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Department for Legal Affairs



LAW ON AMENDMENTS TO THE FREEDOM OF ACCESS TO INFORMATION ACT FOR BOSNIA AND HERZEGOVINA

“Official Gazette of Bosnia and Herzegovina”, 100/13

[NOTE: The Freedom of Access to Information Act for Bosnia and Herzegovina was published in the “Official Gazette of Bosnia and Herzegovina”, 28/00.](#)

Pursuant to Article IV. 4. a) of the Constitution of Bosnia and Herzegovina, the Parliamentary Assembly of Bosnia and Herzegovina on the 53rd Session of the House of Representatives, held on 19th September 2013, and on the 34th Session of the House of Peoples, held on 16th December 2013, passed

LAW ON AMENDMENTS TO THE FREEDOM OF ACCESS TO INFORMATION ACT FOR BOSNIA AND HERZEGOVINA

Article 1

In the Freedom of Access to Information Act for Bosnia and Herzegovina (“Official Gazette of Bosnia and Herzegovina”, 28/00, 45/06, 102/09 and 62/11), in Article 14, after the paragraph (3), new paragraph (4) shall be added to read:

“(4) The appeal referred to in paragraph (3) of this Article shall be submitted to the head of the competent second instance public body.”

Current paragraph (4) shall become paragraph (5).

Article 2

In Article 22, paragraph (1), item c), after the words: “Bosnia and Herzegovina” a full stop punctuation mark shall be inserted, and the remainder of the text of the sentence shall be deleted.

Article 3

In Article 22a, paragraph (2), the words: “between KM 200 and 5,000” shall be replaced with words: “between KM 1,000 and 10,000.”

Article 4

After the Article 22a, new Section VIIA and new Article 22b shall be added to read:

“Section VII.a. Inspection Control over the Implementation of the Freedom of Access to Information Act for Bosnia and Herzegovina

Article 22b (Inspection Control)

- (1) The inspection control of the implementation of this Act shall be carried out by the Administrative Inspectorate of the Ministry of Justice of BiH.
- (2) Any natural or legal person as applicant shall be entitled to submit the request, i.e. to address orally or by way of written act to the administrative inspection for protection of the right to free access to information when a public body hinders the exercise of the rights set forth by this Act.

- (3) The administrative inspector shall be bound to write the record on inspection control rendered that shall contain the found facts and irregularities in the operation of the public body.
- (4) In case that the administrative inspector finds that the Act has been violated, he/she shall be bound to pass a ruling and by it to order to the head of the public body to undertake the actions to eliminate certain deficiencies within a certain period of time.
- (5) The administrative inspector shall also communicate the copy of the ruling to the applicant.
- (6) If the head of the public body fails to act in line with the order of the administrative inspector within the set period of time, the administrative inspector shall, in accordance with his/her powers, instigate the procedure for violation *ex officio*.

Article 5

This Law shall enter into force on the eighth day of its publication in the “Official Gazette of Bosnia and Herzegovina”.