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LAW ON AMENDMENTS TO THE LAW ON COMBATING CORRUPTION, ORGANIZED CRIME AND THE MOST SERIOUS FORMS OF ECONOMIC CRIME

“Official Gazette of Republika Srpska”, 91/17

LAW
ON AMENDMENTS TO THE LAW ON COMBATING
CORRUPTION, ORGANIZED CRIME AND THE MOST
SERIOUS FORMS OF ECONOMIC CRIME

Article 1

In the Law on Combating Corruption, Organized Crime and the Most Serious Forms of Economic Crime (“Official Gazette of RS” No 39/16), in Article 1, after the wording: “units of the”, wording: “Public” shall be added, as well as in the entire text of the Law in corresponding grammatical case.

Article 2

In Article 4, paragraph (1), after the wording: “Republic”, wording: “Public” shall be added, as well as in the entire text of the Law in corresponding grammatical case.

Article 3

Article 13 shall be amended to read:

“(1) The Special Department of the Court shall have jurisdiction on the entire territory of the Republika Srpska for the criminal offences defined by the Criminal Code of the Republika Srpska (“Official Gazette of RS” No 64/17), and so in particular:

- 1) First Degree Murder (Article 125, paragraph (1), subparagraph 8 and paragraph (2) in conjunction with paragraph (1));
- 2) Abduction (Article 142);
- 3) Human Trafficking (Article 145);
- 4) Trafficking in Minors (Article 146);
- 5) Associating for the Purpose of Perpetration Criminal Offences of Human Trafficking and Trafficking in Minors (Article 147);
- 6) Accepting Gifts in Conducting of Economic Activities (Article 256);
- 7) Giving Gifts in Conducting of Economic Activities (Article 257);
- 8) Tax and Contribution Evasion (Article 265, paragraph (3)), if the amount of the obligation payment of which is evaded exceeds KM 200,000;
- 9) Attack on the Constitutional Order (Article 278);
- 10) Endangering Territorial Integrity (Article 279);
- 11) Rendering Republika Srpska into a Position of Subjugation or Dependency (Article 280);
- 12) Assassination of the Highest Officials of the Republika Srpska (Article 281);
- 13) Kidnapping the Highest Officials of the Republika Srpska (Article 282);
- 14) Armed Rebellion (Article 283);
- 15) Preventing the Fight Against the Enemy (Article 284);
- 16) Service in the Army of the Enemy (Article 285);
- 17) Assisting the Enemy (Article 286);

- 18) Unlawful Establishing and Joining Paramilitary or Parapolice Formations (Article 287);
- 19) Undermining Defense Power of the Republika Srpska (Article 288);
- 20) Subversion (Article 289);
- 21) Sabotage (Article 290);
- 22) Espionage (Article 291);
- 23) Disclosing a Secret of the Republika Srpska (Article 292);
- 24) Dispatching and Transferring Armed Groups, Arms and Ammunition into the Territory of Republika Srpska (Article 293);
- 25) Incitement to Violent Change of the Constitutional Order of Republika Srpska (Article 294);
- 26) Accessory After the Fact in the Commission of the Offences against the Constitutional Order of the Republika Srpska (Article 295);
- 27) Organizing of a Group or of an Organized Criminal Group for the Purpose of Perpetration of Criminal Offences against the Constitutional Order of the Republika Srpska (Article 296);
- 28) Preparation of Criminal Offences against the Constitutional Order of Republika Srpska (Article 297);
- 29) Terrorism (Article 299);
- 30) Funding the Terrorist Activities (Article 300);
- 31) Organizing Terrorist Groups or Organizations (Article 301);
- 32) Public Incitement to Terrorist Activities (Article 302);
- 33) Recruitment and Training for Execution of Terrorist Acts (Article 303);
- 34) Organizing and Training of Groups for the Purpose of Joining Foreign Terrorist Organizations (Article 304);
- 35) Taking Hostages (Article 305) ;
- 36) Abuse of Office or Official Authority (Article 315), in the case when the perpetrator of the criminal offence is an official or responsible person elected or appointed by the National Assembly of the Republika Srpska, the Government of the Republika Srpska and its Ministries or the High Judicial and Prosecutorial Council;
- 37) Accepting Bribe (Article 319);
- 38) Offering Bribe (Article 320);
- 39) Trading in Influence (Article 321);
- 40) Careless Performance of Official Duties (Article 322), in the case when the perpetrator of the criminal offence is an official or responsible person elected or appointed by the National Assembly of the Republika Srpska, the Government of the Republika Srpska and its Ministries or the High Judicial and Prosecutorial Council;
- 41) Attacking a Judge or Public Prosecutor (Article 339);
- 42) Breach of Law by a Judge or Public Prosecutor (Article 346);
- 43) Association for the Purpose of Perpetrating Criminal Offences (Article 365);
- 44) Perpetration of Criminal Offences within a Criminal Association (Article 366).

(2) The Special Department of the Court shall have jurisdiction on the entire territory of the Republika Srpska and for the criminal offenses defined under Chapter Twenty-Six – the Criminal Offences against the Judiciary of the Criminal Code of the Republika Srpska, wherever they have been committed in connection with the criminal offenses referred to in paragraph (1) of this Article.

(3) The Special Department of the Court shall have jurisdiction on the entire territory of the Republika Srpska and for the criminal offense of Money Laundering referred to in Article 263 of the Criminal Code of the Republika Srpska, wherever it has been committed in connection with the criminal offenses referred to in paragraph (1) of this Article.

(4) In the event that during the course of a main trial the Court finds that the case does not involve a criminal offense defined in paragraph (1) of this Article, it shall not refer the matter to the competent court, but it shall conduct the proceedings and reach a decision single-handedly.”

Article 4

In the criminal cases in which the subject matter jurisdiction of the court has been changed by the provisions of Article 3 of this Law, the proceedings commenced before the court with subject matter jurisdiction shall be completed in compliance with the provisions of previously valid regulations.

Article 5

This Law shall enter into force on the eighth day after its promulgation in the “Official Gazette of RS”.