

LAW ON ADMINISTRATION OF BOSNIA AND HERZEGOVINA

(Unofficial consolidated text¹)

CHAPTER I- GENERAL PROVISIONS

Article 1

This Law shall regulate organisation of the administration of the institutions of Bosnia and Herzegovina in respect to position, role, structure, authorities and obligations of administration bodies and other issues of importance for organization in the performance of administrative tasks.

Article 2

Administrative tasks within the competence of Bosnia and Herzegovina (hereinafter: BiH) shall be performed by ministries and administrative organisations as independent administrative organisations, administrative organisations within ministries (hereinafter: administrative bodies) as well as other institutions of Bosnia and Herzegovina established by a special law or entrusted by a special law with the performance of administrative tasks.

Certain administrative tasks may be performed by enterprises, institutions and other legal persons, where the exercise of public authority has been entrusted to them by law (hereinafter: institutions exercising public authority).

Administrative bodies shall perform tasks within their competencies independently in accordance with law and other regulations.

Article 3

Administrative bodies shall be established by the Parliamentary Assembly of Bosnia and Herzegovina (hereinafter: the Parliamentary Assembly) upon the proposal of the Council of Ministers of Bosnia and Herzegovina (hereinafter: the Council of Ministers) pursuant to the Constitution of Bosnia and Herzegovina.

Article 4

Administrative bodies, within their competence, shall ensure the efficient and full exercise of the rights and freedoms of citizens provided for in the Constitution of Bosnia and Herzegovina (hereinafter: the Constitution), as well as in the acts listed in Annex I to the Constitution.

¹ This unofficial consolidated text contains: the Law on Administration (“Official Gazette of BiH”, No. 32/02); the Law on Amendments to the Law on Administration (“Official Gazette of BiH”, No. 102/09) - indicated in **bold type**, and the Law on Amendments to the Law on Administration (“Official Gazette of BiH”, No. 72/17) - indicated in *italics*.

Article 5

In administrative bodies, the official languages used on an equal basis are Bosnian, Croatian, and Serbian. In proceedings before administrative bodies, parties may use another language if it is not one of the official languages, at the expense of the administrative body before which the proceedings are conducted. Official correspondence in administrative bodies may be written in both Cyrillic and Latin scripts.

Article 6

Work of administrative bodies shall be accessible to public.

Transparency of work of administrative bodies may be limited or excluded only if prescribed by law.

Article 7

An appropriate ethnic structure of civil servants and employees shall be provided for in administrative bodies according to the ethnic structure of the population and according to the last census in Bosnia and Herzegovina.

Article 8

Bosnia and Herzegovina, in accordance with the law, is liable for damages caused by an administrative body to a natural or legal person as a result of unlawful actions.

Bosnia and Herzegovina has the right to claim from civil servants or employees reimbursement of the amount paid as compensation for damages due to their unlawful actions, within six months from the date the compensation was paid, if the damage was caused intentionally or through gross negligence by the civil servants or employees.

Article 9

The funds for work of administrative bodies shall be provided for in the Budget of the Institutions of BiH and international obligations of Bosnia and Herzegovina (hereinafter: Budget).

The funds for performance of administrative tasks transferred by law to the institutions with public authorities shall be provided for in the Budget.

The income earned by performance of public authorities shall from a part of Budget funds in accordance with the Law on Treasury of the Institutions of Bosnia and Herzegovina.

CHAPTER II- ADMINISTRATIVE TASKS

1. Common Provisions

Article 10

Administrative bodies shall, within their competencies, perform the following tasks:

- 1) **implement development policies and enforce laws and other regulations;**
- 2) execute administrative supervision over implementation of laws and other regulations;
- 3) adopt by-laws for implementation of laws and other regulations;
- 4) propose and give recommendations falling within domain of legislation;
- 5) give answers to questions of legislative and executive bodies referring to their competencies;
- 6) perform other tasks of administrative and professional tasks stipulated by law and other regulations.

2. Implementation of Development Policies and Enforcement of Laws and Other Regulations

Article 11

Within their competence, administrative bodies shall conduct development policy, which includes the formulation of development strategies and the promotion of economic, social, cultural, sporting, ecological, and overall societal development.

Administrative bodies enforce laws and other regulations through their direct application, by resolving administrative matters in administrative proceedings, adopting and implementing decisions and other individual acts, undertaking administrative measures and actions, monitoring their implementation, providing notifications, issuing professional guidelines and instructions for work, offering professional assistance, performing administrative supervision, and carrying out other administrative tasks within the scope of their competence.

3. Conduct of Administrative Supervision

Article 12

While carrying out of the administrative supervision, administrative bodies shall supervise implementation of laws and other regulations as well as legality in work and actions of administrative bodies and institutions of BiH with public authorities.

The administrative supervision referred to in paragraph 1 shall include the following:

- 1) supervision over legality of the acts deciding on administrative matters;
- 2) supervision over legality of work of the institutions with public authorities;
- 3) inspection supervision.

Article 13

In performing administrative supervision, bodies of administration, when authorised so by law, shall supervise legality of the work of administrative bodies and institutions of BiH with public authorisations, and in particular of administrative acts issued in administrative matters, and to that end shall take measures for which they are authorised by law.

Article 13a

Administrative bodies shall exercise supervision over the legality of the work of institutions exercising public authority by deciding in appeal proceedings, as well as by controlling the exercise of rights and obligations that have been delegated by law to institutions exercising public authority.

Article 14

Administrative bodies, in performing inspection supervision within their competence, shall obtain direct insight into the legality of the work, operations, and conduct of administrative bodies, enterprises, institutions, and other legal and natural persons in relation to the implementation of laws and other regulations, and shall undertake administrative and other measures authorised by law in order to align the established situation with the applicable regulation.

Article 15

Performing certain tasks of the inspection supervision (expertise, testing, etc.) may, by a special law or by-law, be assigned to a specialized legal person if their performance requires specialized professional expertise (technical and other profession) or application of scientific or special methods which might be provided for only through special equipment (laboratories and etc.) and for which the administrative body lacks the necessary personnel, technical, or other capacities to perform them.

4. Adoption of Implementing Regulations

Article 16

Heads of administrative bodies shall issue regulations with the aim of enabling the implementation of laws and other regulations within the competence of the administrative bodies they manage, where they are authorized to do so by law.

5. Proposals and Recommendations referring to Laws and Other Regulations

Article 17

The heads of administrative bodies shall propose and give recommendations related to the regulations falling within the competencies of administrative bodies that they are managing or according to the conclusion of the Council of Ministers.

Article 18

Administrative bodies, in preparing draft laws, proposals of laws, and proposals of other regulations within their competence, shall obtain opinions from the competent administrative bodies, the standing bodies of the Council of Ministers, and expert institutions, and shall conduct a public consultation procedure where it is significant for defining specific issues.

Administration bodies shall be bound in explanation of a draft regulation to indicate the reasons due to which some proposals and suggestions of the bodies and legal persons referred to in paragraph 1 of this Article have not been accepted.

6. Answers to Questions of the Legislative and Executive Bodies

Article 19

Administrative bodies shall be bound to prepare and give answers to questions of the Parliamentary Assembly, Presidency and Council of Ministers related to enforcement of laws and other regulations from their competencies as well as on the situation and problems in the area for which these bodies were established.

7. Performing Other Administrative and Professional Tasks

Article 20

Administrative bodies shall monitor the situation in the area for which they have been established and in particular **the implementation of development policy** and the enforcement of laws and other regulations, they shall take measures for which they are authorised or give recommendations to the competent bodies aimed at enforcement of laws and other regulations.

Administrative bodies shall monitor the situation in the area for which they were formed based on the data which they collect when authorized by law as well as the data collected, processed and delivered by the other bodies and legal persons upon the request of the administrative bodies.

Based on the data referred to in paragraph 2 of this Article, administrative bodies shall prepare analytical, informative and other materials and in preparation of these materials they shall cooperate among themselves and if required with other professional and scientific institutions.

Article 21

If laws and other regulations proposed, or proposals contained in analytical, informational, or other

materials prepared by administrative bodies, require financial expenditures, the administrative bodies are obliged to indicate, in the reasoning of such regulations as well as in the analytical, informational, and other materials, the funds necessary for the implementation of these regulations and materials, and to specify the sources from which such funds are to be secured.

CHAPTER III- ASSIGNMENT OF PUBLIC AUTHORITIES

Article 22

Institutions exercising public authority may be entrusted by law with the performance of certain administrative and professional tasks within the competence of administrative bodies. Within the scope of entrusted competence, institutions exercising public authority shall decide in individual cases on specific rights and obligations of citizens, enterprises, institutions, and other legal persons. The institutions with public authorities may not be assigned the inspection supervision tasks apart from professional tasks of importance for the inspection supervision (expertise, technical testing and similar) if administrative bodies do not have technical and other conditions for performance of these tasks.

Article 23

The principles of this Law referring to independence in work of administrative bodies, legality of their work, transparency in work of administrative bodies, use of official languages and other languages and scripts as well as other principles regulated in **Articles 4, 5, 6, 7 and 8 of this Law** shall be accordingly applied to the institutions with public authorities.

Article 24

If an institution with public authorities does not perform the assigned duties in accordance with law and other regulations, the administrative body executing the administrative supervision shall be bound to warn the authorized body of that institution in writing and propose the measures for solution of that issue and, if required, it shall be bound to take other measures within their rights and duties in order for public authorities to be carried out in accordance with law and other regulations.

Article 25

The administrative supervision over the work of institutions with public authorities in the performance of administrative tasks which were transferred to those institutions shall be performed by administrative bodies in the administrative field for which those bodies have been established, in accordance with this Law and other laws.

Article 26

In the exercise of administrative supervision over the work of institutions exercising public authority, the competent administrative body has the right and duty, in particular, to:

- 1) exercise the inspection supervision and to provide for, within its competencies, legal and timely performance of tasks;
- 2) decide on appeals against administrative acts issued in the exercise of entrusted public authority, where provided by law;
- 3) issue professional guidelines and explanations for the application of laws and other regulations relating to the exercise of entrusted public authority;
- 4) undertake other measures and exercise other rights that, by law, belong to a second-instance administrative body in administrative proceedings.

An institution exercising public authority shall be obliged to submit to the competent administrative body, which exercises administrative supervision over its work, at least once a year, a report on the exercise of entrusted public authority, and, upon request of the administrative body, provide specific data and documents relevant for the exercise of supervision.

CHAPTER IV – RELATIONS OF ADMINISTRATIVE BODIES WITH THE PARLIAMENTARY ASSEMBLY, THE PRESIDENCY, AND THE COUNCIL OF MINISTERS, INTERRELATIONS BETWEEN ADMINISTRATIVE BODIES, RELATIONS OF ADMINISTRATIVE BODIES WITH EXECUTIVE AUTHORITIES AND ADMINISTRATIVE BODIES OF THE ENTITIES AND THE BRČKO DISTRICT OF BOSNIA AND HERZEGOVINA, RELATIONS OF ADMINISTRATIVE BODIES WITH THE OMBUDSMAN FOR HUMAN RIGHTS OF BOSNIA AND HERZEGOVINA

1. Relations of Administrative Bodies with the Parliamentary Assembly

Article 27

Administrative bodies shall be responsible to the Parliamentary Assembly for legal, complete, efficient and professional performance of the tasks falling within their competence.

Administrative bodies shall be authorized and bound to present to the Parliamentary Assembly for consideration some more significant issues from their competencies and give recommendations in reference to the implementation and enforcement of laws and other regulations.

Administrative bodies shall be bound, upon request of the Parliamentary Assembly to submit their activity reports, reports on the situation in the area for which they were established, on enforcement of laws and other regulations, **and on the implementation of development policy**, answer to questions of the deputies-delegates to the Parliamentary Assembly and in accordance with the work plan, or upon the request of the Parliamentary Assembly, to prepare proposals of laws and other regulations, analytical, informative and other materials.

Administrative bodies shall be bound, upon the request of the Parliamentary Assembly, to take the appropriate organisational, staffing and other measures to ensure the efficient performance of tasks.

2. Relations of Administrative Bodies with the Presidency and the Council of Ministers

Article 28

For the purpose of ensuring the implementation of laws and other regulations, the Parliamentary Assembly, the Presidency, and the Council of Ministers, within their respective competences, may require administrative bodies to:

- establish instructions and guidelines on the manner of implementing laws and other regulations;
- order the adoption of regulations or the undertaking of measures for which they are authorized within a specified deadline, and set deadlines for the execution of specific tasks;
- instruct administrative bodies to examine the situation in the areas within their competence and to submit to the Presidency and the Council of Ministers a report containing appropriate proposals.

Article 29

For the purpose of ensuring the accountability of administrative bodies to the Presidency and the Council of Ministers, the Presidency and the Council of Ministers may, within their respective competences, initiate a discussion on the work and responsibility of administrative bodies, determine the method of examining the situation in areas within their competence, and initiate proceedings for the dismissal of the heads and deputy heads of administrative bodies.

Article 30

Administrative bodies shall be obliged to submit to the Presidency and the Council of Ministers reports on their work, as well as on the state of affairs in the areas for which they are responsible, and to provide information, explanations, data, files, and other documentation necessary for the work of the Presidency and the Council of Ministers. Administrative bodies may request instructions and guidelines from the Presidency and the Council of Ministers within the scope of their competence on specific issues regarding the implementation of laws and other regulations. The Presidency and the Council of Ministers shall, within their competence, be obliged to respond to such requests from administrative bodies. Administrative bodies may, within the competence of the Presidency and the Council of Ministers, propose the consideration of specific issues within their competence and submit proposals for the undertaking of necessary measures.

Article 31a

Administrative bodies competent for inspection supervision, in addition to the cooperation referred to in Article 31 of this Law, shall cooperate with competent courts, public prosecutors' offices, administrative bodies, and other authorities in the conduct of inspection supervision.

3. Mutual Relations of Administrative Bodies

Article 31

Mutual relations of administrative bodies shall be based on the authorities established by the Constitution

and law as well as on cooperation, mutual exchange of information and agreement.

In the exercise of mutual cooperation, administrative bodies shall be obliged to provide each other with data and information necessary for the performance of tasks, exchange information and experiences and establish joint expert commissions and other working bodies, and carry out other forms of mutual cooperation.

4. Relations of Administrative Bodies with Executive Authorities and Administrative Bodies of the Entities and the Brčko District of BiH

Article 32

Relations of administrative bodies with the executive authorities and administrative bodies of the Entities and the Brčko District of BiH shall be based on the authorities established by the Constitution and the law, as well as on cooperation, mutual information sharing, and coordination.

Article 33

Administrative bodies shall have the right to request from the executive authorities, administrative bodies, and other authorities of the Entities and the Brčko District of BiH data, reports, and other documentation necessary for the exercise of their authorities established by the Constitution and the law. Administrative bodies shall be obliged to provide the executive authorities, administrative bodies, and other authorities of the Entities and the Brčko District of BiH with the necessary data required for the functioning of those authorities.

5. Relations of Administrative Bodies with the Human Rights Ombudsman of Bosnia and Herzegovina

Article 34

Relations of administrative bodies with the Human Rights Ombudsman of Bosnia and Herzegovina (hereinafter: the Ombudsman) shall be based on the obligations of administrative bodies established by the Constitution and the law, as well as on mutual cooperation, information sharing, and coordination.

Article 35

Administrative bodies shall be obliged to allow the Ombudsman, upon request, to examine their activities without obstruction, including the work of civil servants within the administrative body.

Administrative bodies shall be obliged to provide the Ombudsman with all official documents, including confidential documents, as well as administrative files, and to ensure the cooperation of each civil servant individually in obtaining the necessary information, documents, and files.

Administrative bodies shall be obliged, upon the Ombudsman's request, to allow his presence during

decision-making on administrative matters.

Article 36

If the administrative body does not act according to the request of the Ombudsman referred to in Article 35 of this Law, the Ombudsman may request from the Council of Ministers to take the appropriate measures against the head of the administrative body.

CHAPTER V - RELATIONS OF ADMINISTRATIVE BODIES WITH ENTERPRISES, INSTITUTIONS, OTHER LEGAL PERSONS, AND PARTIES

1. Relations of Administrative Bodies with Enterprises, Institutions, and Other Legal Persons

Article 37

Administrative bodies, within the scope of their competences, have the authorities and obligations prescribed by law in relation to enterprises, institutions, and other legal persons.

Article 38

Administrative bodies cooperate with enterprises, institutions, and other legal persons that are of significance for the work of administrative bodies or are of interest for the work of the said bodies. Enterprises, institutions, and other legal persons shall be obliged, at the request of administrative bodies, to submit data and information within their competences.

The procedure for submission of the request by which administrative bodies request the access to certain information from legal persons referred to in Article 37 of this Law as well as identification of exceptions of publication of the requested information shall be done according to the provisions of the Law on Freedom of Access to Information in Bosnia and Herzegovina.

1. Relations of Administrative Bodies with Parties

Article 39

Administrative bodies are obliged to resolve parties' requests within the prescribed deadlines. Administrative bodies are obliged to examine and provide responses to complaints and proposals submitted to them by parties.

Article 40

Administrative bodies establish direct contacts with parties and are obliged to organise the performance of tasks of significance for the exercise of parties' rights in a manner and under conditions that enable parties to exercise their rights and fulfil their obligations with these bodies as simply, quickly, and efficiently as possible.

Article 41

The head of an administrative body is obliged to promptly examine submitted complaints, proposals, and grievances of parties regarding the improper conduct of civil servants within the administrative body when parties address these bodies in order to exercise their rights or fulfil their obligations.

The head of an administrative body is obliged, if the complaints, proposals, or grievances are found to be justified, to investigate them and take the measures prescribed by law against the civil servant whose actions are the subject of the complaint.

The head of an administrative body is obliged, within 8 (eight) days from the date of receipt of the complaint, proposal, or grievance, to provide the party with a written response regarding the measures taken in relation to their complaint, proposal, or grievance.

Article 42

Administrative bodies, in the handling of administrative matters, must not require parties to obtain certificates or other public documents concerning facts that administrative bodies or institutions with public authorities maintain in their official records. Certificates and documents referred to in paragraph 1 of this Article shall be obtained by the administrative body, or the institution with public authorities, *ex officio*.

Article 43

When, in administrative proceedings, a party responds to a summons but, through no fault of their own, the official act for which they were summoned is not carried out, they shall be entitled to claim reimbursement of the costs incurred.

The head of the administrative body shall decide on the claim by a ruling in accordance with the regulations governing the reimbursement of costs to witnesses in administrative proceedings.

A party may challenge the ruling referred to in paragraph 1 of this Article by initiating an administrative dispute before the Court of Bosnia and Herzegovina (hereinafter: the Court).

The costs referred to in paragraph 1 of this Article shall be paid from the funds allocated for the operation of the administrative body before which the administrative proceedings were conducted.

Article 44

The provisions of Articles 39 to 43 of this Law shall apply accordingly to the work of institutions with public authorities when, in the exercise of their public authorities, they decide on the rights and obligations of citizens, public corporations, chambers, public enterprises (companies), agencies, and other legal persons.

CHAPTER VI- PRINCIPLES OF THE ORGANISATION OF ADMINISTRATIVE BODIES

1. Principles of the Organisation of Administrative Bodies

Article 45

The internal organisation of administrative bodies shall be based on the principle of rational and efficient functioning of administrative bodies and on the principle of ensuring expert work within administrative bodies, which shall also include the use of professional and technical support from existing institutions.

For the purpose of implementing these principles, the internal organisation of administrative bodies shall ensure:

- rational organisation of work;
- efficient performance of tasks and effective management of the administrative body;
- grouping of tasks in accordance with their nature and the manner of their execution;
- more comprehensive consolidation of common and general tasks to enable their rational performance and the use of services of shared departments established for the needs of all or specific administrative bodies;
- full cooperation of administrative bodies with other bodies, particularly with those bodies and institutions established to provide expert and technical assistance.

2. Establishment of Administrative Bodies

Article 46

The administration bodies shall be Ministries and administrative organizations.

Article 47

Administrative bodies shall be established, and their competences shall be determined by a law enacted by the Parliamentary Assembly, upon the proposal of the Council of Ministers.

Administrative bodies referred to in paragraph 1 of this Article shall be established in a manner that ensures the complete and rational performance of administrative tasks within the scope of the competences of the institutions of Bosnia and Herzegovina, as well as the efficient exercise of rights and fulfilment of obligations by citizens, enterprises, institutions, and other legal persons.

Administration bodies shall be established in accordance with scope of work and principles of clustering of tasks according to type, affinity and mutual correlation and needs of efficient management of work and provision of independence in work.

Article 48

A Ministry shall be established to carry out administrative and professional tasks within the competences of Bosnia and Herzegovina in areas where administrative bodies, wholly or to a significant extent, directly ensure the implementation of laws and other regulations and are responsible for their enforcement.

Administrative organisations shall be established to carry out administrative and professional tasks whose nature and manner of execution require special organisation and autonomy in their work.

Article 49

For the performance of professional, technical, and other tasks required by the Presidency, the Parliamentary Assembly, the Council of Ministers, and administrative bodies, certain professional, technical, and other services may be established as either joint or independent services.

The bodies referred to in paragraph 1 of this Article, for the purpose of performing professional, technical, and other tasks, shall also be entitled to establish other bodies, as well as bodies for cooperation with international organisations, in accordance with obligations undertaken under international treaties.

The establishment of services referred to in paragraph 1 of this Article shall be decided by the Presidency for the needs of the Presidency, by the Parliamentary Assembly for the needs of the Parliamentary Assembly, and by the Council of Ministers for the needs of the Council of Ministers and administrative bodies.

Services referred to in paragraph 1 of this Article shall be established by a decision of the bodies referred to in paragraph 2 of this Article, **which may, if the nature of the task so requires, stipulate that the service shall have the status of a legal person.**

A decision establishing a service under paragraph 4 of this Article shall determine the procedure and authority for adopting the rules on the internal organisation of the service.

Article 50

Administrative organisations may be established as independent administrative organisations and as administrative organisations within ministries.

Administrative organisations shall be established in the form of administrations, agencies, bureaus, directorates, institutes, centres, or offices.

Article 51

An administration shall be established to carry out administrative, professional, and other tasks within its competence, particularly in matters requiring the application of specific working methods, which must be performed within the framework of an administrative body, or for the resolution of administrative matters for which it is explicitly authorised by law, for the conduct of administrative or inspection supervision, and for the preparation of draft laws and proposals of other regulations.

An agency shall be established to carry out certain professional and other tasks within the competences of Bosnia and Herzegovina, which predominantly require the application of professional and scientific methods of work and the associated administrative tasks.

A bureau shall be established to perform certain professional and other tasks that predominantly require the application of professional and scientific methods of work and related administrative tasks, the nature and manner of execution of which require special organisation and autonomy in operation.

A directorate shall be established to perform certain professional tasks of a predominantly economic nature and the related administrative tasks, the nature and manner of execution of which require special organisation and autonomy in operation.

An institute shall be established exceptionally when it corresponds to the nature of the task or when financing is provided, in addition to the state budget, from other sources.

A centre shall be established to collect, organise, and classify data of interest to the activity for which it is established, to ensure cooperation with administrative bodies as well as other legal persons, to decide on administrative matters for which it is established, and to carry out other tasks prescribed by law.

An office shall be established to perform administrative and professional tasks whose nature and manner of execution require special organisation and autonomy in operation.

Administrative organisations may be established within a ministry where necessary due to the interconnection of tasks within the competences of the ministry and the administration, and where, in addition to a certain degree of autonomy in performing the tasks within the competence of the administration, it is necessary to ensure guidance and supervision of the work of these administrative organisations by the ministry.

3. Internal organisation of administrative bodies, professional, technical, and other services

Article 52

The internal organization of an administrative body is determined by the Rulebook on internal organization.

The Rulebook on internal organization of a ministry is adopted by the minister, with the consent of the Council of Ministers.

The Rulebook on internal organization of an independent administrative organization is adopted by the head of the independent administrative organization, with the consent of the Council of Ministers.

The Rulebook on internal organization of an administrative organization within a ministry is adopted by the minister upon the proposal of the head of the administrative organization within the ministry, with the consent of the Council of Ministers.

In the process of adopting the Rulebook on internal organization of administrative bodies, institutions of Bosnia and Herzegovina, other legal entities referred to in Article 2 of this Law, and services referred to in Article 49, paragraph 1 of this Law, the issuer of the Rulebook is obliged to obtain prior opinions from the Ministry of Justice, the Ministry of Finance and Treasury, and the Legislative Office of the Council of Ministers.

The Rulebook on internal organization of administrative bodies and services referred to in Article 49, paragraph 1 of this Law must be aligned with the authorities prescribed by law, as well as with the principles on the internal organisation of administrative bodies, as prescribed by the Council of Ministers by decision.

Article 53

The Rulebook on the internal organisation of administrative bodies shall determine:

- the organisational units and their competences;
- the manner of management;
- the planning and execution of tasks;
- the authorities and responsibilities of civil servants in performing their tasks;
- the total number of civil servants and employees required to carry out the tasks;
- the title and allocation of tasks by organisational units, with a description of tasks for each civil servant and employee or for a group of civil servants and employees, including the necessary requirements regarding professional qualifications and other conditions for performing specific tasks;
- the number of trainees to be recruited and the conditions for their recruitment.

The tasks of administrative bodies shall be grouped in the rulebook on internal organisation according to their type, relatedness, scope and level of complexity, responsibility, and other conditions for their execution.

4. Employment Relations in Administrative Bodies

Article 54

Employment relations in administrative bodies of civil servants, employees, and other staff shall be regulated by the Law on Civil Service in the Institutions of Bosnia and Herzegovina, the Labour Law in the Institutions of Bosnia and Herzegovina, and other special laws.

5. Management of Administrative Bodies

Article 55

The work of the ministries shall be managed by the ministers, and the work of an administrative organisation shall be managed by the director or the head whose title is determined by the law establishing the administrative organisation.

The minister shall have a deputy, who shall be appointed in the same manner as the minister, provided that they are not from the same constituent people as the minister.

The director, or the head of an independent administrative organisation, shall have a deputy, who shall not be from the same constituent people as the director or head.

Article 55a

After the expiry of the term of office of a minister and deputy minister, of the head and deputy head of an independent administrative organisation, of the head and deputy head of an administrative organisation within a ministry, and of the heads and deputy heads of other institutions of Bosnia and Herzegovina established by special law or entrusted by special law with performing administrative tasks, their rights, obligations, and authorities shall remain in force until a new appointment to the position is made.

The authority competent to appoint the head of an independent administrative organisation, of an administrative organisation within a ministry, and of the heads of other institutions of Bosnia and Herzegovina established by special law or entrusted by special law with performing administrative tasks, in the event of the cessation of the term of office of the appointed heads for reasons other than the expiry of the term for which they were appointed, shall appoint an acting head to ensure the uninterrupted functioning of the institution, but only if the deputy head is unable to perform their duties.

An acting head may be appointed for a period not exceeding three months.

In exceptional cases, in order to prevent harmful consequences for the operation and functioning of the institution, the authority competent to appoint the head and deputy head referred to in paragraph 1 of this Article may issue a decision to appoint an acting head for an additional period of three months in particularly justified cases, such as when the procedure for appointing the head and deputy head has not been completed, or in similar situations.

The acting head shall have all the rights, obligations, and authorities of the head or deputy head for the duration of the acting period.

Article 56

The director, or the head, and the deputy director of an independent administrative organisation shall be appointed by the Council of Ministers upon the proposal of the Chairperson of the Council of Ministers, unless otherwise provided by a special law.

The director, **or the head**, of an administrative organisation within a ministry shall be appointed by the Council of Ministers upon the proposal of the minister.

The Council of Ministers shall determine the special conditions for the appointment of the head and deputy head referred to in paragraphs 1 and 2 of this Article by a separate act, if such conditions are not prescribed by a special law, upon the proposal of the Ministry of Justice of Bosnia and Herzegovina (hereinafter: the Ministry of Justice).

The Ministry of Justice shall, when drafting the proposal for the act referred to in paragraph 3 of this Article, be obliged to consult the administrative body for which the special conditions are being determined.

Article 57

In managing specific areas of work, the minister is assisted by managerial civil servants and **advisers to the minister and deputy minister**.

A secretary, an assistant minister, and a chief inspector shall be appointed within the ministry.

In an independent administrative organisation and in an administrative organisation within a ministry, assistant directors may be appointed.

Managerial civil servants shall be accountable for their work to the minister or to the director of the administrative organisation.

Article 58

The assistant minister shall manage a **basic organisational unit** (Sector) and shall be responsible for the

use of financial, material, and human resources allocated to that unit.

The assistant director of an independent administrative organisation shall manage a specific area of work or a **basic** organisational unit and shall perform other tasks within the assigned area as determined by the director.

The chief inspector shall directly organise and manage the work of inspectors within a specific area of inspection supervision.

Advisers to the minister, deputy minister, and the adviser to the director of an administrative organisation within a ministry shall perform tasks within a specific area of work that require responsibility, a high level of professional expertise, and independence in certain areas of work within the organisational units.

Article 59

The procedure for the appointment and dismissal of managerial civil servants referred to in Article 57 of this Law shall be governed by the provisions of the Law on Civil Service in the Institutions of Bosnia and Herzegovina.

The authority competent to appoint shall, by a decision, appoint the head and deputy head of an independent administrative organisation, the head and deputy head of an administrative organisation within a ministry, and the heads and deputy heads of other institutions of Bosnia and Herzegovina established by special law or entrusted by special law with performing administrative tasks.

The authority competent to appoint the head and deputy head referred to in paragraph 2 of this Article shall, prior to making the appointment, issue a decision dismissing the current head and deputy head who have been performing those duties until the moment of the new appointment, unless otherwise provided by a special law.

If the authority referred to in paragraph 2 of this Article does not issue the dismissal decision referred to in paragraph 3 of this Article, the mandate of the person who previously held the position shall, by operation of law, terminate on the day the appointment decision referred to in paragraph 2 enters into force.

If a person whose mandate has ended in accordance with the provisions of paragraph 4 of this Article believes that their rights arising from the employment relationship have been violated due to the termination of the mandate, they may seek protection of those rights before the Court within 30 days from the date of entry into force of the decision on the appointment of the head and deputy head referred to in paragraph 2 of this Article.

Article 60

The Rulebook on the Internal Organisation of the Ministry, or of an administrative organisation, shall specify the positions of managerial civil servants, their tasks and duties, and their authorities in the exercise of civil service.

Managerial civil servants shall exercise their rights, duties, and responsibilities arising from their

employment in accordance with the regulations applicable to civil servants in administrative bodies, unless otherwise provided by law.

CHAPTER VII –AUTHORITIES, DUTIES, AND RESPONSIBILITIES OF THE HEAD OF AN ADMINISTRATIVE BODY

1. The head of an administrative body, their deputy, managerial civil servants, and civil servants with special authorities

Article 61

The administrative body shall be managed by its head.

The head of an administrative body represents the body, organises and ensures the lawful and efficient performance of tasks, adopts regulations and issues other acts for which they are authorised, and takes other measures within the competence of the administrative body. They shall also decide, in accordance with the law, on the rights, duties, and responsibilities of civil servants and employees in the performance of their service.

The head of an administrative body shall be appointed and dismissed by the authority designated by the Constitution and the law.

The head of an administrative body shall, on the basis of and within the framework of the Constitution, laws, other regulations, and the guidelines of the Council of Ministers, conscientiously perform the function entrusted to them and shall be personally responsible for its performance, as well as for the work of the body they manage.

Article 62

The head of an administrative body shall have a deputy who shall replace them if they are unable to exercise their authorities and perform their duties.

The deputy head of an administrative body shall be appointed and **dismissed** by the same authority that appoints the head, unless otherwise provided by the Constitution or law.

The number of deputy heads of an administrative body shall be determined by the regulation establishing the administrative body.

Article 63

In managing specific areas of work, the head of an administrative body is assisted by managerial civil servants.

A managerial civil servant shall be appointed by the competent authority in accordance with the Law on Civil Service in the Institutions of Bosnia and Herzegovina.

Article 64

Civil servants with special authorities and responsibilities (hereinafter: civil servants with special authorities) shall carry out inspection supervision and other significant administrative and professional tasks. They shall be appointed and dismissed by the head of the administrative body, unless otherwise provided by law.

Civil servants with special authorities shall be assigned to positions in accordance with the Rulebook on the Internal Organisation of the administrative body.

Article 65

The head of an administrative body, their deputy, and advisers shall not perform duties or hold positions that would result in a conflict of interest, as regulated by the Law on the Conflict of Interest in Institutions of Bosnia and Herzegovina. Managerial civil servants shall not perform duties or hold positions that would result in a conflict of interest, as regulated by the Law on Civil Service in the Institutions of Bosnia and Herzegovina.

2. Responsibility of the head of an administrative body and their deputy

Article 66

The head of an administrative body and their deputy shall be held responsible if, in the exercise of their authorities and duties, they fail to comply with the law or the guidelines of the Parliamentary Assembly, the **Presidency**, and the Council of Ministers.

In the event of responsibility under paragraph 1 of this Article, the head of the administrative body and their deputy shall be **dismissed** from office. Such **dismissal** shall not preclude criminal prosecution or liability for compensation of damages, unless otherwise provided by the Constitution or law.

The proposal for the **dismissal** of the head of an administrative body and their deputy shall be submitted by the authority designated by the Constitution and law.

Article 67

In the **dismissal** procedure, the head of an administrative body, or their deputy, shall be given the opportunity to present their position regarding the facts that led to the initiation of the **dismissal** procedure, as well as to provide information and necessary data relevant for establishing such responsibility.

The authority competent to **dismiss** shall, upon the proposal for **dismissal**, issue a decision establishing the existence of grounds for **dismissal** or a decision rejecting the proposal for **dismissal**.

Upon a proposal for **dismissal**, the authority competent to **dismiss** may, even if there are no grounds for issuing a **dismissal** decision, point out irregularities in the work of the head and their deputy.

The authority competent to **dismiss** may, during the **dismissal** procedure, temporarily suspend the head of an administrative body, or their deputy, from exercising their authorities and performing their duties.

No legal remedies may be used against a decision on a proposal for **dismissal** of the head of an administrative body and their deputy, or against a decision on temporary suspension from performing the functions while the **dismissal** procedure is ongoing.

Article 68

The head of an administrative body, or their deputy, who considers that they are unable to successfully exercise the authorities and perform the duties entrusted to them, and cannot assume responsibility for their performance, shall have the right to submit their resignation.

The head, or their deputy, shall remain in office until the expiry of the period prescribed by law or the period determined by the authority competent to decide on the resignation.

The resignation submitted shall not preclude the dismissal procedure for the reasons provided for in Article 66 of this Law.

CHAPTER VIII – CIVIL SERVANTS, POLICE OFFICERS, OTHER OFFICIALS, AND EMPLOYEES

Article 69

Administrative tasks within administrative bodies shall be performed by civil servants, **police officers, and other officials**.

Support and technical tasks for the needs of administrative bodies shall be performed by employees.

Article 70

The recruitment of civil servants, police officers, other officials, and employees into employment in administrative bodies and institutions with public authorities, as well as the exercise of rights, obligations, and responsibilities arising from employment, shall be regulated by the Law on Civil Service in the Institutions of Bosnia and Herzegovina, the Labour Law in the Institutions of Bosnia and Herzegovina, and other special laws or regulations issued by the Council of Ministers, in accordance with the authorities established by law.

CHAPTER IX – INSPECTION SUPERVISION

1. General provisions on inspection supervision

Article 71

Inspection supervision shall be carried out by administrative bodies in accordance with the law.

Inspection tasks shall be performed by inspectors, *as civil servants with special authorities, who are independent in their work within the limits of the authorities established by law.*

Inspectors are obliged to receive professional education and training for the performance of inspection tasks, based on the general professional training programme for inspectors adopted by the Civil Service Agency of Bosnia and Herzegovina upon the proposal of the Ministry of Justice. The programme for

special education and training of inspectors in bodies performing inspection supervision shall be adopted by the head of the body, based on the identified need for such education and training.

When required by service needs, the head of an administrative body may authorise another civil servant of the body, who possesses the appropriate professional qualifications, to perform certain inspection tasks or to assist the inspector in carrying out supervision, which shall be formalised by a decision.

Article 72

An inspector shall possess an identity card proving their official status, identity, and authorities provided by law.

The Minister of Justice shall prescribe the form and content of the identity card, and the card shall be issued to the inspector by the head of the administrative body in which the inspector is employed.

Article 73

The inspection procedure shall be initiated and conducted by the inspector *ex officio*.

Every natural and legal person shall have the right to submit a proposal for the conduct of inspection supervision and the undertaking of administrative measures for which the inspector is authorised by law. If the inspector assesses that the claims contained in the proposal are well-founded, they shall request a statement from the authority whose work is referred to in the proposal or carry out a direct inspection.

If the requested statement under paragraph 3 of this Article is not provided within the given deadline, or if the requested statement and the submitted evidence are insufficient to establish the factual situation conclusively regarding the verification of the claims in the submitted proposal, the inspector shall carry out a direct inspection.

The inspector shall inform the initiator of the outcome of the procedure in relation to the submitted request within 30 days from the receipt of the proposal.

Every authority whose work is subject to inspection supervision shall enable the inspector to conduct the inspection and shall provide the necessary information and data relevant for carrying out the supervision.

The head of the administrative body whose work is subject to inspection supervision shall be responsible for the accuracy and reliability of the information and data provided under paragraph 6 of this Article.

Article 74

In carrying out inspection supervision, the inspector shall have the right to have a direct inspection of business premises and other objects, the work procedure, products and other goods, documents and other materials, as well as to perform other activities in accordance with the purpose of inspection supervision (establishing a person's identity, hearing, sample taking for analysis, etc.)

If the inspector is obstructed in carrying out inspection supervision or is faced with physical resistance or if such resistance is reasonably expected, the inspector may ask the assistance of the competent police which shall be obliged to offer necessary protection and enable the inspector to complete the inspection.

Article 74a

Inspection supervision shall be conducted in the following forms:

- 1) *direct inspection supervision; and*
- 2) *indirect inspection supervision.*

Direct inspection supervision shall be carried out through direct examination of general and individual acts, working conditions and procedures, workflows, products and other goods, records and other documents, as well as by performing other actions in accordance with the purpose of the inspection supervision in the body whose work is subject to inspection.

Indirect inspection supervision shall be carried out by reviewing the acts, data, and other documentation submitted by the body whose work is subject to inspection, if this allows the factual situation to be established conclusively.

The conduct of indirect inspection supervision shall not preclude the possibility of subsequently performing direct inspection supervision.

Article 75

In performing inspection supervision, the inspector shall be obliged to act in a manner that does not compromise any official secrecy established by law or other regulations.

For every *direct* inspection supervision, the inspector shall *prepare* a report, in which the factual situation established during the inspection shall be recorded.

The report shall be prepared in accordance with the rules of administrative procedure and submitted to the head of the body whose work is subject to inspection supervision.

Article 76

When, during the performance of inspection supervision, the inspector establishes that a law or other regulation under their supervision has been violated, the inspector shall have the authorities and the duty to order the following measures:

- 1) to require that the identified deficiencies and irregularities be remedied within a specified deadline;
- 2) to order the undertaking of appropriate administrative actions that the legal person, administrative body, or institution with public authorities is obliged to carry out;
- 3) to prohibit the undertaking of actions deemed to be contrary to the law or other regulation under which the supervision is conducted;
- 4) to impose and collect a monetary fine on the spot, if authorised to do so by law;
- 5) to undertake other administrative measures and actions for which they are authorised by law or other regulations.

Article 77

If the inspector establishes that a violation of a law or other regulation constitutes a breach of official duty, a misdemeanour, or a criminal offence, they shall, without delay:

- 1) *in the case of a breach of official duty – notify the head of the body in writing of the committed breach of duty;*
- 2) *in the case of a committed misdemeanour – issue a misdemeanour order or submit a request to the*

competent court to determine liability for the committed misdemeanour;
3) *in the case of a criminal offence – submit a report to the competent prosecutor’s office regarding the committed criminal offence.*

Article 78

Regarding the undertaking of administrative measures under Article 76, paragraph 1, points 1), 2) and 3) of this Law, the inspector shall be obliged to issue a decision. The basis for issuing the decision shall be the factual situation established during the conducted inspection supervision.

A person authorised may lodge an appeal against the decision referred to in paragraph 1 of this Article to the competent authority within eight days from the receipt of the decision.

A decision on the appeal must be issued no later than 15 days from the date of receipt of the appeal.

An administrative dispute may be initiated with the Court against a decision issued on appeal under paragraph 3 of this Article.

Article 79

The inspector shall keep records of the conducted inspection supervision and of the administrative measures undertaken under Article 76 of this Law. The content and manner of keeping the records shall be prescribed by the **Minister of Justice**.

Article 80

The inspector may temporarily seize the documents and objects which in the judicial proceedings may be used as evidence, on which he shall be obliged to issue a receipt.

Article 81

The inspector shall be obliged to monitor the implementation of the administrative measures ordered by a decision under Article 78 of this Law and, within the limits of their authorities, ensure their execution. If the inspector is unable to ensure the implementation of the administrative measures in the manner and within the timeframe specified by the decision, they shall, without delay, notify the head of the administrative body, who shall be obliged to take measures to ensure the execution of the ordered measures.

Article 82

The inspector may also undertake appropriate preventive activities to avert harmful consequences arising from deficiencies and irregularities in the implementation of laws and other regulations they supervise, such as: warning natural and legal persons of their obligations under the regulations, indicating potential harmful consequences, proposing measures to eliminate their causes, and similar actions.

Administrative bodies, institutions with public authorities, and other legal and natural persons, to whom measures have been ordered by a decision under Article 78 of this Law, shall be obliged to comply with the decision.

2. Administrative Inspection

Article 83

The tasks of the administrative inspection concerning the implementation of this Law, laws relating to civil servants and employees of administrative bodies, administrative procedure and special administrative procedures, as well as office operations in administrative bodies, shall be performed by the *Ministry of Justice*.

Administrative inspection tasks shall also be carried out in other areas where jurisdiction for performing administrative inspection tasks is established by a special law.

The administrative inspection tasks referred to in paragraphs 1 and 2 of this Article shall be performed directly by administrative inspectors.

An administrative inspector shall be a university graduate in law of the VII level of professional qualification, or a holder of higher education qualifications of the first, second, or third cycle of the Bologna system of studies, assessed with at least 240 ECTS credits, having passed the professional administrative exam for civil servants in administrative bodies, with at least four years of work experience in administrative tasks, and meeting other conditions prescribed for the employment of civil servants.

Article 84

In performing administrative inspection over the implementation of laws and other regulations, a legal inspector shall exercise supervision particularly with regard to:

- the exercise of rights and legal interests, public corporations, chambers, public enterprises (companies), agencies, and other legal persons in administrative procedures;
- the application of regulations concerning the organisation and functioning of administrative bodies;
- *employment relations in administrative bodies and institutions with public authorities, as well as the fulfilment of conditions by persons performing administrative decision-making tasks;*
- the resolution of administrative matters within prescribed deadlines;
- the correctness of the application of regulations in administrative procedures;
- the methods of collecting evidence in administrative procedures, in particular evidence obtained *ex officio*;
- *the enforcement of decisions;*
- the provision of legal assistance to citizens, public corporations, chambers, public enterprises (companies), agencies, and other legal persons in administrative procedures;
- the maintenance of records on administrative cases;
- the application of regulations on office operations.

Article 85

If the administrative inspector determines that the identified irregularities and deficiencies in the work

result from the lack of professional competence of a civil servant for the duties to which they have been assigned, they shall propose to the head of the administrative body that the civil servant be reassigned to other duties.

Article 86

In the course of carrying out *direct* administrative inspections, the administrative inspector shall prepare a report on the inspection carried out, which shall particularly contain the established factual situation, as well as any irregularities and deficiencies in the work, and a copy of the report shall be submitted to the head of the administrative body or institution, and, if necessary, to the Council of Ministers.

Article 87

If the administrative inspector determines during the conduct of an inspection that a law or other regulation has been violated, they are obliged to issue a decision and, by that decision, order the measures referred to in Article 76 of this Law.

The decision referred to in paragraph 1 of this Article shall be issued by the administrative inspector within 15 days from the date of the direct inspection, or, in the case of an indirect inspection, within 15 days from the date of receipt of the acts, data, and other documentation of the body subject to inspection, provided that the factual situation can be unequivocally established in this manner.

Against the decision referred to in paragraph 1 of Article 78 of this Law, the head of the administrative body or institution with public authorities may lodge an appeal with the **Minister of Justice** within eight days from the date of receipt of the decision.

Filing an appeal against the decision referred to in paragraph 1 of this Article suspends the execution of the decision.

An administrative dispute may be initiated before the Court against the decision of the **Minister of Justice**.

Article 88

If the administrative inspector determines that violations of laws and other regulations are preventing citizens, public corporations, chambers, public enterprises (companies), agencies, and other legal entities from exercising their rights and legal interests within the prescribed deadlines, or in any other manner, they are obliged, without delay, to notify the Council of Ministers in writing, indicate the consequences that have resulted or may result from such a situation, and propose the adoption of appropriate measures.

Article 89

Citizens, public corporations, chambers, public enterprises (companies), agencies, and other legal entities have the right, for the protection of their rights established by this law and other regulations, to address the administrative inspector orally or in writing in all cases where it is in any way hindered to promptly and easily exercise their rights and legal interests or fulfil their obligations before an administrative body, agency, or institution with public authorities, in particular:

- 1) if their requests and appeals in administrative proceedings are not resolved within the legally prescribed timeframe;
- 2) if they are required, in administrative proceedings, to prove facts with certificates and other public documents that the civil servant conducting the administrative procedure is obliged to obtain *ex officio*;
- 3) if administrative acts adopted to exercise their rights and legal interests in administrative proceedings are not enforced;
- 4) if legal assistance in exercising rights and legal interests or in fulfilling obligations in administrative proceedings is not provided.

The administrative inspector is obliged to act immediately on a request referred to in paragraph 1 of this Article in the manner determined by the provisions of Article 73, paragraph 3 of this law.

CHAPTER X – FUNDS FOR THE FUNCTIONING OF ADMINISTRATIVE BODIES

Article 90

Funds for the functioning of administrative bodies shall be presented in the Budget adopted by the Parliamentary Assembly, upon the proposal of the Presidency and on the recommendation of the Council of Ministers.

Funds for the functioning of administrative bodies shall consist of: funds for salaries and allowances, funds for materials and services, capital expenditures, and special-purpose programmes.

Revenues generated by administrative bodies through the performance of their activities shall constitute budgetary funds.

Funds for salaries

Article 91

Administrative bodies shall obtain funds for the salaries of civil servants and employees in accordance with the Rulebook on the systematization of duties and tasks and depending on the number and structure of employees.

The salaries of civil servants and employees in administrative bodies shall be regulated by a special regulation adopted pursuant to the law.

Funds for material and services

Article 92

Funds for materials and services shall be used for the following:

- purchase of consumables, small inventory and payment of heating costs;
- payment of electricity costs and maintenance of cleanliness in work premises;
- payment for postal and telephone services, rental, and regular maintenance of premises;
- procurement of professional publications, literature, and printing of official materials;
- payment of travel and other expenses which represent personal income, which are recognized for administrative bodies under special regulations;
- payment of other expenses necessary for carrying out of the activities of administrative bodies;
- payment of allowances to cover meal expenses of civil servants and employees during work hours, local public transportation bonuses for civil servants and employees, vacation allowance and other related allowances;
- payment of insurance expenses and other capital expenses.

Article 93

Funds for materials and services that are shared by two or more administrative bodies (heating, electricity, maintenance of work premises, etc.) are generally allocated to the body or service within whose scope of work the activities generating the shared costs are performed, which shall be decided by the Council of Ministers upon the proposal of the **Minister of Finance and Treasury**.

Special purpose programmes

Article 94

Special-purpose programs are intended to cover specific needs related to the functioning of administrative bodies. Funds for Special-purpose Programs may be used directly from the Budget or transferred to a dedicated account of the administrative body.

Capital expenses

Article 95

Capital expenses for:

- inventory and other movables;
- expenses for purchase of equipment.

Article 96

An administrative body may use funds for capital expenditures jointly with other administrative bodies and institutions. The Council of Ministers may determine that certain funds referred to in paragraph 1 of this Article must be used jointly by all administrative bodies or by two or more administrative bodies and may prescribe the manner of such joint use.

Article 97

The Ministry of Finance and Treasury shall issue regulations and general acts on material and financial operations of administrative bodies.

CHAPTER XI – REGULATIONS AND OTHER ACTS OF ADMINISTRATIVE BODIES

Article 98

Administrative bodies shall issue general acts within their competence to enable the implementation of laws and shall issue individual acts. Administrative bodies may issue acts referred to in paragraph 1 of this Article only when they are explicitly authorised to do so by law.

Article 99

In accordance with this Law, general subordinate legal acts are: rulebooks, instructions, orders, and guidelines.

A rulebook is an implementing regulation that elaborates on specific provisions of a law or regulation adopted by the Council of Ministers, in order to ensure the correct application of those laws or regulations.

An instruction determines the manner in which administrative bodies and institutions with public authorities implement specific provisions of a law or other regulation.

An order mandates or prohibits a certain action in a specific situation that has general significance.

A guideline directs the organization of work and the manner of performing duties by employees in administrative bodies and institutions with public authorities regarding the implementation of specific provisions of laws or regulations adopted by the Council of Ministers.

General acts referred to in paragraphs 2, 3, 4, and 5 of this Article are published in the “Official Gazette of Bosnia and Herzegovina.”

The head of an administrative body or an institution with public authorities may decide that certain general subordinate legal acts adopted for internal use under this Article are not published in the “Official Gazette of Bosnia and Herzegovina,” provided that they are mandatorily published on the website and on the notice board of the administrative body or institution with public authorities.

CHAPTER XII – SUPERVISION OF LAW IMPLEMENTATION

Article 100

Supervision of the implementation of this Law shall be carried out by the **Ministry of Justice** through the administrative inspection.

The provisions of Articles 83 to 89 of this Law shall apply to the manner of performing the supervision referred to in paragraph 1 of this Article.

CHAPTER XIII – APPLICATION OF THE PROVISIONS OF THIS LAW TO THE INSTITUTIONS OF BOSNIA AND HERZEGOVINA

Article 101

The provisions of this Law on the resources for the functioning of administrative bodies shall apply to the institutions of Bosnia and Herzegovina financed from the Budget of the institutions of Bosnia and Herzegovina and from Bosnia and Herzegovina's international obligations, unless otherwise provided by law for specific institutions.

The provisions of this Law regarding heads of administrative bodies, their deputies, and managerial civil servants shall correspondingly apply to the heads, their deputies, and managerial civil servants in the professional services of administrative bodies and other institutions, unless otherwise provided by law.

CHAPTER XIV – PENAL PROVISIONS

Article 102

A fine ranging from 2,000 BAM to 8,000 BAM shall be imposed for an offence on **institutions with public authorities** in the following cases:

- if, at the request of an administrative body, they fail to submit reports, data, or information within the scope of their activities (Article 26, paragraph 2, and Article 38, paragraph 2);
- if they fail to resolve requests from parties within the prescribed deadlines (Article 39);
- if they fail to act on a submitted complaint, proposal, or grievance of a party and do not provide a written response within the prescribed deadline (Article 41);
- if, in the exercise of their official duties, they fail to obtain certificates and other public documents regarding facts recorded in official registers, or if they require the parties themselves to obtain such certificates and public documents (Article 42);
- if they obstruct an inspector in carrying out an inspection and fail to provide necessary information and data (Article 74, paragraph 3);
- if they fail to comply with preventive measures issued by an inspector or with an inspector's decision (Articles 76 and 78);
- **if citizens and institutions with public authorities are prevented or hindered in exercising their rights and legal interests (Article 89, paragraph 1 of this Law).**

For an offence referred to in paragraph 1 of this Article, a fine ranging from 200 BAM to 1,000 BAM shall be imposed on the responsible person in the administrative body, agency, or institution with public authorities.

A fine ranging from 200 BAM to 1,000 BAM shall be imposed on an administrative inspector who fails to act on a request under Article 89, paragraph 2 of this Law.

Article 103

A fine ranging from 1,000 BAM to 4,000 BAM shall be imposed for an offence on **institutions with public authorities** if they fail to submit, within the prescribed deadline, the requested data or acts to an administrative body regarding administrative proceedings, the conduct of administrative supervision, or monitoring the situation in a specific area.

For an offence referred to in paragraph 1 of this Article, a fine ranging from 200 BAM to 800 BAM shall be imposed on the responsible person in the **institution with public authorities**.

Article 104

A fine ranging from 150 BAM to 500 BAM shall be imposed for an offence on the responsible person in an administrative body if they fail to act in accordance with the provisions of Articles 11, 35, 39, 41, 42, 43, 70, 79, 81, and 89 of this Law.

Article 105

A responsible person in an administrative body, within the meaning of Articles 102 to 104 of this Law, shall be considered the head of the administrative body, the inspector, as well as a civil servant who is tasked with directly performing a specific duty but has failed to perform that duty or has performed an action contrary to the given obligation.

Article 106

The procedure for offences under the provisions of this Law shall be conducted by the institution designated by law. Funds collected by the bodies referred to in paragraph 1 of this Article through the imposition of fines in the offence procedure, conducted under this Law or another law, shall constitute revenue of the Budget.

CHAPTER XV – FINAL PROVISIONS

Article 107

The Council of Ministers shall prescribe the principles for determining the internal organization of administrative bodies, as well as office management within administrative bodies, within six months from the date of entry into force of this Law.

The Minister of Justice shall adopt the Rulebook on the form and content of the ID card of inspectors of the administrative bodies of Bosnia and Herzegovina, as well as the content and manner of keeping records of inspections carried out, within six months from the date of entry into force of this Law.

Heads of administrative bodies who are authorised, in accordance with the provisions of Article 61 of this Law, to issue regulations for the implementation of certain provisions of this Law shall issue such regulations within six months from the date of entry into force of this Law.

Article 108

Upon the entry into force of this law, the Law on State Administration in the Republic of Bosnia and Herzegovina shall cease to apply (“Official Gazette of RBiH”, 26/93, consolidated text).

Article 108a

The Constitutional-Legal Committee of the House of Representatives is authorized, in cooperation with the Constitutional-Legal Committee of the House of Peoples of the Parliamentary Assembly of Bosnia and Herzegovina, to prepare a proposal of the official consolidated text of the Law on Administration and submit it to the chambers of the Parliamentary Assembly of Bosnia and Herzegovina for the adoption of the official consolidated text of the law, within 60 days from the date of entry into force of this Law.

Article 109

This law shall enter into force on the eighth day of the publication in the “Official Gazette of BiH,” and it shall also be published in the “Official Gazette of the Federation of BiH” and the “Official Gazette of Republika Srpska”.

(“Official Gazette of BiH”, No. 102/09)

Article 52

This Law shall enter into force on the eighth day following its publication in the “Official Gazette of BiH”.

(“Official Gazette of BiH”, No. 72/17)

Article 25

This Law shall enter into force on the eighth day following its publication in the “Official Gazette of BiH”.