

Decision Amending the Structure of Expenditures of the Communications Regulatory Agency for 2002

In the exercise of the powers vested in the High Representative 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";

Recalling that on 2 March 2001 the High Representative issued a Decision (Official Gazette of Bosnia and Herzegovina 8/01, Official Gazette of the Federation of Bosnia and Herzegovina 11/01, and Official Gazette of Republika Srpska 12/01), Combining the Competencies of the Independent Media Commission and the Telecommunications Regulatory Agency, thereby creating the Communications Regulatory Agency;

Noting that the Communications Regulatory Agency is a self-financed institution that raises its operating revenues from recurrent licence fees paid by the telecommunications and broadcasting operators and whose budget is approved by its Council and subsequently submitted to the Council of Ministers for approval;

Observing that the 2002 budget of the Communications Regulatory Agency, adopted by the Parliament of Bosnia and Herzegovina on 31 May 2002 (Official Gazette of Bosnia and Herzegovina 14/02), was the same as the budget adopted in 2001; however, the 2001 budget was limited to nine (9) months of operations starting April 2001; thus the budget of the Communications Regulatory Agency was decreased by twenty five percent (25%) for 2002 compared to 2001;

Further Observing that the Council of Ministers has repeatedly refused to adopt a *Decision to Change the Structure of Expenditures of the Communications Regulatory Agency for 2002* proposed by the Ministry of Treasury for the Institutions of Bosnia and Herzegovina, which will rectify the reduction of the budget of the Communications Regulatory Agency by redistributing budget lines while keeping the 2002 total budget of the Communications Regulatory Agency within the limits adopted by the Parliament of Bosnia and Herzegovina;

Noting that as a result of the above, the Communications Regulatory Agency has been without funds to operate effective since 1 November 2002;

Bearing in mind that the functions of the Communications Regulatory Agency are fundamental to the regulation and subsequent economic development of both the telecommunications and broadcasting sectors;

Bearing also in mind that the responsibility of the Communications Regulatory Agency to manage and monitor the frequency spectrum of Bosnia and Herzegovina is critical for the proper functioning of radio-navigation services and of other safety services, thereby being of utmost importance for the protection of safety and health of the citizens of Bosnia and Herzegovina.

Having noted, observed and borne in mind the totality of the matters aforesaid, the High Representative hereby issues the following

DECISION

Amending the Structure of Expenditures of the Communications Regulatory Agency for 2002.

The amended Structure of Expenditures of the Communications Regulatory Agency for 2002 attached hereto, which forms an integral part of this Decision, shall come into effect retroactively pursuant to point III thereof in like manner and precisely as if the same had been adopted in good time and in due form and pursuant to all requisite procedures, by the Council of Ministers of Bosnia and Herzegovina.

This Decision shall come into effect forthwith and shall give retroactive effect to the Amended Structures of Expenditures of the Communications Regulatory Agency for 2002 as aforesaid. This Decision shall be published without delay in the Official Gazette of Bosnia and Herzegovina, the Official Gazette of the Federation of Bosnia and Herzegovina, the Official Gazette of Republika Srpska and the Official Gazette of the Brcko District of Bosnia and Herzegovina.

Sarajevo, 2 December 2002

*Paddy Ashdown
High Representative*

Amended Structure of Expenditures of the Communications Regulatory Agency for 2002

I

For 2002, the expenditures of the Communications Regulatory Agency, a budget beneficiary, shall be restructured as follows:

No.	Type of expenditures	Economic Code	Budget for 2002*	Funds required in 2002 Budget	Balance (4-5)
1	2	3	4	5	6
1	Salaries of employees	6111-6120	2.250.000,00	2.784.092,00	534.092,00
2	Reimbursement of costs of employees	6112	130.000,00	347.150,00	217.150,00
3	Expenses for material and services	6130-6137	950.000,00	328.438,00	-621.562,00
4	Insurance & banking services expenses	6138	50.000,00	16.620,00	-33.380,00
5	Contracted services	6139	120.000,00	23.700,00	-96.300,00
6	Capital expenditures	6880	-	-	-
	TOTAL		3.500.000,00	3.500.000,00	-

* Budget for 2002 agreed by the Council of Ministers and the Parliament of Bosnia and Herzegovina that is identical to the nine (9) month budget of the Communications Regulatory Agency for 2001.

II

The Ministry of Treasury of the Institutions of Bosnia and Herzegovina and the Material-Financial Service of the Communications Regulatory Agency shall implement the amended structures of expenditures as described in point I.

The Ministry of Treasury of the Institutions of Bosnia and Herzegovina is required to include these changes into the Financial Information Management System as soon as the present Decision comes into effect.

III

The amended structures of expenditures as described in point I shall be retroactively effective as of 1 November 2002.