

Pursuant to Article 137 (1) of the *Law on Movement and Stay of Aliens and Asylum* (BiH Official Gazette, number 36/08) Articles 4 and 14 (1) (8) of the *Law on Ministries and Other Administrative Bodies of Bosnia and Herzegovina* (BiH Official Gazette, numbers 5/03, 42/03, 26/04, 42/04, 45/06 and 88/07), Article 16 of the *Law on Administration* (BiH Official Gazette, number 32/02), the Minister for Security of Bosnia and Herzegovina is passing the

## **B Y L A W**

**ON**

### **AMENDMENTS TO THE BYLAW ON INTERNATIONAL PROTECTION (ASYLUM) IN BOSNIA AND HERZEGOVINA**

#### **Article 1**

##### **(Registration of applicants for international protection)**

A new paragraph (5) is added in Article 21, after paragraph (4) to read as follows:

"(5) The registration procedure of applicants for international protection is a preparatory procedure in terms of Article 131a. of the *Administrative Proceedings Act*."

#### **Article 2**

##### **(Extension of validity of the card of the applicant for international protection)**

A new sentence is added in Article 25 (1) to read as follows:

"After extension of the deadline, the organizational unit of the Service shall copy the card of the applicant for international protection and forward the copy to the Asylum Sector."

#### **Article 3**

##### **(Record-keeping)**

Article 48 is amended to read as follows:

"(1) In accordance with Article 144 (1) of the Law, the Asylum Sector shall keep official records of:

(a) applicants for international protection;

(b) recognized refugees or persons under subsidiary protection, as well as persons under temporary protection;

(c) travel documents for aliens issued in accordance with the Law.

(2) Data contained in records mentioned in paragraph (1) above are kept electronically and in writing, by filling in the forms prescribed in the Bylaw, which constitute the source of information for the central database of aliens.

(3) Data contained in records mentioned in paragraph (1) (b) and (c) above are kept electronically.

(4) Data contained in the records shall be controlled by the Ministry of Security, Asylum Sector.

(5) Legal grounds for record-keeping mentioned in paragraph (1) above are prescribed in Article 114 (1) (l), (m) and (b) of the Law.

(6) The types of data kept in the records mentioned in paragraph (1) above shall include data prescribed in Article 37 through 50 of the *Bylaw on Central Database of Aliens*.

(7) The purpose of processing personal data contained in the records is prescribed in Article 144 (3) and Article 145 of the Law and is to verify the facts which are relevant for status-related issues of aliens, to ensure data required for statistical researches and reporting, to ensure data for data-entry into the central database of aliens, and to exchange data as a part of legal obligation to establish official co-operation between the authorities competent for the implementation of the Law.

(8) Personal data mentioned in those records refer to aliens.

(9) The source of information mentioned in the records is an alien, his/her statement and documents submitted during the proceedings upon his/her application for international protection in BiH as well as any other documents obtained during the proceedings. The information is gathered directly from the alien or indirectly from the authorities competent for the implementation of the Law.

(10) In terms of Article 145 (4) of the Law, the data mentioned in those records shall be used by: the Service and organizational units of the Ministry, Ministry of Internal Affairs, BiH Intelligence and Security Agency and police, when so required for exercise of the functions under their jurisdiction.

(1) Personal data mentioned in those records shall not be given for use to persons or institutions outside BiH. Exceptionally, personal information contained in those

records may be transferred abroad as a part of the implementation of bilateral agreements or legal claims in a manner as prescribed in Article 18 of the *Law on the Protection of Personal Data*.

(12) Data contained in the records mentioned in paragraph (1) above, including personal information, shall be kept in accordance with the deadlines prescribed in individual lists of categories of registry structure, which is the source of information contained in the records.

**Article 4**  
**(Entry into force)**

The present Bylaw enters into force on the eighth (8<sup>th</sup>) day from the date of publishing in the BiH Official Gazette.

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Number: 07-2-2-1336/10  
28 September 2010  
Sarajevo

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