requests the copy of the travel document of a citizen of Bosnia and Herzegovina.”

Article 11

Article 26 shall be amended to read:

“Article 26

The competent bodies defined in Article 13 of this Law shall be bound to communicate the data into central registry of the Agency.

A citizen may apply for issuing the certificate on the facts from the registries by electronic way through portals of the competent bodies.

The Agency shall provide technical support to the competent bodies in charge of exercising activities referred to in paragraph 2 of this Article, about which it shall issue a separate instruction.”

Article 12

In Article 28, paragraph 2 shall be deleted.

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

Current paragraph 5 that shall become paragraph 4 shall be amended to read:

“At the proposal of the Agency, the Council of Ministers of Bosnia and Herzegovina shall specify the price of travel documents”.

Article 13

Article 29 shall be amended to read:

“Article 29

The passport for the citizens of Bosnia and Herzegovina shall be issued with a validity of ten years. To a citizen who did not reach the three years of age, the passport shall be issued with validity of three years, and to a citizen of age between three and eighteen with validity of five years.

Diplomatic and service passports shall be issued with validity of five years.

To a citizen with status of a displaced person and with registered temporary residence, the passport shall be issued with validity of two years.

To a citizen whose fingerprints cannot be taken temporarily, the passport shall be issued with a short term validity, about which the Agency shall issue a separate instruction, and the competent body shall enter this fact in a special place in the form of the passport.

Travel document for refugees and travel document for stateless persons shall be issued with validity of two years.

Travel certificate for the citizens of Bosnia and Herzegovina and travel certificate for aliens shall be issued with validity of 30 days. The seaman’s or maritime book shall be issued with validity of five years.”

Article 14

The Constitutional Law Commission of the House of Representatives and the Constitutional Law Commission of the House of Peoples of the Parliamentary Assembly of Bosnia and Herzegovina are hereby authorised to jointly specify the

consolidated text of the Law on Travel Documents of Bosnia and Herzegovina (“Official Gazette of Bosnia and Herzegovina” No. 4/97, 1/99, 9/99, 27/00, 32/00, 19/01, 47/04, 53/07, 15/08, 33/08 and 39/08).

Article 15

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