

Brčko Distrikt BiH

“Službeni glasnik 2/o2 Brčko Distrikta BiH”

**LAW
ON IMPLEMENTATION OF THE DECISION OF THE
ANNEX 8 COMMISSION TO PRESERVE NATIONAL
MONUMENTS**

Pursuant to Article 23 of the Statute of the Brcko District of BiH, the Assembly of the Brcko District of BiH, on its 33rd session, held on December 14, 2001 adopted

**LAW
ON IMPLEMENTATION OF THE DECISION OF THE
ANNEX 8 COMMISSION TO PRESERVE NATIONAL MONUMENTS**

Purpose of the Law

Article 1

The Law on Implementation of the Decision of the Annex 8 Commission to Preserve National Monuments (hereinafter: Law) shall determine measures of protection and rehabilitation of the properties designated as National Monuments of Bosnia and Herzegovina by decision of the Commission to Preserve National Monuments, established under Annex 8 of the General Framework Agreement for Peace in Bosnia and Herzegovina (hereinafter: Commission).

Article 2

Provisions of other laws and regulations shall not be applied, if they are contrary to this Law.

Definitions of terms

Article 3

The terms used in this Law shall have the following meaning:

-**"National Monument"** refers to property designated by the Commission as a National Monument of Bosnia and Herzegovina in accordance with Article 5 of Annex 8 of the General Framework Agreement for Peace in Bosnia and Herzegovina ("Annex 8"). All provisions of this Law applied for National Monuments shall be applied for the properties included in the attached "Provisional List of National Monuments" as well, until a final decision of the Commission on a respective National Monument, is enacted in accordance with Article 5, Paragraph 4 of Annex 8.

-**"Department"** refers to the Department of Urbanism, Real Estate Affairs and Economic Development of the Brcko District.

-**"Rehabilitation of a National Monument of BiH"** refers to bringing of damaged or destroyed property into its condition prior to destruction, to the extent reasonably possible, including new construction of a National Monument, at the same location, in the same shape, of the same dimensions and made of the same materials as it was before the destruction, by applying the same construction technology whenever reasonably possible.

Protection of National Monuments designated by the Commission in accordance with Annex 8

Article 4

National Monuments are deemed to have the highest level of protection afforded by the Brcko District legislation.

Article 5

Authorized bodies and institutions of the Brcko District shall refrain from and shall prevent any actions that might damage a National Monument or bring in question its protection and rehabilitation.

Approvals related to National Monuments

Article 6

The Department shall issue all the approvals related to protection, conservation, presentation, and rehabilitation of National Monuments.

Article 7

(1) The Department shall have the obligation to issue the approval from the previous Article within 30 days from the day of submission of the request.

(2) The request from the previous paragraph shall include all attachments from Article 11 of this Law.

Article 8

(1) In the procedure of issuing of approvals in terms of this Law, provisions of the Law on Administrative Procedure shall be applied, unless otherwise stipulated by this Law.

(2) Decisions rendered by the Department and in accordance with this Law shall be final.

Article 9

Decisions contrary to the provisions of this Law shall be considered null and void.

Article 10

All spatial plans contrary to the provisions of this Law shall not be applied to the protected sites of National Monuments.

Article 11

Along with the request for issuance of the approval for rehabilitation, the applicant shall be required to attach the cadastral plan excerpt, proof of ownership or right of use of land, building or complex; a historical and construction description of the original condition of the building or complex with the existing architectural, photographic and other documentation; description of the present condition of the building or complex; and rehabilitation project of the building or complex. Requests for rehabilitation of the completely destroyed buildings shall include a main project proposal.

Article 12

In case there is no documentation that would be the basis for carrying out the rehabilitation of the completely destroyed monuments, in accordance with provisions of Article 11 of this Law, the Commission may be requested to provide criteria upon which the approval shall be issued.

Obligation under Annex 8

Article 13

(1) The Brcko District shall make all possible additional efforts to take appropriate legal, scientific, technical, administrative and financial measures necessary for the protection, conservation, presentation and rehabilitation of National Monuments.

(2) The Department may provide for the measures referred to in previous Paragraph through Instructions.

Obligation to Co-operate

Article 14

Officials, bodies and institutions of the Brcko District shall fully cooperate with the Commission.

Article 15

Officials, bodies and institutions of the Brcko District shall fully cooperate with the Department. They shall, upon the request of the Department provide all relevant documentation.

Article 16

Officials, bodies and institutions of the Brcko District shall, within 15 days of entering into force of this Law, forward to the Department pending requests concerning National Monuments.

Monitoring and Enforcement

Article 17

The Department shall supervise the enforcement of this Law.

Article 18

Inspection supervision shall be carried out in accordance with the Law on Urban Planning.

Article 19

This Law shall enter into force eight days from its publishing in the "Official Gazette of the Brcko District of Bosnia and Herzegovina".

Bosnia and Herzegovina
BRCKO DISTRICT
OF BOSNIA AND HERZEGOVINA
ASSEMBLY OF THE BRCKO DISTRICT

Number: 0-02-
022473/01 Brcko,
December 14,2001

PRESIDENT
OF THE BRCKO DISTRICT ASSEMBLY

Mirsad Djapo, graduate lawyer