

# Decision on the Law on Amendments to the Law on Cessation of Application of the Law on the Use of Abandoned Property

In accordance with my authority under [Annex 10](#) of the General Framework Agreement for Peace in Bosnia and Herzegovina, and Article XI of the Conclusions of the Peace Implementation Council held in Bonn on 10 December 1997, I hereby

## DECIDE

The Law on Amendments to the Law on Cessation of the Application of the Law on the Use of Abandoned Property, as hereby attached as an integral part of this Decision, shall enter into force as a law of the Republika Srpska on 28 October 1999.

27 October 1999	Wolfgang Petritsch High Representative Sarajevo
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## LAW ON AMENDMENTS TO THE LAW ON CESSATION OF APPLICATION OF THE LAW ON THE USE OF ABANDONED PROPERTY

### Article 1

In Article 1 of the *Law on the Cessation of Application of the Law on the Use of Abandoned Property* (RS Official Gazette no. 38/98, 12/99) in its amended form (hereinafter the 'Law'), after paragraph 1, the following shall be added as new paragraphs 2, 3 and 4:

'The provisions of this Law shall apply to all real property, including privately-owned business premises and privately-owned houses and privately-owned apartments, and

apartments with occupancy right ('apartments') which were vacated since 30 April 1991, whether or not the real property or apartment was declared abandoned: provided that the owner, possessor or user lost possession of the real property or the occupancy right holder lost possession of the apartment before 19 December 1998.

For the purpose of this Law, temporary user shall be understood to mean the person who is using real property or an apartment with a valid legal basis; an illegal user shall be understood to mean the person who is using real property or an apartment without a valid legal basis. If a provision refers to both categories of users, the term current user is used.

For the purpose of this Law, alternative accommodation shall be understood to mean either emergency accommodation, as defined in Article 8 of the Law on Housing Relations ('ZOSO') or appropriate accommodation, as defined in Article 7 of the ZOSO.'

## **Article 2**

In Article 2, paragraph 4, the words 'in exchange for' shall be deleted and replaced by: 'and who subsequently received'.

## **Article 3**

In Article 4, the following words shall be added at the end of the Article:

'or at the time when the owner, possessor or user first lost possession of the real property, in cases where the real property was not declared as abandoned'.

## **Article 4**

In Article 6, paragraph 1 shall be deleted and replaced by the following new paragraph 1:

'If a temporary user is required to vacate the real

property pursuant to the provisions of this Law, the responsible body of the Ministry of Refugees and Displaced Persons shall determine within the deadline of 30 days for making the decision under Articles 9 and 11 of this Law whether s/he is entitled to alternative accommodation in accordance with Article 34 of this Law. In case that the temporary user is entitled to alternative accommodation, the responsible body shall provide alternative accommodation within the time limit in which the temporary user is required to vacate the property under Article 11 of this Law.'.

Article 6, paragraph 2 of this Law shall be deleted.

In Article 6, paragraph 3, at the beginning of the paragraph, the words 'If the request of the temporary user and free disposal of his/her property has been resolved,' shall be deleted.

## Article 5

In Article 7, paragraph 1, after the words 'abandoned real property', the following words shall be inserted: 'as referred to in Article 4,'. After the words 'in another way of his/her abandoned', the following word shall be inserted, 'real'.

In Article 7, after paragraph 2, the following new paragraph 3 shall be inserted:

‘All past final and binding court decisions which order the return of real property to the possession of the owner, possessor or user shall be enforced by the competent court. Any initiated court proceedings concerning the return of real property to the possession of the owner, possessor or user will continue unless withdrawn by the owner, possessor or user, while new claims for the repossession of property shall be submitted to the responsible body under Article 8 of this Law.’

## Article 6

In Article 8, after paragraph 1, the following new paragraph 2 shall be inserted:

‘An owner, possessor or user shall be entitled to file a claim for repossession of real property, including privately-owned business premises, privately-owned houses and privately-owned apartments, including any real property which is or was at any time used partly or wholly for business purposes. The responsible body of the Ministry of Refugees and Displaced Persons shall be competent to receive and decide the claim in accordance with this Law’.

and the previously numbered paragraphs 2 to 6 of this Article, shall be renumbered as 3 to 7, respectively. In Article 8, in the present paragraph 5 (which shall become paragraph 6), after the words ‘Law on General Administrative Procedures’, the following reference shall be inserted: ‘(SFRY Official Gazette, No 47/86; taken over by Article 12 of the Constitutional Law on Implementation of the Constitution of Republika Srpska, RS Official Gazette, No. 21/92).’

In Article 8, the present paragraph 6 (which shall become paragraph 7), the reference ‘(SFRY Official Gazette, No. 47/86, RS Official Gazette, No. 1/94, Special Issue 10/95)’ shall be deleted.

## Article 7

In Article 11, paragraph 1, after the third point, following the words ‘owner, possessor or user’, the following new fourth point shall be included:

- ‘in cases where there is a current user, a decision on whether the current user is using the real property without legal basis (‘illegal user’) or is a legal temporary user,’.

In Article 11, paragraph 1, in the present fourth point (which shall become the fifth point): the word ‘appropriate’ shall be deleted and replaced by the word

‘alternative’. At the end of the fourth point, the following words shall be added: ‘under this Law’.

In Article 11, paragraph 1, in the present fifth point (which shall become the sixth point): the words ‘to use the real property as of the date of intended return of the claimant’ shall be deleted.

In Article 11, paragraph 1, in the present sixth point (which shall become the seventh point): the word ‘temporary’ shall be deleted and replaced by the word ‘current’.

In Article 11, at the end of paragraph 2, the following words shall be added: ‘, unless a shorter time limit applies under this Law.’

In Article 11, paragraph 3 shall be amended to state as follows:

‘The owner, possessor or user may immediately reoccupy real property that is vacant.’

In Article 11, paragraph 4, after the words ‘another accommodation in accordance with’, the words ‘Article 6 of’ shall be deleted. At the end of the paragraph 4, the following words shall be added: ‘, which shall be agreed upon by the Office of the High Representative’.

In Article 11, after paragraph 4, a new paragraph 5 shall be added:

‘In each individual case, the requirements of the European Convention on Human Rights and its Protocols must be met, and the occupancy right holder shall be notified of the decision to extend the deadline and the basis for the decision 30 days before the deadline has expired.’

and the previously numbered paragraph 5 of this Article

shall be paragraph 6.

## **Article 8**

In Article 12, paragraph 1, the words 'temporary user' shall be deleted and replaced by the words 'current user'.

In Article 12, after paragraph 1, the following new paragraph 2 shall be inserted:

'Any appeal against a decision may be submitted to the responsible second instance body in accordance with the Law on General Administrative Procedures within 15 days of receipt of the decision. Any appeal shall not suspend the execution of the decision.'

## **Article 9**

In Article 13, paragraph 1, the words 'The party to whom the decision under Article 11 of this Law is referred' shall be deleted and replaced by the words: 'The owner, possessor or user of real property as referred to in Article 3 of this Law'.

In Article 13, at the end of paragraph 2, the following words shall be added: 'but only in cases where the responsible body has rejected the request of the claimant on formal or material grounds, and where suspension is requested by the Commission.'

## **Article 10**

Article 14 shall be deleted and replaced by:

'The occupancy right holder of an abandoned apartment shall have the right to return to the apartment in accordance with Annex 7 of the General Framework Agreement for Peace in Bosnia and Herzegovina. The provisions of this Law shall apply to all apartments vacated between 30 April 1991 and 19 December 1998, whether or not the apartment was declared abandoned, and regardless of whether the apartment was used for business purposes after 30 April 1991.'

A person who left his/her apartment between 30 April 1991 and 19 December 1998 shall be presumed to be a refugee or displaced person under Annex 7 of the General Framework Agreement for Peace in Bosnia and Herzegovina with a right to return to that apartment irrespective of the circumstances under which s/he left the apartment.

All past final and binding court decisions which order the return of an apartment to the occupancy right holder as defined in this Law shall be enforced by the competent court. Any initiated court proceedings concerning the return of an apartment to the occupancy right holder will continue unless withdrawn by the occupancy right holder, while new claims for the repossession of occupancy rights shall be submitted to the responsible body under Article 15 of this Law.'

## **Article 11**

In Article 15, at the end of paragraph 1, the following words shall be added: 'as well as a member of his or her family household, as defined in Article 6 of the Law on Housing Relations ('ZOSO')'.

In Article 15, the present paragraph 4 shall be deleted.

## **Article 12**

In Article 18, paragraph 1, after the second point, the following shall be inserted as a new third point: 'in cases where there is a current user, a decision on whether the current user is using the apartment without legal basis ('illegal user') or is a legal temporary user;' the present points of this paragraph 3 to 5 shall be renumbered as 4 to 6, respectively..

In Article 18, paragraph 1, in the present fourth point (which shall become the fifth point), the word 'temporary' shall be deleted and replaced by the word 'current'.

In Article 18, paragraph 1, in the present fifth point (which

shall become the sixth point), after the words 'entitled to', the word 'alternative' shall be inserted; and the words 'the ZOSO' shall be replaced by 'this Law'.

In Article 18, paragraph 2, the reference to 'Paragraph 1(4)' shall be deleted and replaced by 'Paragraph 1(5) at the end of paragraph 2 of this Article, the following words shall be added: ', unless a shorter time limit applies under this Law.'

Article 18, paragraph 3 shall be amended to state as follows: 'The occupancy right holder may immediately reoccupy an apartment that is vacant.'

In Article 18, at the end of paragraph 4, the following words shall be added: ', which shall be agreed upon by the Office of the High Representative.'

In Article 18, after paragraph 5, the following new paragraph 6 shall be added: 'In no event shall failure of the responsible body to meet its obligations to provide alternative accommodation operate to delay the ability of the occupancy right holder to enter into possession of the apartment.'

## **Article 13**

In Article 19, after paragraph 1, the following new paragraph 2 shall be added:

'Any appeal against a decision may be submitted to the responsible second instance body in accordance with the Law on General Administrative Procedure within 15 days of receipt of the decision. Any appeal shall not suspend the execution of the decision.'

## **Article 14**

Article 21 shall be deleted and replaced by:

'The responsible body may *ex officio* or upon the request of the allocation right holder initiate the procedure for



cancelling the occupancy right before the competent court in cases where a decision has been issued under Article 18 and delivered to the occupancy right holder in accordance with law, and where:

1. the current user voluntarily vacates the apartment within the deadline stated in the Decision and the occupancy right holder fails, without good cause, to reoccupy the apartment within 90 days from the day on which s/he receives written notification from the competent body that the apartment is vacant; or
2. the current user does not vacate the apartment within the deadline stated in the Decision and the occupancy right holder fails, without good cause, to initiate enforcement proceedings within 90 days after expiration of the deadline for the current user to vacate; or
3. the current user vacated the apartment following compulsory enforcement and the occupancy right holder fails, without good cause, to reoccupy the vacated apartment within 90 days from the day on which s/he receives written notification from the responsible body that the apartment is vacant; or
4. the occupancy right holder has received written notification that the apartment is vacant, and fails to reoccupy the apartment within 90 days after circumstances constituting a good cause under this Article ceased to exist.

The occupancy right holder is considered to have good cause not to reoccupy the apartment:

1. if s/he has requested the commencement of enforcement proceedings, but the apartment continues to be occupied by another party;
2. if s/he has been unable to return to the municipality in which the apartment is located due to a well-founded fear of persecution;

3. if the occupancy right holder was called up for military service;
4. if the occupancy right holder has been receiving medical treatment to the extent that reoccupying the apartment may pose significant health risks to him or her;
5. if the occupancy right holder has been convicted and is serving a prison sentence for this period;
6. if security measures are being applied to the occupancy right holder;
7. if the occupancy right holder and the members of his/her household are temporarily staying in an other place in the country or abroad on the bases stated in paragraph 1 of Article 48 of the ZOSO;
8. if the occupancy right holder's claim was rejected by the responsible body on formal or material grounds and he/she has submitted a claim to the Commission for Real Property Claims of Displaced Persons and Refugees which has not been resolved;
9. if the apartment is damaged or destroyed so as to make the apartment uninhabitable.

The competent body shall inform the claimant in the Decisions issued under Article 18 of the Law of her/his obligations under this Article in the Decision. In cases referred to in the previous paragraph of this Article, as long as these reasons last, the right of the occupancy right holder shall not be cancelled. (U slucajevima iz stava ovog clana, dok ti razlozi traju, nosiocu stanarskog prava pravo na koristenje stana.) ‘

## **Article 15**

In Article 22, at the end of paragraph 1, the following words shall be added: ‘unless the apartment falls within the scope of Article 31 of this Law’.

In Article 22, paragraph 2 shall be deleted.

## Article 16

In Article 23, paragraph 1, the words 'The party referred to in the decision under Article 18' shall be deleted and replaced by the words: 'The occupancy right holder as referred to in Article 14 and Article 15, paragraph 1'.

In Article 23, at the end of paragraph 2, the following words shall be added: 'but only in cases where the responsible body has rejected the request of the claimant on formal or material grounds, and where suspension is requested by the Commission.'

## Article 17

After Article 24, the following new Article 24a shall be inserted:

'If the person occupying the real property or apartment fails to voluntarily comply with the decision ordering him/her to vacate the real property or apartment, the responsible body shall employ compulsory enforcement, in accordance with the law.

The enforcement shall be carried out at the request of the owner, possessor or user for real property, or occupancy right holder for an apartment and/or a member of his family household.

Exceptionally, the responsible body shall ex officio or upon the request of a person who has a legal interest in the procedure pass a decision to vacate a real property or apartment immediately (*nadlezni organ uprave po sluzbenoj duznosti ili na osnovu zahtjeva bilo koje osobe donosi rjesenje o ispraznjenju nepokretne imovine*) in cases where the current user is a multiple occupant. The affected person has the right to file an appeal (*zalba*) against the decision, but the appeal does not suspend the eviction. '

'A multiple occupant includes, among others, a current user who uses a real property or an apartment and who:

1. holds an occupancy right to or is using more than one apartment; or

2. has a family house or a privately-owned apartment in the same city, municipality or place as the real property or apartment which s/he is using, in cases where the family house or privately-owned apartment is sufficiently intact to provide for basic living conditions (protection against weather; water installations and sanitary fittings to an appropriate level; electricity; heating; privacy; and security of belongings); or
3. is in possession of the house or apartment in which s/he lived on 30 April 1991 ( '1991 home'); or where a member of his/her family household is in possession of his/her 1991 home; in cases where his/her 1991 home is sufficiently intact to provide for basic living conditions; or
4. has already been provided with alternative accommodation by a responsible body; or
5. has a member of his/her family household of 30 April 1991 who has accommodation in the same city, municipality or place; or
6. has a legal right to return into possession of his/her 1991 home; and his/her 1991 home is sufficiently intact to provide for basic living conditions, as explained in this paragraph; and it is possible for him/her to return into possession of his/her 1991 home in safety and dignity.'

'In cases where a claim has been filed under this Law for a real property or apartment which is vacated by a multiple occupant, and no decision has been issued at the date of vacation, the competent body shall immediately issue a decision on the claim.'

## **Article 18**

In Article 25, after paragraph 1, the following new paragraph 2 shall be added:

**'In case of a dispute as to the lawfulness of the transferred real property right, the responsible body shall refer the**

**matter to the competent court according to the provisions of the Law on General Administrative Procedures regulating preliminary issues, in order to rule on the allegation.'**

## **Article 19**

In Article 26, after paragraph 1, the following new paragraph 2 shall be inserted:

'A claim may also be filed under this Law for real property and apartments which were re-allocated pursuant to provisions, laws, instruments and decrees adopted or applied after 30 April 1991 which regulated the rational use of space, including but not limited to all of the laws and regulations referred to in Article 1 of this Law, and including among others Article 17 of the Law on the Use of Abandoned Property (RS Official Gazette, Nos. 3/96, 21/96); the Decree on the Accommodation of Refugees (RS Official Gazette, No. 19/95); the Decree on the Accommodation of Refugees and other Persons in the Territory of the Republika Srpska (RS Official Gazette, No. 27/93); and the Law on Amendments to the Law on Housing Relations (RS Official Gazette, Nos. 19/93, 22/93). Claims may also be filed by occupancy right holders whose occupancy rights were cancelled under the Law on Housing Relations (Law on Housing Relations, SRBH Official Gazette. Nos 13/74, 23/76, 34/83, 12/87, 36/89; RS Official Gazette, No. 12/99)).'

## **Article 20**

Article 27 shall be deleted.

## **Article 21**

The present Article 30 shall be renumbered as Article 38.

## **Article 22**

After Article 29, the following new Articles 30, 31, 32, 33, 34, 35 and 36 shall be inserted as follows:

### **'Article 30**

All proceedings commenced under the Law on the Use of Abandoned Property (RS Official Gazette, Nos. 3/96, 21/96)

before the Law was repealed shall be terminated ex lege, regardless of the stage of the proceedings, with the exception of repossession claims to apartments which shall be processed in accordance with this Law.

### **'Article 31**

Where an occupancy right is cancelled in accordance with Article 16 or Article 21 of this Law, and the temporary occupant does not have the right to a new or revalidated contract on use of the apartment under Article 2, paragraph 3 of this Law, the apartment shall be administered by the responsible body of the Ministry for Refugees and Displaced Persons until 19 December 2001. This paragraph shall apply to all apartments, whether or not they were declared abandoned.

In the case mentioned in the previous paragraph, the responsible body of the Ministry for Refugees shall issue a temporary decision on use of the apartment for a period that does not exceed six months.

The right to a temporary use of an apartment in terms of the previous paragraph shall be given to a temporary user who is required to vacate a real property or apartment under a decision under article 11 or article 18 of this Law, and who is entitled to alternative accommodation.

The temporary occupant referred to in Paragraph 3 of this Article may request extension of the time limit for the use of apartment.

The temporary permit shall be cancelled immediately if the temporary user ceases to meet the conditions for the right to alternative accommodation.

While processing the requests for extension of the time limit, the responsible body shall determine whether the temporary occupant still has the right to use the apartment and, if not, it shall order his/her eviction within 15 days.

## **‘Article 32**

A claim must also be filed under this Law for an apartment, which was damaged or destroyed, provided that the occupancy right holder of the apartment lost possession of the claimed apartment before 19 December 1998. If a claimed apartment is reconstructed, the claimant shall return into possession of the apartment without limitation or restriction.

## **‘V. ENTITLEMENTS TO ALTERNATIVE ACCOMMODATION**

### **‘Article 33**

#### *Illegal users*

A person using a real property or an apartment without legal basis shall be evicted, at the latest within 15 days of the day of issuance of the decision, and the owner, possessor or user of the real property or the occupancy right holder of the apartment and/or any member of his/her household shall be entitled to repossess the real property or apartment without any restriction or limitation. The body responsible for providing alternative accommodation shall not be obliged to provide alternative accommodation under this Law to an illegal user.

In a case of eviction of an illegal user of a real property or apartment, relevant laws on displaced persons and refugees shall be applied to determine if s/he is entitled to alternative accommodation. If the person is not entitled to alternative accommodation under a law on displaced persons and refugees, the responsible body for social protection in the municipality where the real property or apartment is located shall determine whether such a person is entitled to any form of assistance. The failure of the responsible body to determine the entitlement of a current user or other user of a real property or an apartment to or provide alternative accommodation or assistance shall not delay eviction.

## **'Article 34**

### *Temporary users*

When a temporary user is required to vacate a real property or an apartment in accordance with the Law, the responsible body of the Ministry for Refugees and Displaced Persons shall determine whether the temporary user has the right to alternative accommodation under this Law.

In determining whether a temporary user is entitled to alternative accommodation, the responsible body shall determine in the procedure and within the deadlines for making a decision under Articles 9 and 11, and Articles 17 and 18 of this Law:

- i. where the temporary user lived on 30 April 1991;
- ii. in what capacity the temporary user occupied the apartment or real property where s/he lived on 30 April 1991;
- iii. whether it is possible to live in the apartment or real property;
- iv. whether the temporary user or a member of his/her family household from 30 April 1991 currently possesses that apartment or real property;
- v. whether he/she voluntarily exchanged or sold the apartment in question or real estate in his/her possession;
- vi. or any other relevant facts, which show that the temporary user's housing needs, are otherwise met.

In accordance with the previous paragraph, the following categories of users among others shall not be entitled to alternative accommodation, on the grounds that their housing needs are otherwise met:

- i. Access to pre-conflict home
  - a temporary user who has a legal right to return into possession of the real property or apartment



in which s/he lived on 30 April 1991 (hereinafter '1991 home'); and his/her 1991 home is sufficiently intact to provide for basic living conditions (protection against weather; water installations and sanitary fittings to an appropriate level; electricity; heating; privacy; and security of belongings); and it is possible for him/her to return into possession of the real property or apartment in safety and dignity; or

- a temporary user who is in possession of his/her 1991 home; or where a member of his/her family household is in possession of the 1991 home; and in cases where it is possible for him/her to live in that real property or apartment; or

ii. Access to other accommodation

- a temporary user who has already been provided with alternative accommodation by a responsible body; or
- a temporary user who has a parent or a member of his/her family household of 30 April 1991 has accommodation in the same city, municipality or place; or

iii. Means to secure other accommodation

- a temporary user, other than a displaced person or refugee, who has sufficient disposable income to provide for his/her own accommodation; or
- a temporary user who voluntarily exchanged or sold the real property or apartment in question, in cases where the contract on exchange or sale has been fully realised; or
- a temporary user in a case where the occupancy right holder provides him/her with accommodation as a tenant and agrees to pay the rent for at least two years; or

iv. Refusal to accept assistance offered

- a temporary user who refuses alternative accommodation offered by the responsible

authority, or refuses assistance in the reconstruction of his/her 30 April 1991 home. At the time of the offer, the temporary user shall be informed of the consequences of the refusal of alternative accommodation or reconstruction assistance.

### **‘Article 35**

A temporary user of a real property or an apartment who is required to vacate the real property or apartment in accordance with this Law and whose housing needs are otherwise met in accordance with Article 34 of this Law shall be obliged to vacate the real property or apartment within 15 days of the date of issuance of the decision confirming the rights of the owner, possessor or user under Article 11 or the occupancy right holder under Article 18. This deadline shall apply to all temporary users whose housing needs are otherwise met, regardless of article 11 paragraph 4 or article 18 paragraph 4.

A temporary user of a real property or an apartment who is required to vacate the real property or an apartment in accordance with this Law and whose housing needs are not otherwise met, shall be provided with alternative accommodation in accordance with this Law by the responsible body on the territory of which she/he had his/her latest domicile or residence. The temporary user shall be obliged to vacate the real property within the deadline set under Article 11 of this Law; or vacate the apartment within the deadline set under Article 18 of this Law.

### **‘Article 36**

In case that the Ministry for Refugees and Displaced Persons is unable to provide alternative accommodation, other responsible bodies including the Ministry for Urban Planning, the Ministry for Social Welfare, the Ministry of Defence,

companies, firms and Municipalities shall be obliged to make available accommodation which is at their disposal for the purposes of providing alternative accommodation under this Law.'

## **VI. PENALTY PROVISIONS**

### **'Article 37**

The competent body shall be fined 1000 to 5000 KM for the following minor offences:

1. if it violates Article 1 of this Law and continues to apply the Law on Use of Abandoned Property;
2. if it fails to accept claims, as set out in Article 8, paragraphs 1, 3, 5, 6 and 7, or Article 15, paragraphs 1, 5, 6, 7 of the Law;
3. if it fails to take into account the presumption that persons who have left their apartments between 30 April 1991 and 19 December 1998 shall be considered to be refugees and displaced persons under Annex 7 of the General Framework Agreement for Peace in Bosnia and Herzegovina, as set out in Article 14, paragraphs 1 and 2 of the Law;
4. if it fails to order in the Decision (Article 11, paragraph 1 or Article 18, paragraph 1 of the Law) the vacating of the real property or apartment within 15 days in accordance with Article 33, paragraph 1 and Article 35, paragraph 1 of the Law;
5. if it fails to allow immediate repossession by an owner, possessor or user of a vacant real property, as set out in Article 11, paragraph 2, or Article 18, paragraph 3 of the Law;
6. if it fails to process an eviction request according to this Law and the Law on General Administrative Procedures;
7. if it fails to hand over the real property or apartment in accordance with Article 24 of the Law;

8. if it fails to take the required action against a multiple occupant, as set out in Article 24a, paragraph 3, or if it fails to issue a decision according to Article 24a, paragraph 5 of the Law.

The responsible person in the responsible body shall also be fined 200 to 1000 KM for a violation of paragraph 1 of this Article.

In addition to the above, a person who is a multiple occupant, as defined

1. in Article 24a, paragraph 4, Items 1 to 3 of the Law and who fails to comply with the eviction order shall be fined 100 to 500 KM;
2. in Article 24a, paragraph 4, Items 4 to 6 of the Law and who fails to comply with the eviction order shall be fined 50 to 200 KM.

Penalty proceedings according to paragraphs 1 to 3 of this Article shall be carried out in accordance with the Law on Minor Offences. The local competency (mjesna) of the Court shall be determined according to the location of the seat of the competent body which violated the provisions of this Article or the seat of the competent body where the responsible person is carrying out his/her official duties, or the permanent residence of the multiple occupant.

## **Article 23**

This Law shall enter into force on 28 October 1999.

## **Office of the High Representative**