

LAW
ON ADMINISTRATIVE FEES

Article 1

This Law regulates and determines the administrative fees (hereinafter: fees) for documents and actions in procedure before republic administrative bodies, local self-government units and public authority holders legally entrusted with deciding in administrative matters on certain rights and obligations (hereinafter referred to as: public authority holders).

Article 2

(1) Documents and actions for which fees are charged, as well as the amount of fee shall be determined by the tariff of fees.

(2) The fee may be charged only if it is prescribed by the tariff of fees.

Article 3

(1) The fees under the Tariff of republic administrative fees, which is annexed and makes an integral part of this Law, shall be charged for documents and actions in the procedure before republic administrative bodies.

(2) Fees for documents and actions in the procedure at the public authority holders shall be charged in accordance with the Tariff referred to in paragraph 1 of this Article.

(3) Fees paid under the Tariff of republic administrative fees shall be the revenue of the Republic of Srpska budget.

Article 4

(1) The fees in accordance with the decision of the assembly of local self-government units shall be paid for documents and actions in the procedure before the local self-government units.

(2) Fees payable under the tariffs of administrative fees of local self-government units shall be the revenue of local self-government units.

Article 5

(1) A fee payer (hereinafter: the payer) is a person at whose request the procedure is initiated or certain actions are performed in accordance with the tariff of fee.

(2) If there are two or more payers of one administrative fee, their liability is joint and several.

Article 6

(1) Unless otherwise prescribed by the tariff of fees, the fee shall be payable:

a) for written submissions - at the moment of their submission, and for oral communication on the record - at the moment of making the record,

b) for decisions, permits and other documents - at the time of submitting of the request or the submission for their issuance,

c) for administrative actions - at the moment of submission of the request for such actions.

(2) The fee shall be paid at the moment of occurrence of the fee liability.

Article 7

If the tariff of fee prescribes that the fee is charged according to the value of the case, the value indicated in the submission or document shall be used as a basis for calculating the fee.

Article 8

If the document for which the fee is paid is issued in two or more copies upon the party's request, the fee as for the copy or certification of copy shall be paid for the second and each additional copy.

Article 9

(1) An officer who receives the submission with stamp duty affixed shall annul the affixed stamp duty.

(2) If the fee is paid subsequently, an officer of the authority issuing the decision or other document for which the fee is charged shall annul it.

(3) The fee shall be annulled by stamp which says "annulled", and if not possible - the fee shall be annulled by signature of officer referred to in paragraph 1 and 2 of this Article.

(4) Decisions or other documents for which the fee is paid shall indicate that the fee has been paid, the amount paid and tariff number under which the fee has been paid.

(5) The documents issued without payment of fee shall indicate the purpose for which they are issued and the regulation based on which they are exempted from payment of fee.

Article 10

If a payer does not pay a fee (directly or by mail) for the submission which has not been taxed, the bodies deciding on the request shall warn in writing the payer required to pay the fee within eight days from the date of receiving the notice, and, shall at the same time make the payer familiar with the consequences of non-payment of fee.

Article 11

If the payer does not pay the fee within the deadline specified in Article 10 of this Law, the authorities deciding on the request shall request from the Tax Administration of the Republic of Srpska (hereinafter: Tax Administration) to charge a fee by enforcement in accordance with the legislation governing the tax procedure.

Article 12

If the payer has a residence, or seat abroad, and did not pay a fee at the moment of occurrence of obligation, the charge of fee shall be done prior to delivery of document by which the procedure has been completed or an administrative action has been taken.

Article 13

The following shall be exempted from payment of fee:

- a) The Republic of Srpska and local self-government units,

- b) funds and institutions in the fields of education, science, culture, physical culture and social protection for documents and actions in connection with their activities,
- c) legal entities in the field of physical culture, except sports organizations the members of which are professional athletes,
- d) the organization of the Red Cross,
- e) legal entities established to fight against alcoholism, drug abuse and other forms of addiction, cancer and muscular dystrophy, for the documents and actions in connection with their activities,
- f) legal persons established for the protection of persons with physical and mental disabilities and disorders for documents and actions in connection with their activities,
- g) Associations of the deaf and association of the blind and their organizations, in connection with the rehabilitation of the deaf and blind,
- h) organizations of disabled persons, except in operations relating to the conduct of economic activity,
- i) war invalids, persons disabled and civilian victims of war, for documents and actions in relation to education in all schools,
- j) persons with disabilities who are exempt from paying the annual fee for the use of motor vehicles in the process of expert inspection of those vehicles for registration,
- k) persons who are not employed, for application to the competition for employment,
- l) citizens, for documents and procedures related to the exercise and protection of labour rights,
- m) students, for all documents and procedures related to the education up to 26 years of age,
- n) fire brigades and fire units.
- o) radio amateurs members of the Association of Amateur Radio of the Republic of Srpska,
- p) foreign diplomatic and consular missions, in connection with the performance of diplomatic and consular affairs, on condition of reciprocity and
- q) citizens who donate their property in favour of the Republic of Srpska or waive their right to ownership and transfer of ownership.

Article 14

The fee shall not be paid for:

- (a) documents and actions in procedures conducted ex officio,
- (b) submission sent to the authorities for petitions and complaints,
- (c) appeals for pardons and decisions on such appeals,
- (d) documents and actions in the procedure for refund of improperly collected duties,
- (e) documents and actions in the procedure for the preparation and correction of lists of voters and lists of candidates,
- (f) documents and actions in the process of adoption and the procedure for the appointment of a custodian,
- (g) documents and actions in the procedure of tax benefits recognized by law,
- (h) documents and procedures for the allocation of social assistance for the realization of other forms of social protection,
- (i) documents and actions in the procedure of exercising the rights of families of fallen soldiers for the purpose of addressing the social, health, housing needs and needs for retraining, additional training and other education,
- (j) documents and actions in the procedure for exercising the rights of the disabled,
- (k) documents and actions in the procedure of exercising the rights to pension and health care,

- (l) documents and actions in the procedure of establishing fire brigades and their units,
- (m) documents and actions in the procedure of exercising the rights of holders of decorations,
- (n) documents and actions in the procedure of exercising the right to child allowance,
- (o) documents and actions in connection with the receipt of gift packages from charitable organizations abroad, if addressed to charitable organizations in the Republic of Srpska,
- (p) documents and actions related to military records,
- (q) documents and actions in connection with the recognition of the right to free public transportation to citizens entitled to it under applicable regulations,
- (r) documents and actions in the procedure of nationalization of real estate on the basis of nationalization, expropriation, redistribution, consolidation and other forms of nationalization,
- (s) documents and actions in the procedure of exercising pre-emption rights for purchase the real estate in favour of real estate Republic,
- (t) the original diplomas, certificates and other documents of completion of education or classification, except for their duplicates and translations,
- (u) documents and actions in connection with the protection of cultural monuments,
- (v) documents and actions in the procedure for the burial of the deceased,
- (w) documents and actions in the procedure for correcting errors in the administrative and other documents,
- (x) all types of applications and certificates of registration and deregistration of payers with the tax authority and
- (y) Documents and actions in the procedure of harmonization of payers records at the Tax Administration.

Article 15

In addition to the exemption referred to in Article 13 and 14 of this Law, local self-government units may by virtue of the Assembly's decision establish other exemptions from paying fees in their areas.

Article 16

Under the conditions of reciprocity, foreign citizens shall have the same rights under the legislation on fees as the Republic of Srpska citizens.

Article 17

- (1) A person that has paid a fee that under the Law shall not pay or has paid the fee exceeding the prescribed amount shall be entitled to a refund of fee or excess of fee paid.
- (2) The request for refund of fees or the excess paid shall be submitted by a person under paragraph 1 of this Article to the Tax Administration.
- (3) The decision on the refund of fee or the excess paid shall be submitted by the Tax Administration.

Article 18

The right to the collection of fee shall expire two years from the year in which the fee should be collected, and the right to a refund of fee or the excess paid shall expire for two years from the date of payment of fee.

Article 19

The Ministry of Finance shall perform the administrative control of implementation of the provisions of this Law, while the Tax Administration shall perform the inspection control.

Article 20

(1) Fees shall be paid as administrative stamp duties of unique emission (hereinafter referred to as stamp duty).

(2) Stamp duties are issued in denominations of BAM 1, BAM 2, BAM 5, BAM 10, and BAM 50.

(3) Fees shall be paid in the manner prescribed in paragraph 1 of this Article or in cash by order to the account:

a) the budget of the Republic of Srpska for the fees payable under the Tariff of republic administrative fees or

b) the budget of the local self-government units for fees paid under the tariffs of administrative fees of local self-governments.

Article 21

(1) Stamp duties shall be made on wood-free white paper with security line.

(2) In the central parts of the stamp duty there is the coat of arms or emblem of the Republic of Srpska framed by stylized rosette, below which the mark of the value of stamp duty is specified, with the currency abbreviation "BAM" on the left and right side of the mark.

(3) The text in Cyrillic and Latin: "Republic of Srpska shall be printed in the upper part of the stamp duty".

(4) Stamp duties shall be printed in blue.

Article 22

The Ministry of Finance shall be responsible for printing, putting into circulation and distribution of stamp duties.

Article 23

The fee liability for document and actions which has accrued before the date of entry into force of this Law, but has not been charged year, shall be charged in accordance with the regulations in force at the time when the fee liability incurred.

Article 24

The assemblies of local government-units shall harmonize their decisions on administrative fees with the provisions of this Law within 90 days after it enters into force, provided that the nominal amount of fees for same documents and actions may not be determined in an amount higher than the amount prescribed by the Tariff of republic administrative tax.

Article 25

With the entry into force of this Law, the Law on Administrative Fees (Official Gazette of the Republic of Srpska, No. 37/01, 52/01, 34/06, 119/08 and 09/08 – consolidated version) shall cease to be valid.

Article 26

This Law enters into force on the eight day from the day of publishing in the Official Gazette of the Republic of Srpska.

After collating with the original text, it was established that the technical error was made in the Law on Administrative Fees („Official Gazette of the Republic of Srpska“, No. 100/11), based on Article 189, paragraph 3 of the Rules of Procedure of the National Assembly of the Republic of Srpska (“Official Gazette of the Republic of Srpska” No. 31/11), the general secretary issues

**CORRECTION
OF THE LAW ON ADMINISTRATIVE FEE**

- the words “of completion” shall be deleted after the words “form of the certificate”, in Tariff No. 72, under item d) in sub-item 11),
- the words “of completion” shall be deleted after the words “form of the certificate”, in Tariff No. 72, under item d) in sub-item 12),
- the conjunction “in” shall be added after the words “for decisions establishing the quality of services and standards” in tariff No. 81 under item e) .

**LAW
ON CHANGES AND AMENDMENTS
TO
THE LAW ON ADMINISTRATIVE
FEES**

Article 1

In the Law on Administrative Fees ("Official Gazette of the Republic of Srpska" no. 100/11 and 103/11) in Article 4, after Paragraph 2 is being added a new Paragraph 3, which reads:"(3) For the documents and actions in the process of registration of establishment, data changes and termination of practicing the activities of entrepreneurs in the territory of the Republic, the fee can amount up to 30 KM for all activities in the process."

Article 2

In Article 13, item c) shall be deleted.

Article 3

In Article 14, item p) is amended to read as follows:

"p) documents and actions in the process of establishing the institutions of social protection."

Item φ) is amended as follows:

"φ) all kinds of applications and certificates of registration and cancellation of registration of business entities, unless this law provides otherwise, and".

Article 4

In TARIFF OF REPUBLIC ADMINISTRATIVE FEES, tariff number 12 is deleted.

In the Tariff number 13, in item a) the number "200.00" is replaced by number"100.00".

In the same Tariff number in the item b) the number "300.00" is replaced by number: "200.00".

Tariff number 16 is deleted.

Tariff number 17 is amended as follows:"For a decision on the request for establishing of

the fulfillment of conditions for conducting activities in the field of legal metrology and control of articles of precious metals..... 30.00. ".
Tariff number 18 is amended to read as follows:

"For inspection check by which is controlled the safety and quality of food and consumer goods and compliance of chemicals, and biocides that are imported..... 50.00 ".

Tariff number 19 is deleted.

Tariff number 20 is amended to read as follows:

"For a decision on approval of the type of measuring devices50.00. ".

In the Tariff number 23, after item б), is being added a new item в), which reads:

"в) for the temporary approval of the registration in the Register of producers of agricultural plant seedlings 10.00. ".

In the Tariff number 25, in item a) the number "20.00" is replaced by number: "10, 00".

In the same Tariff number in the item б) number: "20.00." is replaced by number: "10.00."

In the Tariff number 26, after item б) shall be added a new items в), г) and д), which read:

"в) the decision on registration in the Register of distributors and importers of mineral fertilizers..... 10.00,

г) the decision on registration in the Register of mineral fertilizers..... 10.00,

д) the decision on entry into Fitoregistar 10.00. "

In the Tariff number 30, item a) is amended as follows:

"a) for authorization to carry out aquaculture activities..... 100.00".

In the same Tariff number, item б) is amended as follows:

"б) for approval for commercial fishing at a certain fishing waters..... 50.00 ".

Tariff number 43 is amended to read as follows:

"For a decision on issuing authorizations for performing control and certification in organic production..... 10.00. "

After Tariff number 44 is added a new Tariff number 44a, which reads:

"Tariff number 44a

To confirm the fulfillment of the requirements for imported metrology measuring devices.....10.00. "

Tariff number 75 is amended to read as follows:

"For a technical overview of the mining facilities that are subject to mandatory review in order to obtain approval for use and check up on the spot in order to get the decision approving the exploitation field per working hour..... 40.00.

Fee under this Tariff number is calculated for each full or started working hour of each employee participating in the technical check up or inspection on the spot, in a way that the sum of working hours makes the total fee. "

Tariff number 76 is deleted.

Tariff number 77 is amended to read as follows:

"For the solution:

a) authorizing the exploitation field.. 200.00,

б) approving exploring of mineral resources150.00,

в) approving the use of mining facilities150.00,

г) on the formation of an expert commission for technical inspection, examination on the spot and taking the professional exam...30,00,

д) on the recognition of reserves and quality of mineral resources 150.00.

ё) approving the execution of works for the main and additional project and the project for objects outside of the exploitation field 200.00,

e) on the assessment of the public interest for the allocation of concession with the unsolicited proposal for the construction of new facilities for transport of oil and gas..... 500.00,

ж) which is setting out the public interest for the concession for the exploration and exploitation of mineral resources 100.00,

з) by which a commercial company is relieved of the duty to organize rescue service..... 150.00. "

Tariff number 78 is amended to read as follows:

"For a decision on the assessment of the public interest with the unsolicited proposal for the allocation of concessions in the field of energy..... 500."

Tariff number 79 is amended to read as follows:

"For the solution:

a) for the endorsement of the activity of retail trade of automotive fuels 30.00,

б) for the endorsement of the activity of retail trade of automotive fuels- gas pumping station..... 30.00,

в) for the endorsement of the activity of retail trade of gas in cylinders - gas in cylinders for households 30.00,

г) for the endorsement of activity for supply of vessels with liquid petroleum fuels to power marine engines..... 30.00,

д) for the endorsement of the activity of wholesale of liquid fuels.....90.00,

ё) for the endorsement of the activity of retail with heating oil extra light (EL) and special light (LS).....30.00,

e) for the endorsement of the activity of wholesale of heating oil (light, medium and heavy).....30.00,

ж) for the endorsement of the activity of wholesale of liquefied petroleum gas (gas propan-butan).....90.00,

з) for the endorsement of the activity of trade with tobacco products..... 90.00,

и) for the endorsement of the activity of service of wholesale markets..... 30.00,

j) to approve the creation and use of a square stamp..... 45.00,

k) for a certificate to perform freight forwarding business of a natural person.....15.00

л) for a certificate to perform freight forwarding services for business organization / business unit 30.00,

љ) for changes of approval in items a) to и) of this Tariff number 15.00. ". Tariff number 80 is amended to read as follows:

"For the solution:

a) approval for taking funds out of Bosnia and Herzegovina for the purpose of establishment of the company, bank or insurance, and reinsurance organizations abroad or for capital redemption (the founders' equity) of the company, bank or insurance, and reinsurance organizations abroad.....150.00,

б) approval for taking funds out of Bosnia and Herzegovina in order to increase capital (the founders' equity) of the company, bank or insurance, and reinsurance organizations abroad.....100.00,

в) approval for taking funds out of Bosnia and Herzegovina for the establishment of representative offices and business units abroad..... 50.00. ".

Heading 81 is amended as follows:

a) for a decision on the categorization of catering facilities to accommodate type "holiday village"..... 80.00,

б) for a decision on the categorization of catering facilities to accommodate type "hotel".....80.00,

в) for a decision on the categorization of catering facilities to accommodate type "motel".....60.00

г) for a decision on the categorization of catering facilities to accommodate type "pension"..... 50.00

д) for a decision on classification of catering facilities of type "hotel" in a subtype.. 50.00,

ђ) the decision on determining the quality of service and standards of the catering facility for food and drinks, type "restaurant". 60.00,

e) to issue a certificate of passed exam for tourist guides..... 80, 00,

ж) for issuing of licenses to travel agencies the tour operators..... 60.00,

з) for issuing a decision on proclaiming spa 150.00

и) to issue a decision on fulfillment of conditions for carrying out activities in the ski resort ski center.....150.00

ј) for submitting applications for funding of projects in the field of tourism.... 20, 00,

к) for the issuance and amendment of the decision to carry out activities in a rural household.....10.00,

л) for the issuance and amendment of the decision for provision of accommodation, renting apartments, houses and rooms for rent.....10,00,

љ) for approval of changes to items a) to и) of this tariff number.....15.00".

Article 5

This law shall be published in the "Official Gazette of the Republic of Srpska" and shall enter into force on 1st September 2013.