

Decision amending the Law on Claims in the Privatisation Process that are based on the Difference Between Pension Amounts Received and Pension Amounts to be Received by Beneficiaries of the Rights Stemming from the Pension and Disability Plan

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 Conference held in Bonn on 9 and 10 December 1997, in which the Peace Implementation Council welcomed the High Representative's intention to use his final authority in theatre regarding interpretation of the Agreement on the Civilian Implementation of the Peace Settlement 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) "measures to ensure implementation of the Peace Agreement throughout Bosnia and Herzegovina and its Entities";

Bearing in mind that the Peace Implementation Council at its meeting in Madrid on 16 December 1998 urged the authorities of Bosnia and Herzegovina to co-operate fully and without reservation with the international community in a comprehensive and coherent structural reform of the Payment Bureaux, to be completed by 31 December 2000;

Noting that the role and responsibilities of the Payment Bureaux in the field of privatisation will be taken over by the Agency for Privatisation in the Federation of Bosnia and Herzegovina, and that therefore amendments to the Law on Claims in the Privatisation Process that are based on the Difference Between Pension Amounts Received and Pension Amounts to be Received by Beneficiaries of the Rights Stemming from the Pension and Disability Plan are required;

Considering that the speedy entry into force of the Law on Amendments to the Law on Claims in the Privatisation Process that are based on the Difference Between Pension Amounts Received and Pension Amounts to be Received by Beneficiaries of the Rights Stemming from the Pension and Disability Plan is essential to ensure the necessary legislative framework for the above mentioned Payment Bureaux reform in general, and the transfer of the Payment Bureaux function in the privatisation process to the Agency for Privatisation in the Federation of Bosnia and Herzegovina in particular;

All this recalled, considered, borne in mind and noted, I hereby issue the following Decision. The Law which is hereinafter set out shall enter into force in accordance with Article 2 thereof on an interim basis, until such time as the Federation Parliament adopts this Law in due form, without amendments and with no conditions attached.

This Decision, which has immediate effect, shall be published without delay in the Official Gazette of the Federation of Bosnia and Herzegovina.

DECISION

ON LAW ON AMENDMENTS TO THE LAW ON CLAIMS IN THE PRIVATISATION PROCESS THAT ARE BASED ON THE DIFFERENCE BETWEEN PENSION AMOUNTS RECEIVED AND PENSION AMOUNTS TO BE RECEIVED BY BENEFICIARIES OF THE RIGHTS STEMMING FROM THE PENSION AND DISABILITY PLAN

The Law on Claims in the Privatization Process that are Based on the Difference Between Pension Amounts Received and Pension Amounts to be Received by Beneficiaries of the Rights Stemming from the Pension and Disability Plan (Official Gazette of Federation of BiH, No.41/98) is hereby amended as follows:

Article 1

In Article 5 and 6 the words “the Payment Bureau of the Federation of Bosnia and Herzegovina” are to be replaced by the words “the Agency for Privatization in the Federation of BiH”.

Article 2

This Law shall come into force upon publication in the Official Gazette of the Federation of BiH, and shall be implemented when the Agency for Privatization in the Federation of BiH takes over all the functions of the FBiH Payment Bureau.

Sarajevo, 20 December 2000

Wolfgang Petritsch
High Representative

Office of the High Representative