Further to Article IV 4 (a) of the Constitution of Bosnia and Herzegovina, the Parliamentary Assembly of Bosnia and Herzegovina passed the Bill at its 42nd session of the House of Representatives held on July 27, 2004 and at the 28th session of the House of Peoples held on September 9, 2004 into

LAW
ON PHYTOPHARMACEUTICAL PRODUCTS OF BOSNIA AND HERZEGOVINA

I GENERAL PROVISIONS

Article 1
Scope of the Law

1. This Law regulates the traffic of and supervision over active materials which are phytopharmaceutical products (hereinafter PPP), registration of PPP, issuance of licenses on the basis of this law, traffic, use of and supervision over PPP, PPP residuum, keeping the PPP register and the register of legal entities and individuals involved in PPP traffic, reporting on the data and keeping of register on PPP, technical requirements for PPP application devices (hereinafter the devices) and their components, authorization of institutions responsible for the implementation of this Law and monitoring of its implementation and the implementation of the relevant implementing regulations.
2. The production of PPP, the traffic required for the purpose of PPP production, good laboratory practices, the procedure of approval of the previous report, supervision and sorting, packing and marking of PPP shall be regulated by the law on chemical substances.
3. The PPP residuum and its waste packing, the level of PPP emission into human environment shall be regulated by the environment law.

Article 2
Terminology

1. The terms used in this Law shall be understood to mean the following:

a) **phytopharmaceutical products** in their final form are active materials and preparations, intended for:

1) protection of plants and crop farming from pests and prevention of their damaging effects;
2) making influence on the vital process of plants, different from feeding,
3) maintenance of plant products, unless they are regulated by different legislation;
4) prevention of undesired plants, parts of plants, deterrence or prevention of undesired growth of plants.

b) **PPP residuum** are one or more materials present in and/or on plants and plant products; in the country or abroad in human environment and are the consequence of use of PPP, including their metabolites or products as a consequence of their decomposition or reaction.

c) **Preparations** are mixtures or solutions of two or more substances of which at least one is an active material.

d) **Materials** are chemical elements and their compounds found in nature or produced in a production process, including any contaminants which are an unavoidable consequence of production consequences.
e) **Active materials** are materials or micro-organisms, including viruses which have general or special effect on pests and plants, their individual parts or plant products.
f) **A list of active materials** consists of active materials licensed to be used in PPP in the European Union member-states (hereinafter the EU) and the conditions under which these materials may be used (hereinafter the list).
g) **Old active materials** are active materials which are not included in the list and were registered and available in the market before December 31, 1991 in any EU member state.
h) **New active materials** are active materials which are not on the list and were registered and available on the market after December 31, 1991 in any EU member state.
i) **PPP's are identical** if the content of active material is equal within internationally described deviations, including contaminants and any other ingredients of active material and if physical and chemical features of the preparation, marks, packing and containers, except for a trade name of the preparation, are the same.
j) **Plants** are living plants and living parts of plants, including fresh vegetables and seeds.
k) **Plant products** are products made of plants either unprocessed or simply processed through grinding, drying or dripping.
l) **Damaging organisms of plants or plant products** are animal or plant organisms such as viruses, bacteria, micro-plasma or any other pathogenic organisms.
m) **Animals** are animals of all kinds usually fed and kept by human beings.
n) **Environment** is air, land, wild sorts of fauna and flora and their mutual relationships.
o) **Traffic** is export, import, sale or giving to third persons. Import is any bringing of PPP to the customs area of Bosnia and Herzegovina regardless of which use or application is allowed under the customs regulations for that PPP. Export is any taking of PPP from the customs area of Bosnia and Herzegovina and also includes re-export and temporary export of PPP.
p) **Good agricultural practice** means the execution of an agricultural activity in a manner which enables good husbandry/management of agricultural land and reproduction material with due respect for natural features of the agricultural area. Good agricultural practice includes optimal combination of agro-technical measures, preservation of natural fertility of the agricultural land and prevention of environmental pollution, excessive use of mineral fertilizers and organic manures and PPP and production of plants or plant products intended for food which contains the lowest level of PPP residuum possible.
q) **Integrated protection of plants** is an optimal combination of biological, bio-technological, chemical, agro-technical measures or measures for growing plants, where the use of plant protection chemical substances is limited to the necessary quantity of permitted PPP needed for preservation of the population of damaging organisms below the economically unacceptable damage or loss threshold.

r) **PPP application devices** are the machines or PPP applicators, including their spare parts affecting the level of PPP application precision.
s) **The authorities responsible** for registration, execution of administrative tasks within the traffic of PPP and PPP applicators, supervision over the implementation of this Law and reporting to the European Commission are: Bosnia and Herzegovina Plant Health Protection Authority (hereinafter the Authority) and the responsible authorities of the two entities and Brcko District.

II TRAFFIC AND USE OF PPP

Article 3
General provisions

1. PPP's may not be transported, sold, exported from or imported to or used within Bosnia and Herzegovina if they are not registered or if no license has been issued in accordance with this Law.
2. Exceptionally from paragraph 1, The Authority may allow sale and transport if PPP's are intended for transport to and use in another country, provided that such PPP's will not be used within the territory of Bosnia and Herzegovina. If the PPP is intended for use in an EU member country, transport and storage will be allowed only if PPP is registered in that member country and that PPP will not be used in the territory of Bosnia and Herzegovina.
3. The license by the responsible authority is not required for research and development purposes, except when unregistered PPP's will be emitted into human environment.
4. Exceptionally from paragraph 3, import or export of PPP for research or development purposes may be done by a legal entity or an individual registered for that activity. Such a legal entity or an individual shall inform the Authority and the entity responsible authority or the responsible authority in Brcko District, depending on the location of the seat of the legal entity or the individual.

Article 4
PPP sale

1. PPP's may be sold as a preparation if they are registered at the responsible authorities and sorted, packed, marked and equipped with an instruction for use in accordance with the regulations for hazardous materials and preparations, and in accordance with the implementing regulations enacted under this Law.
2. PPP's as an active material may be sold if they are registered at the responsible authority and sorted, packed and marked in accordance with the regulations for hazardous materials and in accordance with the regulation enacted under this Law.
3. The regulation governing the sorting, packing, marking of PPP and the provision of an instruction for its use, pursuant to this Law, shall be approved by the Council of Ministers at the proposal of the Authority, in cooperation with the responsible authorities in the two entities and Brcko District.

Article 5
Requirements for sale of PPP and sale register

1. PPP may be sold by legal entities and individuals seated in Bosnia and Herzegovina, who, in addition to other requirements, also meet special requirements for space, equipment and staff set by the responsible authorities of the two entities and Brcko District in the form of a decision issued in an administrative procedure, within their respective administrative jurisdiction. The decision shall also contain the registration number for entry in the register of physical and natural persons dealing with the sale of PPP (hereinafter the sale register).
2. The legal and natural persons referred to in paragraph 1 of this Article must have a person responsible for sale of PPP, who will be in charge of issuing PPP, reporting and keeping register.
3. The requirements which have to be met by the legal and natural persons regarding space and equipment required for the sale of PPP and the requirements for the staff and professional development shall be defined by the Council of Ministers at the proposal of the Authority.
4. The register referred to in paragraph 1 of this Article shall be introduced and kept by the responsible authorities of the two entities and Brcko District and it shall contain at the least the following data: the name of company, the name and family name of the person involved in selling PPP, address, the seat of the company/person, the address and seat of the branch office, name and family name of an authorized contact person and the name and seat of a foreign producer whom that person represents in Bosnia and Herzegovina.
5. The Authority shall keep a single register for Bosnia and Herzegovina. The authorities of the two entities and Brcko District shall send to the Authority the data contained in the register referred to in paragraph 4 of this Article within 15 days from the date of its entry in the register they keep.

Article 6
Registers and submission of data

1. The legal and natural persons involved in the sale of PPP shall keep the register on the quantities of purchased PPP, the quantities of PPP sold, the quantities of PPP stored, the quantities of PPP withdrawn from circulation and shall inform the responsible authorities in the two entities and Brcko District accordingly no later than March 31 of the next year. The authorities of the two entities and Brcko District shall inform the Authority.
2. The legal and physical persons referred to in paragraph 2 of Article 11 of this Law must also keep the register on the use of those PPP's, in addition to the register referred to in paragraph 1 of this Article, and submit the data on their use before March 31 of the next year at the latest.
3. The legal and natural persons dealing with the sale of registered PPP's which are sorted, depending on their hazardous effect, into PPP marked with T, shall keep the register with the following data, in addition to the register referred to in paragraph 1 of this Article:

a) data on PPP (trade name, purpose of use, validity),
b) date of sale, or issuance of PPP,
c) quantity of sold or issued PPP,

d) for legal entities to which they were sold, or issued: the name of company, seat and tax number, and for natural persons: personal data (name and family name, address and unique citizen identification number),
e) signature of the person who issued PPP and the person who received PPP.

4. The data referred to in paragraph 3 of this Article shall be kept by the legal and natural persons dealing with the sale of PPP for at least five years and make it accessible to an authorized authority at its request.
5. The exact content and manner of keeping register and submission of the data shall be prescribed by the Council of Ministers at the proposal by the Authority.

Article 7
Sale of PPP

1. PPP may be sold, depending on the classification in the groups of hazards/toxicity, packaging and the manner of use:

a) only in specialized shops selling PPP, or
b) in flower shops and non-food shops, or
c) in a specialized department of grocery shops.

2. The place of sale of PPP shall be defined by the Authority in the registration decision at the proposal of the PPP Commission (hereinafter: the Commission).

Article 8
The proper use of PPP

1. PPP must be used properly.
2. The proper use means the use of PPP in accordance with the instruction for use and the instructions on the label, including the preparation of a prescribed concentration of PPP, respect for the principles of good agricultural practice, integrated protection of plants if possible, and the protection of human environment and non-target organisms.
3. It is forbidden to apply PPP from air.
4. The use of PPP in the manner which would cause pollution of housing, business and similar buildings in which people and animals reside and the pollution of neighboring lands and waters shall not be allowed.
5. The use of registered PPP's for the purposes defined in the registration decision and the instruction for use, and in accordance with the instruction ion the label may be advised, advertised or recommended.
6. The Council of Ministers shall prescribe the duties of the users in regard to the use of PPP at the proposal of the Authority, in cooperation with the responsible authorities of the entities and Brcko District.

Article 9
Plant protection agents

1. The legal persons or individuals dealing with agricultural production and who are market producers may use PPP only if they meet the prescribed requirements for education, and skills and if they apply PPP with the appropriate devices designed for PPP application.

2. Detailed requirements for professional training and content and manner of testing the knowledge from PPP shall be prescribed by the Council of Ministers at the proposal of the Authority.

Article 10
PPP residuum

1. The prescribed PPP residuum thresholds on or in the plants and plant products may not be exceeded.
2. If it is established that the residuum threshold is exceeded on or in the plants, they must be destroyed or their use by people and animals prevented in another way.
3. The PPP residuum threshold in or on the plants and plant products and the measures which are implemented in the cases in which excessive amounts are established through laboratory analyses shall be prescribed by the Council of Ministers at the proposal by the Authority.

Article 11
PPP classified as T+

1. Registered PPP's which are classified as T+ in regard to toxicity, must not be placed in sale and general use.
2. The sale and application of PPP referred to in paragraph 1 shall be allowed only to legal entities and individuals who have permanently employed staff skilled in working with poisons, who meet the prescribed requirements for space and equipment and are licensed by the entity and Brcko District authorities responsible for health.
3. More detailed requirements for space, equipment and staff shall be prescribed by the Council of Ministers at the proposal by the Authority.

Article 12
Prohibition, restriction of sale and use

1. If there is a reasonable doubt to believe that registered PPP pose threat to human health and/or environment, based on technical and scientific findings, the Council of Ministers may restrict or prohibit the sale and/use of PPP within the territory of Bosnia and Herzegovina and parts thereof, at the proposal by the Authority and with the consent by the Commission.
2. If PPP contains some active materials and if their sale and/or use is restricted or prohibited in the EU, the Council of Ministers shall restrict or prohibit the sale and/use of PPP within the territory of Bosnia and Herzegovina, at the proposal by the Authority.

III Registration of PPP

Registration procedure

Article 13
Registration

1. The registration of PPP requires that an application be filed with the Authority. the prescribed documentation for evaluation of active materials in PPP referred to in Article 15 except for cases referred to in Article 16, paragraph 3 of this Law, the prescribed documentation for evaluation of PPP and other data, documents and samples required for the establishment of registration conditions, if this is required by the responsible authority, shall be attached to the application.
2. Active materials and PPP shall be evaluated by skilled experts or legal persons authorized by the Council of Ministers, at the proposal by the authority.
3. The expert or legal experts referred to in paragraph 2 of this Article shall be nominated by the responsible authorities in the entities and Brcko District and the entity and Brcko District responsible for health and the entity authorities and those of Brcko District in charge of human environment.
4. the Council of Ministers shall at the proposal by the authority , in cooperation with the responsible authorities in the entities and Brcko district for health and environment authorize the authority (institution or a legal entity) to do the evaluation of impact of PPP on the human environment and health and the opinion on sorting, packaging and marking of hazardous materials and preparations on the basis of toxicological and eco-toxicological documentation referred to in articles 15 and 16 of this Law. The authorized authority or an institution shall meet the requirements for skills and education of the staff.
5. If PPP's are sorted as hazardous, the integral part of the opinion referred to in the preceding paragraph shall also be medical measures in the case of acute poisoning.
6. More detailed requirements for skills to be possessed by the staff in charge of drafting assessments and opinions referred to in this article shall be prescribed by the Council of Ministers at the proposal by the Authority.
7. In assessing the requirements for registration, unified principles for assessment of PPP prescribed by the Council of Ministers at the proposal by the authority shall apply.

Article 14
Applicants

1. The registration application may be submitted by:

a) a domestic producers;
b) a legal entity or an individual seated in Bosnia and Herzegovina and acts on behalf of a foreign producer;
c) a representative of a foreign producer in Bosnia and Herzegovina.

2. A legal entity or an individual shall be considered to be acting on behalf of a producer if it has concluded a representation contract which also defines the insurance of damage liabilities of the producer for the territory of Bosnia and Herzegovina.

Article 15
Documentation for assessment of active materials

1. The application for assessment of active materials should also contain the following documentation attached to it:

a) identity of active material,
b) physical and chemical features,
c) additional information on active material (use, manner of use, effects, storage, security and safety measures etc,),
d) analysis methodologies,
e) toxicological and metabolic studies,
f) data on active material residuum in and/on the plants and/on plant products, food, and cattle feed,
g) data on what happens with the active materials after their use in the environment,
h) eco-toxicological studies and summary and evaluation referred to in the 7th and the 8th sub-paragraph of this paragraph,
i) proposal and explanation of the proposal of sorting and marking in accordance with the regulations on sorting, packaging and marking of dangerous materials,
j) in the case that active materials on the basis of microorganisms and viruses, the data on macro organisms and viruses ,
k) documentation for the assessment of the preparations on the basis of that active material,
l) safety certificate done in accordance with the regulations on chemicals,
m) any other data if necessary.

2. exceptionally from paragraph 1 of this article in the cases in which all required data are not available, the applicant shall attach to the application the appropriate explanation instead of the requested data. The Authority shall on the basis of the expert opinion by authorized experts or legal experts referred to in article 13,2 of this Law examine the justifiability of the application.
3. More detailed content of the requested documentation referred to in paragraph 1 of this article shall be prescribed by the Council of Ministers at the proposal by the Authority.

Article 16
The PPP assessment documentation

1. The PPP assessment documentation shall also contain the following documentation in attachment:

a) identity of the preparation,
b) physical, chemical and technical features of the preparation,
c) the data on the use of the preparation,
d) additional information on the preparation,
e) analytical methods,
f) data on efficiency,
g) toxicological studies,
h) residuum on or in the plants and the plant products, food and animal feed,
i) data on what happens with PPP after its use in the environment,
j) eco-toxicological studies,
k) summary and assessment to the 9th and the 10th sub-paragraph,

l) proposal and explanation of the proposal for sorting and marking in accordance with the regulations governing sorting, packaging and marking of dangerous materials and preparations,
m) data on PPP on the basis of micro-organism and viruses,
n) safety certificate done in accordance with the regulations governing chemicals,
o) other data if necessary.

2. If PPP contains an active material which is already included in the list, it is not necessary to assess that active material and in addition to the documentation referred to in paragraph 1 of this article, the evidence that active material is identical to the material from the list and the summary of assessment of active material shall also be attached to the PPP assessment application.
3. Exceptionally from paragraph 2 of this article, in the cases in which not all required data is available, the applicant shall attach the appropriate examination to the application, instead of required data. On the basis of the opinion by authorities experts or legal experts referred to in article 13.2 of this Law the Authority shall assess the justifiability of the application.
4. More detailed content of the requested documentation referred to in paragraph 1 of this article shall be prescribed by the Council of Ministers at the proposal by the Authority.

Article 17
Prevention of doubling experiments on vertebrates

1. In drafting the documentation, foreign documents on experiments on animals may be recognized if experiments for the purpose of establishing PPP which is subject of registration were done in accordance with the principles of good laboratory practice.
2. In order to prevent doubling of experiments on vertebrates, the applicant must enquire at the responsible authorities, before the beginning of an experiment on vertebrates, whether an identical PPP is already registered, and the name, or the firm and address or the seat of the holder or holders of already registered PPP's.
3. The applicant shall attach to his or her query the evidence that domestic or foreign producer intends to register PPP and that the prescribed documentation is available.
4. If the responsible authority establishes that the applicant who is submitting a PPP registration application for PPP which are identical to already registered PPP's of other holders, it shall send to him the data on the name and family name and the address, or the firm and the seat of the holder or holders o already registered PPP's and inform the holders of already registered PPP's accordingly.
5. A new applicant and the holders of already registered PPP shall do everything they can to reach an agreement on common use of the data so that redoubling of experiments on vertebrates is prevented.
6. The conduct of an experiment on animals requires the approval by the Veterinary Office of Bosnia and Herzegovina.

Article 18

Keeping the data

1. In the registration procedure, the responsible authorities may not use for the purpose of other applicants:

a)The data from the documentation on active materials attached to the application for registration or issuance of a license except if:
b) in regard to the use of the data, another applicant reaches an agreement with the first applicant or the holder of registration and proces that with the appropriate document, or
c) at least ten years have passed from the first inclusion of active materials in the list, or
d) at least ten years have passed since the first registration of active materials in any EU member state, or
e) five years have passed since the registration on the basis of received additional data required for the first inclusion in active materials in the list, except
f) if that five year period expires prior to the expiration of the ten year period referred to in paragraphs b and c of this article, which also applies to changes of requirements for inclusion of active material or for the extension of active materials in the list,
g) the data from the PPP documentation attached to the registration application unless
h) another applicant reaches an agreement with the first applicant or the registration holder on the use of the data and proves that with the appropriate documents, or
i) ten years have passed since the first registration of PPP which contains new or old active materials in any EU member country.

Article 19
Registration decision

1. The PPP registration decision shall be issued by the Authority in an administrative procedure on the basis of a written proposal by the Commission, no later than within 30 days from the date of submission of the proper application. The Authority shall send one copy of the decision to the responsible authorities of the two entities of Brcko District.
2. In drafting the proposal for registration of PPP, the Commission shall take into consideration the evaluation of authorized experts or the legal experts referred to in Article 13, paragraph 2 of this Law.
3. The registration shall contain the PPP and the producer or the applicant, and in addition to that, the registration decision must also contain in particular: the PPP content, use and important elements of the opinion of the authorities referred to in Article 13, paragraph 4 of this law.
4. The registration holder shall be responsible for placing PPP in traffic.

Article 20
Commission

1. The Commission shall consist of experts appointed by the Council of Ministers, at the proposal by the Authority.
2. The members of the Commission may not be linked to the applicants or legal or natural persons producing PPP or are selling PPP, in terms of incompatibility of interests.
3. More detailed requirements for the composition and the manner of work of the Commission shall be prescribed by the Council of Ministers at the proposal by the Authority.

Article 21
Data confidentiality

1. The Authority must treat the data of the applicant for PPP registration containing the data on industrial and commercial activity of the applicant as secrecy if it is so requested by the applicant.
2. Secrecy of the data refers to the following:

a) name and content of all active materials and name of PPP;
b) names of other materials sorted as dangerous in accordance with the regulations on sorting, marking and packaging of dangerous materials,
c) physical and chemical data on active materials in PPP,
d) manners of prevention of dangerous actions of active materials or PPP,
e) summary of results of tests for establishment of efficiency and non-damaging effects of material or PPP on people, animals and environment,
f) recommended procedures and security measures for reduction of risk during re-loading, storage, transportation, fire and other dangerous situations,
g) methods for defining the content of active materials, impurities and other ingredients of active material and PPP residuum,
h) manners of placing PPP in traffic and their packaging,
i) procedure for decontamination in case of leakage and release,
j) first aid and medical treatment of people in case of injuries.

3. if the applicant finds out later the previous secret data, he or she shall inform the Authority accordingly.

Article 22
Information on potentially dangerous effects of PPP

1. The holder of registration or the person to whom the extension of the use of registered PPP is permitted, shall inform the Authority immediately of all new data about the possible impact of any PPP or PPP residuum on human and animal health, subterranean water and environment.
2. the duty referred to in paragraph 1 of this Article shall also apply to the users of PPP who have noticed a dangerous effect of PPP on health of people, animals, on subterranean water and environment.

IV TYPES OF REGISTRATION

Article 23
Requirements for registration

1. PPP shall be registered if they are in accordance with scientific and technical development and if it is established on the basis of PPP assessment that if PPP is used properly:

a) they act efficiently,
b) they do not affect growing of plants or plant products,
c) do not cause unnecessary pain to vertebrates ad other animals being killed,
d) do not have direct or indirect damaging effect on health of people and animals,
e) do not excessively affect environment and in particular pollution of waters, including drinking water and subterranean waters and non-target organisms,
f) that the methods recognized in the EU or approved by the Authority may establish content of active materials, toxicological and eco-toxicological significance of impurities and ingredients;
g) that the appropriate analyses may define PPP residuum which is the consequence of approved manner of use and which are important for health of people and environment;
h) that physical and chemical features are considered as acceptable if PPP is properly used and stored.

2. Exceptionally from the provisions of paragraph 1 of this article, the Authority may, for the purpose of

a) incomparability of requirements of agricultural, protection of plants, environment or
b) climate or
c) special ecological sensitivity in certain areas or
d) different nourishment habits of the population,
e) require that tests and analyses be done in Bosnia and Herzegovina as well and define additional requirements for the use of PPP.

3. PPP intended for use in agriculture may on the basis of the application by the applicant be registered also for use in non-agricultural land, if they meet the prescribed requirements. The applicant shall submit the documentation prescribed in Articles 15 and 16 of this Law.

Article 24
Validity and extension of registration

1. The Authority shall register PPP for the period of ten years at most, in accordance with the proposal by the Commission.
2. The registration may be extended several times, each time for the period of ten years maximum. The application for extension of registration shall be submitted by the holder to the Authority at least six months prior to the expiration of the registration.
3. In case of a doubt that the requirements on the basis of which PPP's were registered have changed, the Authority shall request again the entire documentation it requires for the decision on extension of registration and shall decide on the extension at the proposal by the Commission.
4. The Authority may issue to the applicant in an administrative procedure a temporary decision extending registration of PPP for the period which the Authority needs to check the justifiability of the application.

5. Registered PPP may be re-assessed at any time, in case of a doubt that any requirement from Article 23, paragraph 1 is no longer met. In that case the registration holder or the legal person or an individual permitted to expand the use of PPP referred to in Article 32 of this law may be requested that they submit additional data and documentation for re-assessment by PPP. The license may be extended by a temporary decision for the period which is needed for the submission of additional information and documentation.

Article 25
Temporary registration

1. If PPP contains a new active material for which the documentation for the conduct of a procedure for inclusion of active material in the list is complete, the Authority may issue a decision on temporary registration for the period not exceeding three years from the date of issuance of the conclusion on the full documentation by the European Commission. The applicant shall submit the conclusion on the full documentation, a proof that the active material is identical and summary of documentation on active material, and the documentation referred to in Article 16 of this Law.
2. If upon expiration of validity of the decision on temporary registration active material is not included in the list because the documentation in that period was not assessed, temporary registration may be extended by a temporary decision for the period which is needed for the full review of the documentation, or all additional pieces of information requested for the assessment of requirements for inclusion in the list.

Article 26
Amendments to the registration decision

1. The Authority may, at the request by the registration holder or ex officio, amend the decision on registration provided that the circumstances which served as a basis for issuance of the registration decision have changed.
2. The Authority may change the PPP registration decision at the request by the registration holder even if it is PPP of the same producer, registered in any EU member country under a different trade name, and are identical to PPP registered in Bosnia and Herzegovina.
3. The Authority may request additional data, documents and samples it needs for the assessment of justifiability of amendments to the registration decision.

V CESSATION OF REGISTRATION

Article 27
Cessation of registration

1. The registration shall cease:
a) when the period for which the decision on registration has been issued, unless the registration is extended;
b) when the registration decision is annulled;
1) at the request by the registration holder,
2) if it is established that the requirements for registration are no longer met,

3) in the cases referred to in Article 12 of this Law;
4) if active material is deleted from the list;
c) by annulling the decision on temporary registration;
d) if active material in the cases referred to in Article 25 of this law is not included in the list.

2. If the registration holder decides prior to the expiration of its validity decides that a certain PPP will no longer be sold and used, he or she must inform the Authority accordingly at least six months prior to the cessation of sale or use and attach an explanation.
3. If the responsible authority annuls the registration decision it may approve to the registration holder a certain transitional period and define requirements for destruction, storage, sale or use of the existing stock of PPP in Bosnia and Herzegovina.

VI PPP REGISTER

Article 28
PPP register

1. The Authority shall keep a single PPP register for Bosnia and Herzegovina (hereinafter the PPP register) on the basis of issued decisions on PPP registration. The list of registered PPP shall be published by the Authority once a year in the "Official Gazette of BiH" and amendments thereto at least twice a year. The responsible authorities of the two entities and Brcko District shall keep the register on registered PPP on the basis of the decisions submitted to them by the Authority on the basis of Article 19, paragraph 1 of this Law.
2. PPP register shall contain the following data:
a) customs mark,
b) PPP trade name,
c) name and content of all active materials in PPP,
d) name of producer, or representative in Bosnia and Herzegovina,
e) mark of the sorting in or outside the group of toxicity,
f) full name of the Authority (the responsible authority of the entities of Brcko District) which issues a registration decision,
g) number and date of registration decision,
h) place of sale from Article 7 of this Law.

VII LIST OF ACTIVE MATERIALS

Article 29
List

1. The list of active materials shall be published by the Authority in the "Official Gazette of BiH" and amendments in accordance with amended list in the EU.

VIII LICENSES

Article 30

Licenses for research or development

1. Any examination for research or development purposes which includes emission of unregistered PPP's in the environment may be done only on the basis of issued license for research or development.
2. The license referred to in paragraph 1 shall be issued by the Authority in an administrative procedure. The responsible authority shall seek opinion from the Commission for PPP which may be dangerous for health of people and animals or may have an unexpected damaging effect on the environment.
3. The license must reveal the data on PPP, quantity of PPP, area of research and requirements for use, and legal entities or individuals who will conduct the research.
4. The license shall be issued for the period of two years maximum. The lice may be extended at the request of the license holder if the license holder requests the extension at least four months prior to the expiration of validity of the license and demonstrates justified reasons for extension. The license shall be issued on the basis of the opinion by the Commission.
5. If the Authority has assessed that proposed research for which license is requested could have damaging effects on the health of people and animals or an unexpected damaging effect on environment, it may forbid the research at the proposal by the Commission or approve it under the requirements needed for the prevention of consequences.
6. A more detailed content of the application and licenses for research and developed shall be prescribed by the Council of Ministers at the proposal by the Authority.

Article 31
Exceptional license

1. Due to unforeseen danger posed by damaging organisms that cannot be destroyed or adequately restrict with registered PPP or other measures, the Authority may issue an exceptional license for sale or use of unregistered PPP. The procedure for issuance of an exceptional license may be launched ex officio or at the request by the party. During the procedure, the Authority shall request the opinion from the Commission. An exceptional license shall be issued for the period of 120 days maximum for restricted and controlled use which does not pose an unacceptable danger to the health of people and environment.
2. The license referred to in paragraph 1 must contain the data on PPP, PPP quantity, areas and requirements for use, and users.
3. The Authority may change or annul an exceptional license if PPP did not achieve desired results, if PPP is no longer needed or if damaging consequences exceed the damages caused by damaging organisms referred to in paragraph 1 of this Article.

Article 32
Licenses authorizing extension of use

1. In the case the registration holder does not have interest in changing the registration, any other legal entity of an individual who is registered for sale

may file an application for issuance of a license authorizing extension of use of registered PPP for the protection of other plants for which PPP is not registered.

2. The procedure for issuance of a license authorizing extension of use of registered PPP may be launched also ex officio.
3. The Authority shall issue a license authorizing extension of use of PPP on the basis of the Commission's opinion.
4. The registration holder is not obliged to mention extension of use referred to in paragraph 1 in the instruction on use, or on the libel attached to PPP. Extension of use shall be published in a separate publication which is available at the responsible authorities.
5. A more detailed content and license authorizing an extended use of registered PPP shall be prescribed by the Council of Ministers at the proposal by the Authority and in the opinion of the Commission.

IX PUBLIC SERVICES IN THE PPP AREA AND PPP APPLICATORS

Article 33
Commitment

1. The public service in PPP area and PPP application devices (hereinafter the devices) shall be a legally defined activity. The persons providing those services shall have special responsibilities which are of public interest (hereinafter: the responsibilities of the public service).
2. The provisions of the law which regulate verification of public authority, unless otherwise stipulated by this or a different law, shall apply to the public services in the area of PPP and devices.
3. The manner of execution of individual public services under this law shall be prescribed by the Council of Ministers of Bosnia and Herzegovina, in accordance with this Law and the law regulating verification of public authority.

Article 34
Responsibilities of the public service

1. The responsibilities of the public service, or of an authorized organization in the area of PPP and devices shall be:

a) permanent and ongoing execution of the activity and execution of the tasks in accordance with the request by the Authority;
b) execution of the tasks under a certain program;
c) execution of the tasks under a certain price.

2. The responsibilities of individual public services may be regulated in a greater detail by the Council of Minister's regulation or by a concession agreement.
3. If the public service agent or an authorized organization fails to ensure the activity of public service to the person to whom it is obliged to ensure that, or fails to ensure the activity under the prescribed price and other prescribed requirements, the beneficiary of the service may request from the Authority that it should decide on the right of the beneficiary by a decision in an administrative procedure ad the public service agent, or that it order an authorized organization to act.

Article 35
Forms of execution of public services in PPP services

1. In addition to the forms defined by law regulating business public services, the public services in the area of PPP may also be conducted by authorized legal persons with public right whose founder is Bosnia and Herzegovina, or its entities, Brcko District or another person with public right.
2. The public service agent referred to in paragraph 1 shall be authorized by the Council of Ministers of Bosnia and Herzegovina at the proposal by the Authority or the entity governments and the government of Brcko District. Detailed relations with public service agents shall be regulated by the Authority in the form of a contract.

Article 36
Funding of public service

1. The public service in the area of PPP and devices shall be funded from:
a) partial or complete payment of the price for the job done;
b) budget of Bosnia and Herzegovina;
c) budgets of the two entities and Brcko District in equal portions;
d) other sources.
2. Bosnia and Herzegovina, the two entities and Brcko District shall fund or co-fund some activities of public services for PPP and devices in accordance with the program for individual public service to be issued by the Council of Ministers, at the proposal by the Authority.
3. The public service agents must earmark the funds from the budgets referred to in paragraph 1. b and c of this Article for the funding of public service programs only for the execution of that public service in accordance with the program.

Article 37
Prices of public service jobs

1. The beneficiaries of the public service services in the area of PPP and devices shall pay partially or totally the price of an individual service and some services may also be provided to users free of charge, which shall be defined by the Council of Ministers in a separate act, at the proposal by the Authority.
2. The prices of the activities referred to in article 43, paragraph 1 (a) of this law shall be prescribed by the Council of Ministers, at the proposal by the Authority.
3. The Council of Ministers shall prescribe prices of other activities and tasks of the public service under this law, at the proposal of the Authority, and shall define the share to be paid by the user.

Article 38
Public service program

1. At the proposal by the Authority, the Council of Ministers shall define in the programs of individual public services:

a) type and scope of activities of public service,
b) manner and dynamics of execution of activities of public service in accordance with the regulations or concession contacts,
c) manner and scope of funding or co-funding of some activities of public service.

Article 39
Supervision over execution of public service

1. Professional supervision over the execution of public service shall be done by the responsible authorities and they may delegate the tasks of professional supervision to other legal entities or individuals as pubic authorization.
2. The professional supervision as public authorization may be executed by legal entities and individuals who are professionally trained in supervision over a particular area of public work.
3. The Council of Ministers shall define, at the proposal by the Authority, detailed requirements for professional training referred to in paragraph 2 of this article.
4. After a vacancy has been published, the responsible authorities shall make decisions on public authorization agents referred to in paragraph 2 of this Article and shall conclude a contract with them to regulate mutual relations. The decision defining the agent of public authorization referred to in paragraph 2 of this Article shall be published in the official gazettes of Bosnia and Herzegovina within 30 days from the date of finality of the decision.
5. Inspection supervision over public service execution shall be done by the responsible agricultural inspections.

Article 40
Requirements for execution of public service

The Council of Ministers shall prescribe for individual public service in the area of PPP and devices the requirements for space, equipment and staff which the public service agent must fulfill.

Article 41
The persons who execute the tasks of public service

1. Professional work within the public service affairs in PPP area and devices may be done only by the persons who possess the appropriate professional education and who are professionally trained for execution of those tasks and who meet the requirements defined in the regulations.
2. The requirements for professional education and other requirements which have to be met by the person who could perform professional work in executing public service in the area of PPP and devices shall be define by the Council of Ministers at the proposal by the Authority.

Article 42
Public service areas

1. Public service, under this law, shall include:
a) professional tasks relating to registration, sale and use of PPP;
b) professional tasks relating to devices.

Article 43
Professional tasks relating to registration, sale and use of PPP

1. Professional tasks in the area of registration, sale and use of PPP shall be in particular the following:
a) tasks in the area of research and assessment of PPP in the registration procedure;
b) coordination of work and technical support to the responsible authority in the PPP registration procedure;
c) Laboratory analysis of PPP;
d) monitoring of PPP residuum in and/or on plants and plant products in relation to the proper use of PPP;
e) drafting of papers to support the responsible authority's decision-making;
f) research and development activity;
g) development and introduction of new methods in good practice of protection of plants and good agricultural practice;
h) introduction of European practice in the area of biological tests of PPP efficiency;
i) tasks in the area of registering of sale and use of PPP;
j) cooperation in introduction, development and establishment of information system;
k) tasks related to professional training of the persons responsible for the sale of PPP and of users of PPP;
l) any other task related to PPP.

Article 44
Professional tasks in the area of devices

1. Professional tasks in the area of devices shall in particular be:
a) development of technical papers to support the responsible authority's decision making in the area of devices;
b) tasks in relation to professional training in the area of devices;
c) cooperation in introduction, development and installation of information system in the area of devices;
d) research and development activity;
e) any other task in the area of devices.

X DEVICES

Article 45
Certificates

1. Only those devices which, if used properly, cause no damages to people and environment, and which have been issued a certificate attesting to conformity

(hereinafter: the certificate) and meet the requirements from the certificate, may be used and sold.

2. The producer or an importer shall apply for a certificate confirming that the devices meet the set requirements, prior to selling the device.
3. The Council of Ministers may prescribe that certificates are not required for certain types of devices, at the proposal by the Authority.
4. More detailed requirements which the devices have to meet shall be prescribed by the Council of Ministers at the proposal by the Authority.

Article 46
Certifying authority

1. The producer or the importer shall apply for a certificate at the certifying authority.
2. The certifying authority shall be a competent legal person or an individual accredited or authorized by the Authority provided that it meets special requirements and the requirements for the staff, equipment and space.
3. The certifying authority must keep register on type and year of production of devices for certification, date of issuance of certificates and register in producers or importers and keep them at least ten years from issuance of certificates and make them available at the request by the responsible authority.
4. The requirements referred to in paragraph 2 of this Article shall be defined by the Council of Ministers at the proposal by the Authority.

Article 47
Regular checks of devices

1. The owners of devices (hereinafter: holders) may use only those devices which are checked regularly and are marked accordingly.
2. The holders have to be issued marks confirming regular checks every second year.
3. The Council of Ministers may prescribe at the proposal by the Authority that some types of devices do not require checks.

Article 48
The mark confirming regular checks and registering

1. The mark attesting to a regular check shall be issued by a legal person or an individual authorized by the decision issued by the responsible authorities, provided that they meet the requirements for space, equipment and staff.
2. The legal persons and individuals in charge of checking the devices shall keep registers on the results of checks and the holders of devices they have checked (name, family name, firm, address, seat), the marks they have issued. The register on the results of the checks for individual devices shall be kept for at least six years.
3. Detailed requirements referred to in paragraph 1, the content of regular checks, the manner of keeping the register of devices and the form of the marks attesting to regular checks shall be defined by the Council of Ministers, at the proposal by the Authority.

XI COSTS

Article 49
Costs

1. All the costs relating to the PPP registration and issuance of licensees shall be borne by the applicant or the registration holder.
2. The costs of issuance of certificates for the devices shall be borne by the holders using the devices.
3. The costs of regular checks of devices shall be paid by the holders using the devices.
4. The costs of analyses of plants and plant products in relation to the PPP residuum in executing an inspection supervision shall be borne by the PPP user and if the user is unknown, they will be borne by the holder of plants or plant products, if PPP residuum exceeds prescribed thresholds for PPP residuum.
5. The costs of analyses of soil and other objects in executing inspection supervision over the use of PPP or active materials shall be borne by the holder of land, or land user if prohibited or improper use of PPP is established.
6. The costs of analyses of plants and other objects in executing inspection supervision over improper use of PPP at the request by the party shall be borne by the PPP user, if the PPP residuum exceeds the threshold, or if the presence of PPP residuum is established on the plants on which no PPP is used.
7. The costs of PPP examination in executing inspection supervision shall be borne by the PPP registration holder if the PPP deviates from the registration decision.
8. The costs of testing of devices in executing inspection supervision shall be borne by the producer or an importer, if the device does not meet the requirements from the certificate.
9. The amount of costs referred to in paragraphs 1 and 2 of this Article shall be prescribed by the Council of Ministers, at the proposal by the Authority.
10. The amount of costs referred to in paragraph 3 of this Article shall be prescribed by the Council of Ministers at the proposal by the Authority.
11. Other costs referred to in Article shall be the real costs of the procedure.

XII – INTERNATIONAL TRAFFIC

Article 50
Import of PPP

1. PPP may be imported only by legal entities and individuals referred to in Article 5 of this Law.
2. Supervision over import of PPP shall be done by a phyto-sanitary inspector.
3. The border crossings via which PPP shall be imported into the country shall be defined by the Council of Ministers at the proposal by the Authority.

Article 51
Import of PPP applicators

1. The devices which have been issued a certificate or a licence by the Authority may be imported. Unless otherwise stipulated by an international agreement, customs authorities may not issue a license authorizing the use, except for authorizing transit and customs storage, if the device does not have a prescribed certificate or the approval.
2. The Council of Ministers shall prescribe the requirements for import on the basis of the license at the proposal by the Authority.
3. Exceptionally from paragraph 1 of this Article, the Council of Ministers may prescribe that a certificate or a license is not needed for certain types of devices of the devices for special purposes.

XIII BOSNIA AND HERZEGOVINA AUTHORITY FOR THE PROTECTION OF HEALTH OF PLANTS

Article 52
Authorization and tasks of the Authority

1. The Authority of Bosnia and Herzegovina in charge of protecting health of plants shall have the following tasks and powers under this Law:

a) coordination of work between all responsible authorities of the entities and Brcko District;
b) the conduct of procedure for registration of PPP and issuance of licenses,
c) keeping the single register and lists for Bosnia and Herzegovina,
d) preparation of regulations under this Law and assurance of their implementation,
e) issuance of decisions on concessions, conclusion of concession contracts and other contracts for execution of public services under this Law,
f) monitoring of the situation in traffic and use of PPP and cooperation in defining the necessary measures,
g) approval of the program for the measures for the proper use of PPP and care for the implementation of the program,
h) introduction of the principles of good agricultural practice and integrated plant protection,
i) coordination of work and care for harmonization of PPP residuum thresholds in or on the plants and plant products, and monitoring over PPP residuum in the plants and plant products,
j) preparation of reports, analyses, information and other materials for the authorities and international organizations to which Bosnia and Herzegovina has to present reports in accordance with the legislation and on the basis of international agreements,
k) care for information of the public and other interested parties about the activities,
l) issuance of relevant publications,
m) care for the establishment of the information system, collection, processing, dissemination and keeping of the data and information system management,
n) care for professional training of the staff,
o) cooperation with other authorities in the country and abroad,
p) execution of any other tasks.

Article 53

Authorization and tasks of the responsible authorities of the entities and Brcko District

1. The responsible authorities of the entities and Brcko District shall be in charge of the following tasks and shall have the following authorization under this Law:

a) Establishment of whether the requirements have been met and conduct of procedures for entry of the data in the register referred to in Article 5 of this law,
b) keeping of the registers and records, within their respective administrative areas of responsibility,
c) cooperation with the Authority in the preparation of regulations and execution of administrative tasks and assurance of their implementation,
d) publication of advertisements and vacancies under this law, issuance of decisions, conduct of professional supervision over the execution of public service, and the conclusion of contracts for the execution of public authorizations referred to in Article 39, paragraph 4 of this Law,
e) monitoring of the situation relating to traffic or use of PP and cooperation in preparing the relevant measures,
f) issuance of the relevant publications,
g) care for the establishment of information system, collection, processing, dissemination and keeping of the data and information system management.
h) care for professional training and training of the staff,
i) cooperation with other authorities in the state,
j) execution of any other tasks.

XIV INSPECTION SUPERVISION

Article 54
Inspectors

1. Supervision over the implementation of this Law and its implementing regulations issued on the basis of this Law shall be done by agricultural, phyto-sanitary and sanitary inspectors, within their respective scope of responsibility.
2. The appeal against the decision issued by the inspector referred to in paragraph 1 of this Article shall not operate to delay its enforcement.

Article 55
Authorization of agricultural inspectors

1. The agricultural inspector shall, on the basis of this Law and the implementing regulations issued on the basis of this Law, be authorized to:

a) forbid sale of PPP which is not properly registered,
b) forbid sale of PPP if a proper license has not been issued,
c) forbid sale and use of prohibited PPP,
d) forbid sale of PPP the validity of which has expired,
e) monitor compliance with the requirements for the staff of legal and natural persons referred to in Article 5 of this Law,

f) pending removal of weaknesses, to forbid activities related to sale of PPP if the legal and natural persons fail to meet the requirements for the staff about which the inspector shall inform the responsible authority in the entities and Brcko District, which in turn shall inform the Authority,
g) forbid the sale of PPP, of PPP is not in accordance with the registration decision (packaging, libel, sorting, marks, instructions for use, physical and chemical content etc.),
h) forbid the use of PPP if PPP is used improperly,
i) establish the identity of the violator in the case of a doubt that the provisions of this Law are violated, in which case the violations shall be taken photos of or filmed, if necessary,
j) define the appropriate measures if the PPP residuum threshold is exceeded on or in the plans and plant products before sale,
k) take samples of plans, plant products, soil, spraying mixtures, PPP and other necessary samples,
l) take a PPP applicator and order that its harmony with the certificate be checked,
m) forbid sale of PPP applicators if they were not issued the appropriate certificate,
n) forbid sale of PPP applicators if the devices are not in accordance with the certificate,
o) forbid the use of devices of they do not have a mark attesting to regular checks or if they were not checked on a regular basis,
p) check whether the public service agents under this Law meet the requirements, or whether they act in accordance with the legislation, a concession contract and order that weaknesses be removed,
q) carry out any other activities and order any other measures needed for the implementation of this Law and its implementing regulations.

Article 56
Authorization of phyto-sanitary inspectors

1. A phyto-sanitary inspector shall, on the basis of this Law and the implementing regulations issued on the basis of this Law, be authorized to:

a) carry out monitoring referred to in Article 50, paragraph 2 of this Law,
b) during the import of PPP's sorted as dangerous, check harmony of the safety certificate with the regulations ion chemicals,
c) forbid import of PPP if PPP is not registered properly, sorted, packed or marked properly or if they do not have the appropriate instruction for use, the appropriate license or if the sale of that PPP is forbidden, except for the cases referred to in Article 3, paragraph 2 of this Law,
d) forbid on a temporary basis import of PPP if some weaknesses are to be removed from the PPP shipment or the supporting documentation,
e) carry out any other activities and define any other measures for PPP and PPP traffic under this Law and its implementing regulations.

Article 57
Authorization of a sanitary inspector

2. 1. A sanitary inspector shall, on the basis of this Law and the implementing regulations issued on the basis of this Law, be authorized to:

a) prior to entry of the data in the register referred to in Article 5, paragraph 1 of this Law, establish compliance with the requirements for space and equipment of legal and natural persons involved in the sale of PPP,
b) check whether the prescribed requirements have been met for space, and equipment of legal and natural persons involved in selling PPP,
c) pending removal of weaknesses, forbid activities related to sale of PPP if the legal and natural persons fail to meet the requirements for the staff about which the inspector shall inform the responsible authorities.

XV THE DATA

Article 58
Collection and use of the data

1. For the purpose of regulating sale and supervision over sale and use of PPP, the responsible authorities in charge of keeping and maintaining collections of the data may receive and use the data kept by the state authorities within the prescribed data collections, by the public institutes and agencies, concessionaires, and other authorized authorities, and in particular:

a) data collection for chemicals,
b) data collection on land and air pollution,
c) data collection on waters and ecologically important areas,
d) land cadastre and land register books (number of lot, boundaries, size, owner, user), basic data from the Central Register of population pertaining to the owner or user (unified citizen identification number, name, family name and address) required for maintenance of a data collection and the data from the Central Register of the population. The responsible authorities of the entities and Brcko District in accordance with their responsibilities shall unify, in accordance with their responsibilities, their data collections with all data collections kept in the Authority.

2. The Authority shall submit its data from its registers and records to other state authorities and local community authorities if they need them for their execution of legally defined tasks, to the public institute authorized to collect data on acute poisoning and other effects of chemicals and other authorized organizations and public service agents if they require such data for execution of their tasks from within the scope of responsibility of the authorities.
3. The data which are kept secret under this Law or the use of which is restricted also by another law (statistics, tax number) shall not be transferred to other authorities.
4. The data referred to in paragraph 1 of this Article which are personal data in nature shall be submitted by the data collection owners in accordance with the legislation regulating personal data protection.
5. The data collection owners referred to in this Article shall submit the data free of charge and may charge direct material costs for submission of additional samples or processing.
6. The data collection established and kept by the responsible authorities of the entities and Brcko District shall be funded from the budget of the Federation

of Bosnia and Herzegovina, Republika Srpska and Brcko District according to an administrative area, while the data collection kept by the Authority shall be funded from the budget of Bosnia and Herzegovina.

7. The manner of unification with other data collections and the manner of obtaining the data from other data collections shall be prescribed by the head of Authority at the proposal by the responsible authorities of the entities and Brcko District and in cooperation with the responsible authorities in charge of the given area and in accordance with the statistical research program.

Article 59
International data exchange

1. The Authority shall exchange the data at an international level on registered PPP, prohibitions, cessation of registration or restricted use.
2. The information shall contain at least the following:

a) name of producer or the registration holder,
b) PPP trade name,
c) Physical and chemical features of PPP,
d) Name and content of all active materials present in PPP and the purpose of use,
e) Temporary limited values of PPP residuum in the plants if PPP residuum is not regulated yet,
f) In the case of cessation of a license, the reasons for cessation,
g) The data required for assessment of temporary PPP residuum threshold in the plants,
h) The register of approved PPP in Bosnia and Herzegovina shall be exchanged at an international level once a year.

XVI PENAL PROVISIONS

Article 60
Violations by legal entities and independent entrepreneurs – individuals

1. The legal entity shall be fined 1000 KM to 10,000 KM if:

a) it is selling and allowing the use of unregistered or unlicensed PPP in the territory of Bosnia and Herzegovina (Article 3, paragraph 1 of this law);
b) if it does not keep the register in accordance with Article 6, paragraph 4 of this Law;
c) if it is applying PPP from air (Article 8, paragraph 3 of this Law);
d) if it uses PPP in contravention of Article 8, paragraph 4 of this Law;
e) if it advises, advertises, or recommends PPP in contravention of the provisions of Article 8, paragraph 5 of this Law;
f) if it does not meet the prescribed requirements for professional skills or the requirements for the equipment Article 9, paragraph 1 of this Law);
g) if it, as the applicant, does not enquire with the responsible authority whether identical PPP have already been registered (article 17, paragraph 2 of this Law);
h) if it fails to inform the responsible authority on all new data on the possible dangerous effects of PPP or its residuum (Article 22 of this Law);

i) if it, as the registration holder, does not take care of the deadline and requirements from Article 27, paragraph 3 of this Law;
j) if it examines PPP in contravention of a research or development license (Article 30 of this Law);
k) if it uses PPP in contravention of the license permitting expansion of use (Article 32 of this Law);
l) if it carries out public service in contravention of the regulations or a concession contract (Articles 34 and 36.3 of this Law);
m) if it sells the devices which do not meet the requirements set in the certificate (Article 45, paragraph 1 of this Law);
n) if it fails to allow an inspector to conduct inspection supervision without hindrance under this Law or if it hinders inspection, insults the inspector or prevents his or her access to required documentation, data, explanations or devices.

2. An individual shall be fined fro 250 KM to 50,000 KM if he or she carries out actions referred to in the previous paragraph in relation to an independent execution of the activity.
3. The responsible person in the legal entity shall also be fined 250 KM to 5,000 KM for an offence from paragraph 1 of this Article.

Article 61

Mandatory punishments of legal entities and independent entrepreneurs – individuals

1. The legal entity shall be punished by a mandatory fine of 3,000 KM collected without delay if:

a) it sells PPP which is not sorted , packed or marked in accordance with regulations, including the instruction for use (Article 4 of this Law);
b) if it fails to meet the set requirements for sale of PPP (Article 5, paragraph 1 of this Law);
c) if it does not have a responsible person for sale of PPP (Article 5, paragraph 2 of this Law);
d) if it does not submit the data to the responsible authority within the set deadline (Article 6 of this Law);
e) if it does not keep the register in a prescribed manner (Article 6 of this Law);
f) if it sells PPP at the selling location in contravention of the regulation of the responsible authority (Article 7, paragraphs 1 of this Law);
g) if it does not use PPP in the appropriate way (Article 8, paragraphs 1 and 2 of this Law);
h) if it sells and allows the use of PPP classified as T+ (Article 11, paragraph 1 of this Law);
i) if it does not have a license of the appropriate trained staff for sale and use of the PPP classified as T+ (article 11, paragraph 2 of this Law);
j) if it sells or uses PPP in accordance in contravention of prohibition or the restriction ordered by the responsible authority (Article 12 of this Law);
k) if it sells or uses unregistered PPP in contravention of an exceptional license (Article 31, paragraph 1 of this Law);
l) if it sells the devices without the prescribed certificate (Article 45, paragraph 2 of this Law);

m) if it uses the devices which are not checked on a regular basis (Article 47, paragraph 1 of this Law);
n) if it does not keep and maintain the records in accordance with Articles 46 and 48 of this Law);
o) if it imports PPP although it is not registered for import (Article 50 of this law).

2. An individual who performs an action in relation to an independent execution of activity shall be fined 2,000 KM, which is collected without delay, for the offence from the previous paragraph.
3. The responsible person in the legal entity shall also be fined 1,000 KM, collectable without delay, for an offence from paragraph 1 of this Article.

Article 62
Offences by individuals

1. An individual shall be fined from 1,000 KM to 1,500 KM for an offence if:
a) he/she does not use PPP in a prescribed manner (Article 8, paragraphs 1 and 2 of this Law);
b) if he/she applies PPP from air (Article 8, paragraph 3 of this Law);
c) if he/she uses PPP in contravention of the provisions of Article 8, paragraph 4 of this Article;
d) if he/she fails to meet the set requirements for the level of training or for the equipment used for application of PPP (Article 9, paragraph 1 of this Law);
e) if he/she uses PPP in contravention of the restriction or prohibition by the responsible authority (Article 12 of this Law);
f) if he/she fails to inform the responsible authority about the dangerous effects of PPP (Article 22 of this Law);
g) if he/she uses unregistered PPP in contravention of an exceptional license (Article 31, paragraph 1 of this Law);
h) if he/she uses PPP in contravention of the license permitting expanded use (Article 32 of this Law);
i) if he/she prevents an inspector from executing inspection supervision under this Law or hinders inspection, insults the inspector or does not allow access to requested documents, data, explanations or devices.

Article 63
Mandatory punishments of individuals

1. An individual shall be punished by a mandatory 1,000 KM fine on the spot if:

a) he/she sells PPP without the proper registration (Article 5, paragraph 1 of this Law);
b) he/she applies PPP referred to in Article 11, paragraph 2 of this Law;
c) he/she uses devices which have not been checked regularly (Article 47, paragraph 1 of this Law);
d) he/she imports PPP without a proper registration (Article 50 of this Law).

XVII TRANSITIONAL AND FINAL PROVISIONS

Article 64
Incomplete PPP registration procedures

The PPP registration procedure, introduced before this Law came into force, shall continue under the provisions of this Law.

Article 65
The implementing regulations under this Law and the deadline for their adoption

1. The implementing regulations under this Law shall be adopted within one year from the date of entry into force of this law.
2. In addition to the implementing regulation envisaged in certain Articles of this Law, the Council of Ministers may also adopt any other regulation required for the implementation of this Law, at the proposal of the Authority, in cooperation with the responsible authorities of the two entities and Brcko District.

Article 66
Regulations to be applied pending the adoption of the new ones

Pending the adoption of new regulations under this Law, the existing regulations governing this area shall continue to apply unless they are in contravention of this Law.

Article 67
Entry into force of this Law

This Law shall enter into force on the eight day from the date of its publication in the "Official Gazette of BiH" and shall also be published in the Official Gazettes of the entities and Brcko District of Bosnia and Herzegovina.

BiH Parliamentary Assembly No. 97/04
September 9, 2004
Sarajevo

Chairman	Chairman
Of the House of Representatives	of the House of Peoples
Of the BiH Parliamentary Assembly	of the BiH Parliamentary Assembly
Martin Raguz	Goran Milojevic