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Legal Department



LAW ON ATTORNEYS' PROFESSION OF THE FEDERATION OF BOSNIA AND HERZEGOVINA

**“Official Gazette of the Federation of Bosnia and
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PARLIAMENT OF THE FEDERATION OF BOSNIA AND HERZEGOVINA

Pursuant to Article IV.B.7.a) (IV) of the Constitution of the Federation of Bosnia and Herzegovina, I hereby issue the following

**DECREE
TO PROMULGATE THE LAW ON THE ATTORNEYS' PROFESSION OF THE
FEDERATION OF BOSNIA AND HERZEGOVINA**

The Law on the Attorneys' Profession of the Federation of Bosnia and Herzegovina, adopted by the Parliament of the Federation of Bosnia and Herzegovina at the session of the House of Representatives held on 12 December 2024, and at the session of the House of Peoples held on 31 October 2024, has hereby been promulgated.

No.: 01-02-1-517-01/24
30 December 2024
Sarajevo

Federation President
Lidija Bradara, *manu propria*

**THE LAW
ON ATTORNEYS' PROFESSION OF THE FEDERATION OF
BOSNIA AND HERZEGOVINA**

CHAPTER ONE – GENERAL PROVISIONS

**Article 1
(Scope of the Law)**

(1) This Law governs the practice of law, the requirements for practicing law, the rights and obligations of attorneys, the suspension of the right to practice law and the temporary ban on practicing law, the profession of attorney associate and law trainee, attorney's examination and professional training, the organisation of the Bar Association, the funding of the Bar Association, the disciplinary proceedings, the protection of the rights of attorneys, attorney associates and law trainees.

(2) The following directives have been partially transposed into this Law:

- a) Council Directive of 22 March 1977 to facilitate the effective exercise by attorneys of freedom to provide services (77/249/EEC), (OJ L 78, 26.3.1977, p. 17), CELEX number: 31977L0249, last revised version 01/07/2013,
- b) Directive 98/5/EC of the European Parliament and of the Council of 16 February 1998 to facilitate practice of the profession of attorney on a permanent basis in a Member State other than that in which the qualification was obtained OJ L 77, 14.3.1998, p. 36), CELEX number: 31998L0005, last revised version

01/07/2013.

Article 2 **(Definitions of Terms)**

(1) For the purposes of this Law,

- a) 'attorney' means any individual who is entered in the Directory of Bar Association of the Federation of Bosnia and Herzegovina (hereinafter: the Bar Association), who has taken an attorney's oath and practices law,
- b) 'national attorney' means an attorney who is a national of the Federation of Bosnia and Herzegovina and who is entered in the Directory of the Bar Association, as well as an attorney who is entered in the Directory of the Bar Association in the Republika Srpska and is a national of the Republika Srpska and Bosnia and Herzegovina,
- c) 'foreign attorney' means an attorney, law office, law firm or other legal entity practicing law and entered in the Directory of Attorneys of a foreign country or another appropriate directory,
- d) 'applicant' means a person who submitted an application to the Regional Bar Association (hereinafter: the Regional Bar Association) for registration in the Directory of Attorneys, as long as he has not been entered in the Directory of Attorneys and has not taken an attorney's oath,
- e) 'client' means a domestic or foreign natural or legal person who has turned to an attorney for legal assistance and a person represented or defended by an attorney,
- f) 'representation' means representation and defence of a party to proceedings,
- g) 'Code of Ethics' means the rules of professional ethics of attorneys of the Bar Association,
- h) 'Attorney Tariff' means a regulation on fees and reimbursements of costs for the work of attorneys in the Federation of Bosnia and Herzegovina (hereinafter: the FBiH),
- i) 'Directory of Attorneys' means the Directory of the Bar Association in which the attorneys whose offices are based in the FBiH are entered,
- j) 'joint law office' means an attorney's office established by two or more attorneys by contract, which regulates mutual business and financial relations,
- k) 'Directory of Joint Law Offices' is the Directory of the Bar Association in which joint law offices that have their headquarters in the territory of the FBiH are entered,
- l) 'law firm' means a company that is established in accordance with the law regulating the establishment of business companies, as a limited liability company, unless otherwise specified by this law,
- lj) 'Directory of Law Firms' means the Directory of the Bar Association in which all law firms with headquarters in the territory of the FBiH are registered,
- m) 'attorney associate' means a graduate attorney who has passed the bar examination, who is with an attorney or a joint law office or a law firm, as an employer, established an employment relationship for the purpose of performing legal tasks from the employer's activities, and for the purpose of additional professional training for work in the bar or judiciary and which is entered in the Directory of Attorney Associates of the Bar Association,
- n) 'Directory of Attorney Associates' means the Directory of the Bar Association in which attorney associate are entered,
- o) 'law trainee' means an attorney with a law degree who, through an internship with an attorney or in a joint law office or a law firm, is being trained to work in the attorneys' profession and the judiciary and who is registered in the Directory of Law Trainees of the Bar Association,

- p) 'Directory of Law Trainees' means the Directory of the Bar Association in which law trainees are entered,
- r) 'bar examination' means a test of knowledge of domestic and international regulations and legal acts related to the Bar.

(2) Terms that, for the sake of clarity, are given exclusively in one grammatical gender in this Law and the regulations adopted on the basis of this Law refer without discrimination to both men and women.

Article 3 **(Independence and Autonomy of the Attorney's Profession)**

- (1) The attorney's profession shall be an independent and autonomous professional activity that ensures the provision of legal assistance to natural and legal persons and those forms of association that do not have capacity to be a party, but the court or other authorities recognize this capacity in the proceedings during the realization of their rights and legal interests.
- (2) The autonomy and independence of the legal profession shall be realized through:
 - a) independent and autonomous practice of law,
 - b) right of a party to freely choose his attorney,
 - c) organisation of attorneys into the Bar Association as an independent and autonomous organization of attorneys in the FBiH,
 - d) deciding on admission to the Bar Association, disciplinary proceedings involving attorneys and termination of the right to practice law,
 - e) adoption of the Statute and other regulations of the Bar Association.

Article 4 **(Attorneys' Authorities)**

The professional activity under Article 3 (1) of this Law shall include:

- a) provision of oral and written legal advice and opinions,
- b) preparation of complaints, motions, requests, applications, legal remedies, petitions and other submissions,
- c) drafting of contracts, wills, settlements, statements, general and individual acts and other documents,
- d) representation and defence of domestic and foreign natural and legal persons and those forms of association that do not have the capacity to be a party, but the court or other authorities recognize this capacity in proceedings,
- e) mediation for the purpose of concluding a legal transaction or peacefully resolving a dispute or contentious relationship,
- f) performance of other legal assistance tasks in the name and on behalf of domestic or foreign natural or legal persons and those forms of association that do not have capacity to be a party, but the court or other authorities recognize this capacity in proceedings, on the basis of which rights are exercised and freedoms and other interests are protected.

CHAPTER TWO - REQUIREMENTS FOR THE PRACTICE OF LAW

Article 5

(Practice of Law)

- (1) Providing legal assistance as a profession can only be practiced by attorneys, unless a special law stipulates otherwise.
- (2) The right to practice law shall be acquired by a person being entered in the Directory of Attorneys and taking an attorney oath.
- (3) The procedure for acquiring the right to practice law shall be initiated by applicant's application for entry in the Directory of Attorneys, which is submitted to the Regional Bar Association.

Article 6 (Entry in the Directory of Attorneys)

- (1) The right to be entered in the Directory of Attorneys shall be granted to a person who meets the following requirements:
 - a) that he is a national of the Federation of Bosnia and Herzegovina and Bosnia and Herzegovina,
 - b) that he graduated from a law faculty in Bosnia and Herzegovina or obtained the title of graduate lawyer (at least 240 ECTS points), or that he graduated from any law faculty in SFR Yugoslavia by 6 April 1992 and, if he graduated from a law faculty in a foreign country, this requirement shall be met after the recognition of that diploma in accordance with the regulations governing the recognition of that diploma and the level of professional education in the FBiH,
 - c) that he passed the bar examination in Bosnia and Herzegovina or in the former SFR Yugoslavia by 6 April 1992 and, if he passed the bar examination in another state, he shall meet this requirement after the recognition of that examination in the FBiH,
 - d) that he passed attorney's examination in the FBiH,
 - e) that he has two years of work experience after passing a bar examination in practicing law in the bar, judiciary, notarial services, administrative bodies or in a legal person,
 - f) that he has the health and legal capacity to practice law,
 - g) that he has not been convicted of a criminal offense that would make him unfit to practice law,
 - h) that he has not been dismissed from judicial or civil service bodies as a result of a disciplinary measure at any level of government in Bosnia and Herzegovina in the last three years from the date of submission of the application for entry in the Directory of Attorneys,
 - i) that he is not employed at the time of entry in the Directory of Attorneys,
 - j) that he does not perform a registered independent activity,
 - k) that he is not a member of supervisory board, director or member of management board, management board or executive board, audit committee in a public company or state-owned majority companies, except in a law firm,
 - l) that he has provided workspace - an office, suitable for practice of law and meeting the technical requirements in accordance with the Law on the Bar Association,
 - m) that there are no restrictions prescribed by the Statute of the Bar Association.
- (2) Restrictions related to entry in the Directory of Attorneys, which involve previous offices and activities of the person applying for registration, shall be regulated in more detail by the Statute of the Bar Association.
- (3) The competent body of the Regional Bar Association shall determine fulfilment of the requirements for entry into the Directory of Attorneys under paragraph (1) above.

Article 7

(Unfitness to Practice Law)

- (1) A person shall be unfit to practice law if he has received a final decision for a criminal offense against the constitutional order of the FBiH, criminal offenses of terrorism, criminal offenses against the integrity of Bosnia and Herzegovina, the constitutional order and security of Bosnia and Herzegovina, for criminal offenses against humanity and values protected by international law, for criminal acts of corruption and criminal acts against official duties, criminal acts against the judiciary or for criminal acts committed for personal gain and other low, immoral and dishonourable motivations that render the individual morally unfit to practice law.
- (2) A person who has been found guilty in a final judgment of a criminal offense related to his work in attorney's profession, judicial or administrative bodies shall be unfit to practice law.
- (3) A person whose previous activity outside the bodies under paragraph (2) above does not guarantee that he will conscientiously practice law shall not be fit to practice law. During the assessment of worthiness, all facts and circumstances that lead to a conclusion about integrity of an applicant shall be taken into account, and shall be closely regulated as possible by the Statute of the Bar Association.
- (4) If the application for entry in the Directory of Attorneys is rejected because the applicant is not fit to practice law due to the reasons specified in paragraph (3) above, a new application for registration cannot be submitted before the expiration of a period of five years from the final decision by which the application was rejected.

Article 8

(Application for Entry in the Directory of Attorneys)

- (1) Along with the application for entry in the Directory of Attorneys, an applicant shall be required to submit evidence and information regarding the fulfilment of requirements under Article 6(1)(a) to (f) and (h) to (I) above.
- (2) The Regional Bar Association, ex officio, obtains evidence regarding the fulfilment of requirements under Article 6(1)(g) above.
- (3) At the request of the Regional Bar Association, the competent authority of internal affairs shall be required to provide information from the criminal records of the applicant.

Article 9

(Acting on Application)

- (1) An application for entry in the Directory of Attorneys shall be submitted to the Regional Bar Association, which shall determine within 30 days of submission whether the requirements under Article 6 above are met.
- (2) The decision on entry into the Directory of Attorneys shall be made by the competent body of the regional Bar Association.
- (3) If the regional Bar Association rejects the registration request by a decision, the applicant may appeal the decision to the Bar Association within 15 days.
- (4) The decision on registration under paragraph (1) above shall be submitted by the Regional Bar Association without delay to the Bar Association, which shall be required to confirm fulfilment of the requirements for registration within 30 days of receipt.

- (5) If the Bar Association confirms fulfilment of the requirements for registration, the registration shall be made in the unique Directory of Attorneys.
- (6) If the Bar Association determines that the requirements have not been met, the regional Bar Association's decision on registration shall be revoked and the case will be returned to the Regional Bar Association for reconsideration.
- (7) No appeal is allowed against the decision of the Bar Association made on the application for entry in the Directory of Attorneys, but an administrative dispute may be initiated before the competent court.
- (8) The Bar Association shall be required to inform the Bar Association of the Republika Srpska of the final decision regarding the application for the registration of attorney.

Article 10

(Cancellation of Registration Decision)

- (1) Exercising its supervisory authority, the Bar Association shall annul the decision regarding entry into the Directory of Attorneys, if:
 - a) the applicant has not taken attorney's oath in accordance with Article 11 below,
 - b) after entry in the Directory of Attorneys, it is determined that the requirements for making a decision on entry into the Directory of Attorneys were not met,
 - c) the applicant has failed to conclude an insurance contract for professional liability coverage within the deadline under Article 15(1) below and has not submitted proof of conclusion to the Regional Bar Association.
- (2) The procedure for cancellation of the decision on entry into the Directory of Attorneys shall be initiated ex officio or on the basis of an application.
- (3) The Bar Association shall be required to inform the attorney against whom the proceedings have been initiated without delay, and at the latest within eight days, of the initiation of the proceedings under paragraph (2) above.
- (4) The procedure for cancellation of registration under paragraph (1) above shall be carried out according to the provisions of this Law and the regulation of the Bar Association.

Article 11

(Attorney's Solemn Oath)

- (1) The Bar Association shall be required within 30 days of adoption of the decision on entry into the Directory of Attorneys to ensure that the applicant takes attorney's solemn oath, provided that he has paid the registration costs.
- (2) The Attorney's Solemn Oath shall be taken before the president of the Bar Association or a person authorized by him.
- (3) The text of Attorney's Solemn Oath shall read:

"I do solemnly swear that I will demean myself in my legal activities conscientiously and professionally, that in my work I will adhere to the Constitution of Bosnia and Herzegovina, the Constitution of the Federation of Bosnia and Herzegovina, the laws, the Statutes of the bar associations, the Code of Ethics, the Charter of Core Principles of the European Legal Profession and the Model Code of Conduct for European Lawyers and that in my work I will uphold the reputation of the legal profession and fulfil all obligations towards the Bar Association of the Federation of Bosnia and Herzegovina."

Article 12

(Attorney Identification Card)

- (1) After the applicant takes attorney's oath, the Bar Association shall issue an attorney ID card based on the data contained in the Directory of Attorneys.
- (2) The attorney identification card shall be signed by the president of the Bar Association.
- (3) The attorney identification card shall contain the attorney's name and surname, his photo, serial number, day, month and year of entry in the Directory of Attorneys, as well as other data important for determining the status of an attorney.
- (4) The form, content, format, records and other issues related to the issuance and use of an attorney identification card shall be regulated in a rulebook issued by the president of the Bar Association.

Article 13 (Using an Attorney Identification Card)

- (1) Any attorney shall be required to present his attorney identity card for inspection at the request of the court or other authority where the proceedings are conducted.
- (2) In case of doubt regarding the capacity of a person presenting himself as an attorney, the authority conducting the procedure may request the necessary information from the Bar Association, and the Bar Association shall be required to respond on the request without delay.

Article 14 (Foreign Attorneys)

- (1) A foreign attorney may represent a party to specific court and administrative proceedings under the condition of reciprocity.
- (2) Representation under paragraph (1) above may be carried out by a foreign attorney exclusively on the basis of prior approval by the FBiH Ministry of Justice.
- (3) The FBiH Ministry of Justice shall obtain information on the existence and conditions of reciprocity under paragraph (1) above from the Ministry of Foreign Affairs of Bosnia and Herzegovina.
- (4) When submitting a request for obtaining the approval under paragraph (2) above, a foreign attorney shall be required to submit proof of registration in the Directory of Attorneys of the home country.

Article 15 (Professional Liability Insurance Coverage)

- (1) The attorney shall be required, no later than 15 days of taking attorney's solemn oath, to conclude an insurance contract for professional liability coverage in an amount not less than the minimum amount of professional liability coverage established by this Law and to submit proof of this to the Regional Bar Association.
- (2) In the case of obtaining approval under Article 14(2) above, the foreign attorney shall be required to conclude an insurance contract for professional liability coverage with a legal person registered in Bosnia and Herzegovina for this type of insurance and submit it to the FBiH Ministry of Justice within 15 days of obtaining approval.
- (3) In the event that the foreign attorney does not act in accordance with paragraph (2) above, the FBiH Ministry of Justice shall cancel the approval under Article 14(2) above and inform the court or other authority in the specific case.

CHAPTER THREE - RIGHTS AND DUTIES OF ATTORNEYS

Article 16 (Duties of Attorneys)

An attorney shall be required to:

- a) practice law as a sole profession;
- b) provide legal assistance professionally and conscientiously, in accordance with the Constitution, laws, the Statute of the Bar Association and the Code of Ethics for Attorneys of the FBiH of Bosnia and Herzegovina (hereinafter: the Code of Ethics);
- c) maintain attorney's confidentiality;
- d) uphold the reputation of the legal profession in professional work and in private life that is accessible to the public.

Article 17 (Rights and Obligations in Undertaking Legal Actions)

An attorney has the right and duty to undertake legal actions authorized by his client, which may be used by that client in exercising their rights and interests.

Article 18 (Attorneys of the Bar Association of the Republika Srpska)

An attorney registered in the Directory of Attorneys of the Bar Association of the Republika Srpska has the right to practice law on the territory of the FBiH, but does not have the right to establish a business unit, representative office or any other form of operational organization in the FBiH.

Article 19 (Provision of Legal Assistance)

- (1) An attorney shall be required to provide legal assistance to a party who turns to him, and he may deny it only for reasons prescribed by law.
- (2) An attorney may not refuse to provide legal assistance if appointed as a representative or defence counsel by the court, another state authority, or the Bar Association in accordance with the law, unless there are reasons prescribed by law for which he shall be required to refuse representation or if the attorney does not provide services in that area of law, according to his written statement.

Article 20 (Refusal of Legal Assistance)

- (1) An attorney shall be required to refuse legal assistance:
 - a) if he represented the opposing party in the same legal matter,
 - b) if he is or was a member of a joint law office or law firm in which the opposing party is represented or was represented in the same legal matter,
 - c) if in the same legal matter he acted as a holder of a judicial office or in the capacity of

an official in a state body or body of a local self-government unit,
d) if the attorney, before two years have passed since the termination of his judicial office or his capacity of an official in a state body or body of a local self-government unit, is turned to for legal assistance by a person in whose same or other legal matter he acted in the aforementioned capacity,
e) if the interests of the party requesting legal assistance are in conflict with his interests or the interests of his close relatives, friends, associates or other parties, which is prescribed by the Statute of the Bar Association and the Code of Ethics,
f) if he was a law trainee or attorney associate in attorney's office, joint law office or law firm where the opposing party is represented or was represented in the same legal matter.
(2) An attorney may refuse to provide legal assistance in other cases established by law, the Statute of the Bar Association and the Code of Ethics.

Article 21

(Pro Bono Legal Assistance)

(1) Regional Bar Associations shall be required to provide *pro bono* legal assistance to socially disadvantaged persons in legal matters in which those persons exercise rights related to their position, as well as in other cases provided for by the general regulations of the Bar Association.
(2) The Bar Association shall determine requirements for pro bono legal assistance under paragraph (1) above, as well as the number of cases on a yearly basis in which pro bono legal assistance will be provided.

Article 22

(Obligation to Keep and Return Files)

(1) After the completed representation and upon request of the client, an attorney shall be required to hand over to the client the case file.
(2) If the termination of representation occurred during the proceedings, the attorney may refuse to hand over the case file to a client at his request, if the client has not paid the compensation for the costs and fees incurred by the attorney in the performance of his duties in the proceedings, unless this could lead to adverse consequences for the client or if it would be difficult or impossible for the client to take actions in the proceedings.
(3) The attorney may refuse to hand over the case file to a client at its request after the end of the proceedings if the party has not paid the compensation and reimbursement of costs and fees under Article 27 below.
(4) The attorney shall be required to inform his client about the status of the case.
(5) The attorney shall be required to keep client's files that he has not handed over or that could not be handed over to the client for five years of legal resolution of proceedings or termination or revocation of the power of attorney.

Article 23

(Attorney-Client Privilege)

(1) In accordance with the Statute and the Code of Ethics, any attorney shall be required to keep confidential all information entrusted to him by the client or his authorized representative, or any information obtained in any other way during the course of legal assistance, whether in preparation, during representation, or after the termination of the

representation and take care of persons who are employed in his office, his joint law office or his law firm doing the same.

(2) Other persons who work or worked in the attorney's office, the joint law office or the law firm are also obliged to maintain attorney-client confidentiality under paragraph (1) above.

(3) As an exception to paragraphs (1) and (2) above, the obligation to Maintain attorney-client confidentiality shall end on the basis of the express approval of the client, as well as in the case when the client has initiated disciplinary proceedings against the attorney, when it is necessary to defend the attorney in the criminal proceedings initiated against him, when the attorney suspects that a serious criminal offense is about to be committed and when the attorney initiates proceedings to settle the and costs owed by the client.

(4) The manner of maintaining attorney-client confidentiality and the procedure related to the attorney-client privilege shall be regulated by the Statute and the Code.

Article 24 **(Exclusion from Criminal Responsibility)**

An attorney cannot be held criminally liable for a legal opinion expressed in the provision of legal assistance in proceedings before the court, outside the court or to other authorities.

Article 25 **(Incompatibility with the Practice of Law)**

(1) An attorney cannot be a representative, the director or a member of the administrative or supervisory board of a legal entity in institutions with public authority, public companies, state-owned majority legal entities, the president or a member of the administrative, supervisory or audit committee of a state-owned majority bank, a representative of a state capital or an individual performing those tasks in any scope or any public duty that is incompatible with practice of law.

(2) The Statute and the Code of Ethics shall determine in more detail the jobs under paragraph (1) above and other tasks that are incompatible with the reputation and independence of the legal profession may also be foreseen therein.

Article 26 **(Representation by an Attorney Associate and Law Trainee)**

(1) In the representation of a client, under the conditions stipulated by law, an attorney may be replaced by an attorney associate or law trainee working in his office or the office of the attorney who replaces that attorney.

(2) An attorney, joint attorney office or law firm where that person is employed shall be responsible for the omissions by the attorney associate and law trainee.

Article 27 **(Fees and Reimbursement of Costs)**

(1) An attorney is entitled to a fee and reimbursement of costs for his work, in accordance with the Tariff of Fees and Reimbursement of Costs for Attorneys in the Federation of Bosnia and Herzegovina (hereinafter: the Tariff) adopted by the Bar Association, after obtaining approval from the FBiH Minister of Justice.

- (2) The amount of compensation for attorneys providing legal assistance ex officio shall be determined by the FBiH Minister of Justice, in consultation with the Bar Association.
- (3) An attorney shall be required to issue an invoice to his client after fully executing client's order related to the legal assistance, including in case of having received an advance payment.
- (4) The Tariff under paragraph (1) above shall be published in Official Gazette of the Federation of Bosnia and Herzegovina.

Article 28 **(Success-Based Remuneration for Providing Legal Assistance)**

- (1) An attorneys may agree with the party on success-based remuneration for providing legal assistance, that is, in accordance with success in the legal actions that he will undertake for the client, under the conditions established by the Tariff.
- (2) The contract under paragraph (1) above shall be valid only if concluded in writing.

Article 29 **(Right of Satisfaction and Lien)**

- (1) For costs and accrued fees, the attorney may satisfy the debt from the cash deposited with him by his client or that which he has received or collected on behalf of the client, unless otherwise agreed between the attorney and the client. In such a case, the attorney shall be required to promptly settle the account with the client.
- (2) An attorney has a right of lien on the funds received on behalf of the client to secure payment of fees and reimbursement of costs.

Article 30 **(Ban on Advertising)**

- (1) Advertising by attorneys, joint attorney offices and law firms is banned.
- (2) The ban under paragraph (1) above on the territory of the FBiH shall also apply to attorneys and other forms of work and practice of law entered in the appropriate Directories of the Bar Association of the Republika Srpska and bar associations abroad.
- (3) A member of the Bar Association who carries out such advertising, and a member of the Bar Association who has accepted his advertising by other persons shall be liable for the banned advertising.
- (4) The ban on advertising, responsibility for violation of this ban and the permitted way of presentation shall be regulated in more detail by the Statute of the Bar Association and the Code.

Article 31 **(Attorney Office)**

- (1) An attorney practicing law independently may have only one office.
- (2) As a rule, an attorney provides legal assistance in his office, at hearings, searches, investigations, reconstructions, negotiations or at the conclusion of legal affairs and in other places necessary to provide legal assistance to a client, which is regulated in more detail by the Statute of the Bar Association.
- (3) An attorney freely chooses and changes the seat of his office on the territory of the

FBiH.

(4) An attorney must report any intended change of the office seat to the Regional Bar Association in whose area it is based, after which the Regional Bar Association shall determine fulfilment of the requirements for that attorney office at the new seat, about which the Regional Bar Association shall inform the Bar Association.

(5) In the event of a change in the seat of attorney office from one regional Bar Association to another, the attorney shall be required to inform the regional Bar Association where he has his seat and the regional Bar Association in whose territory he intends to have his seat. The regional Bar Association in whose territory the attorney will have the intended headquarters shall fulfilment of the requirements for that attorney office.

(6) Any change of the seat of attorney office shall be entered in the corresponding directory of the Regional Bar Association of the new seat of the attorney.

(7) The regional Bar Association shall be required to complete the registration under paragraph (6) above and inform the Bar Association and the regional Bar Association of the previous seat of the attorney office within 15 days of the change.

Article 32 **(Attorney's Plaque)**

An attorney shall be required to display on the building where his office is located a plaque displaying the word 'ATTORNEY' along with the attorney's name, the form and content of which are regulated by the Bar Association's law.

Article 33 **(Seal)**

(1) An attorney shall have a seal containing the text 'ATTORNEY,' the attorney's name, and the name of the location where the law office is based, the form and content of which are regulated by the regulation of the Bar Association.

(2) An attorney who is a member of a joint law office or a law firm shall be required to possess and use the seal under paragraph (1) above in addition to the seal of those forms of attorneys' organization.

(3) An attorney shall be required to put his signature and stamp on every document, letter or submission he made.

Article 34 **(Cancellation of Representation)**

(1) An attorney shall be required to cancel the power of attorney for representation for the same reasons for which he shall be required to deny the provision of legal assistance according to Article 20 above.

(2) An attorney may cancel a power of attorney for representation for the reasons prescribed in the Code of Ethics.

(3) The attorney shall be required to inform the client and the authority before which the proceedings are conducted without delay about the cancellation of representation.

(4) The attorney is required to continue providing legal assistance to the client even after the cancellation of representation, if necessary to prevent any harm to the client, but not for more than 30 days after the termination of the power of attorney.

(5) An attorney is not obliged to act according to the provisions of paragraph (4) above,

if the client has expressly released him from this obligation.

Article 35
(Membership Fee and Other Financial Obligations)

An attorney shall be required to regularly pay the membership fee to the Bar Association and fulfil other financial obligations.

Article 36
(Inspection of an Attorney Office)

Files, documents, records and other data from a case kept in an attorney office may be subject to inspection only under the conditions of Article 37 below.

Article 37
(Search of an Attorney's Office)

- (1) The search of attorneys and an attorney office may only be ordered by the competent court if the requirements provided for in the Criminal Procedure Code are met.
- (2) When ordering a search of an attorney and an attorney's office, the court will notify the regional Bar Association in whose territory the office where the search is to be conducted is located. The search may not be started or conducted without the presence of an authorized representative of the regional Bar Association, unless they do not respond to an orderly and timely summons to attend the search without justifiable reason.
- (3) When searching attorneys and attorney offices, the confidentiality of documents and materials must not be violated to the detriment of the client.
- (4) The search of attorneys and attorney offices shall be limited to the examination of only those documents and only those cases that are directly related to the criminal offense for which the proceedings are being conducted and which are individually listed in the court order.
- (5) Evidence obtained contrary to the provisions of this article may not be used in the proceedings against the attorney and his client.
- (6) The court conducting the proceedings shall be required to immediately inform the Regional Bar Association about the search, the initiation of proceedings against the attorney and the detention of the attorney.

Article 38
(Obtaining Information, Records and Evidence)

- (1) An attorney has the right to request and receive, in a timely manner, information, files, and evidence held or controlled by state authorities or other competent authorities, institutions, businesses and other organizations for the purpose of providing legal assistance.
- (2) The state authorities, that is, other competent authorities, institutions and companies shall be required, in accordance with this Law, to provide the attorney with access to the information, files and evidence under paragraph (1) above.

Article 39
(Liability Coverage)

- (1) Any attorney is liable for damage caused in the practice of law according to the general rules of liability for damage compensation.
- (2) Any attorney shall be required to conclude a professional liability coverage contract with a legal entity registered for this type of insurance.
- (3) The Bar Association may conclude a framework contract on professional liability coverage and a contract on collective professional liability coverage for all attorneys registered in the Directory of Attorneys.
- (4) The Bar Association shall determine the minimum insurance amount for professional liability coverage.
- (5) The Bar Association shall deny the issuance of an attorney's identification card to an attorney who does not submit proof that he concluded an insurance contract, except in the case of collective insurance under paragraph (3) above.
- (6) If an attorney, a joint law office or a law firm does not submit proof of insurance, the Bar Association shall temporarily prohibit their work until the day of provision of proof of fulfilling this obligation.

Article 40 **(Sum Insured)**

- (1) The minimum insurance sum, per insured case, without limitation of the number of cases, shall amount to:
 - a) BAM 250,000 for an attorney, regardless of whether he practices law independently or as a member of a joint law office or as a member of a law firm,
 - b) BAM 1,000,000 for a law firm.
- (2) In the event that on the date of occurrence of the insured event, the law firm does not have an insurance contract concluded for the insurance amount under paragraph (1) above, the members of that firm shall be jointly and severally liable for the liability of that firm up to the minimum amount of insurance prescribed for that law firm.

Article 41 **(Tax Obligations)**

An attorney shall be required to pay tax on the income generated by providing legal services in accordance with tax regulations.

CHAPTER FOUR - TERMINATION OF THE RIGHT TO PRACTICE LAW AND TEMPORARY PROHIBITION OF PRACTICE OF LAW

Article 42 **(Termination of the Right to Practice Law)**

- (1) An attorney's right to practice law shall terminate:
 - a) if he loses the citizenship of Bosnia and Herzegovina or the Federation of Bosnia and Herzegovina;
 - b) at a personal request, from the date specified in the request, and in the event that the request for deletion from the Directory of Attorneys does not specify the date of

termination of the right to practice law or a day preceding the date of submission of the request is specified, then from the date of submission of the request;

- c) in case of death or declaration of death;
- d) in the event of complete or partial loss of legal capacity;
- e) in the case of loss of health capacity to practice law;
- f) in the case of imposing a disciplinary measure of deletion from the Directory of Attorneys;
- g) in the event of the occurrence of reasons for unworthiness from Article 7 of this law;
- h) in the event of the imposition of a security measure prohibiting the practice of law in criminal proceedings;
- i) in the case of serving a prison sentence for a period longer than six months;
- j) in the case of not practicing law continuously for more than six months;
- k) in the case of carrying out activities provided for in Article 25 above;
- l) in the case he does not conclude a professional liability coverage contract;
- lj) if he does not pay the membership fee or other financial contributions to the Bar Associations for a period longer than six months in one calendar year,
- m) if he establishes an employment relationship outside of the legal profession.

(2) It shall be deemed that an attorney has not practiced law continuously for more than six months if within that period no written documents could be delivered to the address of the headquarters of his office, which shall be determined in a decision of the competent Regional Bar Association.

(3) The competent Regional Bar Association shall be required to, within 15 days of occurrence of one of the reasons for the termination of the right to practice law under paragraph (1) above, delete it from the Directory of Attorneys and appoint a liquidator of the law firm's cases.

(4) In the cases under paragraph (1) (c), (g) and (h) above, the right to perform legal activities shall terminate on the date of finality of the decision of the competent court. In all other cases, the right to practice as an attorney shall terminate on the day when the decision became final, that is, on the day indicated in it.

(5) If an attorney has stopped practicing law at his personal request, he shall be required to nominate the liquidator of his office himself.

(6) Paragraphs (1) to (4) above shall accordingly apply to attorney associates and law trainees.

Article 43 **(Competence to Decide)**

(1) It is the competent body of the Regional Bar Association shall issue a decision on the termination of the right to practice law and the decision shall be verified by the Bar Association of Attorneys, in the same way and according to the same procedure, as when entering in the Directory of Attorneys.

(2) If the competent body of the Regional Bar Association does not make a decision under paragraph (1) above, even though it is aware of the occurrence of one of the conditions for the termination of the right to practice law, the Bar Association is authorized to immediately issue a decision on the termination of practice of law and deletion from the Directory of Attorneys. This decision shall be final.

(3) An appeal against the decision of the regional Bar Association may be filed with the Bar Association within 15 days of receipt of the first-instance decision.

(4) An administrative dispute may be initiated against the final decision of the Bar

Association.

Article 44
(Re-entry in the Directory of Attorneys)

- (1) An attorney may not be re-entered in the Directory of Attorneys if he has been convicted of a criminal offense that renders him morally unfit in accordance with Article 7 above or who has been sentenced to a disciplinary measure of permanent loss of the right to practice law.
- (2) If attorney's suspension from practice was due to a security measure or a disciplinary measure, he shall acquire the right to submit an application for re-registration upon the expiration of the term for which the measure was imposed.
- (3) In other cases, the attorney whose right to practice law has been suspended may apply for re-entry into the Directory of Attorneys when the reasons for suspension of practice of law cease.

Article 45
(Temporary Suspension of Practice of Law)

- (1) An attorney shall have the right to a temporary suspension of the right to practice law for the duration of the following reasons:
 - a) for the purpose of professional development or other justified reasons and during the temporary absence, while those reasons last;
 - b) during temporary incapacity due to illness, maternity leave, leave to take care of the child and other family members.
- (2) The attorney shall be required no later than 30 days before the start of exercising the rights under paragraph (1)(a) above and within 30 days of the temporary impediment under paragraph (1)(b) above, to submit to the Regional Bar Association an explained application for the recognition of the right for temporary suspension of the practice of law and submit appropriate evidence and data on the beginning and duration of the temporary suspension of the practice of law.
- (3) The right to practice law shall be temporarily suspended in the event of election, appointment or selection to a public office in a body of Bosnia and Herzegovina, the FBiH, a canton or a local self-government unit.
- (4) An attorney shall be required to submit an application for temporary suspension of the right to practice law to the Regional Bar Association before starting to perform the public function under paragraph (1) above.
- (5) If the attorney does not comply with the obligation under paragraph (2) above, the Regional Bar Association shall ex officio pass a decision on his deletion from the Directory of Attorneys.
- (6) If the attorney, within 30 days of termination of the public office under paragraph (1) above, does not submit an application for approval to continue practicing law, the Regional Bar Association shall issue a decision on his deletion from the Directory of Attorneys on the day of termination of public office.

Article 46
(Temporary Replacement)

- (1) With the decision on the temporary suspension of the right to practice as an attorney

under Article 45 above, the Regional Bar Association shall appoint a temporary replacement to the attorney.

(2) The temporary replacement under paragraph (1) above may only be an attorney entered in the Directory of Attorneys of the Bar Association.

(3) The temporary replacement shall be appointed as proposed by the temporarily replaced attorney if he submits written approval by that attorney. If there is no such proposal or approval, then the temporary replacement shall be appointed by the Regional Bar Association, taking into account the mutual relations between the temporarily replaced attorney and his possible replacement and the related areas of law they deal with in practice, as well as the reputation of the legal profession.

Article 47 **(Temporary Ban on Practicing Law)**

(1) A temporary ban on the practice of law may be determined only under the conditions prescribed by this Law.

(2) An attorney shall be temporarily prohibited from practicing law:

- a) if detention has been ordered against him;
- b) if criminal or disciplinary proceedings have been initiated against him for an act or violation that makes him unfit to practice law and his actions make it difficult or impossible to conduct the disciplinary proceedings initiated against him;
- c) if the procedure for deletion of entry from the Directory of Attorneys has been initiated;
- d) if he does not perform the activity at the address he has registered with the regional Bar Association;
- e) if he does not pay the membership fee for six months;
- f) if he does not submit proof that he extended the professional liability coverage before the expiration of the valid insurance policy;
- g) if, by the end of February of the current year, he does not settle all obligations towards the Regional Bar Association due by the end of the previous year.

(3) The Regional Bar Association decide on the duration of the ban with a decision on the temporary ban on the practice of law.

(4) If an attorney submits proof that the reason for issuing a decision on a temporary ban on the practice of law has ceased, a decision on the termination of the ban shall be issued.

Article 48 **(Appeal against the Decision)**

(1) An appeal against a decision on a temporary ban on the practice of law shall not delay its execution.

(2) The competent body of the Bar Association shall decide on appeals within the period specified in the Statute of the Bar Association.

(3) The Bar Association shall notify the Bar Association in the Republika Srpska, the High Judicial and Prosecutorial Council of Bosnia and Herzegovina, the Constitutional Court of Bosnia and Herzegovina, the Court of Bosnia and Herzegovina, the Constitutional Court of the Federation of Bosnia and Herzegovina and the Supreme Court of the Federation of Bosnia and Herzegovina of the temporary ban on practicing law, and the Regional Bar Associations shall notify the courts according to the seat of the attorney's law office.

(4) Detailed provisions on the procedure and duration of the temporary ban on practicing law shall be regulated by the Statute of the Bar Association.

Article 49
(Obligation to Notify the Bar Association)

A court or authority that conducts criminal proceedings against an attorney, attorney associate or law trainee or that has determined the loss of health and professional capacity or loss of citizenship, shall be required to inform the Bar Association about this within eight days of the decision.

CHAPTER FIVE- PRACTICE OF LAW

Article 50
(Types of Attorney Work)

- (1) An attorney shall practice law independently, as a member of a joint law office or as a member of a law firm.
- (2) All types of legal practice shall be identified by a seal, a plaque, and other forms of identification, the format and content of which shall be regulated by the general regulations of the Bar Association, as well as by registration documents and acts of incorporation.
- (3) The provisions of this Law regulating the status of attorneys shall also apply to joint law offices and law firms, unless otherwise specified by this Law.

Article 51
(Independent Practice of Law)

An attorney may practice law independently and may only have one office.

Article 52
(Joint Law Office)

- (1) Two or more attorneys may establish a joint law office (hereinafter: joint law office) by means of an agreement regulating their mutual business and financial relations.
- (2) The contracting parties shall be required to submit the agreement under paragraph (1) above and the application for entry in the Directory of Joint Law Offices to the Bar Association within 15 days of conclusion of the agreement.

Article 53
(Operation of a Joint Law Office)

- (1) All attorneys from a joint law office shall have their office headquarters in the same location and the same workspace.
- (2) A joint law office must have an office suitable for the practice of law in this form of operation.
- (3) A joint law office must have a visible plaque displayed with text "JOINT LAW OFFICE", its special name, if any, and the names of the members of the joint law office, in accordance with the founding deed and the Statute.
- (4) The joint law office shall have a seal in the centre of which text "JOINT LAW OFFICE", its special name, if any, the names of the members of the joint office and the

name of the place where the joint law office is headquartered shall be written, in accordance with the founding deed and the Statute.

(5) A joint law office shall not have the status of a legal entity, but the status of a single taxpayer.

(6) The joint law office shall dissolve by agreement or if only one attorney remains in it.

Article 54

(Rules of Representation and Obligations of a Joint Law Office)

(1) A client may authorize only one attorney, some of the attorneys or all the attorneys in the joint law office for representation.

(2) If the power of attorney for representation was not given to all attorneys of the joint law office, only those attorneys of the joint law office in whose name the power of attorney was given shall be held responsible for the obligations towards the client that issued the power of attorney.

(3) The attorneys in the joint law office shall be jointly and severally liable for the obligations incurred in the operation of the joint law office.

Article 55

(Conclusion of Employment Contract)

(1) Attorneys from joint law office may conclude employment contracts with persons who will perform administrative, technical, financial and other tasks for the aforementioned entities.

(2) Provisions of the Labor Law shall be applied in relation to the rights and obligations of employees in the joint law office that are not regulated by the employment contract.

Article 56

(Law Firm)

(1) A law firm, as a legal entity, shall be established in accordance with the Law on Business Companies and this Law, as a limited liability company.

(2) A law firm may also have branches, but each branch must have at least one full-time employed attorney. The procedure for establishing a branch office shall be carried out under the same conditions as the procedure for registering a law firm.

(3) The work of law firm shall be limited to the performance of legal activities, in accordance with this Law.

(4) Members of a law firm can only be attorneys who are members of the Bar Association who practice law in that law firm.

(5) The performance of legal activities, within the law firm, may be entrusted to attorneys, attorney assistants and law trainees employed by the law firm.

(6) The rights, obligations and responsibilities prescribed by this Law for attorneys in the performance of their activities shall also apply to attorneys who are employed in a law firm.

(7) A law firm may not establish another law firm.

Article 57

(Establishment of a Law Firm)

- (1) In order to establish a law firm, the founding attorneys shall be required to obtain prior approval by the Bar Association, which shall be given if it is judged that the content and form of the decision or contract on establishment is in accordance with this Law, the Statute and the Code of Ethics. Approval by the Bar Association is also required for amendments to the founding deed and Statute of the law firm.
- (2) Approval under paragraph (1) above is a requirement for entering in the Register of Business Entities of the competent court and in the Directory of Law Firms of the Bar Association.
- (3) A law firm shall be required to inform the Regional Bar Association about the completed entry in the appropriate register of business entities of the competent court within eight days of receipt of notice and decision of the competent court on the entry.
- (4) The Regional Bar Association shall be required to enter the law firm in the Directory of Law Firms, within eight days of receipt of the notification under paragraph (3) above.
- (5) A law firm and its attorneys may not provide legal assistance before the law firm is entered in the Directory of Law Firms of the Bar Association.

Article 58 **(Operation of a Law Firm)**

- (1) A law firm may have only one law office at the firm's headquarters.
- (2) A law firm must have a visible plaque with text "LAW FIRM" and its name in accordance with the founding deed and the Statute.
- (3) The law firm has a seal with text "Law Firm", the name of the firm and the name of the place where the firm is headquartered.
- (4) Paragraphs (1), (2) and (3) of this article shall accordingly apply to law firm branches.

Article 59 **(Deletion of a Law Firm)**

- (1) The Regional Bar Association shall issue a decision on deletion from the Directory of Law Firms and delete it from the Directory of Law Firms for the following reasons:
 - a) if the court, by its decision, bans the work of the law firm;
 - b) if the law firm does not carry out its activity continuously for longer than six months;
 - c) if all members of the firm are deleted from the Directory of Attorneys.
- (2) An appeal to the Bar Association is allowed against the decision under paragraph (1) above within 15 days.
- (3) A decision of the Bar Association on the appeal on the deletion of law firm shall be final, against which an administrative dispute may be initiated.
- (4) In the procedure for deleting a law firm from the Directory of Law Firms, this Law and the Statute shall be applied accordingly.
- (5) Upon issuing the decision under paragraph (1) above, the Bar Association shall be required to notify the competent registration court without delay in order to carry out the appropriate deletion procedure from the Register of Business Entities.
- (6) A law firm shall cease to practice law on the day of its deletion from the Directory of Law Firms.
- (7) The Bar Association shall take all necessary measures to protect interests of the clients represented by the law firm that has been deleted from the Directory of Law Firms.

Article 60

(Liability of a Law Firm)

A law firm is liable for the performance of legal activities in accordance with the general rules of liability.

Article 61 (Change of Headquarters of Law Firm)

A law firm shall be required to inform the regional Bar Association about the change of the registered office of the firm in the territory of the FBiH, no later than 15 days of the change of registered office.

Article 62 (Collaboration)

- (1) Attorneys, joint offices and law firms may enter into contractual cooperation with other domestic attorneys, law offices and law firms or foreign attorneys in order to perform certain tasks of common interest and provide mutual assistance.
- (2) Cooperation agreements must be based on the principles of equality and mutual trust, and they must not place individual attorneys, joint offices and law firms in a subordinate position. The detailed conditions and method of contractual cooperation under paragraph (1) above shall be regulated by the Statute of the Bar Association.
- (3) Any type of cooperation with BiH companies that are not registered for the practice of law and that engage in unauthorized offering, contracting or charging for legal services is not permitted.
- (4) Any type of cooperation with foreign attorneys that use such cooperation to falsely portray an attorney member of the Bar Association as an attorney of their firm, as a partner, as its branch office or as having any form of institutional connection with them.
- (5) Attorneys, joint firms and law firms are prohibited from stating the existence of an agreement and cooperation under paragraph (1) above on their websites, notice boards, letterheads etc.
- (6) Violation of paragraphs (3), (4) and (5) above shall be considered a serious violation of the attorney's duty.

Article 63 (Share Transfer)

- (1) The transfer of shares in the law firm may only be made to an attorney registered in the Directory of Attorneys of the Bar Association.
- (2) In case of transfer of shares other than by inheritance or donation, the members of law firm have the right of pre-emption to purchase that share.
- (3) The transferor who transfers the right of ownership in the law firm shall be required to inform all its members about the intention to sell through the management of the law firm.

Article 64 (Liquidation Procedure)

- (1) The liquidation procedure shall be carried out over the law firm in the case of the adoption of the final decision of the Bar Association on the deletion of the law firm from

the Directory of Law Firms.

(2) A law firm shall be required to start the liquidation procedure within 15 days of delivery of the decision under paragraph (1) above.

(3) In the event that a law firm does not initiate the liquidation procedure within the period under paragraph (2) above, the regional Bar Association shall be required to initiate it within 30 days from the date of expiry of the period under paragraph (2) above.

Article 65 (Liquidator of a Law Firm)

(1) An attorney member of the law firm whose share exceeds 50% or who has approval by the members of the firm who have more than 50% of the share shall be appointed as the liquidator.

(2) As an exception to paragraph (1) above, an attorney appointed by the Bar Association of Attorneys shall be appointed as the liquidator in the following cases:

- a) if the attorney under paragraph (1) above does not accept to be appointed as liquidator;
- b) if such an attorney does not exist (in case of the death of the sole founder);
- c) if the members of the firm do not reach agreement under paragraph (1) above,
- d) if the Bar Association considers that, considering the reasons for which it passed the decision to delete the law firm from the Directory of Law Firms, the attorney under paragraph (1) above would not be able to perform the duties of liquidator.

Article 66 (Handing over Files)

(1) The liquidator shall be required, without delay, and no later than within 30 days of appointment of the liquidator, except in the case under Article 22 (2) above, to notify the clients of the termination of the practice of law and to make the files available to them, noting that their representation may be entrusted to one of the attorneys from the firm who will continue to perform legal activities individually or they may turn to another attorney for assistance.

(2) When handing over the file, the liquidator shall be required to determine the status of receivables from the client, to communicate it to him and, if possible, to determine it in minutes.

Article 67 (Assets of the Law Firm after Liquidation)

The assets of the law firm remaining after the liquidation of the law firm shall belong to the members of the law firm in proportion to their shares in the share capital, unless the members of the law firm have regulated this issue differently in the founding deed or Statute of the law firm.

CHAPTER SIX – ATTORNEY ASSOCIATES

Article 68 (Attorney Associates)

(1) Any person who meets the requirements set forth in Article 6 above, with the exception of the requirements set forth in Article 6,(1)(e) and I) above, and who has signed an employment contract for the position of an attorney associate with an attorney, an attorney ,under A joint law office, or a law firm, may acquire the status of an attorney associate.

(2) The status of an attorney associate shall be acquired by entry in the Directory of Attorney Associates of the Bar Association.

Article 69 **(Attorney Associate Identification Card)**

(1) Based on the data contained in the Directory of Attorney Associates, an attorney associate shall be issued an identification card.

(2) The identification card under paragraph (1) above shall be issued by the Bar Association.

Article 70 **(Attorney Associate Rights and Responsibilities)**

An attorney associate may, under the order, supervision and instructions of the attorney, perform all tasks entrusted to the attorney, other than the tasks that in accordance with the law may only be performed by an attorney.

Article 71 **(Limits of Responsibilities of an Attorney associate)**

An attorney associate may not, without the prior approval of an attorney or an authorised person in the law firm, represent or negotiate with clients the terms of representation or performance of other tasks related to the provision of legal assistance, contract and receive compensation for costs and rewards for an attorney's work, or receive money, securities, or other movable property to be delivered to third parties.

Article 72 **(Liability for Damage)**

(1) The attorney shall be held liable for any damage caused to a client by an attorney associate while performing his tasks.

(2) The attorney who has compensated the damage under paragraph (1) above may seek reimbursement from the attorney associate if the damage is a result of intent or gross negligence.

(3) An attorney associate who, at work or in connection with his work, intentionally or through gross negligence, caused damage to an attorney, a joint law office or a law firm shall compensate the damage.

Article 73 **(Removal from the Directory of Attorney Associates)**

(1) Attorney associates shall be removed from the Directory of Attorney Associates:

a) upon termination of their employment contract;

- b) upon the entry into the Directory of Attorneys;
- c) in the event of termination of the right of an attorney with whom the attorney associate concluded an employment contract to practice law;
- d) in the event of a loss of citizenship of Bosnia and Herzegovina;
- e) upon personal request;
- f) in the event of death or pronouncement of death;
- g) in the event of complete or partial loss of legal capacity;
- h) in the event of a disciplinary measure imposed on the law attorney associate prohibiting him from practicing;
- i) in the event of reasons ,under Article 25 above;
- j) in the event of an interim measure imposed on an attorney associate prohibiting him from practicing law;
- k) in the event of serving a prison sentence for more than six months;
- l) in the event of a failure to perform the tasks of an attorney associate for a continuous period longer than sixty days without justified reason.

(2) The decision on the removal under paragraph (1) above shall be issued by the competent body of the Bar Association

Article 74 **(Association of Attorney Associates)**

(1) Attorney associates shall be a member of the Association of Attorney Associates established within the Bar Association.

(2) The Association of Attorney Associates shall participate in the work of the bodies of the Bar Association as well as of the regional bar associations with the rights and obligations as determined by the Statute the Bar Association.

Article 75 **(*Mutatis Mutandis* Application of the Provisions)**

The provisions of this Law governing procedures for entry into the Directory of Attorneys, attorney rights and duties, attorney-client privilege, disciplinary liability and disciplinary proceedings, and temporary ban or termination of the right to practice law shall apply, *mutatis mutandis*, to attorney associates.

CHAPTER SEVEN – LAW TRAINEES

Article 76 **(Law Trainees)**

(1) Law trainees shall be prepared for the independent performance of the attorney's profession and for acquiring knowledge necessary for passing the bar examination by performing legal tasks in an attorney's office, joint attorney office or law firm.

(2) A person who has met the requirements for taking the bar examination shall not be eligible to become a law trainee.

(3) The traineeship shall lasts until the requirements for taking the bar examination are met, and no longer than four years, including any previous traineeship with other

employers.

(4) A law trainee may only be employed and trained by an attorney registered in the Directory of Attorneys who has been practicing law for more than five years.

(5) Exceptionally, at the request of an attorney and a law trainee, the relevant Bar Association body may, if justified, extend the period of the law trainee status for an additional year.

Article 77

(Entry into the Directory of Law Trainees)

(1) Any person who meets the requirements under Article 6 above, with the exception of the requirements under Article 6(1)(c)(d)(e), and (l) above, and who has signed an employment contract for the position of a law trainee with an attorney, an attorney from a joint law office, or a law firm, may acquire the status of a law trainee.

(2) The status of law trainee shall be acquired by entry into the Directory of Law Trainees.

Article 78

(*Mutatis Mutandis* Application of the Provisions)

The provisions of this Law governing procedures for entry into the Directory of Attorneys, attorney rights and duties, attorney-client privilege, disciplinary liability and disciplinary proceedings, and temporary ban or termination of the right to practice law shall apply, *mutatis mutandis*, to law trainees.

Article 79

(Removal from the Directory of Law Trainees)

Law trainees shall be removed from the Directory of Law Trainees:

- a) upon termination of their employment contract;
- m) upon the entry into the Directory of Attorney Associates or into the Directory of Attorneys;
- n) in the event of termination of the right of an attorney with whom the law trainee concluded an employment contract to practice law;
- o) in the event of a loss of citizenship of Bosnia and Herzegovina or of the Federation of Bosnia and Herzegovina;
- p) upon personal request;
- q) in the event of death or pronouncement of death;
- r) in the event of complete or partial loss of legal capacity;
- s) in the event of a disciplinary measure imposed on the law trainee prohibiting him from practicing;
- t) in the event of reasons, under Article 25 above;
- u) in the event of serving a prison sentence for more than six months;
- v) in the event of a failure to perform the tasks of a law trainee for a continuous period longer than sixty days without justified reason,
- w) upon passing the bar examination or completing the traineeship in accordance with Article 76(3) and (5) above.

Article 80

(Association of Law Trainees)

- (1) Law trainees shall be members of the Association of Law Trainees established by the Bar Association.
- (2) The Association of Law Trainees shall participate in the work of the bodies of the Bar Association as well as of the regional bar associations with the rights and obligations as determined by the Statute and other general regulations of the Bar Association, and the regional bar associations.

Article 81 **(Law Trainee Identity Card)**

Based on the data contained in the Directory of Law Trainees, the Bar Association shall issue an identity card to the law trainee.

Article 82 **(Cancellation of Entry in the Directory of Law Trainees)**

- (1) If, following the entry into the Directory of Law Trainees, it is determined that the requirements for entry in the directory were not met, Article 10 above shall apply.
- (2) In the event the entry in the Directory of Law Trainees is cancelled, the period worked by the registered law trainee shall not be counted toward the service period required for the bar examination.

Article 83 **(Law Trainee Rights)**

- (1) A law trainee shall have the right to proper working conditions and training in accordance with the traineeship's purpose and the training curriculum of the Bar Association.
- (2) During the traineeship, the law trainee shall be entitled to receive a salary and other employment-related rights, in accordance with the law and the employment contract.

Article 84 **(Trainee Responsibilities)**

- (1) A law trainee shall follow the instructions and work within the limits of the authorisations obtained from the attorney providing training.
- (2) A law trainee may not provide legal assistance under Article 4 above.

Article 85 **(Liability for Damage)**

- (4) The attorney shall be held liable for any damage caused to a client by a law trainee during the course of the traineeship.
- (5) The attorney who has compensated the damage under paragraph (1) above may seek reimbursement from the law trainee if the damage is a result of intent or gross negligence.

Article 86 **(Termination of Trainee Status)**

- (1) The trainee status shall be terminated when the law trainee passes the bar examination.
- (2) The trainee status shall be terminated in the event of a failure by a law trainee to pass the bar examination within two years after fulfilling the requirements for taking the examination or those under Article 76(5).
- (3) After the requirements under paragraph (1) above are met or the deadline under paragraph (2) above expires, the Bar Association shall issue a decision removing the law trainee from the Directory of Law Trainees.

CHAPTER EIGHT – ATTORNEY’S EXAMINATION AND CONTINUING PROFESSIONAL DEVELOPMENT

Article 87 (Attorney's Examination)

- (1) The attorney's examination shall consist of a knowledge test administered in accordance with the Attorney's Examination Programme.
- (2) To be eligible to sit for the attorney's examination, one must first pass the bar examination.
- (3) The attorney's examination shall be taken before the Attorney's Examination Board.
- (4) The Attorney's Examination Programme, the method of formation and composition of the Attorney's Examination Board, the selection of members, the method of work and decision-making of the Board, and the issuance of certificates of passing the examination shall be prescribed by the Statute and other regulations of the Bar Association.

Article 88 (Attorney Academy)

- (1) With a view to improving the theoretical and practical knowledge and skills of attorneys necessary for professional, independent, autonomous, effective and ethical practice of law, the specialisation of attorneys and the issuance of certificates of specialisation in a specific area of law and practice of law, the Bar Association shall establish the Bar Academy, as a special body responsible for the continuous professional development of attorneys, attorney associates, law trainees and persons employed in law offices and law firms, as well as other persons interested in practicing law.
- (2) The Statute and other regulations of the Bar Association shall govern the founding, structure and management of the Attorney Academy, as well as the implementation of general and specialised training programmes.

Article 89 (Continuing Professional Development of Attorneys, Attorney Associates and Law Trainees)

- (1) Attorneys shall pursue continuing professional development and acquire new knowledge and skills necessary for their professional, independent, autonomous, effective and ethical practice of law, in accordance with the continuing professional development programme as adopted by the Bar Association.
- (2) An attorney employing an attorney associate and a law trainee shall provide them with

adequate working and training conditions consistent with the objective of training and professional development, or practice, as well as to fully implement their training curriculum.

(3) The Statute of the Bar Association shall govern the obligations of attorneys with respect to continuing professional development.

CHAPTER NINE – ORGANISATION OF ATTORNEYS' PROFESSION

Article 90 (Bar Association)

(1) Attorneys, joint law offices and law firms with their seats in the Federation of Bosnia and Herzegovina shall be required to form the Bar Association, as an independent and autonomous professional organisation of attorneys, as set forth in this Law.

(2) The seat of the Bar Association shall be in Sarajevo.

(3) The Bar Association shall be a legal entity.

Article 91 (Regional Bar Associations)

(1) Members of the Bar Association shall join one of the regional bar associations based on their seat.

(2) The Bar Association shall be comprised of:

a) The Regional Bar Association of Sarajevo (established for the territories of Sarajevo Canton and Bosnia-Podrinje Canton);

b) The Regional Bar Association of Mostar (established for the territories of Herzegovina-Neretva Canton, West Herzegovina Canton and Canton 10);

c) The Regional Bar Association of Tuzla (established for the territories of Tuzla Canton and Posavina Canton);

d) The Regional Bar Association of Zenica (established for the territories of Zenica-Doboj Canton and Central Bosnia Canton);

e) The Regional Bar Association of Bihac (established for the territory of Una-Sana Canton).

(3) Attorneys from the Brcko District of Bosnia and Herzegovina may be members of the Regional Bar Association under paragraph (2)(c) above.

(4) The regional bar associations shall be legal entities.

Article 92 (Bar Association Competences)

(1) The Bar Association shall represent attorneys, attorney associates and law trainees and carry out the following functions:

a) developing and improving the practice of law,

b) ensuring the professional autonomy of attorneys,

c) adopting the Statute of the Bar Association;

d) adopting the Code of Ethics;

e) determining the tariff with the approval of the FBiH Ministry of Justice;

f) taking stances on the application of the tariff;

- g) verifying entry in the directories of attorneys, attorney associates and law trainees;
 - h) deciding appeals against decisions of regional bar associations;
 - i) adopting the Rulebook on Disciplinary Liability;
 - j) initiating disciplinary proceedings and determining disciplinary liability for violations under this Law and the Code of Ethics;
 - k) protecting the rights and interests of attorneys, joint law offices, law firms, attorney associates and law trainees;
 - l) organising and ensuring continuing professional development of attorneys and training of attorney associates and law trainees;
 - m) establishing the Attorney Academy and overseeing its work;
 - n) cooperating with the legislative, judicial and executive authorities in Bosnia and Herzegovina;
 - o) cooperating with national and international organisations, institutions and associations;
 - p) cooperating with the Bar Association in the Republika Srpska, bar associations of other countries, regional and international associations of attorneys;
 - r) performing all other duties as determined by the Statute and necessary for the practice of law,
 - s) deciding on suitability,
 - t) interpreting the acts of the Bar Association.
- (2) In the event of a failure by a regional bar association to fulfil its duties as set forth in this Law, the Bar Association shall have the authority to assume decision-making and other duties of the regional bar associations.

Article 93 **(Bar Association Bodies)**

- (1) The Bar Association shall have the following bodies:
 - a) Assembly,
 - b) Management Board,
 - c) President,
 - d) Supervisory Board,
 - e) Disciplinary Court and Disciplinary Prosecutor.
- (2) The Bar Association's bodies shall have a four-year term of office.
- (3) The term of office of the President of the Bar Association may not be entrusted to the same person for a second time in continuity.
- (4) The Bar Association may also establish other bodies as specified by the Statute of the Bar Association.
- (5) The structure, competences, composition, election procedure, and duties of the Bar Association's bodies shall be governed by this Law and the Statute.

Article 94 **(Competences of the Bar Association Assembly)**

The Bar Association Assembly shall carry out the following duties:

- a) adopt the Statute;
- b) adopt the Code of Ethics;
- c) adopt the Rulebook on Disciplinary Liability;
- d) issue the tariff;

- e) cooperate with the legislative, judicial and executive authorities in Bosnia and Herzegovina;
- f) cooperate with national and international organisations, institutions and associations;
- g) cooperate with the Bar Association in the Republika Srpska, bar associations of other countries, regional and international associations of attorneys;
- h) perform all other duties as determined by the Statute and necessary for the practice of law.

Article 95

(Composition and Working Methods of the Bar Association Assembly)

- (1) The Bar Association Assembly shall be composed of representatives of the regional bar associations and one representative from each the Association of Attorney Associates and the Association of Law Trainees from regional bar associations.
- (2) Each Assembly of the regional bar associations shall elect one representative for each 20 of its members based on the number of attorneys registered as at 31 December of the year preceding the election year for the Assembly to represent it in the Bar Association Assembly. The term of elected members of the Bar Association Assembly shall be four years, but it may not exceed the term of the Assembly under Article 93(2) above.
- (3) Assembly sessions may be electoral, regular or extraordinary.
- (4) The regular Assembly shall be held once a year.
- (5) The electoral Assembly shall be held once every four years to elect the President of the Bar Association, five members of the Management Board, the members of the Disciplinary Court, the Disciplinary Prosecutor and the Supervisory Board.
- (6) Extraordinary assemblies shall be held as necessary. They may be called by the Management Board or upon request by one-third of delegates in the Assembly.
- (7) More than half of the delegates must be present in order for the Assembly to qualify for work and decision-making. Decisions of the Assembly shall be deemed to be adopted if more than half of the delegates present voted in favour.
- (8) When the Assembly adopts the Statute and the Code of Ethics, the decision shall be deemed to be adopted if more than half of the delegates of each individual regional bar association voted in favour.
- (9) If these documents cannot be adopted due to the lack of a qualified majority in the Assembly, the Management Board shall adopt temporary documents. That decision shall be deemed to be adopted if a majority of Management Board members vote for it. In the period of six months after the adoption of temporary documents, the Management Board shall convene the Assembly and propose the adoption of these documents.
- (10) The temporary documents shall remain in force until the decision of the Assembly.

Article 96

(The Bar Association Management Board)

- (1) The Management Board shall consist of 11 members.
- (2) By virtue of his position, the Bar Association President shall also be a member of the Management Board.
- (3) Each regional bar association shall elect one member to the Management Board, and the remaining five members shall be elected by the electoral Assembly of the Bar Association.
- (4) The Management Board shall elect its President and Vice-President at its inaugural

session.

Article 97
(Competences of the Bar Association Management Board)

- (1) The Bar Association Management Board shall carry out the following duties:
 - a) propose the Statute and the Code of Conduct;
 - b) propose the tariff;
 - c) propose the Rulebook on Disciplinary Liability;
 - d) decide appeals against decisions of the regional bar associations;
 - e) appoint the bodies set forth in the Statute;
 - f) adopt the Rulebook on registers, directories and other records maintained by the Bar Association and the regional bar associations;
 - g) organise and provide continuing professional development of attorneys and training of attorney associates and law trainees;
 - h) establish the Attorney Academy and oversee its work;
 - i) propose to the Assembly the measures and activities aimed at improving the practice of law;
 - j) other duties as set forth in the Statute.
- (2) Additionally, the Management Board shall also be responsible for making all decisions that fall outside the purview of the Bar Association Assembly or any of its other bodies.

Article 98
(President of the Bar Association)

- (1) The Bar Association shall be represented by its President.
- (2) When the President is unable to discharge his functions, the Bar Association shall be represented by either the President or Vice President of the Management Board.
- (3) The President of the Bar Association shall perform the following duties:
 - a) adopt the Rulebook on the appearance, content, the issuance and wearing of ID cards for attorneys, attorney associates and law trainees;
 - b) protect the rights and interests of attorneys, joint law offices, law firms, attorney associates and law trainees;
 - c) other duties as set forth in the Statute and upon the order of the Assembly and the Management Board of the Bar Association.

Article 99
(Regional Bar Associations)

- (1) The Bar Regional Association shall represent attorneys, attorney associates and law trainees and carry out the following functions:
 - a) develop and improve the practice of law;
 - b) ensure the professional autonomy of attorneys;
 - c) adopt the Statute;
 - d) make decisions regarding the acquisition and termination of the right to practice law and the right to perform the activities of an attorney associate and a law trainee,
 - e) initiate disciplinary proceedings and determine disciplinary liability for violations of this Law and the Code of Ethics,
 - f) protect the rights and interests of attorneys, joint law offices, law firms, attorney

associates and law trainees;

- g) organise and provide continuing professional development for attorneys and supervise the training of attorney associates and law trainees,
- h) cooperate with the legislative, judicial and executive authorities;
- i) mediate disputes between attorneys and their clients.

(2) Regional bar associations shall also be responsible for other duties as set forth by this Law and the Statute.

Article 100 **(Bodies of Regional Bar Association)**

The regional bar associations shall have the following bodies: Assembly, Management Board, President, Disciplinary Court, Disciplinary Prosecutor, Supervisory Board as well as other bodies as set forth in the Statute of each regional branch association.

Article 101 **(Regional Bar Association Assembly)**

- (1) The Assembly of each Regional Branch Association shall adopt its Statute determining its organisation and working methods.
- (2) The Statute under paragraph (1) above must be harmonised with the provisions of this Law, the Statute and the general regulations of the Bar Association.

Article 102 **(President of the Regional Bar Association)**

- (1) The Regional Bar Association shall be represented by its President.
- (2) Competences of the President of the Regional Bar Association and other bodies under Article 100 above shall be determined by its Statute of the regional Bar Association.

Article 103 **(Registers and Directories)**

- (1) The Bar Association and the regional bar associations shall maintain registers and directories of attorneys, joint law offices, law firms, attorney associates and law trainees.
- (2) The Bar Association and regional bar associations shall also maintain other records in accordance with the Statute of the Bar Association.
- (3) Registers and directories under paragraph (1) above shall be public records.
- (4) Excerpts from registers and other records maintained by bar associations, as well as certificates issued on the basis of those records, shall be public documents.

Article 104 **(Cooperation with Other Bodies and Bar Associations)**

- (1) The Bar Association shall keep up to date with and explore interactions and phenomena that are relevant for the regulation and protection of freedoms and rights of citizens and legal entities, and for the enhancement of practice of law.
- (2) The Bar Association shall keep the Parliament of the Federation of Bosnia and

Herzegovina and the FBiH Ministry of Justice informed about the situation and problems of the bar, as well as the measures that should be taken to improve the practice of law and protect the freedoms and rights of citizens and legal entities.

(3) The Bar Association shall decide on modalities of cooperation with other bar associations, international bar associations and organisations.

Article 105 **(General Regulations of the Bar Association)**

(1) General Regulations of the Bar Association shall include:

- a) the Statute,
- b) the Code of Ethics,
- c) the tariff on fees for attorney services,
- d) the Rulebook on Disciplinary Liability of Attorneys, Attorney Associates and Law Trainees and
- e) other general regulations as set forth in the Statute of the Bar Association.

(2) The Statute and other general regulations of the Bar Association shall be harmonised with this Law.

Article 106 **(Publishing of Acts)**

The Statute, the Code of Ethics and the Tariff on fees for attorney services in the Federation of Bosnia and Herzegovina shall be published in the Official Gazette of the Federation of Bosnia and Herzegovina.

Article 107 **(Oversight over the Work of Bar Associations)**

(1) The FBiH Ministry of Justice shall oversee and monitor the work of the Bar Association and regional bar associations with respect to implementation of this Law, while respecting the independence of the bar.

(2) In exercising oversight and monitoring functions under paragraph (1) above, the FBiH Ministry of Justice may request appropriate reports and data from the Bar Association.

(3) The method and scope of oversight and monitoring under paragraph (1) above shall be regulated in more detail by a by-law issued by the FBiH Minister of Justice.

CHAPTER TEN – FINANCING OF THE BAR ASSOCIATION

Article 108 **(Financing of Bar Associations)**

The Bar Association and regional bar association shall be financed entirely from their own sources, including:

- a) membership fee,
- b) charges for entry into the directories of attorneys, and

- c) other sources such as fines, charges, donations and the like.

Article 109
(Amount of Charges)

- (1) The Management Board shall determine the amount of the charge for entry into the directories, as well as the amount of membership fee for attorneys, attorney associates and law trainees, as well as the amount of all other charges in accordance with the general acts of the Bar Association.
- (2) Attorneys, joint law offices and law firms shall pay the membership fees specified in paragraph (1) above for attorney associates and law trainees with whom they have signed employment contracts.

Article 110
(Payment of the Membership Fee)

- (1) The registration fee shall be paid directly to the account of the Bar Association.
- (2) The share of membership and registration fees required to finance the Bar Association shall be determined by the Management Board.
- (3) Regional bar associations shall ensure the orderly collection of membership fees and make payments to the account of the Bar Association of a share of the membership fee in accordance with the decision of the Management Board for all attorneys having their offices in their respective territories.
- (4) If the funds received by the Bar Association based on the membership fee of any regional bar association exceed the percentage share of that regional bar association in its financing, the Bar Association shall return the excess funds to that regional bar association, and if that amount is less than the determined share of the regional bar association, that regional bar association shall transfer the difference to the Bar Association.

CHAPTER ELEVEN - DISCIPLINARY LIABILITY

Article 111
(Disciplinary Liability)

- (1) Attorneys practicing law, whether as individuals, or in a joint law office, or in a law firm within the meaning of this Article shall undertake personal responsibility for the conscientious discharge of their duties and uphold the reputation of attorney profession.
- (2) Lawyers shall be held liable both for minor and serious misconduct, as well as damage to the reputation of the attorney profession.
- (3) A breach of duty and causing damage to the reputation of the attorney profession by an attorney is considered as serious misconduct and damage to the reputation of the attorney profession, specifically:
- a) legal malpractice,
 - b) provision of legal assistance in cases in which an attorney is required to refuse it,
 - c) engaging in activities incompatible with the reputation and independence of the attorney profession,
 - d) violation of attorney-client privilege,

- e) charging a fee that exceeds the fee established under the tariff,
- f) refusal to issue an invoice to the party for the work done and the recovery of costs incurred in connection with the work done.
- g) unauthorised disposal of the client's funds, unjustified retention of funds and other material value, collected or received in the name and on behalf of the client,
- h) refusing to hand over files and documents to a party or making the handing over of files and documents conditional on the payment of due fees and awards for representation in violation of the provisions of Article 22 above,
- i) a breach of Code of Ethics,
- j) violation of an attorney associate's or law trainee's legal rights stemming from their employment.

(4) Minor misconduct by an attorney and causing damage to the reputation of attorney profession shall be prescribed by the Statute.

Article 112

(Disciplinary Bodies)

- (1) Disciplinary bodies shall be:
 - a) Disciplinary counsel (prosecutor) of the regional bar association,
 - b) Disciplinary court of the regional bar association,
 - c) Disciplinary counsel (prosecutor) of the Bar Association,
 - d) Disciplinary court of the Bar Association.
- (2) The disciplinary bodies of each bar association shall be elected by its assembly.
- (3) An attorney with at least three years of experience in practicing law may be a member of a disciplinary body of a regional bar association, and an attorney with seven years of experience in practicing law may be a member of a disciplinary body of the Bar Association.

Article 113

(Disciplinary Proceedings)

- (1) Disciplinary proceedings shall be initiated and conducted by disciplinary bodies.
- (2) Disciplinary proceedings may be initiated based on a report filed by an interested party, an administrative authority, another institution, or ex officio by the disciplinary prosecutor of the regional bar association.
- (3) A disciplinary complaint shall be filed with the disciplinary prosecutor of the regional bar association.
- (4) The organisation, composition, jurisdiction, decision-making of disciplinary bodies and disciplinary proceedings shall regulated in more detail by the Statute and the Rulebook on Disciplinary Liability of Attorneys, Attorney Associates and Law Trainees of the Bar Association.

Article 114

(Disciplinary Sanctions)

- (1) The following disciplinary sanctions may be imposed on an attorney for misconduct and damage to the reputation of the attorney profession:

- a) private reprimand,
- b) public reprimand,
- c) fine and
- d) ban on practicing law and removal from the Directory of Attorneys.

(2) In the event of minor misconduct and damage to the reputation of the attorney profession, an attorney may face the following disciplinary sanctions: a private reprimand, public reprimand and fine.

(3) In the event of serious misconduct and damage to the reputation of the attorney profession, an attorney may face the following disciplinary sanctions: fine, ban on practicing law and removal from the Directory of Attorneys.

(4) Fines are imposed in a specific amount.

(5) A fine ranging from BAM 100 to BAM 2,000 may be imposed on an attorney for minor misconduct and BAM 500 to BAM 10,000 for serious misconduct.

(6) Disciplinary sanctions, which include a ban on practicing law and removal from the Directory of Attorneys, may be imposed for a period of six months to five years.

(7) Based on the final decision imposing a ban on practicing law and removal from the Directory of Attorneys, the person found liable shall be removed from the relevant directory of the Bar Association, and the judicial and administrative authorities in Bosnia and Herzegovina and the Bar Association in the Republika Srpska notified accordingly.

(8) An attorney who has been banned from practicing law and removed from the Directory of Attorneys for a certain period of time may apply for re-entry into the Directory of Attorneys once the sentence has expired.

(9) Final disciplinary sanctions shall be entered into the record of disciplinary sanctions, and a copy of the decision shall be kept in the file of the attorney found liable in the disciplinary proceedings.

Article 115

(Limitation Period for Instituting and Conducting Disciplinary Proceedings)

(1) The limitation period for instituting and conducting disciplinary proceedings begins two years after minor misconduct and four years after serious misconduct.

(2) The limitation period shall be interrupted by any action undertaken for instituting and conducting disciplinary proceedings.

(3) The limitation period shall also be interrupted when, while the limitation period is running, the attorney commits a new misconduct and damages the reputation of the attorney profession.

(4) After each interruption, the limitation period begins to run anew.

(5) The limitation period for conducting disciplinary proceedings shall apply in any situation in which twice the time required by law for instituting and conducting disciplinary proceedings has elapsed.

(6) The limitation period for initiating and conducting disciplinary proceedings for misconduct that has the characteristics of a criminal offence shall elapse with the elapse of the limitation period for criminal prosecution.

Article 116

(Limitation Period for Enforcement of Disciplinary Sanctions)

(1) The limitation period for enforcing a disciplinary sanction shall elapse two years after

the decision imposing the sanction becomes final.

(2) The limitation period shall be interrupted by any action taken to enforce a disciplinary sanction.

(3) After each interruption, the limitation period begins to run anew, and in any instance, the limitation period shall elapse four years after the decision imposing the sentence becomes final.

Article 117 **(Expungement from Records)**

(1) A disciplinary sanction imposed for minor misconduct shall be expunged after four years.

(2) Fines imposed for serious misconduct shall be expunged after six years.

(3) The sanction including the ban on practicing law and removal from the Directory of Attorneys shall be expunged after the expiry of twice the period of the imposed sentence.

(4) The time limits set for expungement of sanctions shall begin to run from the date of enforcement of the sanction or with the elapse of the limitation period.

(5) The decision to expunge the imposed disciplinary sanction from the Bar Association's records shall be made ex officio by the Management Board of the Bar Association.

Article 118 **(Disciplinary Court Decisions)**

(1) A final decision rendered by the disciplinary court concerning a fine imposed and costs of disciplinary proceedings shall have the power of an enforceable document in the enforcement procedure.

(2) Funds collected through fines shall be the revenue of the Bar Association.

Article 119 **(Disciplinary Liability of Attorney Associates and Law Trainees)**

(1) The provisions on the disciplinary liability of attorneys shall also apply to attorney associates and law trainees for violations concerning the conscientious and professional performance of entrusted tasks and the duty to uphold the reputation of the attorney profession.

(2) An attorney associate and law trainee may face a fine ranging from 50 BAM to 1,000 BAM for minor misconduct and 250 BAM to 5,000 BAM for serious misconduct.

CHAPTER TWELVE – PROTECTION OF RIGHTS

Article 120 **(Protection of Rights)**

(1) When deciding on the rights, obligations or legal interests, the Bar Association and regional bar associations shall apply the provisions of the law governing administrative procedure.

(2) All first-instance decisions rendered by the bodies of the regional bar associations may be appealed to the Bar Association within 15 days after their service.

- (3) An appeal shall stay the enforcement of the first-instance decision, unless otherwise provided by this Law.
- (4) The applicant may also file an appeal if a decision on his application has not been made within the time line set by law.

Article 121 **(Judicial Protection)**

The final decisions rendered by the Bar Association may be challenged before the court of competent jurisdiction.

CHAPTER THIRTEEN – FINAL AND TRANSITIONAL PROVISIONS

Article 122 **(Supervision over the Implementation of the Law)**

The implementation of this Law shall be supervised by the FBiH Ministry of Justice.

Article 123 **(Harmonisation of the Statute and Other Regulations)**

- (1) The Bar Association and regional bar associations shall harmonise their respective Statute and other regulations within six months from the date of entry into force of this Law.
- (2) Until the adoption of the Statute and regulations referred to paragraph (1) above, the applicable Statute and other regulations not contravening this Law shall apply.

Article 124 **(Continuity)**

- (1) The assemblies and other bodies shall continue to operate until the expiration of their term.
- (2) The election of the assemblies and other bodies as provided for by this Law shall be carried out in accordance with this Law and the regulations of the bar associations.
- (3) The procedure for the election of the assemblies and other bodies as provided for by this Law shall be initiated at least three months prior to the expiration of their terms.

Article 125 **(By-Laws)**

- (1) The FBiH Minister of Justice shall, within 60 days from the date of entry into force of this Law, adopt the Rulebook on attorney's for ex officio defence attorneys under Article 27(2) above and the Rulebook on the oversight over the work of the Bar Association under Article 107 (3) above.
- (2) The Assembly of the Bar Association shall adopt the Tariff on fees for attorney services under Article 27(1) above within six months from the date of entry into force of this Law.
- (3) The competent bodies of the Bar Association shall, within six months from the date

of entry into force of this Law, adopt the following regulations: the Rulebook on the attorney identification card referred to in Article 12(4) of this Law, the Rulebook on the Attorney's Plaque referred to in Article 32(1) of this Law, the Rulebook on the Attorney's Seal referred to in Article 33(1) of this Law, the Rulebook on the Attorney's Examination referred to in Article 87(4) of this Law, the Rulebook on the Disciplinary Liability of Attorneys, Attorney Associates and Law Trainees referred to in Article 92(1)(h) of this Law, the Rulebook on Registers, Directories and Other Records referred to in Article 97(1),(e) of this Law and the Rulebook on Pro Bono Legal Assistance referred to in Article 21(3) of this Law.

Article 126
(Procedure on Requests for Entry into the Directory of Attorneys)

Procedures initiated upon requests for entry into the Directory of Attorneys and other directories of the Bar Association that were initiated prior to the entry into force of this Law, and which have not been completed by the date of entry into force of this Law, shall be completed pursuant to the provisions of the regulations that were in force until the date of entry into force of this Law.

Article 127
(Procedure in Ongoing Disciplinary Cases)

Disciplinary proceedings instituted prior to the entry into force of this Law, in which a final decision was not been made by the date of entry into force of this Law, shall be completed pursuant to the provisions of the regulations in force until the date of entry into force of this Law.

Article 128
(Continuity of the Attorneys' Profession)

Attorneys, attorney associates and law trainees registered in the appropriate directories of the Bar Association, on the basis of the Law on Attorneys' Profession of the Federation of Bosnia and Herzegovina (Official Gazette of the Federation of Bosnia and Herzegovina, No. 25/02, 40/02, 29/03, 18/05, 68/05 and 42/11), shall continue to practice law in accordance with this Law.

Article 129
(Repealing Provisions)

Upon the entry into force of this Law, the Law on the Attorneys Profession of the Federation of Bosnia and Herzegovina (Official Gazette of the Federation of Bosnia and Herzegovina, No. 40/02, 29/03, 18/05, 68/05 and 42/11) shall cease to be valid.

Article 130
(Entry into Force)

This Law shall enter into force on the eighth day from the day of its publication in the Official Gazette of the Federation of BiH.

Speaker
House of Peoples
Federation Parliament

Speaker
House of Representatives
Federation Parliament

Tomislav Martinovic, *manu propria*

Dragan Miokovic, *manu propria*