

Rulebook on Processing Applications for the Issuance of Permits for Movement of Weapons and the Scope of Application Verification

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Pursuant to Article 20, paragraph 2, item a) of the Law on Control of Movement of Weapons and Military Equipment (“Official Gazette of BiH” No. 53/09), with the approval of the Ministry of Interior of the Republika Srpska, cantonal Ministries of Interior, and the Police of the Brčko District of BiH, the Deputy Minister of Security promulgates this

**RULEBOOK ON PROCESSING APPLICATIONS FOR THE ISSUANCE OF PERMITS FOR
MOVEMENT OF WEAPONS AND THE SCOPE OF APPLICATION VERIFICATION**

I – GENERAL PROVISIONS

Article 1

(The Scope of the Rulebook)

- (1) This Rulebook regulates the manner of processing applications for the issuance of permits for movement of weapons and military equipment (hereinafter: weapons), the contents of applications and the scope of application verification.
- (2) Applications for the issuance of permits for movement of weapons shall be processed in the manner and under the conditions prescribed in the Law on Control of Movement of Weapons and Military Equipment (hereinafter: the Law), this Rulebook, and the rules applicable to general administrative procedure.

**II FILING OF APPLICATIONS FOR THE ISSUANCE OF PERMITS FOR MOVEMENT OF WEAPONS
IN CASE OF CROSSING THE STATE BORDER OF BiH (IMPORT, EXPORT, AND TRANSIT)**

Article 2

(Filing of applications)

An application for the issuance of a permit for the movement of weapons shall be submitted to the Ministry of Security of Bosnia and Herzegovina (hereinafter: Ministry of Security BiH) in cases of moving weapons across the state border of BiH.

Article 3

(Contents of applications)

- (1) Applications referred to in Article 2 of this Rulebook shall be filed by using the form prescribed by the Law.
- (2) The applications shall be accompanied by the following:
 - a) Permit issued by the Ministry of Foreign Trade and Economic Relations of Bosnia and Herzegovina in case of import, export or transit;
 - b) Weapons acquisition permit;
 - c) Proof of the weapon end-user;
 - d) Proof of paid administrative fee.

(3) The evidence referred to in paragraph (2), item c, of this Article shall be a contract on delivery or a purchase order in case of movement of weapons for the needs of authorities referred to in Article 2 of the Law, i.e. a statement by the owner of weapons in case of movement of weapons from one location to another.

(4) In case of import of weapons for one's own needs, along with the proof specified in paragraph 3 of this Article, the owner's statement confirming that the weapons will be used for the his/her own purposes may be used as proof of end-user.

Article 4
(Submission of documents)

(1) Along with the application for the issuance of the permit, the applicant shall submit the original or a certified copy of documents referred to in Article 3 of this Rulebook.

(2) If there are reasonable grounds for it, the necessary documents can also be submitted by fax, provided that an applicant shall subsequently, and no later than seven days from the date of permit issuance, submit the original or certified copy of documents in accordance with paragraph 1 of this Article.

Article 5
(Permit Issuance)

If in the process of permit issuance, it is determined that all requirements for the movement of weapons across the state border of BiH (import, export, or transit) have been met, the Ministry of Security of BiH shall make a special respective decision.

Article 6
(Notification of issued permit)

(1) Having made the decision referred to in Article 5 of this Rulebook, the Ministry of Security of BiH shall submit the said decision to the applicant.

(2) Upon making the decision referred to in paragraph 1 of this Article, the applicant shall notify the Ministry of Security of BiH of the exact date, time and route of movement, and the Ministry of Security of BiH shall notify the Entity Ministries of Interior and the Police of the Brčko District of BiH accordingly stating the number of the issued permit for transport.

(3) After receiving the notification referred to in paragraph (2) of this Article, responsible Entity Ministries of Interior and the Police of the Brčko District of BiH shall make the necessary announcements on the movement of weapons along the route in the territory within their jurisdiction.

Article 7
(Rejection of applications)

If in the process it is determined that the requirements referred to in Article 3 of this Rulebook for the movement of weapons across the state border (import, export, or transit) have not been met, a decision shall be made to reject the application.

III FILING OF APPLICATIONS FOR THE ISSUANCE OF PERMIT FOR MOVEMENT OF WEAPONS BETWEEN ENTITIES OR BETWEEN AN ENTITY AND THE BRČKO DISTRICT OF BiH OR WITHIN THE BRČKO DISTRICT OF BIH

Article 8

(Filing of applications)

An application for the issuance of the permit for movement of weapons in case of movement of weapons between entities or between an entity and the Brčko District of BiH or within entities or within the Brčko District of BiH shall be submitted to the competent organizational unit from whose territory the weapons are to be dispatched, as follows:

- The Public Security Centers of the Ministry of Interior of Republika Srpska (hereinafter: the Centre);
- Police Departments in cantonal Ministries of Interior;
- The Police of the Brčko District of BiH.

Article 9

(Contents of applications)

- (1) The application referred to in Article 8 of this Rulebook shall be filed by using the form prescribed by the Law.
- (2) The applications shall be accompanied by the following:
 - a) Weapons acquisition permit;
 - b) Proof of the weapon end-user;
 - c) Proof of paid administrative fee.
- (3) The proof referred to in paragraph (2), item b, of this Article shall be a contract on delivery or a purchase order in case of movement of weapons for the needs of authorities referred to in Article 2 of the Law, or a statement of the weapon owner in case of movement of weapons from one location to another.
- (4) In case of import of weapons for one's own needs, along with the proof specified in paragraph 3 of this Article, the owner's statement confirming that the weapons will be used for the his/her own purposes may be used as proof of end-user.

Article 10

(Submission of documents)

- (1) Along with the application for the issuance of the permit, the applicant shall submit the original or a certified copy of documents referred to in Article 9 of this Rulebook.
- (2) If there are reasonable grounds for it, the necessary documents can also be submitted by fax, provided that an applicant shall subsequently, and no later than seven days from the date of permit issuance, submit the original or certified copy of documents in accordance with paragraph 1 of this Article.

Article 11

(Approval)

- (1) Prior to issuing a permit for movement of weapons, the competent organizational unit referred to in Article 8 of this Rulebook shall submit to the Ministry of Security of BiH the required copy of documents for the purposes of obtaining approval, specifically:
 - an application for the issuance of permit for the movement of weapons as prescribed by the Law;
 - the weapons' acquisition permit;
 - proof of the weapon end-user;
 - an application form for the issuance of approval as prescribed in form No. 1 of this Rulebook;
 - the draft decision on the permit for the movement of weapons.
- (1) The application for the issuance of approval and the form of the issued approval are prescribed as form No. 1 and 2 of this Rulebook.

Article 12

(Issuing of the permit)

If in the process of issuing the permit it is determined that the requirements specified in Article 9 of this Rulebook have been met with respect to the movement of weapons between entities or between an entity and the Brčko District of BiH or within entities or within the Brčko District of BiH, the competent organizational unit referred to in Article 8 of this Rulebook shall make a special respective separate decisions.

Article 13

(Notification of the issued permit)

- (1) An applicant shall notify the authority which issued the decision of the exact date of movement of weapons.
- (2) At the request of the Ministry of Security of BiH, the relevant Entity Ministries of Interior and the Police of the Brčko District of BiH shall notify the Ministry of the exact date of the movement of weapons and other issues related to the movement of weapons.
- (3) After receiving the notification of the exact date of movement of weapons in the territory within their jurisdiction, the competent organizational units of the Ministry of Interior of the Republika Srpska, of the cantonal Ministries of Interior and the Police of the Brčko District of BiH shall make all the necessary announcements regarding the movement of weapons along the route.

Article 14

(Rejecting the application)

If in the process it is determined in that the requirements referred to in Article 9 of this Rulebook have not been met with regards to movement of weapons between entities or between an entity and the Brčko District of BiH or within entities or within the Brčko District of BiH, the competent organizational unit referred to in Article 8 of this Rulebook shall make a decision to reject the application.

IV TRANSITIONAL AND FINAL PROVISIONS

Article 15

(Forms)

Forms number 1 and 2 are enclosed herewith as appendices and constitute integral part hereof.

Article 16

(Entry into force)

This Rulebook shall enter into force on the date of its signing, and shall be published in the "Official Gazette of BiH".

DEPUTY MINISTER

Mijo Krešić

Number: _____/09

Sarajevo: _____ 2009