

Pursuant to the Article IV.4.a) of the Constitution of Bosnia and Herzegovina, the Parliamentary Assembly of Bosnia and Herzegovina, at the session of the House of Representatives, held on 6 June, 2001 and at the session of the House of Peoples, held on 23 May 2001, adopted

## **L A W<sup>1</sup>**

### **ON STANDARDIZATION IN BOSNIA AND HERZEGOVINA**

#### **I - GENERAL PROVISIONS**

##### **Article 1**

This Law shall establish the aims and principles of standardization in Bosnia and Herzegovina (hereinafter referred to as BiH national standardization), and regulate the preparation, adoption, publication and use of national standards of Bosnia and Herzegovina (hereinafter referred to as BiH national standards).

##### **Article 2**

1. The terms used in this Law or, the terms most frequently used in connection with standardization, shall have, in accordance with the European standard EN 45020, the following meanings:

**a) standardization**

the activity of establishing, with regard to actual or potential problems, provisions for common and repeated use, aimed at the achievement of the optimum degree of order in a given context;

**b) international standardization**

standardization in which involvement is open to relevant bodies from all countries;

**c) European standardization**

standardization in which relevant bodies from European countries are involved;

**d) national standardization**

standardization that takes place at the level of one specific country;

**e) standards body**

standardizing body, recognized at national, European or international level, that has as a principal function the preparation and adoption of standards that are made available to public;

**f) national standards body**

standards body recognized at national level that is eligible to be the national member of the corresponding international and European standards organizations;

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<sup>1</sup> Unofficial translation

**g) national standards body of Bosnia and Herzegovina**

standardizing body recognized in Bosnia and Herzegovina that is eligible to be the national member of the corresponding international and European standards organizations;

**h) international standardizing organization**

standardizing organization whose membership is open to the relevant national body from every country:

- 1) ISO - International Organization for Standardization,
- 2) IEC – International Electrotechnical Commission,
- 3) ITU – International Telecommunication Union;

**i) European standardizing organization**

standardizing organization whose membership is open to the relevant national bodies from European countries:

- 1) CEN – European Committee for Standardization
- 2) CENELEC – European Committee for Electrotechnical Standardization
- 3) ETSI – European Telecommunication Standards Institute;

**j) consensus**

general agreement, characterized by the absence of sustained opposition to substantial issues by any important part of concerned interests and by a process that involves seeking to take into account the views of all parties concerned and to reconcile any conflicting arguments;

Consensus need not imply unanimity.

**k) standard**

document, established by consensus and approved by a recognized body, that provides for common and repeated use, rules, guidelines or characteristics for activities and their results, aimed at the achievement of the optimum degree of order in given context;

**l) international standard**

standard that is adopted by an international standardizing organization and made available to the public;

**m) European standard**

standard that is adopted by a European standardizing organization and made available to the public;

**n) national standard**

standard that is adopted by a national standards body and made available to the public;

**o) national standard of Bosnia and Herzegovina**

standard that is adopted by a national standards body of Bosnia and Herzegovina and made available to the public.

**p) province standard**

standard that is adopted at the level of a territorial division of a country and made available to the public.

## **II - NATIONAL STANDARDIZATION OF BOSNIA AND HERZEGOVINA**

### **Article 3**

1. The aims of BiH national standardization are:

- a) enhancement of international trade with prevention and elimination of the barriers resulting from unfounded differences existing when conducting business at national level;
- b) increasing of the levels of safety, of health and life protection and of the environmental safety;
- c) promotion of a purposeful exploitation of work, material and energy in production processes;
- d) improvement of production efficiency along with management of variety, conformity and interchangeability;
- e) promotion of quality of products, processes and services, with establishing of their characteristics enabling them to fulfil defined requirements, or to serve a defined purpose;

### **Article 4**

1. The principles on which the BiH national standardization is based are:

- a) voluntary involvement and contribution of all parties concerned in preparation and adoption of BiH national standards;
- b) voluntary implementation and use of BiH national standards;
- c) consensus, which means a general agreement of a significant portion of stakeholders on the contents of the BiH national standard;
- d) priority of common over individual interests of stakeholders;
- e) transparency of preparatory work and availability of BiH national standards to the public;
- f) mutual alignment of BiH national standards;
- g) complying with the state of the art achieved and with the rules of international and European standardization.

## **III - STANDARDIZING BODIES IN BOSNIA AND HERZEGOVINA**

### **Article 5**

1. Programming and performing of standardization tasks in BiH are done by:

- a) The Institute for Standardization, Metrology and Intellectual Property (hereinafter referred to as the Institute), with the support of the Institutions for Standardization of the Entities in accordance with Article 10 of this Law,
- b) The Council for Standardization (hereinafter referred to as the Council)

#### **Article 6**

1. The Institute performs following duties and tasks in the field of national standardization:
  - a) prepares, adopts, publishes and maintains BiH national standards and other documents from the field of BiH national standardization;
  - b) keeps the register of BiH national standards;
  - c) establishes permanent and temporary expert technical bodies, co-ordination committees, technical committees and standing working groups in charge of performing of the work programs in the matters from standardization field;
  - d) participates in the work of international and European standardizing organizations and represents the interests of BiH national standardization therein;
  - e) collects, arranges and distributes standards and other documents and information from standardization field, in accordance with the work program, and establishes, keeps and maintains relevant databases;
  - f) promulgate the use of BiH national standards on proposal of the relevant technical committee;
  - g) publishes the Bulletin intended for publishing of the adopted BiH national standards and information on other documents from standardization field;
  - h) performs other tasks in accordance with the regulations and international obligations of Bosnia and Herzegovina in the field of standardization;
  - i) performs expert – administrative tasks for the needs of the Council.

#### **Article 7**

1. The Council performs following duties and tasks:
  - a) establishes long term and annual work plans for standardization;
  - b) monitors the realization of the annual work plan and other program acts relating to the preparation and adoption of the BiH national standards;
  - c) adopts the general act on the procedure of preparation, adoption and publication of BiH national standards;
  - d) proposes the establishing of permanent and temporary expert technical bodies in charge of carrying out work programs in the matters from standardization field;
  - e) presents proposals and suggestions with regard to membership in international and European organizations to the Council of Ministers of BiH and to the Institute;
  - f) the Council elects the Chairman and adopts the Book of Ordinance on its operation;
  - g) performs other tasks in standardization field, in accordance with this Law, the instructions by the Council of Ministers and its own Book of Ordinance.

#### **Article 8**

1. The Council consists of a total of twenty-five members.
2. The Council of Ministers of Bosnia and Herzegovina, upon proposal of the Director of the Institute, appoints Council members amongst prominent experts for a term of four years. The Director of the Institute and his deputy for standardization are members of the Council by virtue of their position.
3. The Council performs a part of the duties and tasks through three Commissions, namely:
  - a) Commission for the general field, consisting of thirteen members;
  - b) Commission for electro-technique, consisting of seven members;
  - c) Commission for telecommunications, consisting of five members;

#### **Article 9**

1. The Law on establishing the Institute determines the sources of funding for the financing of standardization work.
2. The work of Council and its Commissions is financed through the Institute.

#### **Article 10**

1. The Entities of Bosnia and Herzegovina, the Federation of Bosnia and Herzegovina and the Republic of Srpska, (hereinafter referred to as the Entities) may, in accordance with their needs, organise the work in certain fields of standardization.
2. The Institutions for Standardization of the Entities may perform following tasks:
  - a) facilitating the transmission of information on standards and processes of their adoption to the final users;
  - b) overtaking the sponsorship over the work of the Technical Committees of the Institute that are of the special interest for the Entity;
  - c) adopting, distribution and selling of the province standards for which interest exists only on the side of subjects of the Entity adopting such standard;
  - d) offering help to companies in creation of internal standards;
  - e) organization of translation of standards into the language of the special interest for the Entity, and forwarding these translations into the procedure of preparation and adoption of national standards;
  - f) selling standards in the language of the special interest for the Entity in accordance with the applicable agreement with the Institute;
  - g) participating in proposing the members of Technical Committees from the Entities;
  - h) engaging in publishing activities in the field of standardization;
  - i) performing the supervision in the Entity over the implementation of the State and Entity Law on Standardization;
  - j) carrying out the education of interested parties from the field of standardization;
  - k) performing of the other tasks from standardization field, which have not been mentioned in this Law.

3. The Entities shall establish a suitable infrastructure for the realization of tasks mentioned in paragraph 2., and shall define its functioning by a separate Law.

## **IV - PREPARATION, ADOPTION AND PUBLICATION OF BIH NATIONAL STANDARDS**

### **Article 11**

1. The Institute adopts national standards of Bosnia and Herzegovina in accordance with a special procedure established by the Council.
2. BiH national standard is designated with BAS abbreviation (hereinafter referred to as BAS standard).
3. BAS standard is printed in Bosnian, Croatian and Serbian languages and published in the Bulletin of the Institute.
4. BAS standard may also be prepared on the basis of, or by accepting fully an international or European standard or other document form standardization field. BAS standard prepared in this way can be published in languages as referred to in paragraph 3, or in foreign language.
5. When Bosnia and Herzegovina does not have a special interest in a specific standard, whose adoption is proposed by one of the Entities, this Entity may initiate the procedure of adoption of such standard in the form of the province standard.

### **Article 12**

1. BAS standard is published as a separate publication and is considered to be an authors' deed in accordance with the Copyright Law.
2. Copying or distribution of the standard or its parts without the consent of the Institute is prohibited.

## **V - THE USE OF BAS STANDARD**

### **Article 13**

1. The use of BAS standard is voluntary, except when compulsory application is prescribed by a separate regulation.
2. Regulation prescribing the compulsory use of standard must contain reference to BAS standard.

### **Article 14**

1. The conformity of products, processes and services with BAS standards can be acknowledged by a statement, a certificate or a mark of conformity.
2. The person, who gives the statement of conformity with BAS standard, does so on his own responsibility.

## **VI - TRANSITIONAL AND FINAL PROVISIONS**

### **Article 15**

JUS standards, that are in use in Bosnia and Herzegovina on the basis of the Statutory decree on taking over of the Laws and By-Laws of former SFRY ("The Official Gazette of RBiH", No. 2/92, 13/93 and 13/94), and have not been replaced with BAS standards, can be used in Bosnia and Herzegovina until their replacement, and until 31 December 2003 at the latest, unless JUS standards with compulsory use have been replaced with applicable regulations.

**Article 16**

1. BAS standards, including transposed international and European standards, which were published before the passing of this Law shall remain in force.
2. The Council shall verify the list of previously published BAS standards.
3. The Council shall define priorities for the translation of BAS standards into the languages that are officially used in Bosnia and Herzegovina and shall publish standards so translated within 12 months.

**Article 17**

The Council referred to in Article 5 of this Law shall be constituted within three months from the date of entry into force of this Law.

**Article 18**

Expert working bodies, co-ordination committees, technical committees and standing working groups for preparation of standards existing on the date of entry into force of this Law, shall carry on with their work, with their current membership status and in accordance with existing regulations, until harmonisation of their work with provisions of this Law, and within six months from the date of entry into force of this Law at the latest.

**Article 19**

1. Provisions related to standardization from the Law on Standardization (“The Official Gazette of RBiH” No. 13/93 , 13/94 and 9/95 ) are hereby repealed with effect from the date of entry into force of this Law.
2. The entities shall perform harmonisation of their Laws on Standardization with this Law within six months.

**Article 20**

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

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PS BiH No. 40/01  
6 June, 2001  
Sarajevo

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Chair  
of the House of Peoples  
mr **Ilija Šimić**

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Chair  
of the House of Representatives  
dr **Sead Avdić**

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