

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 27 July, 2004 and at the session of the House of Peoples, held on 29 July 2004, adopted

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ON THE ESTABLISHMENT OF THE INSTITUTE FOR STANDARDIZATION OF BOSNIA AND HERZEGOVINA

I - GENERAL PROVISIONS

Article 1.

1. This Law shall establish the Institute for Standardization of Bosnia and Herzegovina (hereinafter referred to as the Institute) as an independent state administrative organization, define its position, jurisdiction, powers and other issues of importance to the organization, functioning and work of the Institute.

2. The Institute shall carry out the activities in the field of standardization and conformity assessment that have been established by the Law on the Establishment of the Institute for Standards, Metrology and Intellectual Property of Bosnia and Herzegovina (“Official Gazette of BiH”, no. 29/00 and 19/01), in accordance with this Law .

Article 2.

1. The Institute within the scope established by this Law, performs administrative and other professional duties within the rights and duties of the State of Bosnia and Herzegovina, if these operations are not within the jurisdiction of other state authorities, or if they are not legally entrusted to other organizations and communities.

2. The Institute conducts oversight of the execution of laws and other regulations in the jurisdiction of the Institute on the territory of Bosnia and Herzegovina, if not otherwise regulated by other regulations.

3. Bosnia and Herzegovina, through the Institute, achieves membership and cooperation with relevant international and European institutions and similar national institutions in the field of standardization through membership, public communications, exchange of documentation, technical assistance, education and other forms, depending on the nature and ways of its implementation.

Article 3.

1. The Institute is a legal entity.

2. The Institute is located in Srpsko Sarajevo.

3. The Entities may establish institutes for standardization in accordance with the Law on Standardization of BiH (“Official Gazette of BiH”, no. 29/00 and 19/01).

Article 4.

1. The work of the Institute is available to the public.

¹ Unofficial translation

2. Publicity of the Institute may be restricted or excluded only in cases specified by law.
3. The Institute shall provide equal status to all parties in accordance with the Law on Administrative Procedure (“Official Gazette of BiH”, No. 29/02).
4. The Institute shall ensure adequate national representation of civil servants and employees in accordance with the law.

Article 5.

1. The Institute has a seal, made according to the Law on the Seal of the Institutions of Bosnia and Herzegovina (“Official Gazette of BiH”, No. 12/98 and 14/03).
2. At the building in which the Institute is located, the name of the Institute and the state emblem must be displayed.
3. Name of the Institute shall be written in Bosnian, Croatian and Serbian language, Latin and Cyrillic alphabet.

Article 6.

1. Official languages: Bosnian, Croatian and Serbian are used on equal basis at the Institute.
2. Official alphabets are Latin and Cyrillic.
3. In the proceedings before the Institute one may use other languages that are not in official use.

II - COMPETENCE OF THE INSTITUTE

Article 7.

1) The Institute, as a state scientific-professional institution, is responsible to:

a) In the field of standardization:

propose standardization strategy in Bosnia and Herzegovina, prepare and publish BiH standards, and represent Bosnia and Herzegovina in international and other inter-state organizations for standardization, as well as to perform tasks arising from international agreements and membership in these organizations, participate in the preparation of technical regulations, develop and establish an information system on standards and other related documents, promulgate BiH standards, organize and conduct specialized training of personnel in the field of standardization and also is engaged in publishing activity in the field of standardization.

b) In the field of conformity assessment:

participate in establishing and maintaining a system of certification and homologation in accordance with the European model. Represent Bosnia and Herzegovina in European and international organizations for conformity assessment (EOTC and EUROLAB, etc.) until the establishment of associations of testing and calibration laboratories, and organize education in the area of conformity assessment.

III - INTERNAL ORGANIZATION

Article 8.

1. The internal organization of the Institute is based on the principles established by the Law on Administration (“Official Gazette of BiH”, No. 32/02) and the Law on Civil Service in the Institutions of Bosnia and Herzegovina (“Official Gazette of BiH”, No. 19/02 and 35/03).

2. The internal organization of the Institute shall be governed by the Regulations on internal organization, adopted by the Director of the Institute, with the consent of the Council of Ministers of Bosnia and Herzegovina.

IV - MANAGEMENT OF THE INSTITUTE

Article 9.

1. The Institute is managed by the Director.

2. The Director represents and acts for the Institute, is responsible for performing specific tasks determined by the decisions of the Council of Ministers of Bosnia and Herzegovina, organizes and ensures legal and efficient performance, establishes regulations when authorized by the law of Bosnia and Herzegovina, issues other acts for which is authorized, undertakes other measures within the competence of the Institute, and decides, in accordance with the law, on rights, duties and responsibilities of civil servants and employees in performing services.

3. The Deputy Director replaces the Director of the Institute, if he is not able to execute his powers and duties.

4. The Director and Deputy Director are appointed by the Council of Ministers of Bosnia and Herzegovina, by previously obtained opinion of the Agency for Civil Service in accordance with the Law on Administration (“Official Gazette of BiH”, no. 32/02).

5. The mandate of the Director and Deputy Director is five years and may be extended for five more years, so that the longest period set in the same position is ten years.

Article 10.

Managing civil servants help the Director in the management of specific work areas.

Article 11.

1. The Director of the Institute shall, for each year, adopt the work program and submit a report on the work.

2. Work program and a report on the work shall be submitted to the Council of Ministers of Bosnia and Herzegovina per the procedure stipulated by the Law on Ministries and other administrative bodies of Bosnia and Herzegovina (“Official Gazette of BiH”, No.5/03 and 42/03).

V - CIVIL SERVANTS AND EMPLOYEES

Article 12.

1. Basic activities that this law placed under the authority of the Institute shall be performed by civil servants, who are appointed in positions determined by the Law on Civil Service in the Institutions of Bosnia and Herzegovina (“Official Gazette of BiH”, No. 35/03 and 19/02).

2. Categories within a positions performed by civil servants shall be determined by the Rulebook on Internal Organization of the Institute.

3. Positioning of the civil servants at the Institute, their rights, obligations and responsibilities, and other status issues, salaries and other material income of civil servants, as well as preventing conflict of interest in performing the duties of civil servants shall be regulated in accordance with the Law on Civil Service in the Institutions of BiH (“Official Gazette of BiH”, No. 19/02 and 35/03) and other special law.

4. Technical-support jobs at the Institute shall be performed by employees of the Institute, in accordance with applicable regulations.
5. Employment of the staff, rights, duties, responsibilities and other status issues, as well as salaries and other material income of employees shall be regulated in accordance with a special law.

VI - FUNDS FOR FINANCING THE INSTITUTE

Article 13.

1. The Institute shall be financed from the budget of Bosnia and Herzegovina.
2. Funds for the work of the Institute shall be determined by the Parliamentary Assembly of Bosnia and Herzegovina, at the proposal of the Council of Ministers of Bosnia and Herzegovina.
3. Funds for the work of the Institute are: funds for salaries and benefits, funds for materials and services, funds for capital investments and funds for special purposes programs.
4. Funds from the budget of Bosnia and Herzegovina are provided in accordance with the Law on Execution of the budget of institutions of Bosnia and Herzegovina.
5. The Director of the Institute orders preparation of budget estimates and execution of financial plan.

VII - TRANSITIONAL AND FINAL PROVISIONS

Article 14.

1. The Institute for Standards, Metrology and Intellectual Property of Bosnia and Herzegovina, which was established by the Law on the Establishment of the Institute for Standards, Metrology and Intellectual Property of Bosnia and Herzegovina (“Official Gazette of BiH”, No. 29/00 and 19/01) stops working after expiration of 60 days, counting from the date of approval of the Council of Ministers of Bosnia and Herzegovina on the Regulation on Internal Organization of the Institute.
2. Joint Commission appointed by the Council of Ministers of Bosnia and Herzegovina, composed of representatives of the Institute for Standards, Metrology and Intellectual Property of Bosnia and Herzegovina and representatives of the newly established institutes in accordance with Article 13 Paragraph 3 Law on the Establishment of the Institute for Standards, Metrology and Intellectual Property of Bosnia and Herzegovina (“Official Gazette of BiH”, No. 29/00 and 19/01), namely: the Institute for Intellectual Property of Bosnia and Herzegovina, the Institute for Standardization of Bosnia and Herzegovina and Institute for Metrology of Bosnia and Herzegovina, shall determine how to take over and deploy the tasks, equipment, archives and financial assets and acquisitions of civil servants and employees, who find themselves in that capacity at the Institute for Standards, Metrology and Intellectual Property of Bosnia and Herzegovina on the date of entry into force of this Law.
3. The Institute for Standardization of Bosnia and Herzegovina shall take over work, equipment, records and funds and civil servants and employees on the date of signing the protocol of the completed handover, composed by the Commission mentioned in paragraph 2 of this article in accordance with the Decision on taking over functions between ministries established earlier by the Law on the Council of Ministers of Bosnia and Herzegovina and the Ministries of Bosnia and Herzegovina and the Ministries established by the Law on Ministries and other administrative bodies of Bosnia and Herzegovina (“Official Gazette of BiH” No. 15/03).

Article 15.

1. The Director of the Institute for Standardization shall adopt the Regulation on Internal Organization of the Institute, not later than 60 days, counting from the date of appointment to the position of director.

2. Deployment of civil servants and employees to appropriate tasks and duties in accordance with the Regulation mentioned in paragraph 1 of this Article shall be made no later than 30 days from adoption of the Rules on internal organization of the Institute.

Article 16.

1. Director, Assistant Directors and other management staff of the Institute for Standards, Metrology and Intellectual Property of Bosnia and Herzegovina shall perform their duties until the conclusion of the regular legal procedures of the election for the stated positions, in accordance with the Regulation on Internal Organization of the Institute.

2 Rights of the management staff, that were made available, shall be resolved in accordance with the Law on Civil Service in the Institutions of BiH and the Rules on the Labor Relations at the Institute.

Article 17.

All arrangements, decisions and other acts in the area of standardization and conformity assessment, which were adopted by the Institute for Standards, Metrology and Intellectual Property of BiH to the entry into force of this law, remain in force until they are replaced in legal procedure.

Article 18.

This law enters into force eight days after publication in the “Official Gazette of Bosnia and Herzegovina”.

PS BiH No. 84/04
29. July 2004
Sarajevo

Chair
of the House of Representatives
Martin Raguž

Chair
of the House of Peoples
Goran Milojević
