

**(“Official Gazette of Federation of Bosnia and Herzegovina” No. 53/07)**

Pursuant to Article IV.B.7. a) (IV) of the Constitution of Bosnia and Herzegovina I pass the

**DECREE**

**ON PROMULGATION OF THE LAW ON AMENDMENTS OF THE CRIMINAL  
PROCEDURE CODE OF THE FEDERATION OF BOSNIA AND HERZEGOVINA**

This is to promulgate the Law on Amendments of the Criminal Procedure Code of the Federation of Bosnia and Herzegovina passed by the Parliament of the Federation of BiH in the session of the House of Representatives of 29 May 2007 and the session of the House of Peoples of 12 July 2007.

No. 01-02-463/07  
26 July 2007  
Sarajevo

Chairwoman  
**Borjana Krišto**, m.p.

**LAW**

**ON AMENDMENTS OF THE CRIMINAL PROCEDURE CODE OF THE FEDERATION  
OF BOSNIA AND HERZEGOVINA**

**Article 1  
(Amendments to Article 149)**

(1) In the Criminal Code of the Federation of Bosnia and Herzegovina ("Official Gazette of Federation of BiH", No. 35/03, 37/03, 56/03, 78/04, 28/05 and 55/06; hereinafter referred to as the Law), in Article 149 (Duration of custody), after a paragraph (3) a new paragraph (4) is added and it reads as follows:

"(4) Exceptionally and in an extraordinary complex case concerning a criminal offence for which a long-term imprisonment is prescribed, custody may again be extended for no longer than three (3) months after the extension of the custody referred to in paragraph 3 of this Article. Such an extension may occur twice consecutively, following a substantiated motion of the Prosecutor for each extension, which needs to contain the statement of the Collegium of the Prosecutor's Office about the necessary measures that have to be undertaken on order to complete the investigation (Article 24 (3)). An appeal against the decision of the Panel of the Supreme Court of the Federation on the custody extension shall not stay enforcement of this decision."

(2) In current paragraph (4) of Article 149 of the Law, which becomes paragraph 5, the words "paragraphs 1 through 3" are replaced by the words "paragraph 1 through 4".

**Article 2  
(Amendments to Article 151)**

(1) Paragraph (2) of Article 151 (Custody after the confirmation of the indictment) of the Law is changed and reads as follows:

" After the confirmation of an indictment and before the first instance verdict is pronounced, custody may not last longer than:

a) one year in the case of a criminal offence for which a punishment of imprisonment for a term up to five years is prescribed;

- b) one year and six months in the case of a criminal offense for which a punishment of imprisonment for a term up to ten years is prescribed;
- c) two years in the case of a criminal offense for which a punishment of imprisonment for a term exceeding ten years may be imposed, but not the long-term imprisonment;
- d) three years in the case of a criminal offense for which a punishment of long-term imprisonment is prescribed..

(2) After the paragraph (2) of Article 151 of the Law a new paragraph (3) is added and reads as follows:

"(3) If during the period referred to in Paragraph 2 of this Article, no first instance verdict is pronounced, the custody shall be terminated and the accused released."

(4) In the current paragraph (3) of Article 151 of the Law, which becomes paragraph (4), the words "six (6) months" in the first and third sentence are replaced by the words "nine (9) months".

(5) The current paragraph (4) of Article 151 becomes paragraph (5).

### **Article 3 (Amendments to Article 152)**

In paragraph (3) of Article 152 (*Ordering custody after the verdict is pronounced*) of the Law, the words: "legally binding verdict" are replaced by the words: "commit the accused for serving a sentence", and the words "in the first instance verdict", are changed by the words: "in legally binding verdict".

### **Article 4 (Amendments to Article 302)**

In Article 302 (*Custody after pronouncement of the verdict*) of the Law the words: "until the verdict becomes legally binding" are deleted.

### **Article 5 (Application of this Law)**

This Law shall apply to all cases in which legally binding verdict was not rendered before coming into force of this Law.

### **Article 6 (Entering into force of this Law)**

This Law enters into force on the day following its publication in the "Official Gazette of the Federation of BiH".

Chairman  
House of Peoples  
Parliament of the Federation of BiH  
**Stjepan Krešić, m.p.**

Chairman  
House of Representatives  
Parliament of the Federation of BiH  
**Safet Softić, m.p.**