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LAW ON AMENDMENTS TO THE LAW ON COMMUNICATIONS

“Official Gazette of Bosnia and Herzegovina”, 98/12

NOTE: The High Representative Decision Enacting the Law on Communications of Bosnia and Herzegovina, No. 55/02, was published in the “Official Gazette of Bosnia and Herzegovina”, 33/02.

Pursuant to Article IV 4 a) of the Constitution of Bosnia and Herzegovina, the Parliamentary Assembly of Bosnia and Herzegovina, on the 36th session of the House of Representatives held on November 22nd, 2012 and on the 23rd session of the House of Peoples held on December 4th and 6th, 2012, passed

LAW ON AMENDMENTS TO THE LAW ON COMMUNICATIONS

Article 1

In the Law on Communications (“Official Gazette of Bosnia and Herzegovina”, nos. 31/03, 75/06 and 32/10), in Article 39, paragraph 2 shall be amended to read:

“2. The Council of the Agency shall consist of seven members nominated by the Parliamentary Assembly of Bosnia and Herzegovina for term of four years, with possibility of re-appointment only once.”

After the paragraph 2, new paragraphs 3, 4, 5, 6, 7, 8, 9, 10 and 11 shall be added to read:

“3. Person meeting the following criteria may be appointed as member of the Council of the Agency:

- a) That he/she has the citizenship of Bosnia and Herzegovina;
- b) That he/she has the university degree in technical or social sciences;
- c) That he/she has at least five years of working experience in activities falling within the scope of work of the Agency specified by this Law;
- d) That he/she is familiar with the issues of business operation and broadcasting of public and commercial electronic media; and
- e) That he/she has experience in activities of telecommunications and broadcasting.

4. The Parliamentary Assembly of Bosnia and Herzegovina shall, within 15 days from the day this Law enters into force, at the proposal of the Council of Ministers of Bosnia and Herzegovina, establish an ad hoc for conducting the procedure of appointment of the Council of the Agency which shall be comprised of the same number of representatives of governmental and non-governmental sectors, which shall announce public competition and after completed procedure shall determine the list of 14 most successful candidates and shall submit it to the Council of Ministers of Bosnia and Herzegovina.

5. The Council of Ministers of Bosnia and Herzegovina, within 30 days from reception of the list referred to in paragraph 4 of this Article, shall submit to the Parliamentary Assembly of Bosnia and Herzegovina the proposal for appointment of seven members of the Council of the Agency.

6. The Parliamentary Assembly of Bosnia and Herzegovina, within 30 days from reception of the proposal referred to in paragraph 5 of this Article, shall appoint the members of the Council of the Agency.

7. If the Parliamentary Assembly of Bosnia and Herzegovina refuses appointment of one or more candidates, it shall notify the Council of Ministers of Bosnia and Herzegovina by a conclusion on reasons for not appointing them and shall request that a new proposal be submitted to them within 30 days from the day of reception of the conclusion.

8. If the Council of Ministers of Bosnia and Herzegovina fails to act in accordance with the request referred to in paragraph 7 of this Article, or the new proposal of the Council of Ministers of Bosnia and Herzegovina is not accepted, the Parliamentary Assembly of Bosnia and Herzegovina shall immediately initiate the procedure with objective of announcing the new public competition for appointment of the members of the Council of the Agency.

9. The Council of Ministers of Bosnia and Herzegovina, in determining the proposal for appointments, and the Parliamentary Assembly of Bosnia and Herzegovina, in appointment of the members of the Council of the Agency, shall be bound to take into account the ethnic and gender representation of the candidates for appointment of the members of the Council of the Agency, particularly taking into consideration Article 36, paragraph 4 of this Law.

10. The members of the Council of the Agency shall elect chairperson and vice-chairperson of the Council of the Agency at the inaugural session of the Council of the Agency, which shall be convened by the chairperson of the outgoing composition of the Council of the Agency.

11. The Council of the Agency shall hold the sessions as needed and at least four times a year, which shall be attended by the Director General of the Council of the Agency as a non-voting participant.”

Current paragraphs 3 and 4 shall become paragraphs 12 and 13.

Article 2

This Law shall enter into force eight (8) days after its publication in the “Official Gazette of Bosnia and Herzegovina”.