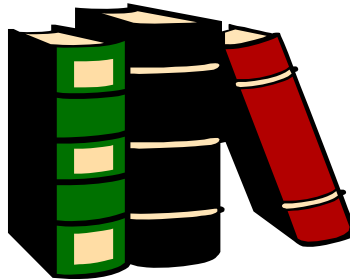




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LAW ON AMENDMENTS TO THE LAW ON TRAVEL DOCUMENTS OF BOSNIA AND HERZEGOVINA

“Official Gazette of Bosnia and Herzegovina”, 33/08

[NOTE: The Law on Travel Documents of Bosnia and Herzegovina was published in the “Official Gazette of Bosnia and Herzegovina”, 4/97.](#)

[NOTE: Corrigenda to the Law on Amendments to the Law on Travel Documents of Bosnia and Herzegovina \(“Official Gazette of Bosnia and Herzegovina”, 39/08\).](#)

Pursuant to Article IV 4.a) of the Constitution of Bosnia and Herzegovina, the Parliamentary Assembly of Bosnia and Herzegovina, on the Session of the House of Peoples which was held on 30 September 2004 and the session of the House of the Representatives which was held on 12 of October adopted the following:

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

Article 1

Article 1 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 and 15/08) shall be amended to read as follows:

“Article 1

This Law shall prescribe the types and form of the travel documents of Bosnia and Herzegovina, the bodies competent for issuance of the travel documents, the procedures of travel documents’ issuance and the central registry of travel documents of Bosnia and Herzegovina (hereinafter: the Law).”

Article 2

In Article 2, after the paragraph 1, the new paragraph 2 shall be added to read as follows:

“The citizenship of Bosnia and Herzegovina shall be proved with travel documents prescribed by this Law, except with the travel document for refugees, travel document for stateless persons and travel certificate for aliens, which neither confirm nor presume the citizenship of their holders.”

Article 3

In Article 3, after the paragraph 1, the new paragraph 2 shall be added to read as follows:

“Foreign nationals with recognized refugee status in Bosnia and Herzegovina shall be entitled to a travel document for refugees, stateless persons with approved stay in Bosnia and Herzegovina shall be entitled to a travel document for stateless persons, and the foreign nationals shall be entitled to a travel certificate in accordance with this Law and the Law on Movement and Stay of Aliens and Asylum.”

Article 4

Article 4 shall be amended to read as follows:

“Article 4

For the purpose of this Law, travel documents shall be understood to mean: Passport, Diplomatic Passport, Service Passport, Group Passport, Travel Certificate,

seaman's or maritime book and other documents with which, in accordance with the international agreements, travel of BiH citizens abroad is enabled.

A citizen of BiH may possess only one travel document of the same kind.

For the purpose of this Law, travel documents for foreign nationals shall be understood to mean: travel document for refugees, travel document for stateless persons and travel certificate for aliens.”

Article 5

In Article 5, paragraph 1, in the end of the sentence, the full stop punctuation mark shall be deleted, and the words: “except the documents provided for by a bilateral or a multilateral agreement” shall be added.

Paragraph 2 shall be deleted.

Article 6

Article 8 shall be amended to read as follows:

“Article 8

Only a person to whose name a travel document has been issued may use it.

Holder of the travel document citizens of BiH younger than 14, i.e. legally incompetent persons, can travel abroad accompanied by one or both parents or legal representative, i.e. guardian, certified with the competent body, if they travel accompanied by another person. Consent of both parents is not required in extraordinary cases prescribed in Article 18, paragraph 3 of this Law.”

Article 7

After Article 8, the new Article 8a shall be added to read as follows:

“Article 8a

Passport, diplomatic and service passport shall contain contactless electronic memory element.

Form, contents and minimum protective elements of the form of the passport referred to in articles 6 and 7 of this Law shall be prescribed by the Ministry of Civil Affairs of BiH.

Format and contents in the electronic memory element, mode of recording, mode of reading and protection of data stored in the electronic memory element shall be prescribed by a body competent for keeping of the central register, in accordance with the law regulating the area of central registering and data exchange.

Body competent for keeping of the central registry shall be, in accordance with the law regulating the area of central registering and data exchange, a certification body tasked with establishment of the system of electronic passport and data exchange, and it shall prescribe the technical procedures for the establishment of the system of electronic passport and data exchange.

Body competent for keeping of the central registry shall define, in accordance with the law regulating the area of central registering and data exchange, the technical requirements for protection of data with the bodies competent for issuance of travel documents.”

Article 8

In Article 10, paragraphs 4 and 5 shall be deleted.

After the paragraph 3, new paragraph 4 shall be added to read as follows:

“Trip manager listed in the group passport must possess his/her own passport.”

Current paragraph 6 shall become paragraph 5.

Article 9

In Article 13, paragraph 1, subparagraph 3 shall be amended to read as follows:

“3. Ministry of Foreign affairs of BiH.”

In paragraph 1, new subparagraph 4 shall be added to read as follows:

“4. Ministry of Security of BiH.”

After the paragraph 3, new paragraph 4 shall be added to read as follows:

“Travel document for refugees, travel document for stateless persons and travel certificate for aliens shall be issued by the Ministry of Security of BiH.”

Article 10

In Article 16, paragraph 2 shall be amended to read as follows:

“The form and the content of the application form for travel documents referred to in Article 6 and 10, and Service Passports shall be defined by Ministry for Civil Affairs of Bosnia and Herzegovina. The Ministry of Foreign Affairs of Bosnia and Herzegovina shall define the form and the content of the form for issuance of diplomatic passport and travel certificate. The Ministry of Security of Bosnia and Herzegovina shall define the form and the content of the application form for issuance of travel document for refugees, travel document for stateless persons and travel certificate for aliens.”

Article 11

Article 17 shall be deleted.

Article 12

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

“An application for a travel document shall be filed in person. Exceptionally, an application may be filed through an authorised person. The manner of taking over the travel documents shall be prescribed by a separate act of the Ministry of Civil Affairs of Bosnia and Herzegovina.”

After the paragraph 4, new paragraph 5 shall be added to read as follows:

“Travel certificate for the citizens of BiH and travel certificate for aliens may also be issued *ex officio* by a competent body.”

Article 13

In Article 19, paragraph 1 shall be amended to read as follows:

“Apart from the application form for a travel document, the applicant shall submit his or her identity card or another public document proving the identity and

permanent residence and proof of citizenship. The body competent for keeping of the central registry shall define, in accordance with the law regulating the area of central registering and data exchange, the modes of electronic check out of the data from the application.”

After the paragraph 1, new paragraph 2 shall be added to read as follows:

“If the data on personal identification number of the citizen of BiH, applicant, have not been registered with the body competent for keeping of the central registry of personal identification numbers, then the application for registering or assigning the personal identification numbers has to be filed in accordance with the Law on Personal Identification Number.”

Current paragraph 2, which shall become paragraph 3, shall be amended to read as follows:

“Along with the application form for a travel document, the applicant shall be bound to submit personal biometric data (photograph, fingerprint, signature) and to submit the evidence on paid price for the travel document. The body competent for keeping of the central registry shall define, in accordance with the law regulating the area of central registering and data exchange, the modes of taking the biometric data.”

Paragraph 5 shall be amended to read as follows:

“Procedure, price and competence of the body for issuance of travel documents within a timeframe shorter than that prescribed in the previous paragraph of this article shall be prescribed by the Ministry of Civil Affairs of Bosnia and Herzegovina.”

After the paragraph 6, new paragraph 7 shall be added to read as follows:

“Notwithstanding the paragraph 1 of this Article, along with the application for a travel document for aliens, the applicant shall submit the documents specified by a regulation enacted on the basis of the Law on Movement and Stay of Aliens and Asylum.”

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

Article 14

Article 19b shall be amended to read as follows:

“At the request of the holder of the travel document the authority competent for travel document’s issuance shall change the travel document.”

Article 15

In Article 25, after the paragraph 1, new paragraph 2 shall be added to read as follows:

“The body competent for keeping of the central registry shall define, in accordance with the law regulating the area of central registering and data exchange:

- a) Mode of protection of data on issued travel documents in the central registry;
- b) Mode of communication of data and exchange of data on issued travel documents between the central registry and competent bodies;
- c) Mode of storing the forms of travel documents and distribution of personalized and impersonalized forms; and
- d) Standards of protection at locations where applications for issuance of travel documents with the competent bodies are filed.”

Article 16

In Article 25a, paragraph 1 shall be amended to read as follows:

“The fines ranging from KM 100 to KM 400 shall be imposed on the following minor offences’ perpetrators”.

Subparagraph 1 shall be amended to read as follows:

“1. The one who crosses or attempts to cross the border of Bosnia and Herzegovina with invalid travel document.”

After subparagraph 3, new subparagraph 4 shall be added to read as follows:

“4. A citizen of Bosnia and Herzegovina, who crosses the State border of Bosnia and Herzegovina with travel documents that are not regulated by this Law or with the identity card other than the identity card of the citizens of Bosnia and Herzegovina.”

Paragraph 3 shall be deleted.

Article 17

In Article 25c, the word “entity” shall be deleted.

Article 18

Article 26 shall be amended to read as follows:

“The competent bodies defined in Article 13 of this Law shall be bound to communicate the data into central registry of travel documents that shall be established in accordance with the law regulating the area of central registering and data exchange in Bosnia and Herzegovina.”

Article 19

Article 27 shall be amended to read as follows:

“The bodies competent for issuing travel documents shall be bound to immediately register the data into central registry on revoked, lost, destroyed or stolen travel documents. The body that keeps the central registry shall define the modes of communication of data.”

Article 20

Article 28 shall be amended to read as follows:

“The body that keeps the central registry of travel documents shall be competent for personalization and storage of travel documents, diplomatic travel documents and service travel documents. The body that keeps the central registry of travel documents shall be competent for acquirement and maintenance of equipment for entry of personal data into the travel document forms, equipment for central registry and storing of the travel document forms.

The Ministry of Civil Affairs of BiH shall by separate act prescribe the competence and manner of acquirement of the travel document forms prescribed by this Law.

The body that keeps the central registry shall by separate act define the rules and procedures regarding the transport of travel documents to the body specified by Article 13 of this Law.

The body that keeps the central registry shall by separate act define the standards regarding the acquirement and maintenance of equipment with which the body specified by Article 13 of this Law enters the data into the central registry.

The Ministry of Civil Affairs of BiH shall by separate act define the prices of travel documents.”

Article 21

Article 29 shall be amended to read as follows:

“Travel documents specified by this Law shall be issued with a validity of 5 years, and to persons younger than 7 years of age with a validity of 3 years, except the travel document for refugees and travel document for stateless persons, which shall be issued with a validity of 2 years, and travel certificate for the citizens of BiH and travel certificate for aliens, which shall be issued with validity of 30 days.”

Article 22

This Law shall enter into force on the eighth day after being published in the “Official Gazette of Bosnia and Herzegovina” and shall be published in the official gazettes of the entities and of Brcko District of Bosnia and Herzegovina. The Law shall start to be applied upon acquirement of technical conditions, which shall be defined by a separate act of the Ministry of Civil Affairs of Bosnia and Herzegovina.

Travel documents issued by the day of commencement of application of this Law shall be valid until the date indicated in such travel documents.

PABIH number 174/08

10 April 2008

Sarajevo

Speaker
House of Peoples
Parliament of the BiH
Milorad Živković

Speaker
House of Representatives
Parliament of the BiH
Mladen Ivanić