

Based on Article 142 Paragraph (1) Indents a), b) and c) relating to Article 29 Paragraph 6 and Article 104 Paragraph 1) of the Law on Aliens (“The BiH Official Gazette”, number 88/15), Article 4 and 14 Paragraph (1) Indent 8) of the Law on Ministries and Other Administrative Bodies of Bosnia and Herzegovina (“The BiH Official Gazette”, number 5/03, 42/03, 26/04, 42/04, 45/06, 88/07, 35/09, 59/09, 103/09, 87/12 and 6/13) and Article 16 of the Law on Administration of Bosnia and Herzegovina (“The BiH Official Gazette”, number 32/02 and 102/09), the Ministry of Security of Bosnia and Herzegovina has adopted the following

RULEBOOK ON ENTRY AND STAY OF ALIENS

CHAPTER I – GENERAL PROVISIONS

Article 1 (Subject Matter of the Rulebook)

This Rulebook shall stipulate: the procedures for entry of aliens in Bosnia and Herzegovina (hereinafter: BiH); refusal of entry; certification of invitation letter; issuance of visas at the border; visa extension; visa cancellation and revocation; approval of residence and issuance of residence permits; issuance of certificates on identity; work registration certificates; registration and deregistration of permanent and temporary residence; issuance of Alien ID Card; termination of residence; cancellation of residence; certification of the Book of Aliens, as well as other issues related to the entry, movement and stay of aliens in BiH.

Article 2 (Use of gender)

All terms used in this Law are provided in a single grammatical gender and shall apply without discrimination to both men and women.

Article 3 (Documents and Forms)

(1) Documents enclosed to an application stemming from the Law on Aliens (hereinafter: the Law) and this Rulebook shall be originals or certified copies.

(2) The documents from Paragraph (1) herein that are written in a foreign language or alphabet shall be submitted together with its accompanying translation to one of languages in the official use in Bosnia and Herzegovina conducted by a certified court interpreter for that foreign language.

(3) Forms being constituent parts of this Rulebook shall be printed in the official languages of Bosnia and Herzegovina as well as in English and French, both in Latin and Cyrillic alphabet, if not otherwise prescribed by this Rulebook.

Article 4
(Procedure)

Procedures provided by the Law and this Rulebook that were initiated *ex officio* or upon request of the interested party shall be conducted by the Service for Foreigners' Affairs (hereinafter: the SFA), where each case shall be decided individually without merging the cases into one procedure.

CHAPTER II – ENTRY INTO BOSNIA AND HERZEGOVINA

Section A. Procedure at the border

Article 5
(Procedure at the border)

(1) When entering BiH, an alien shall be subject to border checks provided by regulations governing the area of border control in BiH.

(2) A police officer of the Border Police of Bosnia and Herzegovina (hereinafter: “The BiH Border Police”) shall allow entry of an alien fulfilling requirements for entry to BiH by imprinting an entry stamp to his/her passport.

Article 6
(Special care for minors)

(1) An alien under 14 years of age holding a personal travel document may cross the BiH border in company of one or both parents, a legal representative, a guardian or a person authorized to accompany him/her by a signed and verified power-of-attorney given by the parents, legal representative or guardian. A minor travelling unaccompanied shall carry a verified consent of the parents, legal representative or guardian.

(2) An unaccompanied alien under 14 years of age holding a personal travel document may enter BiH if possessing a verified consent of the parents, a legal representative or a guardian. If accompanied by an authorized person, he /she may enter BiH with a signed and verified power-of-attorney given by the parents, legal representative or guardian.

(3) A consent or power-of-attorney shall contain: personal data on the minor and his/her legal representative or guardian; if travelling accompanied, personal data on the accompanying person; the purpose and duration of his/her stay in BiH; validity period of the consent or power-of-attorney, as well as the provider's signature. This document shall be written in one of languages in official use in BiH or in English if accompanied with its certified translation to one of languages in the official use in Bosnia and Herzegovina.

(4) It is considered that a minor alien possesses consent of his/her legal representative, if:

- a) he/she travels by air and has a letter of transmittal for minors issued by the aircraft operator,
- b) he/she is part of a school excursion, and is found on a list of excursion participants verified by a competent educational institution,
- c) he/she participates in a sport, cultural or similar event, and is found on a list of participants.

(5) In case where a foreign minor under 14 is not accompanied by one or both parents, a legal representative or a guardian, and does not fulfil any of the requirements of this Article, he/she shall be returned and handed over to the border police of the state from which the entry to BiH was attempted.

(6) The BiH Border Police officer shall exercise special caution while controlling an alien under 18 years of age who intends to cross the state border of BiH, as well as the persons accompanying him/her.

Article 7 (Collective entry of aliens)

(1) Aliens found on collective travel documents may enter, stay and exit BiH only as a group. Adult aliens found on a collective travel document shall also possess a document with a photograph to identify themselves. Collective travel documents may involve five to 50 persons on a tour.

(2) Aliens intending to enter, reside and exit the BiH as a part of organized group, with a travel document other than passport which may serve for crossing the BiH border, shall be allowed to enter, reside and exit BiH only within the group.

(3) Notwithstanding Paragraphs (1) and (2) herein, a member of the group may be permitted to individually leave the country if so necessary due to his/her private matters or if so decided by the competent authority. The group's leader must not leave BiH without the group except in extraordinary cases approved by the Service.

(4) Additional to fulfilment of general entry requirements, aliens to collectively enter BiH shall possess the evidence on organized travel, which is to be carried by leader of the group.

(5) If the BiH Border Police's control of the exit of the group from Paragraphs (1) and (2) herein establishes that all members of the group did not leave Bosnia and Herzegovina, it shall immediately inform the Service on the subject.

Section B. Refusal of entry and exit from the country

Article 8 (Refusal of entry)

(1) If an alien fails to fulfil the requirements for entry to BiH, the BiH Border Police shall issue him/her a decision on refusal of entry elaborating the reasons for refusing the entry.

(2) A stamp reading "ENTRY REFUSED" or another appropriate sign shall be affixed to the alien's passport. If the alien has a document not allowing for affixation of the stamp or another appropriate sign, the reason why the stamp was not affixed shall be stated in the decision on refusal of entry.

(3) The decision on refusal of entry shall be delivered to the alien who confirms its receipt by signing the decision form. If the alien refuses to accept the decision, the fact shall be indicated as a remark in the decision form whereas the decision shall be considered as duly delivered to him/her.

(4) An alien refused entry to BiH shall immediately leave the area of border crossing and the territory of BiH.

(5) The form of the decision on the refusal of entry is a constituent part of this Rulebook, **Form number 1**.

Article 9

(Guarantees for the exit from the country)

(1) Possession of means for the alien's exit from the country may be evidenced through presentation of a return ticket to the country of original departure or a ticket for the continuation of travel provided that the alien has a visa for the travel to another country, if a visa is required.

(2) The existence of a guaranty for exit from the country may also be proved through the legal possession of an adequate transport vehicle provided that the vehicle is used for the alien's transport.

Article 10

(Exit from the country)

(1) An alien's exit from the country may be restricted under conditions set by Article 8, Paragraph (6) of the Law.

(2) An alien denied exit from BiH pursuant to Paragraph (1) herein shall be deprived, either temporary, for a maximum of 30 days or until expiry of the reasoning from Article 7, Paragraph (6) of the Law, of his/her travel and other documents which may serve for crossing a state border, whereas the alien is provided with a certificate on the subject.

(3) With respect to prohibition of an alien's exit from BiH and cessation of reasons stemming from Article 8, Paragraph (6) of the Law, the Service shall immediately inform both the Border Police and the competent body that proposed the denial of the alien's exit from BiH on the subject.

(4) If the alien attempts to leave Bosnia and Herzegovina while being restricted exit from the country, the BiH Border Police shall immediately inform the Service on the subject.

(5) Upon expiry of a deadline from Paragraph (2) herein or upon cessation of reasons causing denied exit from BiH, the alien shall be given back his/her travel and other documents as well as allowed to leave BiH.

Section C. Requirements for Visa Issuance – Invitation Letter

Article 11

(Application and evidence for verification of a letter of invitation)

(1) An application to verify a letter of invitation shall be submitted to the organizational unit of the Service on a prescribed form.

(2) A physical entity providing a letter of invitation shall support its application for verification of a letter of invitation with:

- a) a filled and signed form of the letter of invitation,
- b) a copy of the ID card or passport of the entity sending the letter of invitation,
- c) an invited alien's copy of the travel document, not necessarily verified,
- d) evidence on provision of the alien's accommodation,
- e) evidence on possession of means of subsistence that are sufficient for both self-support and support of the invited person through:
 - 1) Certificate or attestation on regular monthly income or possession of cash,
 - 2) Other documents proving that the entity sending the invitation letter is in possession of means of subsistence,
- f) evidence on duly paid administrative taxes.

(3) A legal entity providing a letter of invitation shall support its application for verification of a letter of invitation with:

- a) a filled form of the letter of invitation that was signed and verified by an authorized person in the legal entity,
- b) an invited alien's copy of the travel document, not necessarily verified,
- c) a copy of the Decision on Entry to the Court Register of the legal entity that provides the letter of invitation with an accompanying document evidencing who is the person authorized to present it,
- d) evidence on solvency of the legal entity sending the letter of invitation,
- e) certificate from the tax administration on paid tax duties or a contract signed with the tax administration on the payment of outstanding liabilities in instalments,
- f) if payers of indirect taxes, evidence issued by the Indirect Taxation Authority on settled liabilities based on indirect taxes or a contract signed with the Indirect Taxation Authority on the payment of outstanding liabilities in instalments; if a legal entity is not subject to value added tax, it is obliged to deliver the appropriate Value-Added Tax (VAT) Exemption Certificate,
- g) evidence on duly paid administrative taxes.

(4) Certificates or attestations from Paragraph (3) Indents d), e), f) herein shall not be older than 90 days from the day of application, except when concerning agreements on the payment of liabilities in instalments.

(5) In the case a letter of invitation is verified for the purpose of issuance a long-term visa (Visa D), the issuer of the letter of invitation shall, in addition to evidence from Paragraph (2) herein, also submit evidence justifying the purpose of the alien's entry and stay in BiH.

(6) In the case a letter of invitation is verified for the purpose of issuance of a long-term visa (Visa D), an alien applying for residence in BiH on grounds of an issued work permit shall support his/her application for the authorization of the letter of invitation with a copy of his/her work permit.

(7) A letter of invitation issued by the authorities referred to in Article 32 Paragraph (8) of the Law shall contain the following information on invited alien:

- a) Name and surname,
- b) Date and place of birth,
- c) Nationality,
- d) Passport number and its validity,

- e) Reasons for coming to Bosnia and Herzegovina, and
- f) Period of the alien's intended stay in Bosnia and Herzegovina.

(8) Application form for the verification of a letter of invitation and the application form for the verification of a group letter of invitation are integral parts of this Rulebook as **Form number 2** and **Form number 3**.

(9) The form of the letter of invitation issued by a domestic or foreign legal entity and the form of the letter of invitation issued either by a citizen of BiH or an alien are integral parts of this Rulebook as **Form number 4** and **Form number 5**.

Article 12

(Verification of a letter of invitation)

(1) In a procedure initiated upon an application for verification of invitation letter, the organizational unit of the Service shall check the official records of the Service and the records of the BiH competent law enforcement bodies, as well as conduct operational checks in the field and shall draft an official note on the subject.

(2) If determined that the requirements are met, an organizational unit of the Service shall verify the letter of invitation by affixing its stamp to confirm conducted verification of the letter of invitation.

(3) In case the requirements for the verification of the letter of invitation were not met, an official note on the subject shall be drafted whereas the issuer of the letter of invitation shall be orally informed on reasons for refused verification.

(4) To control the entry, stay and exit of an alien for whom the letter of invitation was verified, the organizational unit of the Service shall check the official records, conduct the operational checks and coordinate its activities with the BiH Border Police.

Section D. Visa issuance at the border

Article 13

(Reasons for issuing a visa at the border)

(1) In exceptional situations, the BiH Border Police may issue a visa to an alien at the border.

(2) In case of a situation referred to in Paragraph (1) herein; the alien shall be issued a short-term visa (Visa C) for a single entry for up to 15 days, or an airport transit visa (Visa A).

(3) Reasons for issuing a visa at the border may be the following:

- a) visa issuance for security reasons – conducted upon the Service's written request submitted to the Border Police,
- b) visa issuance for humanitarian reasons – includes emergency medical interventions and medical evacuations, participation of specialized teams in humanitarian find-and-rescue actions during natural and other disasters etc.,

- c) visa issuance for serious professional reasons – includes members and associates of foreign delegations attending official meetings by invitation of domestic institutions, foreign businessmen and representatives of companies attending official meetings by invitation of domestic institutions or companies, members of sport clubs, associations and representations participating in international sport competitions by invitation of sports federations etc.,
- d) visa issuance for unforeseeable and urgent personal reasons – this includes death or a sudden serious illness of immediate family members, attending a funeral of immediate family members, care of a minor child etc.

Article 14
(Issuing a visa at the border)

(1) The application for the issuance of a visa at the border shall be personally submitted at the border crossing to the BiH Border Police's team leader or to a police officer replacing him. Border crossings where visas at borders can be issued are prescribed by a decision of the Council of Ministers of Bosnia and Herzegovina (hereinafter: the BiH Council of Ministers).

(2) Besides the application for issuing visas at the border, the alien shall make a written statement on the reasons for an urgent entry into Bosnia and Herzegovina and reasons why a timely visa application was not possible, to the Diplomatic-Consular Office of Bosnia and Herzegovina (hereinafter: the DCO BIH).

(3) The team leader of the Border Police at the border crossing or the police officer replacing him shall estimate and determine if there are reasonable grounds for issuing a visa at the border, evidence of the impossibility to submit a timely visa application to the competent DCO BIH, reasons for an urgent stay in Bosnia and Herzegovina, as well as guarantees for the return to the country of origin or the usual place of residence.

(4) If the visa application is submitted at the border, an alien is not obliged to have a medical insurance if such insurance cannot be obtained at the border crossing point or for humanitarian reasons.

(5) The team leader of the BiH Border Police may demand the reasons from Paragraph (2) herein to be supported by relevant documentation.

(6) A police officer who issued the visa at the border shall make an official record which shall be included in both the report of the team leader and the list of visas issued at border crossings.

Article 15
(Visa application at the border)

(1) A visa application shall be submitted in person, on a prescribed form. The alien shall fill out the visa application form completely and legibly and sign it.

(2) When more than one person is stated in the passport, each person shall fill out and sign a separate visa application form.

(3) When a minor is submitting a visa application form, the form shall be signed by one or both parents, a legal representative or guardian, or when accompanied by a person authorized to accompany him/her.

(4) In case a visa application is submitted by an alien lacking legal capacity, the form shall be signed by his/her legal representative.

(5) Exceptionally, in cases of special circumstances such as high urgency or when visas need to be issued to a large number of people within a limited time frame, the visa application form may be filled out and signed by the representative of the organizer of the arrival of these persons.

Article 16
(Filling in the visa sticker)

(1) Visa is entered into the passport in the form of a sticker. If more than one person is included in the same passport, each person shall be issued a separate visa sticker to be entered in that passport.

(2) Visa sticker shall be filled out electronically prior to being placed in the passport. All data on the sticker are printed. No manual changes are allowed on the printed visa sticker.

(3) Notwithstanding Paragraph (2) herein a visa sticker may be filled in by hand only in cases of technical problems. Modifying a visa sticker filled in by hand is prohibited. An official note shall be made for the visa stickers filled in by hand, which shall be submitted to the Ministry of Foreign Affairs (hereinafter: the MFA), to the Service and the headquarter of the Border Police. When technically possible, the data filled in by hand on the visa sticker are immediately entered into the Central Data Base on Aliens.

(4) If the technical problems may be solved in a short time and the visa applicant agrees, visa issuance may be postponed for the visa sticker to be filled in electronically instead of by hand.

(5) The printed or visa sticker filled out by hand shall be placed on the next blank page of the passport, intended for visas. The machine-readable zone of the visa sticker shall be aligned with the outer edge of the page of the travel document.

(6) Visa sticker shall be certified with the signature of an authorized person and the stamp of the BiH Border Police to be entered manually on the right side of the sticker, outside the machine readable zone, to include the part of the visa sticker and part of the page of the passport, and to thereby provide free access to the data entered into designated fields.

(7) When Bosnia and Herzegovina does not acknowledge the passport of the applicant, the visa sticker shall be placed on a separate form in accordance with the decision of the Council of Ministers of Bosnia and Herzegovina.

Article 17
(Invalidation of completed visa sticker)

(1) If a technical error is identified on a visa sticker already placed into the passport, the visa sticker shall be annulled by crossing out with permanent ink and the new sticker shall be entered on a new page.

(2) If a technical error is identified on a visa sticker which has not yet been entered in the passport, visa sticker shall be cancelled in the manner prescribed in Paragraph (1) herein.

Article 18
(Keeping of visa stickers)

(1) Visa stickers shall be kept in appropriate premises and in special cabinets or safes. Only authorized persons shall have access to these premises.

(2) The authorized official with access to the visa stickers shall keep record of the number of unused visa stickers, issued visa stickers and visa stickers annulled due to a technical error noticed before or after it was put into the passport.

Article 19
(Rejection of visa issuance at the border)

(1) The team leader of the Border Police at the border crossing or the police officer replacing him/her, shall reject the visa application of an alien not fulfilling the conditions for issuance of a visa at the border or failing to submit sufficient evidence justifying the issuance of a visa at the border.

(2) In addition to reasons stipulated in Article 37 of the Law, an application for visa issuance at the border shall be also rejected if there are reasonable doubts as to the authenticity of the supporting documents enclosed by the applicant or the veracity of their content, the reliability in the applicant's statements or his/her intention to leave the territory of Bosnia and Herzegovina prior to the expiration of the visa which he/she is applying for, which shall be decided on a case-by-case basis.

(3) In case that an application for visa issuance at the border is refused, the BiH Border shall issue a decision on the refusal of visa application and submit it to the alien who shall confirm its receipt by putting his/her signature in the space provided for that purpose on the form of the decision.

(4) The decision on the refusal of the visa application at the border may be appealed to the Ministry of Security (hereinafter: Ministry) through the Border Police of BiH or Diplomatic-Consular Office BIH.

(5) The form of the decision on the rejection of the visa application at the border is a constituent part of this Rulebook, **Form number 6**.

Section E. Visa extension, annulment and cancellation

Article 20
(Visa extension)

(1) Reasons for visa extension based on Article 36, Paragraph (1) of the Law include natural and other disasters, urgent medical help, unforeseen reasons concerning immediate family members (serious disease, death etc.), end of official or other business activities the visa was issued for, and other situations when this is required by humanitarian, professional and justifiable personal reasons or force majeure.

(2) The visa extension application shall be submitted in person or through a legal representative for an alien lacking legal capacity, in the premises of the organizational unit of the Service. The application shall be submitted on the prescribed form.

(3) The visa extension applicant shall be issued a certificate as evidence of the submitted application, which may not be used for crossing the state border. The alien may reside in Bosnia and Herzegovina until a decision is made based on the application. The certificate on the submitted visa extension application shall contain: name of the body issuing the certificate, number and date of the issuance of the certificate, the legal basis for the issuance of the certificate, the title "CERTIFICATE", a space for the name and surname of the applicant with all personal data and the reason for the visa extension application, a note that the certificate serves as evidence of the submitted application and that it may not be used for crossing the state border, a space for the signature of the authorized person and the stamp of the competent body.

(4) The following shall be submitted along with the visa extension application:

- a) a copy of the passport
- b) photo 35x45mm
- c) evidence of the reasons for visa extension (relevant medical, official or other documentation),
- d) evidence of provided accommodation,
- e) evidence of provided means of subsistence including return of the alien to the country of origin or to a third country,
- f) evidence of health insurance and
- g) evidence of the payment of the administrative fee.

(5) In the procedure for the visa extension application, the organisational unit of the Service shall carry out ex officio checks of the records of the Service including the operational and official records of the competent law enforcement agencies in Bosnia and Herzegovina. Based on this, an official note shall be made and operational checks in the field shall be carried out to determine the veracity of the applicant's statements, based on which a record shall be made.

(6) The visa extension application shall be denied if the application failed to be submitted in accordance with Article 37, Paragraph (1) Indents d) and e) of the Law or if the evidence from Paragraph (4) herein was not submitted with the application or if that evidences fails to justify the adequacy of the application.

(7) The visa extension application shall be rejected if it failed to be submitted in accordance with Article 36, Paragraph (2) of the Law and Paragraph (2) herein.

(8) The decision refusing, i.e. rejecting, the visa extension application, shall determine a deadline, not longer than three days from the day of the receipt of the decision of the visa extension application, by which the alien must leave the territory of Bosnia and Herzegovina.

(9) If the visa extension application is approved, the visa sticker shall be entered into the alien's passport in the manner prescribed in Article 17 of this Rulebook.

(10) The form of the visa extension application and the form of the certificate on the submitted visa extension application are constituent parts of this Rulebook, **Form number 7 and Form number 8.**

Article 21
(Visa annulment and cancellation)

(1) The visa may be annulled or revoked at the border crossing before entry into Bosnia and Herzegovina/or in the territory of BiH.

(2) The visa shall be annulled at the border crossing by the Border Police of Bosnia and Herzegovina. The decision on the annulment of a visa at a border crossing shall be issued *ex officio*. The procedure shall be carried out by the competent local organizational unit of the Border Police of Bosnia and Herzegovina.

(3) The Service shall annul a visa on the territory of Bosnia and Herzegovina. The Decision on the annulment of a visa on the territory of Bosnia and Herzegovina shall be issued *ex officio* or at a reasoned proposal of another body. The procedure shall be carried out by the organizational unit of the Service on the territory in which the alien is registered or found.

(4) Visa is annulled if an alien:

- a) possesses a false or a fraudulent travel document;
- b) is rendered a measure of prohibition of entry to BiH that is still in force;
- c) provides false information or conceals the circumstances of relevance to the issuance of the visa;
or
- d) does not have a valid travel health insurance.

(5) Visa is cancelled if an alien:

- a) resides adversely to the purpose of intended entry and residence;
- b) does not possess and is not in position to legally acquire means for subsistence during the intended stay or return to the country of origin or habitual residence or for the transit to a third country;
- c) is a threat to public order, security or international relations of BiH;
- d) does not respect the legal order in BiH or has undertaken an activity undermining the security of BiH or is a member of an organisation intending or undertaking such activities or is organising or is related to organising illegal entry, stay or exit of individual or groups to/from BiH, or is organising or in any way participates in a criminal activities; or is a subject to an international arrest warrant;
- e) violates or attempts to violate the regulations governing the BiH state border crossing, regardless of the fact if the violation has occurred while entering or leaving BiH;
- f) performs an activity requiring a work permit, although not in possession of the work permit in BiH;
- g) is convicted by a final and binding court decision for violations punishable by law with one (1) year of imprisonment or by a more serious punishment;
- h) does not intend to leave BiH territory prior to expiry of visa;
- i) resides in BiH based on the Visa C; longer than 90 days during any period within 180 days, where the 180 day period refers to the period preceding each day of stay;
- j) submits a request for visa cancellation.

(6) Alien whose visa is annulled or cancelled, without being issued an expulsion measure, shall be given a time frame of a maximum of 8 days to voluntarily leave BiH.

(7) If a visa is annulled or cancelled, the stamp “ANNULLED” or “CANCELLED” or other appropriate sign is affixed over the visa sticker while a variable optical element of visa sticker as well as the word "visa" is crossed out and thus annulled.

(8) The date of annulment, the signature and stamp of the authorized person are entered below the visa sticker in such a way that the signature and the stamp cover a part of the visa sticker and a part of the passport page.

(9) The form of the decision from the Paragraph (2) of this Article is a constituent part of this Rulebook, **the Form number 9.**

Article 22

(Notification on visa annulment or cancellation)

(1) The body that annulled or extended the visa shall immediately inform the Ministry and the competent body that issued a visa.

(2) The notification from Paragraph (1) herein shall contain the following data: name and surname of the alien, date of birth, place and country of birth, nationality, passport type, number and importance, visa type, number and importance, reason and date of the visa extension, shortening or annulment, with a set deadline for leaving the territory of Bosnia and Herzegovina.

CHAPTER III – RESIDENCE OF ALIENS

Section A. Application for a residence permit

Article 23

(Forms of the residence permit application)

(1) Application for granting or extension of a temporary residence in BiH shall be submitted on the form "Application for granting/extension of temporary residence in BiH" which is an integral part of this Rulebook, **Form number 10.**

(2) The application for granting permanent residence in Bosnia and Herzegovina is filed on the form “Application for granting permanent residence”, which is a constituent part of this Rulebook, **Form number 11.**

(3) The application form from Paragraph (1) of herein, shall be filled legibly, in printed letters.

Article 24
(Certificate Form of submitted application)

- (1) The form of the certificate on submitted residence application is issued by Diplomatic-Consular Office of BiH which received the application or the organizational unit of the Service. The form of the certificate is a constituent part of this Rulebook, **Form number 12, Form number 13 and Form number 14.**
- (2) The certificate is evidence of the submitted application and cannot be used to enter BiH. It allows an alien to stay in BiH until a final decision on the application is made, only if the application is submitted on the territory of BiH.
- (3) The certificate delivered on the territory of BiH is issued for a period of 60 days and it may be extended for justifiable reasons until the final decision is made.

Article 25
(Application for the approval and extension of residence)

- (1) An application for the approval and extension of residence in BiH shall be submitted to the Service. The application shall be submitted in the premises of the Service having jurisdiction on the territory of the alien's registered address of residence, except in the case of temporary residence grounded on employment in BiH when the organizational unit of the Service having jurisdiction on the territory of the alien's employment is competent for reception and processing of the application.
- (2) If the application is submitted abroad, it shall be submitted in the premises of the Diplomatic- Consular Office of BiH. The same day or no later than the next working day, the Diplomat-Consular Office of BiH, through the Ministry of Foreign Affairs, shall submit the application with the submitted attachments to the Service for further processing.
- (3) Application from Paragraph (1) and Paragraph (2) herein shall be submitted in person or through a legal representative for an alien lacking legal capacity.
- (4) In the case that upon the expiry of its temporary residence, an alien applies for a temporary residence based on other grounds, he/she is obliged to leave BiH and then submit an application for residence in accordance with Paragraph (1) and Paragraph (2) herein.
- (5) An alien shall provide biometric data when applying on the premises of the BiH DCR or in the organizational unit of the Service.

Section B. Grounds for issuance of temporary residence permit and evidence enclosed to the application for granting temporary residence

Article 26
(Grounds for issuance of temporary residence)

- (1) Temporary residence permit may be granted to an alien who intends to reside or is already residing in BiH for the following reasons:

- a) family reunification,
- b) education,
- c) humanitarian reasons,
- d) employment with a work permit,
- e) employment without a work permit, or
- f) other justified reasons.

(2) Temporary residence permit may exceptionally be issued on grounds of real-estate ownership provided that the alien's effective connection to BiH has been established.

Article 27

(Evidence enclosed to the application for granting temporary residence)

(1) With the application for granting temporary residence, an alien is obliged to enclose the following:

- a) evidence justifying reasons for granting temporary residence permit,
- b) photo 35 X 45mm,
- c) a copy of the passport,
- d) Certificate of residence
- e) evidence on available means of subsistence
- f) evidence on accommodation provided in Bosnia and Herzegovina
- g) evidence on health insurance in BiH
- h) Medical Certificate issued no later than three months prior to the date of submitted application
- i) Attestation of the competent authority in the alien's country of origin confirming that no criminal proceedings and penalty for criminal acts have been imposed against him/her. Such certificate shall not be issued later than six months prior the date of submitted residence application.
- j) Proof of payment of the administrative fee.

(2) The photo from Paragraph (1) Indent b) herein must faithfully picture the applicant; it must be an en-face photo, with uncovered forehead, without any headwear, 70-80 % of the height of the photo must show the head of the person from the chin to the scalp, printed on thin, white, glossy photo-paper. The photo must not be retouched nor made with photographic equipment.

(3) Notwithstanding Paragraph (2) of this Article, the alien may submit a photo picturing him with a piece of headwear if the piece is worn for religious or medical reasons, under the condition that the headwear is not covering the cheeks, the chin and the forehead.

(4) A copy of the passport referred to in Paragraph (1) Indent c) herein, shall be duly authenticated. If the alien is recorded in the official records of the state border crossings and does not have the entry stamp imprint in the passport, he/she is not required to obtain this evidence if he/she had reported his/her residence within the deadline and in the manner specified in Article 103, Paragraph (3) of the Law. From the copy of the passport an entry stamp imprint shall be visible; long term visas (Visa D) if the visa was issued for entry and residence in BiH, as well as the sticker of the previously granted temporary residence if such residence was granted.

(5) If an application is submitted through the BiH DCR, the alien is not required to submit proof of residence registration in BiH referred to in Paragraph (1) indent d) of this Article.

(6) An alien is considered to have means of subsistence if he/she submits:

- a) Proof of possession of cash in local or foreign convertible currency, as evidenced by: attestation or other document on the bank account balance issued by the bank; check or other proof of the amount of pension; work permit, attestation on the amount of personal income from work activity issued by the Employer, the employment contract which specifies the income level; proof of receipt and amount of scholarships, or other evidence;
- b) written statement of BiH citizen or an alien with a residence permit in BiH obliging him/her to bear all costs during the intended residence of the alien with proof of permanent source of income or other source of funding;
- c) Proof of possession of other resources from which can be unambiguously established that the alien has sufficient means of subsistence, such as immovable property in BiH based on which it is possible to provide means of subsistence during his/her residence in BiH as evidenced by a document of ownership of real estate in BiH and proof of gain of assets from that property, or other evidence.

(7) Proof of accommodation referred to in Paragraph (1) Indent f) of this Article shall be considered: documents of ownership of the property including a residential area; residential lease agreement; proof of accommodation in the student, school or nursing home; health facility; institution specialized for people with special needs; in baths; a written statement of persons providing accommodation to an alien including consent to use the apartment with proof of ownership or use of living space.

(8) Evidence on provided health insurance from Paragraph (1) Indent g) of this Article is: a voluntary health insurance, work permit, evidence of accommodation in retirement home, travel health insurance provided by a competent insurance company, health insurance provided in accordance with international agreements on social insurance with BiH being one contracting party, along with a certificate from a foreign or domestic Institute for Health Insurance, health legitimation certified by the competent Health Fund in Bosnia and Herzegovina or other evidence provided by the social insurance contract to which Bosnia and Herzegovina is a contracting party.

(9) Evidence from Paragraph (1) Indent h) herein shall not be submitted for an alien's new-born baby born in Bosnia and Herzegovina.

(10) If an alien submits an application for extension of temporary residence, in addition to the evidence referred to in Paragraph (1) herein, he/she shall submit, along with the application, no criminal proceedings records and no criminal conviction certificate issued by the competent authority in BiH, not older than six months prior to the date of application.

(11) Evidences from Paragraph (1) Indent i) and Paragraph (10) herein, shall not be submitted for minors up to the age of 14.

(12) If an alien submits an application for extension of temporary residence in Bosnia and Herzegovina to the competent organizational unit of the Service, he/she shall be exempt from the obligation of obtaining evidence under Paragraph (1) Indent h) and i) herein, unless the Service estimates that the said evidence is needed.

Section C. Temporary residence grounded on family reunification, education, humanitarian reasons and ownership of real estate

Article 28

(Temporary residence on grounds of family reunification – TR-1)

(1) Temporary residence for the purpose of family reunification may be granted to close family members of:

- a) a BiH national having residence in Bosnia and Herzegovina,
- b) an alien with permanent residence permit in Bosnia and Herzegovina,
- c) an alien with temporary residence in Bosnia and Herzegovina as a Blue Card holder,
- d) an alien with temporary residence in BiH for a year or longer with reasonably grounded chances for approval of permanent residence in BiH, or
- e) an alien with recognized refugee status.

(2) In case of family reunification with a citizen of Bosnia and Herzegovina, a registration certificate for a citizen of BiH shall be submitted in addition to the application, and apart from the evidence referred to in Article 49 and 50, Paragraph (2) of the Law and Article 27 of this Rulebook.

(3) In case of family reunification with a spouse, in addition to the evidence referred to in Article 49 and 50 Paragraph (2) of the Law and Article 27 of this Rulebook, the application shall be supported with:

- a) a copy of the marriage certificate not older than six months, if it was granted without expiry date, and if the marriage was contracted abroad other appropriate proof of marriage issued on the international form, which shows the fact of marriage,
- b) Statement about living in the same household (household list).

(4) In case of family reunification with an unmarried partner, in addition to evidence referred to Articles 49 and 50, Paragraph (2) of the Law and Article 27 of this Rulebook, the application shall be supported with:

- a) Certificate of free marital status for both extramarital partners not older than six months,
- b) Birth certificate for a child born from extramarital affairs, not older than six months, unless it was issued without the validity period,
- c) Excerpt from the registry of common-law marriage if the registry is kept in a state where a common law marriage existed or was established,
- d) written statement of common law partners of the existence and duration of common law marriage,
- e) written witness statements on the existence and duration of common law marriage,
- f) statement of living in the same household (household list), or
- g) other appropriate evidence of the existence and duration of common law marriage.

(5) In case of minor children or dependent adult children who are not married to be reunified with their parents or a parent, in addition to the evidence referred to in Article 49 and 50, Paragraph (2) of the Law and Article 27 of this Rulebook, the application shall be supported with:

- a) Birth certificate not older than six months, unless it was issued without the validity period,
- b) Statement of living in the same household (household list).

(6) In case of a dependent adult child lacking legal capacity, the application shall be supported with: a proof that the child cannot take care of own needs due to his/her state of health as evidenced by appropriate documentation issued by the competent authority or institutions; his/her social background issued by a social welfare centre; and a statement of non-possession of sources of income being an integral part of this Rulebook as **Form 15**.

(7) In case of reunification of a minor child with one parent, the application shall, in addition to evidence from Article 49 and 50, Paragraph (2) of the Law, Article 27 of this Rulebook and Paragraph (5) of this Article, be supported with a consent of the other parent who does not reside in the same household, or with a proof on custody of the child awarded to the parent with whom reunification is sought, under condition that the marriage in which the child was born has been dissolved.

(8) Notwithstanding Article 50 Paragraph (1) indent b) of the Law, an alien's child under the age of six years when he/she gains the right to education, whose parents are aliens residing in BiH on the basis of temporary residence for less than one year, may be granted a temporary residence on the grounds of family reunification, in accordance with the Convention on the rights of the child.

(9) In case of family reunification with a child submitted by dependent parents, in addition to evidence from Article 49 and 50, Paragraph (2) of the Law and Article 27 of this Rulebook, the application shall be supported with:

- a) Birth certificate not older than six months, unless it was issued without the validity period,
- b) Evidence on a dependent parent, or a proof that the parent is unable to work with no sufficient means for own subsistence or possibility to achieve it from own property, or that he/she is not entitled to a support provided to the spouse or common-law partner or another person, and
- c) Statement of living in the same household (household list).

(10) Evidence on dependent parent from Paragraph (9) from this Article, may be:

- a) parent is a person who has attained the age of 65 years ;
- b) certificate of work disability or unemployment obtained in the country of origin of the alien confirming that the alien does not have regular monthly income, or
- c) Evidence on permanent health damage of dependent parent making him/her unable to take care of himself/herself

(11) In case of family reunification with an alien who has a refugee status in BiH, while applying for family reunification an alien shall submit proof of a recognized refugee status in BiH for an alien with whom the family reunification is sought.

(12) In the process of dealing with applications for family reunification, the competent organizational unit of the Service shall consult the Central Database on Aliens, and check granted residence of the alien with whom the family reunification is sought.

(13) An application for granting or extension of temporary residence on the basis of family reunification shall be supported with a written statement of the person with whom the family is reuniting, certified by the municipal administrative authority or notary public, by which that person commits himself/herself to

bear the costs of accommodation, medical treatment, support and other costs which may arise during the alien's stay in BiH, as well as costs of surveillance, voluntary departure or forcible removal, and other costs pertaining to the alien's departure from BiH.

(14) The extension of a previously granted temporary residence may be granted to an adult child whose both parents are citizens of BiH if the adult child is not married and lives in the same household with his parents and has its own sources of revenue as evidenced by a statement of not possessing sources of income referred to in Paragraph (6) herein.

Article 29
(Temporary residence grounded on primary and secondary education – TR-2)

(1) Additional to the evidence from Article 49 of the Law and Article 27 of this Rulebook, an alien shall support his/her application for approval or extension of temporary residence grounded on regular primary education (TR-2-3) with:

- a) certificate of enrolment in primary school for the current school year,
- b) written consent of both parents and guardians to educate minor child on the territory of Bosnia and Herzegovina,
- c) written consent of both parents or legal guardians of the minor alien to be placed in an educational boarding institution or accommodation provided by a BiH citizen or an alien holder of permanent residence permit in BiH who shall be responsible to bear the accommodation and medical costs, ensure the livelihood and bear all other costs that may arise from the alien's residence in BiH, as well as all other costs of the alien to leave the BiH,
- d) written statement of the person or guardian with whom the child is placed, certified by the municipal administration or a notary, or a certificate of educational institution or organization implementing a student's exchange program to be responsible for the child during his/her residence in BiH, especially in terms of accommodation, means of subsistence, education, health care and return.

(2) Additional to the evidence from Article 49 of the Law and Article 27 of this Rulebook, an alien shall support his/her application for approval or extension of temporary residence grounded on regular secondary education (TR-2-2) with:

- a) a certificate of enrolment in secondary school for the current school year,
- b) written consent of both parents and guardians to educate minor child on the territory of Bosnia and Herzegovina
- c) written consent of both parents or legal guardians for the minor alien to be placed in an educational boarding institution or with BiH citizen or an alien holder of the permanent residence permit in BiH, who shall be responsible to bear the accommodation and medical costs, ensure the livelihood and bear all other costs that may arise from the alien's residence in BiH, as well as all other costs of the alien to leave the BiH,
- d) written statement of the person with whom the child is placed, certified by the municipal administration or a notary or a certificate of educational institution or organization implementing a student's exchange program to be responsible for the child during his residence in BiH, especially in terms of accommodation, means of subsistence, education, health care and return.

- e) Certificate of participation in the students exchange program, if the child is enrolled in high school on that basis.

(3) An application for approval or extension of temporary residence on grounds of primary or secondary education for underage aliens shall be submitted by one parent with accompanying consent of the other parent, a legal representative or a guardian. The application shall be submitted in person at the premises of the organisational unit of the Service.

Article 30

(Temporary residence grounded on higher education – TR-2-3)

(1) Additional to the evidence from Article 49 of the Law and Article 27 of this Rulebook, an alien shall support his/her application for approval or extension of temporary residence grounded on regular higher education (TR-2-3) with:

- a) certificate of enrolment into a higher education institution for the current academic year,
- b) evidence that the student comes in the framework of students exchange or mobility of young people, if he /she enrolled into the higher education on that basis,
- c) evidence on secured means to support oneself during the current academic year in the amount of 400, 00 KM per month or a written statement of a citizen of Bosnia and Herzegovina, of an alien with a temporary or permanent residence permit in Bosnia and Herzegovina, which proves the support for the duration of intended stay with evidence on a steady income source or other sources of financing.

(2) Along with the application for extension of temporary residence on this basis, after assessment and on-demand of the Service, an alien shall submit a proof of having passed the exams during the previous studies in BiH.

(3) Temporary residence on grounds of higher education shall be granted for the duration of the academic year with additional 30 days, but not longer than one year in total duration.

Article 31

(Temporary residence grounded on unpaid internship – TR-2-4)

(1) Additional to the evidence from Article 49 of the Law and Article 27 of this Rulebook, an alien shall support his/her application for approval or extension of temporary residence grounded on unpaid internship (TR-2-4) with:

- a) a contract on provision of professional training without a compensation concluded with a legal entity to provide him/her with the training or internship;
- b) evidence that he/she is familiar with one of the official languages used in BiH, and
- c) evidence that the legal entity to provide him/her with the training or internship shall assume the responsibility of his/her means for subsistence, health insurance and return.

(2) Temporary residence on grounds of the unpaid internships may be exceptionally extended only once and only for the period required for the acquisition of professional qualifications under the same conditions under which the residence was granted.

Article 32
(Temporary residence grounded on volunteering – TR-2-5)

(1) Additional to the evidence from Article 49 of the Law and Article 27 of this Rulebook, an alien shall support his/her application for approval or extension of temporary residence grounded on volunteer work (TR-2-5) with:

- a) a contract on volunteering concluded prior to initiated work,
- b) certificate of volunteer organizer who engages the alien indicating the name of the volunteer positions, job description and tasks to be performed by the alien within the project which is in accordance with the scheme of voluntary work from the indent c) of this Paragraph and the period in which his/her involvement is requested,
- c) project or document to the realization of which the alien is involved which shows the duration of the project, the scheme of voluntary work, the name of the volunteer positions, job descriptions and tasks, number of employees, the period of voluntary work, supervision and working hours, and the time frame of the project activities, permit for the realization of the project issued by the competent authority for humanitarian organizations in BiH,
- d) evidence on registration of the humanitarian organization, citizens' associations or foundation,
- e) evidence of solvency of the humanitarian organization, citizens' association or foundation issued by the competent bank,
- f) compulsory insurance against accidents or an accident that might happen to the alien during the period of requested temporary residence permit, signed by the organization in which the alien is volunteering,
- g) evidence that the organization where the alien volunteers shall cover the costs of living, accommodation, food, medical treatment, medical insurance and return, as well as the costs of placing under surveillance, voluntary return or forceful removal, and other costs as a result of alien's stay in BiH during the volunteering period,
- h) consent on the engagement of the alien issued by the municipal and competent church/religious community in case of the citizen's association, representations of foreign humanitarian non-governmental organizations or foundations which have religious characteristics in their name, statute, aims and programme.

(2) Project to the realization of which the alien is involved shall contain data showing clearly: the voluntary work scheme, description of volunteer tasks and duties individually for each volunteer, number of volunteers, period of volunteering for each volunteer, description of project beneficiaries, supervision of the project tasks execution and working hours.

(3) In addition to the evidence from the Paragraph (1) herein, the alien may be requested to submit proof of specific qualifications in certain areas that are important for the performance of tasks and duties within the implementation of the project, subject to evaluation of the Service for each case separately.

(4) Temporary residence on grounds of voluntary work may be granted to an alien who is under 18 or over 65 years old.

(5) Temporary residence on grounds of voluntary work may be exceptionally extended only under the same conditions under which the residence was granted, and if the duration of the project to which the alien is engaged lasts longer than a year.

Article 33

(Temporary residence on humanitarian grounds for medical treatment, rehabilitation or placement in a nursing home – TR-3)

(1) Additional to the evidence from Article 49 of the Law and Article 27 of this Rulebook, an alien shall support his/her application for approval or extension of temporary residence on humanitarian grounds (TR-3-1) with:

- a) evidence from the health institution, therapy commune or community, that is, a spa facility that the alien will be ensured treatment or rehabilitation, with a note on the time period of the treatment or rehabilitation,
- b) evidence for payment methods of medical treatments or rehabilitation costs .

(2) Additional to the evidence from Article 49 of the Law and Article 27 of this Rulebook, an alien shall support his/her application for approval or extension of temporary residence on humanitarian grounds for the purpose of stay in a retirement home (TR-3-2) with:

- a) evidence from institution on the placement in a retirement home,
- b) a contract on the placement in a retirement home with payment method of the accommodation costs indicated.

Article 34

(Residence for humanitarian reasons)

(1) Temporary residence on humanitarian grounds may also be granted to an alien applying for the approval of temporary residence on humanitarian grounds under Article 58, Paragraph (2) and (3) of the Law, who fails to meet the requirements defined by the Law and referred to in Article 27 of this Rulebook.

(2) Temporary residence from Paragraph (1) of this Article may be granted in the following cases:

- a) alien who has been a victim of human trafficking for the purpose of:
 - 1) providing him/her with protection and assistance for rehabilitation and repatriation into the country of his/her origin, habitual residence, or a country to admit him/her (TR-3-3), or
 - 2) providing him/her with protection and assistance when necessary for the purpose of cooperation with competent authorities in investigating and processing criminal case of trafficking in human beings (TR-3-4),
- b) minor child of an alien, if abandoned or a victim of organized crime or without parental protection or custody or if left unaccompanied for any other reason (TR-3-5),
- c) stateless person (TR-3-6),
- d) for other justified humanitarian reasons to be stipulated by the BiH Council of Ministers' bylaws issued upon the Ministry's proposal (TR-3-7),

- e) in cases where the alien co-operates with authorities for the purposes of revealing criminal offenses and their offenders, or if he/she has been a victim of organized crime and his/her presence in BiH is essential for conducting of court proceedings (TR-3-8).

(3) An alien granted temporary residence for humanitarian reasons pursuant to Article 58, Paragraph (2) of the Law that lacks a valid travel document shall be provided with a certificate of identity to which a residence permit is entered. A certificate of identity is numbered, of white colour, having dimensions of 125+0.75mm x 88+0.75mm, and consists of eight pages. It serves as an identification document on the territory of BiH though cannot be used for crossing a border.

(4) The certificate of identity form is an integral part of this Rulebook as **Form number 16**.

Article 35

(Temporary residence on the grounds of ownership of immovable property – TR-4)

(1) Along with the application for approval or extension of temporary residence on the grounds of immovable property (TR-4), in addition to the evidence from Article 49 of the Law and Article 27 of this Rulebook, an alien shall submit:

- a) land registry excerpt or excerpt from the contracts registry for immovable property in Bosnia and Herzegovina,
- b) evidence of the effective connection with Bosnia and Herzegovina, and
- c) evidence that his/her immovable property includes a housing space, which is proved by his/her statement verified by the relevant authority.

(3) The effective connection with BiH exists if the alien or members of his/her immediate family:

- a) are natives of BiH as evidenced by a copy of the birth certificate not older than six months, unless it was issued without the validity period;
- b) educate children in Bosnia and Herzegovina;
- c) receive pension in Bosnia and Herzegovina;
- d) invest in BiH, or
- e) provide an evidence that the members of his/her immediate family live in BiH.

(3) In case an alien is unable to provide a land registry certificate or excerpt from deposit contracts due to lack of land registers or books of deposit contracts, he/she may support the application with a duly verified contract on sale/purchase, deed of gift, ruling on inheritance or another proof of entitlement over a real estate gained through a legal transaction with a certificate from the competent court demonstrating that the land register or the register of deposited contracts have not been established.

Section D. Employment on the grounds of a work permit

Article 36

(Temporary residence on the grounds of a work permit – TR-5)

(1) Additional to the evidence from Article 49 of the Law and Article 27 of this Rulebook, an alien shall support his/her application for approval or extension of temporary residence grounded on employment with a work permit (TR-5) with:

- a) work permit,
- b) decision on registration of a legal entity in the court register, and
- c) evidence of tax payment provided by the Tax Administration and evidence of the Indirect Taxation Authority of settled liabilities arising from indirect taxes for the business organization or company, not older than 90 days, in the case of a business organization or company based in BiH, whose founder or co-founder is an alien.

(2) In addition to the application for the extension of temporary residence permit on this basis, an alien shall submit a certificate from the competent employment agency on a submitted application for the extension of a work permit.

(3) When applying for approval or extension of temporary residence on this basis, the Service may request the alien in person, or *ex officio*, to provide other evidence proving the purpose of his/her residence on this basis.

(4) Alien's temporary residence in BiH granted on grounds of the work permit shall not cease to be valid if he/she changes position within the same legal entity or changes the Employer in the course of the approved temporary residence in BiH; if within 30 days from the date of expiry of the previously issued work permit, he/she submits to the Service, a new work permit or evidence of initiation of the procedure for issuance of a new work permit and application for extension of temporary residence on the same grounds, presented within the period referred to in Article 82 of the Law.

5) If the alien's temporary residence ceased to be valid in accordance with Article 67 Paragraph (3) of the Law, the Service shall deliver him/her a notice of termination of residence, and residence permit shall be cancelled.

Article 37

(Temporary residence of aliens under Article 77, Paragraph (1) of the Law – TR-6)

(1) Aliens referred to in Article 77, Paragraph (1) of the Law who intend to work in BiH more than 90 days in a calendar year, shall be granted a temporary residence permit (TR-6) in accordance with Article 36 of this Rulebook.

(2) Notwithstanding Paragraph (1) herein, seasonal workers referred to in Article 77 Paragraph (1) Indent m) shall be granted a temporary residence in accordance with Article 69, Paragraph (3) and (7) of the Law.

Section E. Temporary residence on grounds of employment without a work permit

Article 38

(Temporary residence for the purpose of highly qualified employment - the Blue Card – TR-7-1)

(1) Additional to the evidence from Article 49 of the Law and Article 27 of this Rulebook, the Employer shall support an application for approval or extension of temporary residence for the purpose of highly qualified employment – the Blue Card with:

- a) evidence for higher education qualification,
- b) evidence for professional experience of at least five years acquired after completing the formal higher education, and
- c) Employment Contract or another relevant contract for performing duties of highly qualified worker for at least one year period.

(2) Employment Contract from Paragraph (1) Indent c) herein shall specify his/her gross annual income not lesser than 1.5 of the average gross annual income in BiH according to official data published by the authority responsible for statistics in BiH

(3) Prior to issuance of a decision, the Service shall make *ex officio* check the following with the BiH Labour and Employment Agency:

- a) if his/her residence application filed for the purpose of highly qualified employment was preceded by a vacancy announced by an Employer intending to employ an alien.
- b) if Employer has advertised the job in at least three daily newspapers available on the entire territory of BiH with the application deadline of 30 days,
- c) if job advertisement was submitted to the BiH Agency for Labour and Employment,
- d) if the BiH Agency for Labour and Employment made this vacancy available to all employment institutions in BiH,
- e) if a higher education qualification and professional experience of at least five years acquired upon completed formal higher education was required for the vacant post , and
- f) if there is a vacant post for issuance of a Blue Card.

(4) In the event of termination of the service contract or if a Blue Card holder change his/her Employer under Article 74 (Blue Card Employment), Paragraph (2), (3) and (4) of the Law, he/she is required to notify the Service thereof within eight days from the day of such change.

Article 39

(Temporary residence granted for the redeployment within legal entity –TR-7-2)

Additional to the evidence from Article 49 of the Law and Article 27 of this Rulebook, foreign managers, experts or interns to be redeployed within legal entity (TR-7-2) shall support an application for approval or extension of temporary residence with:

- a) decision on registration of a legal entity into the Court Registry in BiH,
- b) attestation or other evidence issued by an Employer confirming that a legal entity in BiH and a legal entity having its seat abroad belong to the same legal entity or group of legal entities,

- c) Employer certificate of employment within the same legal entity or group of legal entities for an uninterrupted period of at least 12 months immediately prior to the date of redeployment within the legal entity if referred to a manager or experts,
- d) Employer certificate of employment within the same legal entity or group of legal entities for an uninterrupted period of at least 6 months immediately prior to the date of redeployment within the legal entity if referred to probationers,
- e) Employment Contract
- f) Employer certificate providing the address of the legal entity, duration of the redeployment, confirming that the alien shall assume the position of a manager, expert or probationer, amount of salary and other conditions of employment; confirming that the alien would be in position to be transferred back to the legal entity that belongs to the same legal entity or group of legal entities in a foreign country upon completion of his/her tasks,
- g) evidence of relevant professional qualifications and experience,
- h) evidence on solvency of the host legal entity in BiH, and
- i) evidence that the host legal entity assumes responsibility for the alien during his/her stay in BiH, which includes the means of subsistence, accommodation, food, health insurance and return.

Article 40

(Temporary residence for a purpose of scientific research – TR-7-3)

Additional to the evidence from Article 49 of the Law and Article 27 of this Rulebook, an alien shall support his/her application for approval or extension of temporary residence for a purpose of scientific research with:

- a) evidence on possession of higher educational qualification enabling him/her access to doctoral degree programs,
- b) evidence on possession of experience and knowledge related to the research project,
- c) agreement on visiting project with an organization for scientific researchers that was concluded prior to applying for temporary residence
- d) evidence that the scientific and research organization shall assume responsibility for the alien during the research, including his/her living expenses, accommodation, food, health insurance and return .

Article 41

(Temporary residence of founders of a legal entity – TR-7-4-1)

Foreign founders of a company referred to in Article 77, Paragraph (2) Indent a) and Paragraph (8) of the Law (TR-7-4-1) shall, additional to the evidence from Article 49 of the Law and Article 27 of this Rulebook, support an application for approval or extension of temporary residence with:

- a) evidence on the type of work to be performed,
- b) decision on registration of the company into the Court Registry ,
- c) evidence of solvency of the company issued by the competent bank,
- d) evidence of paid tax liabilities in BiH issued by the relevant Tax Administration ; evidence of the Indirect Taxation Authority of settled liabilities arising from indirect taxes for the company or enterprise, not older than 90 days,
- e) evidence that a company or enterprise employs a minimum of five citizens of Bosnia and

Herzegovina for every alien, including the company founder
f) evidence that the Employer pays gross salaries for every employee in the amount of at least an average gross salary in BiH.

Article 42

(Temporary residence of experts, professors and lecturers – TR-7-4-2)

Experts, professors and lecturers referred to in Article 77 Paragraph (2) Item b) and Paragraph (8) of the Law (TR-7-4-2) shall, additional to the evidence from Article 49 of the Law and Article 27 of this Rulebook, support an application for approval or extension of temporary residence with:

- a) evidence on being an expert, teacher or lecturer of a foreign cultural or educational institution,
- b) evidence that there is a relevant cultural/educational cooperation programme along with the evidence on the alien's engagement and specified timeframe of the engagement,
- c) a certificate of the educational or cultural institution, legal entity or administrative body to engage the alien committing itself to bear accommodation costs, medical costs, ensure support and cover other costs which may arise due to the alien's stay in Bosnia and Herzegovina, as well as costs of surveillance, voluntary departure or forcible removal, and other costs pertaining to departure of the alien from BiH.

Article 43

(Temporary residence of civil, police and military officials – TR-7-4-3)

Civil, police and military officials referred to in Article 77 Paragraph (2) Item c) and Paragraph (8) of the Law (TR-7-4-3) shall, additional to the evidence from Article 49 of the Law and Article 27 of this Rulebook, support an application for approval or extension of temporary residence with:

- a) evidence on being a civil or military official of a foreign government arriving to BiH for employment on basis of a cooperation agreement with the authorities of Bosnia and Herzegovina,
- b) evidence that there is a cooperation agreement with the authorities of Bosnia and Herzegovina along with the evidence on the alien's engagement within specified timeframe,
- c) a certificate of the BiH authority to engage the alien committing itself to bear accommodation costs, medical costs, ensure support and cover other costs which may arise due to the alien's stay in Bosnia and Herzegovina, as well as costs of surveillance, voluntary departure or forcible removal, and other costs pertaining to departure of the alien from BiH.

Article 44

(Temporary residence of members of international scientific missions – TR-7-4-4)

Members of international scientific missions referred to in Article 77 Paragraph (2) Item d) and Paragraph (8) of the Law (TR-7-4-4) shall, additional to the evidence from Article 49 of the Law and Article 27 of this Rulebook, support an application for approval or extension of temporary residence with:

- a) evidence on being a member of an international scientific mission conducting a research in Bosnia and Herzegovina along with evidence on the alien's engagement within specified timeframe,
- b) evidence that the research in BiH was approved by the BiH Council of Ministers,
- c) a certificate of the BiH competent authority to engage the alien committing itself to bear accommodation costs, medical costs, ensure support and cover other costs which may arise due to the alien's stay in Bosnia and Herzegovina, as well as costs of surveillance, voluntary departure or forcible removal, and other costs pertaining to departure of the alien from BiH.

Article 45

(Temporary residence of representatives of religious communities – TR-7-4-5)

Representatives of religious communities registered in BiH referred to in Article 77 Paragraph (2) Item e) and Paragraph (8) of the Law (TR-7-4-5) shall, additional to the evidence from Article 49 of the Law and Article 27 of this Rulebook, support an application for approval or extension of temporary residence with:

- a) a certificate on registration of the religious community,
- b) a certificate of the religious community stating that the alien is a representative of particular religious community registered in BiH and engaged on businesses relating to religious service, with a note on the type of conducted activities and timeframe of his/her engagement,
- c) a certificate of the religious community committing itself to bear accommodation costs, medical costs, ensure support and cover other costs which may arise due to the alien's stay in Bosnia and Herzegovina, as well as costs of surveillance, voluntary departure or forcible removal, and other costs pertaining to departure of the alien from BiH.

Article 46

(Temporary residence of foreign correspondents and foreign media reporters – TR-7-4-6)

Foreign correspondents accredited in BiH and foreign media reporters referred to in Article 77 Paragraph (2) Item f) and Paragraph (8) of the Law (TR-7-4-6) shall, additional to the evidence from Article 49 of the Law and Article 27 of this Rulebook, support an application for approval or extension of temporary residence with:

- a) evidence on being a foreign correspondent accredited in BiH or a foreign media reporter,
- b) evidence on his/her engagement in BiH within specified timeframe.

Article 47

(Temporary residence of aliens conducting activities related to the defence, legal system, state security or professional training on the subject – TR-7-4-7)

Aliens conducting activities related to the defence, legal system, state security or professional training on the subject pursuant to an agreement with the BiH Council of Ministers, the BiH Ministry of Defence, the BiH Ministry of Justice or the Ministry as referred to in Article 77 Paragraph (2) Item g) and Paragraph (8) of the Law (TR-7-4-7) shall, additional to the evidence from Article 49 of the Law and Article 27 of this Rulebook, support an application for approval or extension of temporary residence with:

- a) evidence on agreement being signed with the BiH Council of Ministers, the BiH Ministry of Defence, the BiH Ministry of Justice or the Ministry,
- b) evidence that the alien is engaged in activities related to the defence, legal system, state security or professional training on the subject with indicated type of work he/she would perform and specified timeframe of the engagement,
- c) certificate of a competent authority on required engagement of the alien in BiH with a commitment to bear accommodation costs, medical costs, ensure support and cover other costs which may arise due to the alien's stay in Bosnia and Herzegovina, as well as costs of surveillance, voluntary departure or forcible removal, and other costs pertaining to departure of the alien from BiH.

Article 48

(Temporary residence of aliens engaged on projects significant for BiH – TR-7-4-8)

Aliens engaged on projects significant for BiH as referred in Article 77 Paragraph (2) Item h) and Paragraph (8) of the Law (TR-7-4-8) shall, additional to the evidence from Article 49 of the Law and Article 27 of this Rulebook, support an application for approval or extension of temporary residence with:

- a) evidence of competent authority that the project is of significance for BiH,
- b) evidence that the alien is needed for implementation of the project,
- c) information on his/her function in the project within specified timeframe of engagement,
- d) a certificate of a competent authority or legal entity to engage the alien committing itself to bear accommodation costs, medical costs, ensure support and cover other costs which may arise due to the alien's stay in Bosnia and Herzegovina, as well as costs of surveillance, voluntary departure or forcible removal, and other costs pertaining to departure of the alien from BiH.

Article 49

(Temporary residence of aliens residing in BiH grounded on an international agreement – TR-7-4-9)

Aliens residing in BiH grounded on an international agreement to which BiH is contractual party as referred in Article 77 Paragraph (2) Item i) and Paragraph (8) of the Law (TR-7-4-9) shall, additional to the evidence from Article 49 of the Law and Article 27 of this Rulebook, support an application for approval or extension of temporary residence with:

- a) evidence of a competent authority that the alien is required for implementation of an international agreement to which Bosnia and Herzegovina is a contractual party,
- b) information on the alien's function in the implementation of the agreement within specified timeframe of the engagement.

Section F. Employment without a work permit with certification of employment registration

Article 50

(Certification of employment registration without a work permit)

(1) Aliens referred to in Article 77 Paragraph (1) of the Law may work in BiH without a work permit on grounds of previously acquired certification of employment registration throughout the validity of their visa, non-visa or approved temporary residence for a period not exceeding 90 days within a calendar year.

(2) Aliens referred to in Article 77 Paragraph (2) of the Law may work in BiH without a work permit on grounds of previously acquired certification of employment registration throughout the validity of their visa, non-visa or approved temporary residence.

(3) Aliens referred to in Paragraphs (1) and (2) herein shall obtain their certification of employment registration in advance. An alien would be allowed to work in BiH only after a certification of employment registration has been issued to him/her.

(4) Request for issuance of certification of employment registration shall be submitted by the alien himself/herself, his/her employer or the person using services of the alien, on a prescribed form, and handed to the competent organisational unit of the Service. Application form for issuance of certification of employment registration is an integral part of this Rulebook as **Form number 17**.

(5) Prior to issuance of an employment registration certification, competent organisational unit of the Service shall examine its official registries and conduct operational checks in field to confirm the veracity of the applicant's statements and determine the validity of submitted documentation.

(6) A certification of employment registration shall not be issued unless the application's supporting documentation provides for a clear establishment that conducted businesses are in accordance with Article 77 Paragraphs (1) and (2) of the Law, and the operational checks confirm that the alien's stay and work are in accordance with the purpose stated in the application for issuance of a certification of employment registration and its supporting evidence. In case of non-issuance of a certification of employment registration, the applicant shall be orally informed on the reasons for it, and the fact would be noted in his/her case file.

(7) A copy of the certification of employment registration shall be provided to both the alien and his/her employer.

(8) Application form for certification of employment registration is an integral part of this Rulebook as **Form number 18**.

Article 51

(Certification of employment registration for key persons)

Key persons referred to in Article 77 Paragraph (1) Item a) and Paragraph (3) of the Law shall support an application for certification of employment registration with:

- a) a copy of the alien's travel document, not necessarily verified,

- b) a contract on work or other relevant documentation to evidence the type of work that he/she would conduct,
- c) evidence confirming the status of the key person in a legal entity, and, if needed, the evidence on his/her exceptional knowledge of the matter of importance for the work of the legal entity,
- d) evidence on duly paid administrative taxes.

Article 52

(Certification of employment registration for university professors and scientists)

University professors, scientists undergoing a scientific or professional development/representing international organisations/taking part in implementation of scientific-research projects relevant for BiH, referred to in Article 77 Paragraph (1) Item b) and Paragraph (3) of the Law, shall support an application for certification of employment registration with:

- a) a copy of the alien's travel document, not necessarily verified,
- b) evidence on being engaged at a BiH university as a lecturer or a scientist conducting a research/undergoing professional development/representing an international organisation/taking part in implementation of a science-research project of relevance for BiH with indicated timeframe and capacity of engagement,
- c) evidence on duly paid administrative taxes.

Article 53

(Certification of employment registration for artists, authors, cultural performers and their technical staff)

Artists, authors, cultural performers and their technical staff, referred to in Article 77 Paragraph (1) Item c) and Paragraph (3) of the Law, shall support an application for certification of employment registration with:

- a) a copy of the alien's travel document, not necessarily verified,
- b) a contract of engagement concluded with a physical or legal entity in BiH that is registered for such activities, whereas the artists engaged on the estrade would require a contract with an organizer or mediator registered for such activities with accompanying rights and obligations of the contractual parties within specified timeframe of the engagement,
- c) evidence on duly paid administrative taxes.

Article 54

(Certification of employment registration for experts in field of cultural heritage, library science and archive science)

Experts in field of cultural heritage, library science and archive science, referred to in Article 77 Paragraph (1) Item d) and Paragraph (3) of the Law, shall support an application for certification of employment registration with:

- a) a copy of the alien's travel document, not necessarily verified,
- b) evidence on his/her engagement in field of protection of cultural heritage, library science and archive science indicating the type of conducted activities within specified timeframe of the engagement,
- c) evidence on duly paid administrative taxes.

Article 55

(Certification of employment registration for aliens delegated by a foreign employer to conduct professional training and education of persons working for physical or legal entities seated in BiH)

Aliens delegated by a foreign employer to educate and professionally train the persons working for physical and legal entities seated in BiH, as referred to in Article 77 Paragraph (1) Item e) and Paragraph (3) of the Law, shall support an application for certification of employment registration with:

- a) a copy of the alien's travel document, not necessarily verified,
- b) evidence that the alien was delegated to conduct professional training and education of persons working for physical or legal entities seated in BiH,
- c) evidence issued by the physical or legal entity seated in BiH that the alien was admitted to conduct professional training in BiH within specified timeframe with indicated rights and obligations of the contractual parties.
- d) evidence on duly paid administrative taxes.

Article 56

(Certification of employment registration for aliens arriving to BiH to obtain professional training, education or internship)

Aliens arriving to BiH to obtain professional training, education or internship in a diplomatic mission or consular office accredited in BiH, as referred to in Article 77 Paragraph (1) Item f) and Paragraph (3) of the Law, shall support an application for certification of employment registration with:

- a) a copy of the alien's travel document, not necessarily verified,
- b) evidence that the alien was admitted to obtain professional training, education or internship in a diplomatic or consular office accredited in BiH, institution in BiH or physical entity seated in BiH, with indicated timeframe of his/her professional training, education or internship,
- e) evidence on duly paid administrative taxes.

Article 57

(Certification of employment registration for aliens responsible for delivery, installation and servicing of machinery and equipment)

Aliens responsible for the delivery, installation and servicing of machinery and equipment, as referred to in Article 77 Paragraph (1) Item g) and Paragraph (3) of the Law, shall support an application for certification of employment registration with:

- a) a copy of the alien's travel document, not necessarily verified,
- b) a contract or agreement on cooperation between the legal entity engaging the alien and the legal entity deploying the alien to BiH to indicate the alien's engagement in the delivery, installation or servicing of machinery and equipment within specified timeframe,
- c) evidence on duly paid administrative taxes.

Article 58

(Certification of employment registration for alien lecturers at conferences and seminars)

Alien lecturers at conferences and seminars referred to in Article 77 Paragraph (1) Item h) and Paragraph (3) of the Law shall support an application for certification of employment registration with:

- a) a copy of the alien's travel document, not necessarily verified,
- b) an invitation of organiser of a conference or seminar taking place in BiH,
- c) evidence that the alien is engaged as lecturer on the conference or seminar in BiH within specified timeframe,
- d) evidence on duly paid administrative taxes.

Article 59

(Certification of employment registration for aliens participating in fairs or exhibitions)

Aliens taking part in fairs or exhibitions on behalf of their employer, as referred to in Article 77 Paragraph (1) Item i) and Paragraph (3) of the Law, shall support an application for certification of employment registration with:

- a) a copy of the alien's travel document, not necessarily verified,
- b) an invitation of organiser of a fair or exhibition with specified timeframe of the alien's engagement at the fair or exhibition,
- c) evidence on duly paid administrative taxes.

Article 60

(Certification of employment registration for aliens employed at circuses or amusement parks)

Aliens employed at circuses or amusement parks, referred to in Article 77 Paragraph (1) Item j) and Paragraph (3) of the Law, shall support an application for certification of employment registration with:

- a) a copy of the alien's travel document, not necessarily verified,
- b) evidence on the alien's engagement within specified timeframe,
- c) evidence on duly paid administrative taxes.

Article 61

(Certification of employment registration for alien physicians engaged to perform specialist examinations)

Alien physicians arriving to Bosnia and Herzegovina upon an invitation of a BiH healthcare institution to perform specialist examinations and other medical services, referred to in Article 77 Paragraph (1) Item k) and Paragraph (3) of the Law, shall support an application for certification of employment registration with:

- a) a copy of the alien's travel document, not necessarily verified,
- b) evidence that the alien was invited by a healthcare institution in BiH,
- c) a contract/an agreement on engagement concluded between the alien and a healthcare institution in BiH within specified timeframe,
- d) evidence on duly paid administrative taxes.

Article 62
(Certification of employment registration for seasonal workers)

(1) Aliens arriving to BiH as seasonal workers within a contract on work concluded between the alien and an employer from BiH, referred to in Article 77 Paragraph (1) Item m) and Paragraph (3) of the Law, shall support an application for certification of employment registration with:

- a) a copy of the alien's travel document, not necessarily verified,
- b) a contract on work concluded between the alien and an employer from BiH,
- c) evidence on duly paid administrative taxes.

(2) An alien referred to in Paragraph (1) herein would not be issued with a certification of employment registration unless the preconditions of Article 69 Paragraphs (3) and (7) of the Law are met.

Article 63
(Certification of employment registration for company founders)

Aliens arriving to BiH as founders of a company or enterprise seated in BiH, as referred to in Article 77 Paragraph (1) Item m) and Paragraph (3) of the Law, shall support an application for certification of employment registration with:

- a) a copy of the alien's travel document, not necessarily verified,
- b) the Decision on Registration of the Legal Entity in the Court Registry,
- c) a contract on work or another evidence indicating the type of business that the alien would conduct,
- d) evidence that the company or enterprise employs a minimum of five BiH nationals per each employed alien, including the company's founder,
- e) evidence that the employer pays gross salary for each employee in the amount not lesser than an average gross salary in BiH,
- f) evidence of a competent tax administration on settled tax obligations in BiH and evidence of the Indirect Taxation Authority not older than 90 days that the business company or enterprise has settled its indirect taxation obligations,
- d) evidence on duly paid administrative taxes.

Article 64
(Certification of employment registration for experts, professors and lecturers)

Aliens arriving to BiH as experts, professors and lecturers from foreign cultural and educational institutions to be professionally engaged within a project concerning cultural or educational cooperation, referred to in Article 77 Paragraph (2) Item b) and Paragraph (5) of the Law, shall support an application for certification of employment registration with:

- a) a copy of the alien's travel document, not necessarily verified,
- b) evidence that the alien is an expert, professor or a lecturer of a foreign cultural or educational institution,
- c) evidence that there is a program on cultural and educational cooperation, along with evidence on the alien's engagement within specified timeframe,
- d) evidence on duly paid administrative taxes.

Article 65

(Certification of employment registration for civil, police and military officials)

Aliens arriving to BiH as civil, police and military officers for employment in BiH grounded on a cooperation agreement with BiH authorities, referred to in Article 77 Paragraph (2) Item c) and Paragraph (5) of the Law, shall support an application for certification of employment registration with:

- a) a copy of the alien's travel document, not necessarily verified,
- b) evidence that the alien is a civil or military officer of a foreign government arriving to BiH to be employed grounded on a cooperation agreement with the BiH authorities, along with evidence on the alien's engagement within specified timeframe,
- c) evidence on duly paid administrative taxes.

Article 66

(Certification of employment registration for members of international scientific missions)

Aliens arriving to BiH as members of international scientific missions to conduct a research in BiH approved by the BiH Council of Ministers, as referred to in Article 77 Paragraph (2) Item d) and Paragraph (5) of the Law, shall support an application for certification of employment registration with:

- a) a copy of the alien's travel document, not necessarily verified,
- b) evidence that the alien is engaged as a member of an international scientific mission within specified timeframe,
- c) evidence that the research in BiH was approved by the BiH Council of Ministers,
- d) evidence on duly paid administrative taxes.

Article 67

(Certification of employment registration for representatives of religious communities)

Aliens arriving to BiH as members of religious communities registered in BiH to perform tasks unambiguously relating to the religious service, as referred to in Article 77 Paragraph (2) Item e) and Paragraph (5) of the Law, shall support an application for certification of employment registration with:

- a) a copy of the alien's travel document, not necessarily verified,
- b) evidence on registration of the religious community,
- c) a certificate of the religious community indicating that the alien was engaged to conduct activities unambiguously relating to religious service within specified timeframe,
- d) certificate from the religious community committing itself to bear accommodation costs, medical costs, ensure support and cover other costs which may arise due to the alien's stay in BiH, as well as costs of surveillance, voluntary departure or forcible removal, and other costs pertaining to departure of the alien from Bosnia and Herzegovina,
- e) evidence on duly paid administrative taxes.

Article 68
**(Certification of employment registration for
foreign correspondents and foreign media reporters)**

Aliens arriving to BiH as foreign correspondents and foreign media reporters, referred to in Article 77 Paragraph (2) Item f) and Paragraph (5) of the Law, shall support an application for certification of employment registration with:

- a) a copy of the alien's travel document, not necessarily verified,
- b) evidence that the alien is a foreign correspondent accredited in BiH or a foreign media reporter,
- c) evidence of his/her engagement in BiH within specified timeframe,
- d) evidence on duly paid administrative taxes.

Article 69
**(Certification of employment registration for aliens conducting activities for the needs of the
defence, legal system, state security or professional specialization on the subject)**

Aliens arriving to BiH grounded on an agreement with the BiH Council of Ministers, the BiH Ministry of Defence, the BiH Ministry of Justice or the Ministry to conduct activities for the needs of the defence, legal system or state security or to undergo professional specialization on the subject, as referred to in Article 77 Paragraph (2) Item g) and Paragraph (5) of the Law, shall support an application for certification of employment registration with:

- a) a copy of the alien's travel document, not necessarily verified,
- b) evidence that an agreement was signed with the BiH Council of Ministers, the BiH Ministry of Defence, the BiH Ministry of Justice or the Ministry,
- c) evidence that the alien is conducting activities for the needs of the defence, legal system or state security or that the alien is being professionally specialized on the subject with indicated type of work s/he will perform and specified timeframe of the engagement,
- d) evidence on duly paid administrative taxes.

Article 70
**(Certification of employment registration for aliens engaged in projects of significance for BiH
or delegated to work in BiH based on a contract)**

(1) Aliens engaged as experts in projects of significance for BiH or as key persons in implementation of a project or who are deployed to work in BiH for a specific period of time pursuant to a contract concluded between a foreign employer and BiH beneficiary under an international tender, as referred to in Article 77 Paragraph (2) Item h) and Paragraph (5) of the Law, shall support an application for certification of employment registration with:

- a) a copy of the alien's travel document, not necessarily verified,
- b) evidence of the competent authority that the project is of significance for BiH,
- e) evidence that the alien is engaged in implementation of the project with indicated type of work he/she would perform within specified timeframe,
- c) evidence on duly paid administrative taxes.

(2) An alien referred to in Paragraph (1) herein delegated to work in BiH during a specific period of time pursuant to a contract concluded between a foreign employer and BiH beneficiary under an international tender shall support his/her certificate of employment registration with:

- a) a copy of the alien's travel document, not necessarily verified,
- b) evidence on being sent to work in BiH for a specific period of time pursuant to a contract concluded between a foreign employer and BiH beneficiary under an international tender,
- c) evidence on duly paid administrative taxes.

Article 71

(Certification of employment registration for aliens residing in BiH on grounds of an international agreement to which BiH is a contractual party)

Aliens arriving to BiH on grounds of an international agreement to which BiH is a contractual party, referred to in Article 77 Paragraph (2) Item i) and Paragraph (5) of the Law, shall support an application for certification of employment registration with:

- a) a copy of the alien's travel document, not necessarily verified,
- b) evidence from the competent authority that the alien is required for implementation of an international agreement to which Bosnia and Herzegovina is a contractual party,
- c) information on the alien's function in implementation of the agreement within specified timeframe of engagement,
- d) evidence on duly paid administrative taxes.

Section G. Temporary residence grounded on other justified reasons

Article 72

(Temporary residence grounded on other justified reasons – TR-8)

(1) Temporary residence grounded on other justified reasons may be granted to an alien:

- a) being immediate family member of an alien enjoying the privileges and immunity stemming from international law, provided that the alien personally does not enjoy the same privileges and immunity, including the dependant adult children being unmarried,
- b) arriving to BiH for the purpose of non-paid professional specialization, training or internship in diplomatic mission/consular office accredited in BiH or institution in BiH or international organisation, or
- c) other justified reasons.

(2) Additional to the application for the approval or extension of temporary residence permit referred to in paragraph (1) Item a) herein, and apart from the evidence for meeting the general requirements from Article 49 of the Law and Article 27 of this Rulebook, an alien shall also submit:

- a) evidence that alien with whom the family reunification is sought enjoys privileges and immunity stemming from international law,
- b) evidence that the alien is an immediate family member of alien with whom the family reunification is sought,

- c) a statement verified by a municipal administrative authority or a notary public committing the alien with whom the family reunification is sought to bear accommodation costs, medical costs, ensure support and cover other costs which may arise due to the alien's stay in Bosnia and Herzegovina, as well as costs of surveillance, voluntary departure or forcible removal, and other costs pertaining to departure of the alien from BiH.
- d) other documentation to justify his/her stay.

(3) Additional to the application for approval or extension of temporary residence permit referred to in paragraph (1) Item b) herein, and apart from the evidence for meeting the general requirements from Article 49 of the Law and 27 of this Rulebook, an alien shall submit:

- a) evidence on conducting non-paid professional specialization, training or internship in a diplomatic mission or consular office accredited in BiH/institution in BiH/international organisation,
- b) certificate of a diplomatic mission or consular office accredited in BiH/institution in BiH/international organisation committing itself to bear accommodation costs, medical costs, ensure support and cover other costs which may arise due to the alien's stay in Bosnia and Herzegovina, as well as costs of surveillance, voluntary departure or forcible removal, and other costs pertaining to departure of the alien from BiH.

(4) Additional to the application for approval or extension of temporary residence referred to in paragraph (1) Item c) herein, and apart from the evidence for meeting general requirements of Article 49 of the Law and Article 27 of this Rulebook, an alien shall also submit the other documentation to justify the purpose of his/her stay.

(5) In accordance with Article 124 of the Law, the organizational unit of the Service responsible for the procedure shall obtain a consent of the MFA via the Service's seat offices to apply the provisions of the Law to family members of a person enjoying the privileges and immunity.

(6) Prior to rendering a decision upon an application for the approval or extension of temporary residence on the basis of other justified reasons, the organizational unit of the Service shall obtain an opinion from the Service's seat.

Section H. Permanent residence

Article 73 (Permanent residence)

(1) Additional to the application for approval of permanent residence, an alien shall also submit:

- a) a photo (35x45mm),
- b) a copy of the passport,
- c) excerpt from the Registry of Births not older than six months, unless valid without limitations,
- d) evidence on sufficient and regular means of subsistence,
- e) evidence on secured adequate accommodation,
- f) evidence on secured health insurance,
- g) evidence or a certificate issued by a competent institution confirming that the alien is familiar with one of the languages and scripts in official use in BiH,

- h) evidence of a competent authority of the alien's country of origin issued not later than six months prior to submission of the application confirming that no criminal proceedings are conducted or sentences pronounced against the alien,
- i) evidence of a BiH competent authority issued not later than six months prior to submission of the application confirming that no criminal proceedings are conducted or sentences pronounced against the alien,
- j) evidence on duly paid administrative taxes.

(2) Evidence from Paragraph (1) Item g) shall not apply to preschool children and persons attending or having completed primary, secondary or higher education on one of the languages in official use in BiH, as well as to persons over 60 years of age being unemployed.

(3) Evidence from Paragraph (1) Item h) and i) shall not apply to minors under 14 years of age.

(4) Upon entry into force of the Decision referred to in Article 142 Paragraph (4) item a) of the Law on Aliens, the aliens would be required to submit evidence enlisted under Paragraph (1) Item g) herein.

(5) Aliens may be granted permanent residence if having uninterrupted residence in BiH for at least five years prior to applying for permanent residence. It is considered that an alien uninterruptedly resides in BiH even if, within five years of temporary residence, he/she had repeatedly left BiH for up to 10 months in total or up to six months on a single occasion.

(6) Notwithstanding Paragraph (5) herein, the uninterrupted residence shall also include the cases of alien's discontinuation between temporary residences approved within the past five years due to change of grounds for his/her stay or due to humanitarian reasons caused by natural and other disasters, his/her grave illness or death of an immediate family member, which is to be individually evaluated by the competent organisational unit of the Service.

(7) In the sense of Paragraphs (5) and (6) herein, an alien may be absent from BiH within five years up to 10 months when leaving the country on several occasions or continuously for up to six months.

(8) In the sense of Paragraph (1) Item c) herein, an alien holding a Blue Card is considered to uninterruptedly reside in BiH even if he/she repeatedly left BiH for up to 18 months in total or up to 12 months on a single occasion in the period of five years.

(9) Residence permit shall be granted for the period of time corresponding to validity of the alien's passport. By affixation of a permanent residence sticker, a valid temporary residence sticker found in a passport shall cease to be valid on the day of granted permanent residence, as would be stated on the alien's temporary residence sticker.

CHAPTER IV – DECIDING UPON APPLICATIONS FOR APPROVAL OR EXTENSION OF RESIDENCE IN BiH

Article 74

(Child of an alien granted residence)

(1) A child of aliens granted residence in BiH shall also be provided with residence in BiH for the period corresponding to validity of residence permit provided to his/her parents. In case one of the parents enjoys temporary residence in BiH, the child's permit shall correspond to validity period of temporary residence permit provided to that particular parent.

(2) Application for residence permit of a minor child shall be supported by parental consent given by both parents signing the application form. The identity of both parents is to be determined in advance. If one of the parents is absent, the consent may be given by a written statement.

Article 75

(Procedure for rendering a decision)

(1) To justify residence in the country, an application for approval/extension of temporary residence or approval of permanent residence in BiH shall be supported with evidence stipulated by the Law and this Rulebook.

(2) When deciding upon an application for approval or extension of residence in BiH, the competent organizational unit of the Service shall *ex officio* check the Service's registries, conduct operative checks in the field, check the official and operative records of the competent law enforcement authorities in BiH, and perform other activities in cooperation with other BiH law enforcement agencies.

(3) When necessary, the procedure for rendering a decision upon an application may involve additional checks with an aim to clarify relevant facts and circumstances or to provide the applicant with possibility to enjoy or to protect his/her rights and legal interests.

(4) Throughout the procedure, an official authorised to conduct the activities required by the procedure shall pay an exceptional attention to respecting Article 5 of the Law on Administrative Procedure.

(5) If established that an application requires additional evidence, the competent organizational unit of the Service shall call upon the alien to provide the evidence within appropriately determined period of time. If the alien fails to do so within a given deadline, the competent organizational unit of the Service shall reject the application in accordance with Article 128 of the Law on Administrative Procedure.

(6) Throughout the procedure, an alien applying for approval/extension of temporary residence or approval of permanent residence in BiH may *ex officio* be required to provide additional information or evidence to support the particulars stated in his/her application, as well as to include the additional checks.

(7) In case the information referred to in Article 84 Paragraph (1), Items f) and k) of the Law is revealed while rendering a decision upon an application for approval/extension of temporary residence or approval of permanent residence in BiH, the organizational unit of the Service shall consider all particularities of information stemming from operative and other official records individually and in correlation with each

other, as well as the consequences stemming from its decision. Prior to issuance of a decision, the organisational unit shall obtain an opinion of the Service.

(8) If an alien's application for approval/extension of temporary residence or approval of permanent residence in BiH is refused pursuant to Article 84 Paragraph (1), Item k) of the Law, the Service shall not elaborate its decision in the part relating to evidence marked with a level of confidentiality.

Article 76 **(Issuance of a residence permit)**

(1) If determined that all requirements for approval of residence stipulated by the Law and this Rulebook are met, the Service shall approve the alien's residence by affixing to his/her passport a residence permit sticker considered to be the decision on granted residence, and notify the alien on the fact.

(2) To the relevant part of the application form for approval of residence shall be entered the following wording: "RESIDENCE APPROVED" with accompanying date of the approval's issuance, its validity and signature of authorised official.

(3) Notification form referred to in Paragraph (1) herein is an integral part of this Rulebook as **Form number 19**.

(4) Decision on approval/extension of temporary residence shall be issued only in case of: approved temporary residence on grounds of employment with a work permit; residence for highly qualified employment (Blue Card); or approval of permanent residence. If such a case, an alien would be provided with a decision on approved residence accompanied with a residence permit sticker affixed to his/her passport.

(5) Upon alien's written request submitted not later than 60 days prior to expiry of already granted temporary residence from Paragraph (1) herein, the Service shall issue, within eight days from the day of submitted application, its decision on granted temporary residence.

Article 77 **(Delivery of the Decision)**

(1) A decision reached upon an application shall be handed to the relevant alien in person in the official premises of the organisational unit of the Service.

(2) If an application was submitted outside of BiH via a BiH DCR, the decision shall be handed to the relevant alien in person in the official premises of the BiH DCR.

(3) In case the requirements for personal delivery of the decision are lacking, the delivery shall be conducted in accordance with Article 4 of the Law.

Article 78
(Refusal of application for residence)

(1) Decision on refusing an application for approval/extension of temporary residence or permanent residence as ungrounded shall be rendered in case the requirements for applicable type of residence set by the Law and this Rulebook are lacking.

(2) In cases referred to in Article 84 Paragraph (8) and Article 88 Paragraph (1) Item g) of the Law, the competent organisational unit shall obtain an opinion of the Service in seat to ground its decision upon a submitted application for residence. The Service shall not elaborate its decision in the part relating to evidence marked with a level of confidentiality.

Article 79
(Dismissal of application for approval or extension of temporary residence and termination of the procedure)

(1) An application for approval or extension of temporary residence in BiH shall be dismissed by a conclusion in case:

- a) the application was submitted by an unauthorised person (the application for approval/extension of temporary residence was not submitted by the applicant himself/herself or by a legal representative of an alien lacking legal capacity),
- b) the application was not submitted in the premises of organisational unit of the Service or the BiH DCR by the applicant himself/herself or by a legal representative of an alien lacking legal capacity,
- c) the application was not timely submitted,
- d) the alien refuses to provide his/her biometrical data while submitting an application,
- e) the application contains a formal deficiency referred to in Article 60 of the Law on Administrative Procedure.

(2) A notification on granted temporary residence accompanied with temporary residence permit or a decision on approved temporary residence on grounds of employment with a work permit accompanied with a temporary residence permit shall be considered as renounced if not taken by the alien himself/herself, without information provided to the Service on his/her reasons for failing to do so. If such a case, the Service would terminate the procedure in accordance with Article 85 Paragraph (3) Item b) of the Law and Article 123 of the Law on Administrative Procedure. Approval of temporary residence or a decision on approved temporary residence grounded on employment with a work permit and its temporary residence permit shall cease to be valid with finality of the Conclusion on termination of the procedure.

Article 80
(Dismissal of application for permanent residence and termination of the procedure)

(1) Application for permanent residence in BiH shall be dismissed by a conclusion in case:

- a) the application was submitted by an unauthorised person (the application for approval/extension of temporary residence was not submitted by the applicant himself/herself or by a legal representative of an alien lacking legal capacity),
- b) the application was not submitted in the premises of organisational unit of the Service or the BiH DCR by the applicant himself/herself or by a legal representative of an alien lacking legal capacity,
- c) the application was not timely submitted,

- d) the alien refuses to provide his/her biometrical data while submitting an application,
- e) the alien did not hold a temporary residence status in BiH at the time of submission and consideration of his/her application;
- f) the application contains a formal deficiency referred to in Article 60 of the Law on Administrative Procedure.

(2) A decision on approved permanent residence accompanied with residence permit shall be considered renounced if not taken by the alien himself/herself, without information provided to the Service on his/her reasons for failing to do so. If such a case, the Service would terminate the procedure in accordance with Article 89 Paragraph (2) Item b) of the Law and Article 123 of the Law on Administrative Procedure. The approval of permanent residence and the decision on granted permanent residence shall cease to be valid with finality of the Conclusion on termination of the procedure.

Article 81 **(Granted residence permits)**

(1) Residence permits are issued by the Service in form of residence permit stickers affixed to the aliens' passports.

(2) A residence permit sticker contains the following items: "Bosnia and Herzegovina" is written on the top left corner and followed by a "Residence permit" title positioned in the middle, along with the sticker's number on the top right corner. On the left, below "Bosnia and Herzegovina", there is an optically changeable element with a photo slot. The "Residence permit" title is followed by a "Permit issued by" section left for the name of the Service's organizational unit issuing the permit. It is followed by a "Valid from" section for the date of its initiated validity, the "Permit issued by" part, and the "Number of entries" section. Right next is a "Valid until" section for the date of its expiry. Under the "Number of entries" section is a "Type of permit" section for defining the type and basis of stay. This is followed by a section for the alien's last and first name(s). Below the alien's last and first name(s) are positioned sections for alien's passport number, gender, date of birth and name of a country that issued the passport. The space below is an electronically readable area for electronically read data.

(3) The title and sections of a residence permit sticker are written in Bosnian, Croatian, Serbian, English and French language. The texts in Bosnian and Croatian are written in Latin whereas the one in Serbian language is in Cyrillic script. Particular data inserted into a residence permit sticker are written in Latin script.

(4) To the "Type of permit" section shall be entered an abbreviation of specific type of granted temporary residence. As provided by this Rulebook, an additional mark shall be added in case of employment without a work permit or humanitarian stay, whereas the permanent residence would be recorded as "Permanent residence".

(5) A residence permit sticker is affixed to an alien's passport. Authorized official's signature and stamp of the Service's organizational unit or the BiH DCR are manually added on the sticker's right side to cover a part of the residence permit sticker and part of the alien's passport, though the data entered to relevant sections is clearly visible whilst the electronically readable section is avoided.

(6) Form for "Residence permit sticker" is an integral part of this Rulebook as **Form number 20**.

Article 82
(Amendments and correction of error in a Decision)

(1) In case an alien changes his/her passport or extends validity of current passport or makes other changes to the passport relating to his/her personal data while granted residence, the Service shall issue him/her a new residence permit sticker upon received request. In case of issued decision on approved residence, the Service shall follow the alien's consent to amend its valid decision and issue another residence permit sticker. Decision on Amendments to the Decision shall be an integral part of the initial Decision.

(2) A new residence permit or the Decision on Amendments to the Decision shall be issued once the competent organizational unit of the Service conducts *ex officio* examination of its records, conducts operative checks on the field, and, if necessary, undertakes additional checks with competent BiH law enforcement authorities to establish no legal obstacles for proceeding upon the request.

(3) An available sticker shall be annulled. In case a sticker is unavailable, it would be declared invalid, where the alien is responsible to announce the fact in "The BiH Official Gazette". Once an initially issued sticker is annulled or the evidence on announcement of unavailable sticker is presented, a new residence sticker shall be affixed to the passport.

(4) In case a decision contains a technical error relating to the data entered to a residence permit sticker, the competent organizational unit shall, *ex officio* or upon the alien's request, render a conclusion on correction of the error, where initially issued residence permit sticker containing the error shall be annulled and replaced with another residence sticker affixed to the alien's passport.

(5) In case a technical error was revealed in a residence permit sticker, a new one would be issued, *ex officio* or upon the alien's request, with accompanying elaboration of reasons for issuance of a new sticker. A sticker with a technical error shall be annulled, and if not affixed to the passport, it would be returned to the Service.

CHAPTER V – REGISTRATION OF ALIENS' RESIDENCE

Article 83
(Obligation to register and de-register temporary/permanent residence)

(1) Registration of temporary residence as well as registration and de-registration of permanent residence and reporting on the change of residential address in BiH shall be conducted in the organizational unit of the Service or in the police. When registering, an alien shall provide accurate and truthful information, a travel document used for entering BiH, and the evidence on secured accommodation in BiH. Registration of temporary residence may also be settled by a property owner being visited by the alien if the property owner provides a written statement on securing the alien's accommodation that was signed in the organisation unit of the Service.

(2) The registration is conducted on a form for "Registration/de-registration of temporary and permanent residence or change of residential address". The form is of white colour and comprises of two parts:

registration part and certification part. Form for registration/de-registration of temporary and permanent residence or change of residential address is an integral part of this Rulebook as **Form number 21**.

(3) An alien holding a temporary residence permit shall register each change of his/her residential address within the deadlines stipulated by the Law.

(4) If an alien registers himself/herself within jurisdiction of another organizational unit of the Service, that organisational unit shall send a written notification on the subject to the initial organizational unit of the Service with an aim to be provided with necessary documentation and, if needed, copies of the alien's casefile on earlier temporary/permanent residence permits. Upon received notification, the organizational unit of the Service shall *ex officio* de-register the alien.

Article 84

(Entities obligated to register temporary residence of aliens)

(1) Obligation to register aliens' residence shall lay on physical and legal entities providing accommodation services within 12 hours from the moment of provided accommodation.

(2) Temporary residence of an alien not using the services of a legal or physical entity providing accommodation services shall be registered within 48 hours following the alien's entry to Bosnia and Herzegovina either by the alien himself/herself or a physical entity hosting him/her, in case the alien is to reside in BiH over three days.

(3) Additional to legal and physical entities registered for provision of accommodation services (hotels, for example), the entities to register temporary residence shall also include the health institutions, spas and similar institutions accommodating the aliens (eg. institutions providing medical treatments, retirement homes, institutions specialized for accommodating persons with special needs or students' dormitories), in case the aliens' stay was regulated on a basis of visa or non-visa regime.

(4) Legal and physical entities from Paragraph (1) and the other institutions providing accommodation from Paragraph (3) herein shall provide the competent police office or the Service with the data entered to their Books of Aliens either electronically or on prescribed forms for registration of residence.

CHAPTER VI – IDENTIFICATION CARD FOR ALIENS

Article 85

(Identification Card for Aliens)

(1) An Alien ID Card is a public document evidencing the alien's identity as well as his/her place and date of birth.

(2) An Alien ID Card is a 85x54 mm card-shaped document designed in multi-layer technology of white and transparent polycarbonate coloured in light ochre-yellow and grey tones.

(3) Both sides of an Alien ID Card contain sections for insertion of particular data.

(4) Titles and sections found on the form are written in Bosnian, Croatian, Serbian, French and English language.

(5) The texts in Bosnian and Croatian are written in Latin whereas the one in Serbian language is written in Cyrillic script. The competent authority shall enter the alien's particularities to the form in Latin script.

Article 86

(The content of the identification card for aliens)

(1) Front side of an Alien ID Card contains the following items: "Bosnia and Herzegovina" written in the top left corner is followed by the "Identification card for aliens" title positioned the middle, and the BiH coat-of-arms in the right corner. On the left side of the main part of the form, below "Bosnia and Herzegovina", are found spaces for a photograph slot and signature of the ID card's holder. On the front side of the ID card for aliens, and below the "Identification card for aliens", are sections for registering the alien's last and first name(s), gender, citizenship, date of birth, place of birth, validity period and serial number, whereas the bottom left corner contains a space for the Alien ID Card holder's signature.

(2) Back side of an Alien ID Card contains a slot for one-dimensional bar code (Code 39) with the data on the alien's personal identification number positioned on the top left corner, whereas the top right corner contains a slot for two-dimensional bar code (PDF417) containing the data on ID holder's fingerprints and other information.

(3) Middle part of the back side of an Alien ID Card contains an imprint of Bosnia and Herzegovina's coat-of-arms followed by vertically written "BiH" in golden print.

(4) Middle part of the back side of an Alien ID Card is to be inserted with the following data: the alien's personal identification number, date of issuance, municipality of his/her permanent residence, name of the issuing authority and "Note" section, whereas the remaining part of the back side is for electronically readable data to be entered in the form of letters, numbers and symbols.

(5) An Alien ID Card stipulated by this Rulebook shall be provided by the BiH Ministry of Civil Affairs. A form for Alien ID Card is an integral part of this Rulebook as **Form number 22**.

Article 87

(Issuance, replacement and annulment of Alien ID Card)

(1) Issuance, replacement and annulment of an Alien ID Card would depend of an alien's place of permanent residence; thus, in the Federation of Bosnia and Herzegovina it is conducted by the Cantonal Ministries of Interior; in the Republic of Srpska by the RS Ministry of Interior; and the BiH Brčko District by an authority functioning as a state institution (hereinafter: the competent authority).

(2) The organizational unit of the Service shall, *ex officio*, submit to the BiH Ministry of Civil Affairs a request for the determination and assignment of the alien's personal identification number.

(3) Following received note on determination of a personal identification number, an alien shall submit within eight days a request for the issuance of an Alien ID Card to the competent authority referred to in paragraph (1) herein.

(4) An alien shall provide a photocopy of received Alien ID Card to the relevant organizational unit of the Service, which keeps official records on issued Alien ID Cards pursuant to Article 128 of the Law.

(5) An alien shall replace his/her Alien ID Card in the case of changed place of permanent residence to another city, municipality or change of any other data contained in the Alien ID Card, as well as in case of damage of the Alien ID Card or substantial change of its holder's appearance arising as a consequence of physical or chemical effects, disease or biological process, within 30 days from the date when such a change had occurred.

(6) A photograph found on the Alien ID Card shall genuinely depict its holder's features (*en face*) and would be taken without a hat, cap or scarf.

(7) Notwithstanding paragraph (6) of this Article, an alien wearing a hat, cap or scarf due to customs of the country he/she comes from may be photographed while wearing one provided his/her forehead is uncovered.

(8) Substantial changes of facial features requiring a replacement of Alien ID Card shall purport a change of facial characteristics caused by the physical or chemical effects, disease or natural biological process due to which an identification based on the photograph of the alien's ID card is evidently hindered or impossible.

(9) Substantial changes of facial features in terms of paragraph (8) herein shall also include the differences between the face on the photograph and the real facial features that result from considerable change of the person's posture, length and colour of hair, moustache or beard due to which an identification based on the photograph from the Alien ID Card is evidently hindered or impossible.

(10) A replaced Alien ID Card shall be returned to its owner annulled by piercing. Commissions shall be responsible for disposing the annulled ID forms, and for drafting records on the subject.

Article 88 **(Applying for Alien ID Card)**

(1) An application for issuance or replacement of an Alien ID Card shall be submitted to the competent authority referred to in Article 87 herein to depend of the alien's place of permanent residence.

(2) The application for issuance and replacement of an Alien ID Card shall be submitted on ID-S1 form being an integral part of this Rulebook as **Form number 23**.

(3) Additional to the application for issuance and replacement of an Alien ID Card, an alien shall also submit:

- a) evidence on granted permanent residence,
- b) evidence on his/her identity (travel document), and
- c) evidence on duly paid taxes.

(4) In case of replacement of the Alien ID Card, the alien's identity is evidenced on basis of his/her previously issued Alien ID Card or, if not available, of a valid passport.

(5) In case of a missing Alien ID Card, the alien shall, in addition to the application for issuance of the Alien ID Card, enclose a certificate of a competent authority on the reported disappearance of the Alien ID Card and an evidence that the Alien ID Card has been declared invalid in "The BiH Official Gazette".

Article 89 **(Procedure for issuance of Alien ID Card)**

(1) Upon receipt of an application, the competent authority referred to in Article 87, Paragraph (1) herein shall check if the alien has been designated a personal identification number.

(2) Upon completed procedures pertaining to Article 87 herein, an alien shall receive a certificate on receipt of his/her application and handover of the ID card for aliens issued on ID-S2 form being an integral part of this Rulebook as **Form number 24**.

(3) An alien being 18 years of age shall be issued an Alien ID Card having validity for 5 years from the date of its issuance.

(4) Handover of an Alien ID Card shall be confirmed on a certificate referred to in Paragraph (2) herein by entered date and signature of an authorised official as well as of the applicant.

(5) The Ministry of Civil Affairs shall provide the Form for issuance/replacement of an Alien ID Card (ID-S1) as well as the Form for certification of receipt of application and handover of the identification card for aliens (ID-S2), which are printed in the languages of constitutive peoples and written in Latin and Cyrillic scripts, as well as in French and English languages.

Article 90 **(Records on Alien ID Cards)**

(1) An authority to receive applications for issuance or replacement of Alien ID Card shall keep separate records on received applications in "The Registry on Received Applications for Issuance/Replacement of Alien ID Cards".

(2) The registry shall be kept in a form of an A4 format book (ID-S3) containing the following sections: the registry's ordinal number; date of receipt of an application; the applicant's last and first name(s) with name of a parent; day, month and year of birth; serial number of the Alien ID Card; first and last name of authorised official, and "Notes".

(3) In case of incorrect data entered to the registry, an authorised official shall strike them through as incorrect yet readable and write the correct data above the incorrect ones. The registry shall be concluded at the end of each calendar year, bound and saved permanently.

(4) The applications shall be kept together with its enclosures and stored according to its ordinal number for five years, which is to be followed by its disposition by a commission.

(5) Records on issued, annulled and disposed Alien ID Card are kept in an electronic form. The authorities competent for issuance of Alien ID Cards shall keep, maintain and use electronic records on Alien ID Cards within the scope of their competence.

CHAPTER VII – RESIDENCE TERMINATION AND CANCELLATION PROCEDURES

Article 91

(Procedure in case of termination of residence)

(1) In case an alien's residence ceased due to reasons referred to in Article 93 Paragraph (1) of the Law, other than death, the Service shall note on the alien's permit sticker affixed to passport that the residence permit shall cease to be valid on the day of expiry of the residence. If the alien's passport is unavailable, the cessation of residence shall be entered once the conditions for doing so are met.

(2) In case an alien's permanent residence ceased due to reasons referred to in Article 93, Paragraph (1), Items a), d) and e) of the Law, the organizational unit of the Service shall notify on the subject both the BiH Ministry of Civil Affairs and authorities competent for issuance of alien ID cards.

Article 92

(Cancellation of residence)

(1) In the process of determining the reasons for cancellation of residence, an authorised official shall check the official registries, conduct operative checks on the field, as well as involve other investigative procedures with an aim to enable for the alien's clarification of the facts and circumstances determined during the procedure. If necessary, witnesses could be called for a hearing, as well as other means used for evidencing the stated. In case of a cancelled residence, the Service shall not elaborate its decision in the part relating to evidence marked with a level of confidentiality as provided by Article 96, Paragraph (1) Item s) of the Law.

(2) A decision on cancelled residence of an alien shall contain a timeframe for the alien's voluntary exit from BiH. The timeframe for leaving BiH shall start from the day of expired deadline for appeal unless the alien has filed one. In case of a filed appeal, the deadline shall start from the day when a decision upon his/her appeal was received.

(3) Once the decision on cancelled residence becomes final, the alien's residence permit sticker shall be annulled by stamping "ANNULLED" sign to the passport, where the page of affixed residence permit sticker shall contain a hand-written date of the alien's obligatory exit from Bosnia and Herzegovina, along with a seal and signature of an authorized official.

(4) Once the decision on cancelled no-visa residence becomes final, the alien's residence permit sticker shall be annulled by stamping "CANCELLATION OF NON-VISA RESIDENCE" sign to the passport with a hand-written date of the alien's obligatory exit from Bosnia and Herzegovina, as well as a seal and signature of an authorized official. In case the alien's passport does not allow for additional insertion of stamps, respective Decision on cancelled non-visa residence shall also contain an elaboration of reasons

why the stamp was not imprinted, along with a hand-written date of the alien's obligatory exit from BiH with a stamp and signature of authorised official.

(5) A copy of the decision on cancelled residence shall be archived in a case file relating to the alien's application for residence permit.

(6) In case an alien has already left BiH, the residence permit referred to in Paragraph (3) herein may be annulled once the alien is available to the organisational unit of the Service or to the BiH Border Police.

(7) To an alien being cancelled temporary or permanent residence who leaves BiH prior to annulment of residence, the residence would cease on the day of the finality of the decision on cancellation of temporary or permanent residence. A residence permit may be annulled once the alien is available to the organizational unit of the Service or to the BiH Border Police.

(8) In case an alien's permanent residence ceased due to reasons referred to in Article 97 of the Law, the organizational unit of the Service shall notify on the subject both the BiH Ministry of Civil Affairs and authorities competent for issuance of alien ID cards.

CHAPTER VIII – BOOK OF ALIENS

Article 93 (Book of Aliens)

(1) Legal and physical entities providing accommodation services shall keep the records on aliens being provided accommodation (hereinafter referred to as: the Book of Aliens).

(2) Legal and physical entities from Paragraph (1) herein are the accommodation facilities, inns, hostels, boarding houses, mountain huts, health institutions, spas, retirement homes, facilities for accommodation of persons with special needs, students dormitories and similar.

(3) Physical entities from Paragraph (1) herein are the entities registered by a competent municipal authority to conduct independent economic activities in field of provision of accommodation services or entities registered by a competent tourist community as persons providing the accommodation services.

(4) A Book of Aliens shall be kept in the form of a hard-back book of horizontal A-3 format with numbered pages.

(5) A Book of Aliens shall comprise of following sections:

- a) ordinal number,
- b) alien's last and first name(s),
- c) gender,
- d) date and place of birth,
- e) citizenship,
- f) type, number and validity of a travel document with name of the issuer,
- g) type, number and validity of the visa,
- h) date and place of entry to BiH,

- i) date and time of the alien's registration at the accommodation unit,
- j) date and time of the alien's de-registration from the accommodation unit,
- k) number of issued fiscal receipt;
- l) "Notes".

(6) The data kept in a Book of Aliens shall be regularly updated and easily readable. In case an error occurs, the error shall be stroked through in a manner that both the error and its correction remain readable.

(7) The Book of Aliens shall be concluded at the end of each calendar year by an authorized person. A new calendar year shall start with the ordinal number 1 (one). Book of Aliens should be archived for a period not lesser than three years.

(8) Form for the Book of Aliens is an integral part of this Rulebook as **Form number 25**.

Article 94 **(Records on Books of Aliens)**

(1) A Book of Aliens shall be verified by the competent organizational unit of the Service to depend of the place of permanent or temporary residence or the business seat of the provider of accommodation services. The verification is performed by the organizational unit of the Service at the beginning of a calendar year by writing the following text on the first page of the Book of Aliens: "The verification of the Book of Aliens has been performed" together with accompanying date and number of verification, number of pages, the name of the organizational unit of the Service including the stamp and signature of the Service's authorized official.

(2) A Book of Aliens shall be concluded by the end of each calendar year. If, however, blank pages remain, the Book of Aliens may be further used during the following calendar year but only after its verification has been performed.

(3) The organizational unit of the Service shall keep the following records on verified books of aliens:

- a) ordinal number,
- b) name and seat of the legal person,
- c) the first and last name of the responsible person within a legal entity or the first and last name and address of a physical entity,
- d) contact telephone number,
- e) date and number of the verification of the Book of Aliens, and
- f) number of pages.

Article 95 **(Obligations of accommodation providers and control of records)**

(1) Legal and physical entities providing accommodation services shall present their Books of Aliens to the competent organizational unit of the Service having jurisdiction over the place of the business seat of a legal entity or temporary/permanent residence of the physical entity for their verification. The request for verification of a Book of Aliens shall be supported by the evidence on registration for provision of accommodation services and evidence on paid administrative taxes applicable for the verification request.

(2) Additional to the records on aliens kept in the Book of Aliens, legal and physical entities shall also keep records on aliens being provided accommodation in the systems for electronic data processing that were approved by the Service. The records kept by means of electronic data processing systems shall contain all the data found in the Book of Aliens. The data kept in the electronic data processing systems shall be daily printed and chronologically filed to be closed at the end of a calendar year as well as bound and verified by the authorized organizational unit of the Service. Aiming to secure its complementarity with the other systems for processing and storing of data on aliens, the form for electronic data processing and recording shall be stipulated by the Service's Decision.

(3) Legal and physical entities that provide accommodation services to aliens shall present their Books of Aliens to the authorized organizational unit of the Service or to the police. When conducting a control, an alien inspector shall write on the right page of the book a short official record on the date of conducted inspection with accompanying signature. The inspector shall write a report on conducted inspection and submit it to a responsible person within the legal or physical entity providing accommodation services.

CHAPTER IX – TRANSITIONAL AND FINAL PROVISIONS

Article 96 (Cessation of earlier regulations)

On the day of enforcement of this Rulebook, earlier Rulebook on Entry and Stay of Aliens ("The BiH Official Gazette", number 27/13) shall cease to be valid.

Article 97 (Entry into force)

This Rulebook shall enter into force on the eighth day of its publication in "The BiH Official Gazette".

Number: 06-02-1-7800/15

30th March 2016

Sarajevo

M i n i s t e r

Dragan Mektić