

Pursuant to Article IV 4 a) of the Constitution of Bosnia and Herzegovina, the Parliamentary Assembly of Bosnia and Herzegovina, on 36th session of the House of Representatives, held on October 19 2016, and the 23rd session of the House of Peoples held on October 27 2016, adopted the

**LAW
ON MARKING OF SMALL ARMS, LIGHT WEAPONS AND
ASSOCIATED AMMUNITION**

I. GENERAL PROVISIONS

**Article 1
(Subject of the Law)**

(1) This Law determines the obligation of marking of small arms and light weapons (hereinafter referred to as the weapons) and associated ammunition (hereinafter referred to as ammunition), markings on the weapons and ammunition, duties and authorizations of the manufacturer, importer and holder of the stock, records, and control and administrative measures.

(2) Weapons and ammunition for which important structural parts have been replaced or modified are also subject to the marking.

**Article 2
(Exemptions from the Law)**

(1) The provisions of this Law shall not apply to the weapons and ammunition that is in possession of the Armed Forces of Bosnia and Herzegovina, authorities and institutions at all levels of government in Bosnia and Herzegovina, legal entities and citizens, which were previously produced or imported in Bosnia and Herzegovina, unless the weapons and ammunition become subject to transfer or export of stocks of all levels of government, on the entry into force of this Law or its implementation, in accordance with existing regulations.

(2) The provisions of this Law shall not apply to the temporary import or export of weapons and ammunition, completed within the prescribed customs requirements of Bosnia and Herzegovina.

Article 3 **(Meaning of terms)**

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

- a) **Small arms:** the deadly agent that is designed or adapted to the pressure of gunpowder and other gases or other propellant, that can throw grain, sphere, meal or other projectiles, intended for use by an individual, which includes: revolvers, pistols and semi-automatic pistols, rifles and carbines, automatic rifles, assault rifles, machine guns and light machine-guns;

- b) **Light weapons:** the deadly agent that is designed or adapted to the pressure of gunpowder and other gases or other propellant can throw grain, ball or other projectile intended for use by two or more persons who serve as a crew and include: heavy machine guns, handheld, automatic and below the tubes mounted grenade launchers, portable anti-aircraft guns, portable antitank guns, recoilless guns, portable anti-aircraft missile systems, portable anti-aircraft systems, and mortars of less than 100 mm;

- c) **Important structural part:** each component or part that is specially made for weapons and ammunition and is essential for its operation (e.g. tube, hull, slider, breach, shell, liner and fuse);

- d) **Ammunition:** the associated ammunition for small arms and light weapons referred to in paragraphs. a) and b) above, as a whole or its parts;

- e) **The unique product code - JPO:** marked on each piece of weapon or ammunition or packaging of ammunition at the time of production, written with simple geometric symbols with numeric or alphanumeric code, by which all countries are allowed to easily identify the country where the weapons or ammunition have been produced;

- f) **import mark - UO:** the mark of any weapons or ammunition or packaging of ammunition being imported to Bosnia and Herzegovina, printed in alphanumeric code;

- g) **mark of the transfer or export - OPI:** is marked on each piece of weapon or ammunition or packaging of ammunition from the stocks of all levels of government transferred to permanent civilian use, or from the stock of all levels of government exported from Bosnia and Herzegovina, printed in alphanumeric code;

h) **identification code of weapons - OSI:** the label attached to each individual weapon, when unique product code on the weapon, in the process or the time of import into Bosnia and Herzegovina, does not allow to unequivocally recognize the country of manufacture, manufacturer's name, year of manufacture and serial number;

i) **identification code of ammunition - IOM:** the label attached to each package of ammunition, when unique product code of the procedure or the time of import into Bosnia and Herzegovina, does not allow to unequivocally recognize the country of manufacture, manufacturer's name, year of manufacture and calibre, and

j) **the holder of the stock:** the state, entity or local authority, organization or government institutions responsible for the management or use of weapons and ammunition.

II. OBLIGATIONS AND AUTHORITY

Article 4 (Manufacturer)

Manufacturer of weapons or ammunition is obliged to mark the weapons and ammunition during the manufacturing by the unique product code (hereinafter: JPO) in accordance with the provisions of Articles 9 and 10 of this Law.

Article 5 (Importer)

The importer of weapons or ammunition is obliged not later than 15 days after completion of the customs procedures, and before putting the imported weapons and ammunition on the market, or in use, in accordance with the procedure, to perform marking from Articles 11, 12 and 13 of this Law.

Article 6 (Holder of the Stock)

Holder of the stocks of weapons or ammunition is obliged before the of the transfer or export of weapons and ammunition from the stocks of all levels of government, in accordance with procedure, to perform marking referred to in Article 14 of this Law.

Article 7
(Authority for marking of weapons or ammunition)

(1) The marking of weapons or ammunition may only be performed by the legal entity, institution and the holder of stocks with the prior authorization for the marking of weapons or ammunition.

(2) The authorization referred to in paragraph (1) shall be issued by the Ministry of Foreign Trade and Economic Relations of Bosnia and Herzegovina (hereinafter: the Ministry) on the basis of the application, and applicants capabilities and competence to perform marking of weapons or ammunition.

(3) The authorization referred to in paragraph (1) of this Article shall be issued with a validity of five years.

Article 8
(Marking features)

(1) The marking should provide easy identification, durability, stability, that cannot be easily altered or removed and in the case to be removed or changed to, through technical means, can be recognized.

(2) Marking is done in a safe way and with the requirement to preserve the technical quality and performance of weapons or ammunition.

III. MARKINGS ON WEAPONS AND AMMUNITION

Article 9
(Unique manufacturing code)

(1) Weapons produced in Bosnia and Herzegovina, during the production will be marked by the unique product code (hereinafter: JPOO) that as a minimum contains the following information:

- a) indication of the country of manufacture;
- b) manufacturer's label;
- c) year of production; and
- d) serial number.

(2) Ammunition produced in Bosnia and Herzegovina, during the production will be marked by the unique product code for ammunition (hereinafter referred to as JPOM) that a minimum contain the following information:

a) for each piece of ammunition:

1) mark of the manufacturer;

2) year of production;

3) calibre; and

4) an indication of the country of manufacture of ammunition calibre 20 mm and larger,

b) for each unit of packaging of ammunition:

1) indication of the country of manufacture;

2) manufacturer's label;

3) year of production;

4) calibre;

5) the number of rounds of ammunition; and

6) number of the lot of ammunition.

(3) indicating the country of manufacture referred to in paragraph (1) and (2) above, for Bosnia and Herzegovina is "BA" - mark the International Organization for Standardization - ISO for Bosnia and Herzegovina.

(4) The Ministry shall, at the request of manufacturers of weapons or ammunition issue decision on determining the manufacturer's labels, which is placed on the weapons or ammunition.

(5) In exceptional cases, the JPO may include, at the request of manufacturers of weapons or ammunition, different data than from paragraphs (1) and (2) above, based on the specific approval of the Ministry, with a justified explanation and presentation of business documents.

Article 10
(JPOO and JPOM location)

(1) JPOO of Article 9, paragraph (1) of this Act shall be placed in a prominent place the essential structural components of weapons.

(2) JPOM of Article 9, paragraph (2) of this Act shall be placed in a prominent place the essential structural components of ammunition and each unit of packaging of ammunition.

Article 11
(Import mark – UO)

1) Every weapon that is imported to Bosnia and Herzegovina, in addition to the JPO, which makes it possible to unambiguously identify the country of manufacture, manufacturer's name, year of manufacture and serial number must be marked with an import code (hereinafter the Code), which contains:

- a) the international ISO mark of Bosnia and Herzegovina "BA" and
- b) the year of import.

(2) Ammunition imported into Bosnia and Herzegovina, in addition to the JPO, which makes it possible to unambiguously identify the country of manufacture, manufacturer's name, year of manufacture and caliber must be marked on each unit packaging label containing:

- a) the international ISO mark of Bosnia and Herzegovina "BA" and
- b) the year of import.

Article 12
(Weapon identification mark - IOO)

(1) Weapons whose JPO, in the process or the time of import, do not allow to unequivocally recognize the country of manufacture, manufacturer's name, year of manufacture and serial number, in addition to marking prescribed by Article 11 of this Law, will be marked by the weapons identification mark (hereinafter : IOO).

(2) IOO will be assigned to each piece of weapons containing:

- a) the designation of an authorized person and
- b) number of the imported weapons in Bosnia and Herzegovina in the year of import.

(3) The Ministry shall, at the request of a legal entity or institution, make a decision on the determination of the authorized persons.

Article 13
(Ammunition identification mark – IOM)

1. Ammunition or ammunition packaging whose JPO, in the process or the time of import, do not allow to unequivocally recognize the country of manufacture, manufacturer's name, year of manufacture and caliber, except marking prescribed by Article 10 of this Law will be marked with the ammunition identification mark (hereinafter : IOM).
2. IOM will be allocated to each unit of packaging of ammunition containing:
 - a) the designation of an authorized person and
 - b) number of the imported packaging of ammunition in Bosnia and Herzegovina in the year of import.
3. The Ministry shall, at the request of a legal entity or institution, make a decision on the determination of the authorized legal entity.

Article 14
(Transfer or export mark - OPI)

(1) The labeling on the transfer or export is placed on every weapon and every packaging unit of ammunition that are out of stock of all levels of government transferred to permanent civilian use, or from the stock of all levels of government are exported, which includes:

- a) the international ISO mark of Bosnia and Herzegovina "BA";
- b) designation holders of stock;
- c) the year of transfer or export; and
- d) number of transferred or exported weapons.

(2) The Ministry shall, at the request of the stock make a decision on determining the label stock holders.

IV. RECORDS

Article 15
(Record keeping on markings)

(1) All persons who have duties and powers arising from this Law are required to keep and maintain complete, accurate and up to date records of the markings on weapons or ammunition.

(2) The producer of weapons or ammunition is obliged to keep records of the

markings on a weapon or ammunition produced in the sub-registers for the JPO.

(3) The importer of weapons or ammunition is obliged to keep records of the markings on imported weapons or ammunition in the registries of the Board, OSI, or IOM.

(4) The holder of the stock is obliged to keep records of the markings on a weapon or ammunition from inventory transfers to permanent civilian use or exported from stock, in the registries of the appointing authority.

(5) The legal entities, institutions and holders of stocks who are authorized under Article 7 of this Law are required to keep records of the markings on a weapon or ammunition that have marked under the authority of the Ministry, the registries for marked weapons or ammunition.

Article 16 (Central register)

The persons referred to in Article 15 of this Law are required to submit data from the sub-registers by 01 March of the current year for the previous calendar year, to the Ministry of where the Central Register of small arms, light weapons and related ammunition is maintained.

Article 17 (Record content and safekeeping)

(1) Sub-registers and Central Registry contain a precise description, type, model and other additional or encoded information and characteristics of the weapons or ammunition and marking prescribed in this Law.

(2) Data from the sub-registers and the Central Register, of the persons from Articles 15 and 16 of this Law must be kept permanently.

Article 18 (Records handover)

The persons from Article 15 of this Law are obliged to keep the sub-registers and hand them over to the Ministry after the end of their obligation or authority based on this Law.

V. SUPERVISION AND ADMINISTRATIVE MEASURES

Article 19 (Inspection supervision)

- (1) Inspection of persons who have the obligation or authorization for marking of weapons or ammunition by the Ministry.
- (2) The supervision referred to in paragraph (1) of this Article shall determine whether the marking of weapons and ammunition was carried out in accordance with the provisions of this Law and regulations adopted pursuant to this Law.
- (3) The person required or authorized to mark weapons or ammunition is obliged to allow the inspection supervision.

Article 20 (Revocation of authorization)

- (1) The authorization for the marking of weapons or ammunition shall be revoked in one of the following cases:
 - a) if the authorization was issued on the basis of false data;
 - b) when the person fails to comply with the provisions of this Law and the provisions of the regulations adopted for the implementation of this Law, and in due course does not rectify the deficiencies identified; and
 - c) makes it impossible to perform the inspection.
- (2) The decision on the revocation of the authorization for marking of weapons and ammunition, in the cases referred to in paragraph (1) of this Article shall be issued by the Ministry.

VI PENALTIES

Article 21 (Irregular marking)

- (1) Whoever fails to mark small arms, light weapons and related ammunition in accordance with the provisions of this law and put it on the market, or the use, shall be considered to commit a criminal offense and shall be punished with imprisonment from six months to five years.
- (2) If the subject of acts referred to in paragraph (1) of this Article is a weapon or

ammunition in large quantities or values, or it comes to weapons or ammunition of great destructive power and danger or offense committed in the group perpetrator shall be punished with imprisonment of one to ten years.

(3) Cases of forges, illegally deleted, removed or changed markings on the weapons or ammunition are a criminal offense in accordance with the provisions of this Law and shall be punished by imprisonment for six months to five years.

Article 22 (Violations)

(1) A fine of 50,000 KM to 150,000 KM shall be imposed on any legal entity which:

- a) marks the weapons or ammunition in contravention of Article 7 (1) of this Law;
- b) of the body responsible for authorizing the marking of weapons or ammunition obtaining authorization on the basis of false information and on the basis of such authorization is marking of weapons or ammunition.

(2) A fine in the amount of 50,000 KM to 100,000 KM shall be imposed on any legal entity if:

- a) Prevents the supervision in accordance with Article 19, paragraph (3) of this Law;
 - b) does not keep records in accordance with Article 15 of this Law;
 - c) does not hand over the sub-register to the Ministry in accordance with Article 18 of this Law;
 - d) does not submit data from registries in accordance with Article 16 of this Law;
- and
- e) fails to provide affixing the limit specified in Section 5 of this Law.

(3) A fine in the amount of 10,000 KM to 15,000 KM shall be imposed on the responsible person in the legal entity if:

- a) Prevents the supervision in accordance with Article 19, paragraph (3) of this Law;
 - b) does not keep records in accordance with Article 15 of this Law;
 - c) does not hand over the sub-register to the Ministry in accordance with Article 18 of this Law;
 - d) does not submit data from registries in accordance with Article 16 of this Law;
- and
- e) fails to provide affixing the limit specified in Section 5 of this Law.

VII FINAL PROVISIONS

Article 23 **(Implementation provisions)**

The Ministry is obliged, after the entry into force of this Law, but not later than the beginning of its implementation, adopt the by-laws which will define:

- a) The procedure, conditions, location of markings, procedures and methods of marking of weapons and ammunition produced in Bosnia and Herzegovina (JPO);
- b) procedure, conditions, markings location, procedures and methods of marking weapons and ammunition imported into Bosnia and Herzegovina (UO);
- c) The procedures, conditions and procedures for marking as OSI;
- d) the procedures, conditions and procedures for marking as IOM;
- e) the procedures, conditions, location of markings and procedures for marking label OPI;
- f) requirements for obtaining authorization for marking weapons or ammunition, the form and content of the application for the decision and a list of other documents accompanying the application;
- g) keeping records on labels; and
- h) inspection.

Article 24 **(Entry into force)**

This Law shall enter into force on the eight day from its publishing in the BiH Official Gazette, and shall be implemented 12 months after entry into force.

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October 27, 2016
Sarajevo

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BiH Parliamentary Assembly

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