

“Official Gazette” of Bosnia and Herzegovina, 12/04

Pursuant to Article IV.4. a) and e) of the Constitution of Bosnia and Herzegovina the Parliamentary Assembly of Bosnia and Herzegovina, at the session of the House of Representatives held on February 12, 2004 and session of the House of Peoples held on April 6, 2004 adopted the following:

LAW ON AMENDMENTS TO THE LAW ON CONFLICT OF INTEREST IN GOVERNMENTAL INSTITUTIONS OF BOSNIA AND HERZEGOVINA

Article 1

In the Law on Conflict of Interest in Governmental Institutions of Bosnia and Herzegovina (Official Gazette of BiH, No. 16/02) the following amendments shall be made:

Item 1.b) of Article 3 shall be amended reading as follows: "Close relative means a marital or extramarital partner of the official concerned, child, mother, father, adoptive parent, adopted child, his/her brother, sister as well as parents and child of a marital partner (step-son/step-daughter).

Subparagraph 3 Item 1.c) of Article 3 shall be amended reading as follows: "Secretaries of both Houses of the Parliamentary Assembly of BiH and Secretaries of the Common Service of the Parliamentary Assembly of BiH ".

Subparagraph 4 Item 1.c) of Article 3 reading as follows: "Directors, Deputy Directors and Assistant Directors of State Administration authorities, agencies and directorates, institutes, appointed by the Council of Ministers of BiH or the Parliamentary Assembly of BiH or the Presidency of BiH" shall be moved to Item 1.d) of Article 3 after the currently existing text given that at the end of sentence the text is amended with the following words:" who are not covered by the Law on Civil Service in the Institutions of Bosnia and Herzegovina".

Article 2

Item 2 of Article 4 shall be amended reading as follows: "Serving on the management board, steering board, supervisory board, directorate, or duty of a Director of an Agency for Privatisation shall be incompatible with serving the public as an elected official, an executive officeholder or an advisor. "

A new Item 5 in Article 4 shall be added reading as follows: " The provisions of Article 4 in reference to Item 1 of this Article shall not refer to the category of close relatives: brother and sister in case of public companies at cantonal and municipal level of authorities."

Article 3

The first sentence in Item 2 of Article 5 shall be amended reading as follows: "Elected officials, executive officeholders and advisors shall not serve on executive board, management board or supervisory board nor on directorate, nor as Directors of a privatisation agency."

In the last sentences of Item 1 and 2 of Article 5 the words "one year" shall be replaced with the words "six months".

Article 4

In Item 2 of Article 10 the text " KM 50" shall be replaced with the words " KM 100".

Article 5

In Item 1 of Article 11 the text “shall not perform duties in other executive authorities” shall be amended reading as follows: ” shall not perform other executive duty.”

In Item 1 of Article 11 the second sentence reading as follows “It is also incompatible to perform more than one duty in the executive authorities at the same time” shall be deleted.

In Item 1 of Article 11 at the and the following sentence shall be added:” Notwithstanding the previous provisions elected officials, executive officeholders and advisors may perform executive duty in foundations and associations which are not funded from the budget at any level of authorities and which are founded pursuant to the Law on Foundations and Associations.”

Item 2 of Article 11 shall be amended reading as follows: “Elected officials, executive officeholders and advisors may perform tasks in public educational, health, scientific, cultural and sport institutions, nongovernmental nonprofit organizations, foundations and associations which are not funded from the budget at any level of authorities under the terms stipulated in the entity Labor Laws and other regulations.”

Article 6

In Item 1 and 3 of Article 20 in the part enumerating Articles which are violated number ”11” shall be added.

In Item 3 of Article 20 in the part enumerating Articles which are violated the numbers “ 1 and 7” shall be deleted and in Item 2 of the same Article number “ 7” shall be added before number “9” in the part enumerating Articles which are violated.

In Item 3 of Article 20 at two places the text: “ in the public administration” shall be amended reading as follows:” in the civil service” as well as the text “public administration” shall be amended reading as follows: “civil service”.

Article 7

This Law shall entered into force on the eight day after its publication in the Official Gazette of BiH.

PA BiH number 23/04
April 6, 2004
Sarajevo

Speaker
of the House of Representatives
of the Parliamentary Assembly of BiH
dr. Nikola Spiric

Speaker
of the House of Peoples
of the Parliamentary Assembly of BiH
Mustafa Pamuk