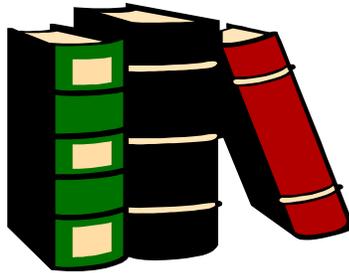




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LAW AMENDING THE LAW ON COURTS OF THE REPUBLIKA SRPSKA

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LAW
AMENDING THE LAW ON COURTS
OF THE REPUBLIKA SRPSKA

Article 1

In the Law on Courts of the Republika Srpska (“Official Gazette of the Republika Srpska”, nos. 37/12 and 44/15), in Article 6, the wording: “and shall provide for the uniform application of laws” shall be deleted.

Article 2

In Article 22, paragraph (1), after the wording: “Republika Srpska”, a comma and wording: “that shall provide for the uniform application of laws” shall be added.

Article 3

In Article 26, paragraph (1), line ž) shall be amended to read:

“ž) the Basic Court in Zvornik, for the territory of the City of Zvornik and Osmaci municipality;”.

In line l), the wording: “and Kozarska Dubica” shall be deleted.

In paragraph (2), after the wording: “Banja Luka” and comma, wording: “Prijedor” and comma shall be added, and after the wording: “Bijeljina” and comma, wording: “Zvornik” and comma shall be added.

Article 4

In Article 27, line đ) shall be deleted.

Current lines e) and ž) shall become lines đ) and e).

Article 5

In Article 28, line a) shall be amended to read:

“a) the District Court in Banja Luka, for the territories covered by the Basic Courts in Banja Luka, Gradiška, Kotor Varoš, Prnjavor, Mrkonjić Grad, and territories covered by the Basic Courts in Laktaši and Srbac in accordance with conditions from Article 99 of this Law;”.

In line đ), after the wording: “of this Law”, wording: “and” and new line e) shall be added to read:

“e) the District Court in Zvornik, for the territories covered by the Basic Courts in Zvornik and Srebrenica.”

Article 6

In Article 29, line d), after the wording: “the District Court in East Sarajevo”, wording: “and” shall be deleted.

In line đ), after the wording: “the District Court in Prijedor”, wording: “and” and new line e) shall be added to read:

“e) The District Commercial Court in Zvornik, for the territory covered by the District Court in Zvornik.”

Article 7

In Article 31, paragraph (3), line đ), after the wording: “matters”, wording: “and” shall be deleted.

After the line đ), new line e) shall be added to read:

“e) to decide on legal remedies against the decisions of its panels when so determined by law, and”.

Current line e) shall become line ž).

Article 8

In Article 54, after the paragraph (1), new paragraph (2) shall be added to read:

“(2) The Department of Court Practice shall be established within the Supreme Court.”

Current paragraph (2) shall become paragraph (3).

Article 9

After Article 54, new Article 54a shall be added to read:

“Article 54a

- (1) A session of the departments of the Supreme Court shall be convened if inconsistency occurs in application of regulations between certain panels, or if one panel digresses from the legal understanding accepted in its practice or legal understanding accepted by all panels.
- (2) Legal understanding accepted at the session of a Department of the Supreme Court shall be bounding for all panels within the Department.”

Article 10

In Article 55, after paragraph (1), new paragraph (2) shall be added to read:

“(2) The Minister shall adopt the rulebook on determining the criteria for defining of required number of administrative and support and technical staff in the courts in Republika Srpska.”

Current paragraph (2) shall become paragraph (3).

Article 11

In Article 56, line a) shall be amended to read:

“a) draft legal texts and other legislation for the establishment, jurisdiction, composition and proceedings before courts, and bylaw acts regulating the organization and scope of work of the judicial administration.”

Article 12

In Article 68, paragraph (1) shall be deleted.

Current paragraphs (2) and (3) shall become paragraphs (1) and (2).

Article 13

Article 77 shall be amended to read:

“(1) Court staff shall enter into employment relationship for an indefinite period of time after the completion of public competition, following the prior obtaining of Minister’s consent.

(2) Notwithstanding the paragraph (1) of this Article, employment relationship in the courts may be established for a definite period of time for the substitution of absent staff until their return to work, and temporarily increased workload for the period of maximum of six months, with the prior obtained consent of the Minister.”

Article 14

Article 99 shall be amended to read:

“(1) Basic courts referred to in Article 26, paragraph (1), lines r), s), t), ć), f), h), c) and ĉ) of this Law, District Court referred to in Article 28, line e) of this Law and District Commercial Court referred to in Article 29, line e) of this Law shall start with the operation when the material and other preconditions for the operation of these courts are fulfilled.

(2) With the commencement of operation of the Basic Court in Zvornik, the Misdemeanor Department of the Basic Court in Zvornik referred to in Article 26, paragraph (2) of this Law, shall also commence to operate.

(3) At the proposal of the Minister, the Government shall adopt the decision on fulfillment of the conditions for commencement of operation of the courts referred to in paragraph (1) of this Article.”

Article 15

In Article 100, paragraph (5) shall be deleted.

Current paragraphs (6), (7), (8) and (9) shall become paragraphs (5), (6), (7) and (8).

Article 16

Article 100a shall be amended to read:

“Article 100a

- (1) With the commencement of operation of the District Court in Zvornik, the District Court in Bijeljina shall cease to have the territorial jurisdiction for the territories of the basic courts in Zvornik and Srebrenica.
- (2) With the commencement of the work of the District Commercial Court in Zvornik, the District Commercial Court in Bijeljina shall cease to have the territorial jurisdiction for the territories of the basic courts in Zvornik and Srebrenica, i.e. for the territory covered by the District Court in Zvornik in accordance with conditions referred to in Article 99 of this Law.”

Article 17

This Law shall enter into force on the eighth day from the day of its promulgation in the “Official Gazette of the Republika Srpska”.