

Decision amending the Law on Administrative Fees of Bosnia and Herzegovina

In the exercise of the powers vested in me by Article V of Annex 10 (Agreement on Civilian Implementation of the Peace Settlement) to the General Framework Agreement for Peace in Bosnia and Herzegovina, according to which the High Representative is the final authority in theatre regarding interpretation of the said Agreement on the civilian implementation of the peace settlement; and considering in particular Article II.1.(d) of the last said Agreement, according to the terms of which the High Representative shall “facilitate, as the High Representative judges necessary, the resolution of any difficulties arising in connection with civilian implementation”;

Recalling paragraph XI.2 of the Conclusions of the Peace Implementation Council which met in Bonn on 9 and 10 December 1997, in which the Council welcomed the High Representative’s intention to use his final authority in theatre in order to facilitate the resolution of any difficulties as aforesaid “by making binding decisions, as he judges necessary” on certain issues including (under sub-paragraph (c) thereof) “other measures to ensure the Peace Agreement throughout Bosnia and Herzegovina and its Entities”;

Noting that pursuant to a Decision of the High Representative dated 30 July 1999 (BiH O.G. 14/99) it was decided that the Law on Administrative Fees of Bosnia and Herzegovina should enter into force on 31 July 1999 on an interim basis, until adopted in due form by the Parliamentary assembly;

Noting also that such adoption has not yet taken place;

Considering that the administrative fee tariff established under article 3 of the said law in conjunction with the “tariffs of administrative fees” which form a part of the said law, does not provide for any mechanism by which the fees there laid down and quantified may be varied;

Further considering that “tariff 25” of the “tariffs of administrative fees” aforesaid provides for the payment of a fee of 1700 KM “For the claim for cessation of citizenship of Bosnia and Herzegovina providing statement of waiver of the BiH citizenship” and that the imposition of such fee places an excessive financial burden on individuals applying to renounce citizenship of Bosnia and Herzegovina;

Observing that with reference to all the fees laid down in the aforesaid “tariffs of administrative fees” variations may be required both as to reductions and increases from time to time, and that it is undesirable that such variations should necessitate an amendment of the law on each occasion that the same occurs

Having considered, borne in mind and noted all the matters aforesaid, I hereby issue the following:

DECISION

As to the Amendment of the Law on Administrative Fees of Bosnia and Herzegovina

The Law on Administrative Fees of Bosnia and Herzegovina published in the Official Gazette of Bosnia and Herzegovina (14/99), is hereby amended by the addition of a new article to be numbered 3 (a) which will provide as follows:**Article 3 (a)**

The competent Ministry may as it deems necessary and for the purpose of covering expenses incurred by the Ministry in exercising its duties, establish administrative fees in addition to those already provided for in this law.

The competent Ministry may vary upwards or downwards administrative fees already provided for by this law.

Any such additional or amended administrative fees as may be imposed must be reasonable in amount.

Additional or amended administrative fees as aforesaid shall be so imposed or amended by means of by-laws passed in due form by the competent Ministry concerned.

This decision shall enter into force as law when published in the Official Gazette of Bosnia and Herzegovina.

Sarajevo, 12 December 2000

Wolfgang Petritsch
High Representative

Office of the High Representative