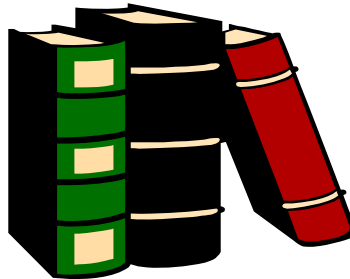




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LAW ON AMENDMENTS TO THE FREEDOM OF ACCESS TO INFORMATION ACT FOR BOSNIA AND HERZEGOVINA

“Official Gazette of Bosnia and Herzegovina”, 102/09

[NOTE: The Freedom of Access to Information Act for Bosnia and Herzegovina was published in the “Official Gazette of Bosnia and Herzegovina”, 28/00.](#)

Pursuant to Article IV (4)(a) of the Constitution of Bosnia and Herzegovina, the Parliamentary Assembly of Bosnia and Herzegovina, in the session of the House of Representatives held on 2 September 2009 and in the session of the House of Peoples held on 15 December 2009, adopted the

LAW

ON AMENDMENTS TO THE FREEDOM OF ACCESS TO INFORMATION ACT FOR BOSNIA AND HERZEGOVINA

Article 1

In the Freedom of Access to Information Act for Bosnia and Herzegovina (“Official Gazette of BiH” nos. 28/00 and 45/06), after Article 22, new Section VII “Penalty Provisions” and new Article 22a shall be added to read:

“SECTION VII

PENALTY PROVISIONS

Article 22a **Fines for Misdemeanors**

1. A fine in the amount between KM 1,000 and 15,000 for misdemeanor shall be imposed against the competent public authority if it:

- a) Does not undertake all regular measures to collect the requested information (Article 14, paragraph 1);
- b) Does not make a decision notifying the requester that the access to information is approved (Article 14, paragraph 2, subparagraphs a), b) and c));
- c) Does not make a decision notifying the requester that the access to information is denied (Article 14, paragraph 3, subparagraphs a) and b));
- d) Violates the deadline referred to in Article 14, paragraph 4 of this Law;
- e) Levies fees or taxes for submitting of requests or for written notices (Article 16);
- f) Does not appoint an Information Officer and does not submit to the Ombudsman the name and contact details for the Information Officer (Article 19);
- g) Does not disseminate a guide sufficient to enable any person to access information controlled by that public authority, along with the sample request letter in written form (Article 20, paragraph a));

h) Does not disseminate an indexed register of the types of information in the control of the public authority, the form in which the information is available, as well as where that information may be accessed (Article 20, paragraph b));

i) Does not disseminate to the Parliamentary Assembly of BiH and Ombudsman, and also upon a request, statistics, on a quarterly basis, concerning but not limited to the number of requests received, the types of information requested, exemptions claimed, and any procedural or final decisions taken (Article 20, paragraph c));

j) Does not disseminate to the Parliamentary Assembly of BiH a report at least once every year (Article 20, paragraph d));

k) Does not extend the assistance as specified in Article 24 of this Law.

2. For a misdemeanors referred to in paragraph 1, subparagraphs a) through k) of this Article, a fine in the amount between KM 200 and 5,000 shall be imposed against the responsible official in a public authority.”

3. Current SECTION VII shall become SECTION VIII.

Article 2

In Article 24, after paragraph (1), new paragraph (2) shall be added to read:

“2. Public authorities of the entities, cantons and municipalities shall be bound to extend assistance to the public authorities in Bosnia and Herzegovina when the application of corresponding legislation on access to information necessitates their cooperation.”

Article 3

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