

**REPUBLIKA SRPSKA
GOVERNMENT**

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THE LAW ON ENVIRONMENTAL PROTECTION

Banja Luka, June 2012

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I GENERAL PROVISIONS

Article 1

This Law regulates the environmental protection for the purpose of its preservation, reducing the risk to human life and health, and ensuring and improving the quality of life, protection of all the elements of the environment, information and access to information in the field of environmental protection, planning and environmental protection, strategic Impact Assessment and Environmental Impact Assessment, the procedure for issuing environmental permits and preventing large-scale disasters, the system of eco-labelling and environmental management, financing activities related to the environment, responsibilities for the damage caused to the environment, and the rights and obligations of legal and natural persons engaged in activities stipulated by this Law.

Article 2

The environmental protection is implemented for the purpose of:

- a) reducing the use, preventing overload, pollution and environmental degradation, improvement and restoration of a damaged environment,
- b) protecting human health and improving environmental conditions for quality of life,
- c) sustainable management, preservation and protection of natural resources, rational use of resources and the economy that ensures resource recovery,
- d) compliance of social, economic and other interests of the Republika Srpska (hereinafter: the RS) with the environmental protection requirements,
- e) international cooperation in the field of environmental protection,
- f) providing opportunities for initiatives and public participation in activities aimed at environmental protection,
- g) coordination of the economy and the integration of social and economic development in accordance with the prescribed standards for the environmental protection and
- h) establishment and development of institutions for the environmental protection and preservation.

Article 3

- (1) Everyone is entitled the right to a healthy environment.
- (2) Everyone is entitled to live in the environment suitable for health and well-being, and it is the individual and collective responsibility to protect and improve the environment for the benefit of present and future generations.

Article 4

The provisions of this Law shall apply to:

- a) all the elements of the environment (air, water, land, wildlife, landscape, built environment) and
- b) all types of activities that use natural resources and represent an environmental load, that is, that have an environmental impact in terms of posing the risk of pollution of the environment, polluting the environment, or that have adverse environmental impact (such as noise, vibration, radiation, except for nuclear radiation, waste, etc.).

Article 5

(1) The protection and improvement of the environment shall be provided, within its powers, by the RS, local governments, companies, entrepreneurs, associations and foundations, as well as other legal and natural persons, professional organizations and other public services.

(2) The entities referred to in paragraph 1 of this Article shall be obliged to preserve and improve the environment.

(3) The RS shall establish cooperation and coordination with the Federation of Bosnia and Herzegovina and the Brcko District within the framework of common goals and interests pertaining to environmental protection.

(4) The RS shall participate in international cooperation in the field of environmental protection.

Article 6

The principles of environmental protection include:

- a) the principle of sustainable development,
- b) the principle of precaution and prevention,
- c) the principle of substitution,
- e) the principle of an integrated approach,
- f) the principle of cooperation and shared responsibility,
- g) the principle – public participation and access to information and
- h) the polluter pays principle.

Article 7

Environmental sustainability implies:

a) preservation of natural resources so that the consumption of renewable materials, water and energy resources does not reduce the capacity of the natural systems to compensate for it and that the consumption of non-renewable resources does not exceed the limits within which the sustainable renewable resources are substituted,

b) that the level of emitted pollutants does not exceed the capabilities of air, water and soil to absorb and process them and

c) the permanent preservation of biological diversity (biodiversity), human health, air quality, water and land, according to the conditions that are necessary for human life, flora and fauna.

Article 8

(1) When there is a risk of irreversible environmental damage, lack of a scientific certainty shall not be a reason to delay the introduction of precautionary measures and prevention in order to prevent further environmental degradation.

(2) The use of the environment is organized and performed in a way that it:

- a) results in the lowest possible degree of loading and use of the environment,
- b) prevent the pollution of the environment and
- c) prevents damage to the environment.

(3) When using the environment, the precautionary principle must be complied with, that is, elements of the environment must be carefully managed and used in a cost-effective manner, and generation of waste must be reduced to a minimum through recycling of waste, and reuse of natural and artificial materials.

(4) The beneficiary of the environment that causes danger to the environment or causes harm to the environment shall immediately suspend the activity that constitutes a danger or cause damage.

(5) If the damage was caused as a result of past activities of the beneficiary, the beneficiary shall be required to eliminate or repair the damage to the environment, as soon as possible.

Article 9

(1) Each activity that might have detrimental effects on the environment has to be substituted with another activity that represents significantly less risk and danger to the environment. Substitution of the activities shall be also performed if the costs of such activities are higher than the value to be protected.

(2) The provisions referred to in paragraph 1 of this Article shall be applied when using products, parts of a plant, equipment and implementation of production processes, with a mandatory restriction of environmental pollution at the source.

Article 10

(1) Requirements for the high level of environmental protection and improvement of the quality of the environment form an integral part of all policies and strategies aimed at improving the environment, and they are ensured in accordance with the principle of sustainable development.

(2) The purpose of the principle of an integrated approach is to prevent or reduce the risk of damage to the environment as a whole to a minimum.

(3) The principle of an integrated approach includes:

- a) taking into account the entire life cycle of substances and products,
- b) foreseeing the consequences in all elements of the environment as a result of action of substances and activities (new and existing)
- c) reduction of waste and harmful effects of waste to a minimum,
- d) applying common methods for evaluation and comparison of environmental issues and

e) application of measures in respect of the consequences, such as qualitative environmental objectives and measures targeting the sources in terms of emissions.

Article 11

(1) Planning, management and monitoring of the environment at the level of RS is achieved by cooperation and joint action of all stakeholders aimed at environmental protection, each within its competence and responsibility.

(2) Implementation of environmental goals is encouraged by the inter-entity cooperation and cooperation with the Brcko District, bilateral or multilateral international agreements on environmental protection and other cooperation agreements, as well as through providing information and support in connection with the environmental protection, especially in relations with neighbouring countries.

Article 12

(1) Each individual and an organization must have appropriate access to the information concerning the environment, held by the administrative authorities, including information on hazardous substances and activities in their communities, as well as the opportunity to participate in decision-making.

(2) The Ministry in charge of Spatial Planning, Civil Engineering and Ecology (hereinafter: the Ministry) and local governments (hereinafter: competent authorities) shall be obliged to help and raise public awareness, by facilitating the availability of information to the general public.

(1) The public has a right to participate in processes conducted in accordance with this Law and other regulations.

(2) Any interested person who considers that their rights were violated under paragraph 3 of this Article shall be entitled to protection in administrative and judicial proceedings.

Article 13

(1) The polluter of the environment (hereinafter: the polluter) shall pay compensation for environmental pollution in accordance with the regulation governing the financing of environmental protection when due to its activities it causes or may cause environmental pollution, or if it produces, uses or distributes raw materials, semi-finished product or product containing materials harmful to the environment.

(2) The polluter, in accordance with the regulation referred to in paragraph 1 of this Article shall bear the total cost of the measures for preventing and reducing pollution, which include the costs of environmental risks and the costs of remediation of the damage caused to the environment.

Article 14

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

a) biological diversity (biodiversity) means the totality of all living organisms that are integral parts of ecosystems and it includes the diversity of living organisms from all sources including, *inter alia*, terrestrial and aquatic ecosystems and the ecological complexes to which they belong; this includes diversity within species, between species, habitats and eco-systems,

b) genetically modified organism means an organism whose genetic material has been altered by methods of modern biotechnology,

c) emission limit values mean the mass expressed in the form of specific parameters, concentration and/or level of emissions, which will not be exceeded during a certain period or during certain periods,

d) product group includes any type of product or services with similar purposes and which, as such, are equal in terms of use and observations by the consumers,

e) environmental permit means a decision of a competent authority issued in the form of a decision establishing that a plant meets certain requirements for the construction and operation of the entire plant or part of the plant, and it may cover one or more plants on the same site operated by the same responsible person,

f) environmental elements include land, air, water, biosphere, as well as built (artificial) environment that came as a result of the activities of the human factor, which is also an integral part of the environment,

g) emission means the direct or indirect release of substances in the form of vibrations, radiation, heat, odour or noise from individual or diffuse sources into air, water or land,

h) environment means a set of natural and created values whose complex interrelationships make the environment, or space and living conditions,

i) pollution means direct or indirect introduction of substances, vibrations, heat or noise into the air, water or land caused by human activity that can be harmful to human health or the quality of the environment and can cause damage to material goods, or impair or hinder the enjoyment and other legitimate uses of the environment,

j) satisfactory condition means the fulfilment of all environmental quality standards that are relevant to the location of plants, especially those concerning the protection of soil, air and water,

k) an interested party or authority means a natural resident person or legal entity established in, or the owner or proprietor of real property with the seat in the area of impact or an area likely to be affected, or administrative or other RS organ or local government authority that can be interested in the planned project or the assessment of its environmental impact, due to its specific competencies and responsibilities related to environmental protection,

l) interested public means the public which is affected by or is likely to be affected by decisions on the issuance or review and renewal of permits or conditions thereof or which has an interest in making such decisions, and for the purpose of this definition, it shall be considered that the associations and foundations promoting environmental protection have an interest herein.

m) environmental protection involves all relevant activities and measures aimed at prevention of danger, damage or environmental pollution, reduction and elimination of the incurred damage, and recovery of the same state as that before the damage,

n) soil means the Earth's top layer situated between the substrate and the bedrock, and which is composed of mineral particles, organic matters, water, air, and living organisms,

o) a significant change means the change in the nature or its functioning, or an extension of a plant, which may have a significant adverse impact on human health or the environment,

p) imission means the concentration of substances in a certain place and at a particular time in the environment,

q) Strategic Assessment Report is a document accompanying particular plan or program and it contains identification, description and assessment of the likely significant effects on the environment due to the implementation of plans and programs, as well as options discussed and adopted on the basis of the objectives and the scope of plans and programs,

r) public means one or more natural or legal persons and their associations, organizations or groups,

s) use of the environment means an activity that causes changes in the environment, so that the environmental benefits are utilized, in its entirety or some of its elements as a natural resource or by emitting substances or energy into the environment or elements of the environment within the regulations governing the environmental protection,

t) microorganisms mean any microbial cellular or non-cellular entities able to replicate or transfer the genetic material,

u) monitoring means a system of environmental monitoring, and environmental pollution, monitoring of emissions and imissions, and natural phenomena,

v) best available techniques mean the most effective and advanced stage in the development of activities and their methods of operation which indicates the practical suitability of particular techniques for providing the basis for emission limit values and other permit conditions designed to prevent and, where that is not practicable, to reduce emissions and the environmental impact as a whole,

w) large-scale disaster/accident means a large-scale emission, fire or explosion due to uncontrolled events that occurred during the operation of a plant, which represents a serious threat to human health or the environment, immediate or delayed, inside or outside the plant, which includes one or more hazardous substances,

x) project holder means a natural or legal person, including the RS institutions and other authorized institutions at whose request the procedures set out in this Law are initiated,

y) responsible person means any natural or legal person, which fully or partly manages operations of a plant or controls it or person to whom they transferred the authority to make economic decisions in the field of technical functioning of a facility or a plant,

z) hazard means an intrinsic property of hazardous substances or physical condition that can cause harm to human health or the environment,

aa) hazardous substance means a substance identified in a regulation, mixture of substances or preparation in the form of raw materials, products, by-products, residues or intermediate products, including those substances for which it is reasonably expected that could occur in the event of an accident,

ab) hazardous locations mean mines, oil wells or refineries, plants for gas supply and smelting, power plants, coke ovens, plants for the production and processing of metals and minerals, chemical plants, plants for the treatment, incineration and storage of waste, plants for production of energy from waste, plants for waste water treatment, slaughterhouses, tanneries and boyars, plants for paper production, dams and gas pipelines or oil pipelines,

ac) loading the environment means the emission of substances or energy into the environment,

ad) plans and programs mean all development or other plans and programs, principles, including amendments thereto, prepared and/or adopted by the authority at the RS or local level, or which the competent authority prepares for the relevant adoption procedure in the National Assembly of the Republika Srpska or the Government of the Republika Srpska (hereinafter: the Government), or in the local government, as well as plans and programs issued on the basis of special regulations,

ae) project means design and execution of construction and other works, including the construction of plants and other systems, as well as other activities and operations conducted in the area, and the interventions in the natural landscape environment,

af) change in operations means the change in nature, functioning, or an extension of a plant, which could result in consequences for the environment,

ag) Impact Assessment on the environment means identification, description and appropriate assessment in relation to each individual case, in accordance with the provisions of this Law, direct and indirect impact of a project on the following elements and factors: people, flora and fauna, soil, water, air, climate and landscape, material assets and cultural heritage and the interaction of the aforementioned factors,

ah) affected area means the area or part of the area where a certain degree of environmental impact has been triggered, which is defined by the regulations or which may arise as a result of the use of the environment,

ai) installation means one or more plants, one or more technical units in one place in which the activities are being performed that may have adverse impacts on the environment, or where there are dangerous substances. The installation includes performing activities that are directly technically related to the performance of an activity at the site of the facility that may have an impact on the level of emissions, or pollution,

aj) natural resource means a component of the natural environment, that is, an integral part of the natural environment that may be used to meet the needs of society, excluding artificial environment,

ak) best available techniques reference document means a document, resulting from the exchange of information, describing, in particular, applied techniques, present emissions and consumption levels, techniques considered for the determination of best available techniques as well as best available techniques conclusions and any emerging techniques,

al) risk means the likelihood of a certain consequence within a specified period or in certain circumstances,

am) environmental quality standard means the prescribed requirement that must be met within a specified period, in a certain environment or particular part thereof, as stipulated by this Law or other laws,

an) storing means the presence of a certain quantity of dangerous substances for storage, disposal for storage in a safe place, or their keeping in the stock,

ao) strategic environmental assessment is a systematic process for evaluating the consequences of the proposed plans, programs and strategies on the environment so as to include environmental consideration in the early stage of the decision-making process, in addition to economic and social considerations,

ap) strategic assessment of the effects of certain plans and programs on the environment means drafting reports on the state of the environment, implementation of the consultation procedure, taking into account the reports and the results of the consultations in the decision-making and the enactment or adoption of certain plans and programs, as well as providing information and data about the adopted decision,

aq) substance means any chemical element and its compounds, with the exception of the radioactive substances, genetically modified micro-organisms and genetically modified organisms,

ar) associations and foundations promoting environmental protection means organizations dealing with the environmental protection, which have committed in their statutes to promote environmental protection (hereinafter: associations and foundations) and

as) environmental impact means a change in the environment caused by using and loading the environment.

II PROTECTION OF ENVIRONMENTAL ELEMENTS

Article 15

(1) Protection of environmental elements shall include protecting the quality, quantity and their inventories, as well as the preservation of natural processes within elements and their natural balance.

(2) Elements of the environment shall be protected individually and as part of other elements of the environment, taking into account their interdependent relationships.

(3) Special regulations shall govern the specific areas of protection and preservation of environmental elements, the way of loading and use of the elements, as well as protection from impacts that pose a threat to the environment.

Article 16

(1) Land protection includes surface and subsurface layers of soil, rock formations and minerals, as well as their natural and transitional forms and processes.

(2) On the surface of the land or underneath the surface the activities may be performed and materials disposed of that do not pollute or deplete the land.

(3) In the course of the project implementation, as well as prior to its execution (construction, mineral resource exploitation, etc.), protection of land shall be ensured.

(4) Upon the completion of activities involving land use, beneficiaries will ensure the reconstruction and development of that area in accordance with the established plan, where such conditions exist and if this was set out by special regulations or a decision of the competent authority.

Article 17

(1) Waters may be used and loaded, and waste waters may be discharged into waters by applying appropriate treatment, in the manner and to the level that does not pose a threat to natural processes or to rebuilding the quality and quantity of water and that this does not diminish the possibility of their multi-purpose use.

(2) Protection and use of water shall be exercised in the context of integrated water management, through implementation of measures for the preservation of surface and groundwater and their reserves, quality and quantity, as well as the protection of beds, banks and basins, in accordance with the special law.

(3) Water protection measures shall ensure prevention or restriction of introduction of dangerous, sewage and other harmful substances into the water, monitoring and testing the

quality of surface water and groundwater, as well as the quality of waste waters and their treatment.

Article 18

(1) Air protection is achieved by undertaking measures of systematic monitoring of air quality by reducing air pollutants below the prescribed limit values and by taking technological and other necessary measures to reduce emissions, by monitoring the impact of polluted air on human health and the environment. Measures to protect air provide for preservation of the atmosphere, with all of its processes and climatic characteristics.

(2) Planning of air protection, sources of emissions, air protection, monitoring, public participation and financing air protection shall be carried out in accordance with a special regulation governing the air protection.

Article 19

(1) The preservation of the biosphere includes the protection of organisms, their communities and habitats, including the preservation of natural processes and natural balance within the eco-systems, while ensuring their sustainability.

(2) Biological diversity and biological resources are protected and used in a manner that enables their survival, diversity, renewal and improvement in the case of disruption.

(3) Protection of biodiversity and use of biological resources shall be carried out pursuant to this Law and special regulations governing nature protection.

Article 20

(1) The spatial plan shall define the zones of construction on certain locations depending on the extent of contamination of the environment and purpose of construction on certain locations.

(2) Performance of certain activities in certain zones where there is a safety distance or area, shall be permitted in the manner defined by special regulations governing the extent of contamination of the environment in line with the the nature of the environmental burden and this Law.

(3) Green areas, as well as the protected zones belt on the territory of local governments shall be regulated by special regulations.

Article 21

(1) Management of hazardous substances, and protection from organic and inorganic substances with hazardous properties, as well as planning, organizing and taking preventive and remedial measures shall be carried out under conditions and in a manner that provides for the reduction of risk to the environment and human health and the provision of adequate response to environmental hazards.

(2) Legal and natural person who manages hazardous substances and/or applies technologies harmful to the environment, shall be obliged to take all necessary safety and security measures for minimising the risk of danger to the environment and human health, in accordance with special regulations governing this area.

Article 22

(1) Protection from the harmful effects of waste on the environment encompasses all kinds of substances and products, including packaging and packing materials of these substances, and for all kinds of products which are disposed of or are planned to be disposed of.

(2) The waste holder shall be obliged to take adequate measures for waste management and ensure basic measures to prevent or reduce generation, reuse and recycling of waste, separation of secondary raw materials and the use of waste as a fuel, or waste disposal.

(3) A special regulation shall govern the waste management planning, permits for waste management, control of waste management, activities and responsibilities for waste management, transboundary movement of waste and the indemnities.

Article 23

(1) A user of noise source may use the noise source under the prescribed conditions, with the application of prescribed protection measures for reducing noise emissions, or use of facilities, devices, machinery, transport vehicles and appliances causing noise.

(2) Vibration protection shall be carried out by taking measures for prevention and elimination of threats to the environment from the effects of mechanical, periodic and individual earthquakes caused by human activity and it shall be regulated by special regulations.

(3) Protection from noise shall be regulated by a special regulation issued by the Minister.

Article 24

(1) Radiation protection shall be implemented by applying a system of measures for prevention of environmental degradation and human health threats from the effects of radiation originating from ionizing and non-ionizing sources and for elimination of the consequences of emissions that the sources of radiation emit or can emit.

(2) Legal and natural person may produce and use sources of ionizing and non-ionizing radiation under the conditions prescribed by special regulations.

III NOTIFICATIONS AND TRAINING IN THE FIELD OF ENVIRONMENTAL PROTECTION

Article 25

(1) The competent authorities and other authorized organizations shall be obliged to regularly, timely and objectively inform the public about the state of the environment, and the phenomena that are monitored within the emission and imission monitoring, as well as on warning measures or development of pollution that may pose a threat to life and health of people in accordance with this Law and other regulations.

(2) The public shall have the right to access the prescribed Registries or records containing information and data in accordance with this Law.

Article 26

Users of the environment shall be required to perform measurements of load and use of the environment, as a result of their activities in a manner determined by this Law, on which they shall keep the records and allow the competent authorities to access such data.

Article 27

(1) The extent and type of damage to the environment, determined by the final decision of the competent administrative authority or the court shall be entered in the public records that are kept with the RS Administration for Geodetic and Property Affairs.

(2) At the request of the owner of real estate, by the means of a final decision of the administrative body or the court, the termination or reduction of the extent of environmental pollution shall be determined, and such decision shall be submitted, *ex officio*, to the authority referred to in paragraph 1 of this Article for the purpose of deletion of the relevant record.

Article 28

(1) The Ministry, in cooperation with the Ministry in charge of education and culture and the Ministry in charge of science and technology shall develop, and act in accordance with the annual curriculum in the field of environmental protection, which promotes education and public awareness of environmental protection in the curricular and extracurricular programs.

(2) The lesson plans shall include:

- a) information on access to information in the field of environmental protection,
- b) participation in decision-making and the exercise of rights on the issues of environmental protection and
- c) educational and promotional activities, actions and programs aimed at strengthening the care and awareness of the need for protection and sustainable management of the environment.

(3) The Ministry, in cooperation with the Ministry in charge of education and culture and the Ministry in charge of science and technology shall ensure continuous cooperation, joint activities and support to programs and activities, as well as regular training of the associations and the foundations.

Article 29

(1) The Ministry, in cooperation with the Ministry in charge of science and technology, shall coordinate support and assessment of scientific research and technical development that provides for the research of the state of the environment.

(2) The study aimed at research of the state of the environment and the development of environmental protection shall be the subject of priority support.

Article 30

The Ministry shall cooperate with the Ministry in charge of education and culture, as well as other ministries and it shall provide professional training on the environment and ensure enhancement of knowledge on an ongoing basis.

Article 31

(1) The RS administrative authorities and local government authorities shall be obliged to fulfil their obligations under Article 30 of this Law through education institutions, in cooperation with the associations and the foundations and other professional institutions promoting healthy environment.

(2) . The RS administrative authorities and local government authorities shall be obliged to provide support to educational and scientific institutions, religious communities, professional organizations and associations so as to be able to effectively carry out their educational activities.

Article 32

(1) Improvement in cooperation and communication among stakeholders, and achieving wider social, scientific and technical basis for environmental protection shall be performed by the Advisory Council for Environment (hereinafter: the Council), established by the Government, aimed at providing advice to the Government and the Minister in charge of environmental issues. The Council has a consultative and advisory role.

(2) The Council consists of nine members, namely:

- a) representatives of associations and foundations for the environmental protection,
- b) representatives of the organizations and institutions representing professional and economic interests and
- c) representatives of the scientific community appointed by the President of the Academy of Sciences and Arts of the Republika Srpska.

(3) In cooperation with the relevant Ministry, the Council shall adopt its Rules of procedures and it shall take its positions in terms of programs, plans and other issues related to environmental protection.

(4) The Government shall appoint the Chairman of the Council from among its members for one year.

(5) The Minister in charge of environment shall be the co-chairman of the Council.

(6) Organizing the work of the Council shall be coordinated by the line Ministry.

IV PUBLIC PARTICIPATION AND ACCESS TO INFORMATION PERTAINING TO THE ENVIRONMENT

Article 33

(1) The Ministry, independently, or in cooperation with associations and foundations, shall promote environmental protection and provide environment-related information in a transparent manner, using publications in printed and electronic forms that are readily available to the public, as well as through the media.

(2) In the case of imminent danger to human health or the environment, the Ministry, independently or in cooperation with associations and foundations, shall promptly submit all the information in its possession to the interested public from the affected areas for the purpose of undertaking measures to prevent or mitigate harm arising from certain danger.

Article 34

Environmental information, in terms of this Law means the information in written, visual, audio, electronic or any other material form regarding:

a) state, protection, sustainable use or improvement of environmental elements, such as air, water, land, landscape, space and natural areas, biodiversity and its components and the interaction between these elements,

b) factors, such as substances, energy, noise and radiation, activities and administrative measures, the agreements on environmental protection, plans and programs that affect or are likely to affect the elements of the environment referred to in point a) of this Article and an analysis of costs and useful effects, as well as other economic analysis and assumptions used in environmental decision-making and

c) the state of public health and safety, living conditions, cultural property and buildings, to the extent that they were or they could be influenced by the state of the elements of the environment or through these elements under the influence of the factors, activities or measures referred to in point b) of this Article.

Article 35

All individuals, regardless of citizenship, nationality or place of residence and legal entities, regardless of their domicile, shall have the public access to information, participation in decision-making and the protection of rights in the field of environmental protection.

Article 36

(1) The competent authorities shall ensure that environment-related information is made available to the public, as well as copies of documents containing such information.

(2) A request for access to environmental information must be made in writing. The request does not have to specify the reasons for which such information is sought.

(3) The answer to the request must be made in writing, except in the following cases:

a) if it is justified for the administrative authority to submit the requested information in a different form, however, with an obligation of the authority to substantiate the reason why the information is being delivered in a different form or

b) if the information is publicly available in another form.

(4) Environment-related information shall be delivered not later than 15 days from the date of filing a request for access to information.

(5) The response on rejection of the request shall be provided in writing within 15 days from the date of filing a request for access to information.

Article 37

(1) A request for access to environmental information shall be rejected in the following cases:

a) administrative authorities do not have the required information on the environment,

b) the request is manifestly unfounded or does not contain sufficient information regarding the requested information and

c) the request is related to the material, which in the stage of preparation or concerns internal communication of the administrative authorities, whereby such an exemption from providing the information is defined by other legislation, taking into account the distortion of general interest by providing such information, or such information has already been submitted to the representatives of associations and foundations, interested public of the relevant area and the press due to the collective public interest. In this case, the competent administrative authority shall instruct the applicant where to obtain the necessary information.

(2) A request for access to environmental information may be refused if disclosure of such information would have a detrimental impact on:

a) international relations, defence or general safety,

b) the course of proceedings, the right of individuals to a fair trial and the possibility of administrative authority to carry out criminal or disciplinary procedure,

c) confidentiality of information pertaining to trade and industry and information on emissions, which are relevant for the environmental protection, if it is defined by a special regulation aiming to protect economic interests,

d) intellectual property rights,

e) confidentiality of personal data and/or documents pertaining to natural persons in the event that such persons did not give a consent to the disclosure of the information to the public, if it is established by the law,

f) the interests of a third party which has provided the requested information and that this was not mandatory, and if that party does not provide a consent to the disclosure of the relevant material and

g) the environment to which the information is related, such as breeding sites of rare species.

(3) The reason for rejecting the request for accessing the information referred to in paragraph 2 of this Article must be explained. If the administrative authority does not have the information requested it shall, as soon as possible, transmit the request to the administrative authority that might have the requested information and inform the applicant accordingly.

Article 38

(1) The costs of providing information shall be borne by the applicant of the request for access to environmental information.

(2) The costs referred to in paragraph 1 of this Article are the actual costs of copying and the costs which the competent authority incurs in cases when it needs to conduct a research or other activity which is not required by the law.

Article 39

(1) The competent authorities shall ensure public participation in:

- a) procedures of Impact Assessment of projects on the environment and
- b) procedures of issuing environmental permits.

(2) The competent authorities shall also apply the provisions of this Article to the decisions on proposed activities not listed in paragraph 1 of this Article, which may have a significant environmental impact.

(3) The provisions of this Article shall not apply in the case of issuing decisions on activities that serve for the defence of the RS.

(4) Following the initiation of the procedures referred to in paragraph 1 of this Article, the interested public shall be informed through the media on the following:

- a) the proposed activities and the submitted application,
- b) the envisaged procedure, including available information on:

- 1) initiation of the procedure,
- 2) possibilities for public participation,
- 3) the time and place of the public debate, if any,
- 4) the competent authorities from which the relevant information can be obtained and where the public can have the access to the relevant information,

5) the competent authorities or another official authority to whom comments and questions may be submitted, as well as the deadline for the submission of comments or questions;

- 6) the state of the environment and

7) the fact that the given activity is subject to Entity or transboundary Environmental Impact Assessment procedure.

(5) The interested public will be informed about the timing of the procedure of presenting evidence, as well as of the deadline of 30 days from the initiation of the procedure for submission of evidence and facts that have an impact on the proposed activity referred to in paragraph 1 of this Article.

Article 40

(1) The competent authority, at the request of the interested public, interested parties or authorities, shall grant free access to all information relevant for decision-making referred to in Article 39 of this Law.

(2) Such access shall be related to:

- a) description of the location, physical and technical characteristics of the proposed activity, including an evaluation of expected emissions,
- b) description of the significant effects of the proposed activity on the environment,

- c) description of measures envisaged to prevent and/or reduce these impacts, including emissions,
- d) a brief non-technical summary of the stated data,
- e) an overview of basic alternative solutions analysed by the applicant and
- f) the main reports and expert opinions prepared by the authorities referred to in Article 65 paragraph 1 of this Law.

(3) The interested public, interested party or authority may, within 30 days from the day of accessing the information referred to in paragraph 2 of this Article, submit comments, suggestions or opinions in writing, to be considered by the competent authority when making a decision.

(4) The competent authority may, in the case of extremely complex issues, at the request of the interested public, interested party or the authority, extend the deadline referred to in paragraph 3 of this Article for a maximum of 30 days.

(3) The competent authority shall inform the public about the decision and the reasons on which the decision is based.

Article 41

Any person who considers that their request for access to information was not considered, or that it was unreasonably denied or the response was incomplete or incorrect, shall have the right to initiate a procedure to protect their rights.

Article 42

(1) Representatives of the interested public, interested party or authority involved in the decision-making procedure referred to in Article 39 of this Law may use legal remedies against the issued decision.

(2) Representatives of the interested public, interested party or the authority, in addition to the right to participate in the procedures of issuing permits and Environmental Impact Assessment, shall have the right, if someone acts contrary to the principles of environmental protection provided by this Law, to initiate a procedure to protect their rights before the competent authorities.

V PLANNING AND ENVIRONMENTAL PROTECTION

Article 43

(1) The following planning documents on environmental protection shall be issued in the Republika Srpska:

- a) Environmental Protection Strategy (hereinafter: the Strategy) and
- b) Environmental Protection Plan of local governments (hereinafter: the Local Plan).

(2) The Strategy, in the long-term, shall determine and guide environmental management objectives based on the principles of sustainable development in accordance with overall economic, societal, social and cultural development of the RS.

(3) The Strategy contains basic guidelines for the harmonization of economic, technical, scientific, educational, organizational and other measures, as well as measures of implementation of international commitments for the purpose of protecting the environment.

(4) The Local Plan shall be aligned with the Strategy.

(5) The Strategy shall be implemented by the competent administrative authorities and organizations of the RS, and the Local Plans shall be carried out by the competent local governments, in the manner and under conditions prescribed by the law and regulations issued based on the law.

(6) All planning documents for environmental protection shall be issued for the period of six years.

Article 44

(1) The Strategy specifically contains the following:

- a) information on the state of environment by individual elements of the environment, and the assessment of the state of the environment,
- b) the principles and measures for determining the objectives and priorities,
- c) overview of types and sources of environmental pressures,
- d) basic objectives and guidelines for integrated environmental management,
- e) basic objectives and measures for the implementation of environmental protection as a whole, according to the elements of the environment and spatial units, and priority measures of protection,
- f) overview of spatial units where it is necessary to carry out the rehabilitation of endangered environment and the basic conditions for its implementation,
- g) basic guidelines for risk management, prevention and control of the risk from large-scale accidents,
- h) principles for ensuring the most favourable technical, production and economic measures of environmental management,
- i) short-term and long-term measures for preventing and limiting environmental pollution and the order of their implementation with the implementation deadline,
- j) basis of environmental monitoring in accordance with the commitments assumed by bilateral agreements,
- k) sources and estimate of the required resources for the implementation of environmental protection measures,
- l) cost-benefit analysis for the implementation of environmental protection measures,
- m) basis for a balanced economic development and efficient environmental protection,
- n) basis for directing and improving education in the field of environmental protection,
- o) basic guidance for scientific research in the field of environmental protection,
- p) process of verification of achieving the objectives, guidelines and measures for the environmental protection and
- q) other necessary information.

(1) The Strategy, in addition to the data referred to in paragraph 1 of this Article may include the strategic documents on the protection of air and nature, waste management and other constituent elements of the environment and environmental impacts, which are issued on the basis of special laws.

(2) The Strategy shall be prepared by the Ministry in cooperation with other relevant Ministries.

(3) The Strategy shall be adopted by the National Assembly of the Republika Srpska at the Government's proposal.

Article 45

(1) Implementation of the Strategy shall be achieved by the means of an Action plan, adopted by the Government.

(2) The Action Plan shall include:

- a) measures and activities,
- b) manner of implementation of the measures,
- c) order of achieving the measures,
- d) implementation deadline,
- e) holders of implementation and
- f) projects and assessment of funds for implementation of the plan with specified funding sources.

Article 46

(1) The competent authority of the local government shall prepare and adopt local plans in accordance with the Strategy.

(2) The Local Plan shall include long-term measures and environmental protection activities, which are of interest and within the competence of local governments.

(3) The Local Plan shall include:

- a) information on the state of the environment by individual elements of the environment, and the assessment of the state of the environment,
- b) measures for forecasting, preventing and limiting environmental pollution,
- c) entities obliged to implement the measures and authorities in relation to the implementation of environmental protection measures,
- d) guidelines and measures for the preservation and improvement of environmental protection,
- e) environmental monitoring and assessment of the need to establish a network for additional environmental monitoring,
- f) the manner of implementing intervention measures in emergencies of environmental pollution,
- g) deadlines for implementing specific measures,
- h) sources of financing for the implementation of specific measures and estimate of the resources required and
- i) other necessary information.

Article 47

(1) For the purposes of achieving the objectives of the Strategy and Action Plan, and for a comprehensive insight into the state of the environment, a Report on the state of the environment shall be produced every two years.

(2) The report referred to in paragraph 1 of this Article shall contain:

- a) information on the state of the environment in the RS,
- b) information on the impact of certain activities on the environment,
- c) data on adverse environmental impacts,
- d) the state of the pressures on the environment,

- e) assessment of the measures implemented and their effectiveness,
- f) an overview of the fulfilment of the objectives of the Strategy,
- g) evaluation of the use of financial resources for environmental protection,
- h) a needs assessment of new or amendments to the existing documents and
- i) other information relevant for the environmental protection.

(3) The Government shall submit the report referred to in paragraph 1 of this Article to the National Assembly of the Republika Srpska.

(4) In order to accomplish the Local Plans, the assembly of a local government, at the proposal of the department in charge of environmental protection, shall issue a Report on the state of the environment for the area of the local government, every two years.

(5) On the basis of the submitted reports, the competent assemblies may amend the relevant planning documents.

VI STRATEGIC ENVIRONMENTAL IMPACT ASSESSMENT

Article 48

(1) Strategic Environmental Impact Assessment (hereinafter: Strategic Assessment) shall be carried out for plans, programs and principles (hereinafter: the plans and programs) in the field of spatial and urban planning or land use, agriculture, forestry, fisheries, hunting, energy, industry, transport, waste management, water management, telecommunications, tourism, preservation of natural habitats and flora and fauna, which establish a framework for the approval of future development projects defined by the regulations governing the Environmental Impact Assessment .

(2) For the plans and programs which foresee the use of small areas at the local level or in the case of minor changes to the plans and programs that do not require the formal adoption procedure, as well as for the plans and programs referred to in paragraph 1 of this Article, a decision determining the obligation of conducting a strategic assessment shall be issued by the authority in charge of preparation of plans and programs if, according to the criteria laid down by special regulation, it determines that the significant environmental impacts are likely.

(3) The criteria on the basis of which decisions are made on the implementation of strategic environmental assessment for plans and programs referred to in paragraph 2 of this Article shall be determined by the Minister by the means of a special regulation.

Article 49

The obligation set out in Article 48 of this Law shall not apply to plans and programs for the purpose of defence of RS, the plans to mitigate or eliminate consequences of natural disasters and the financial and budget plans.

Article 50

(1) Strategic Assessments that shall be made for plans and programs at different levels must be mutually harmonised and consistent with the Impact Assessments of projects on the environment, as well as the plans and programs of environmental protection.

(2) The basis for strategic assessment shall consist of a plan or program setting out the framework for the development of a certain sector, that is, its characteristics, objectives and spatial coverage.

Article 51

The strategic environmental assessment shall be carried out through the following stages:

- a) preparatory activities stage, which includes:
 - 1) decision-making on the development of a strategic assessment,
 - 2) selection of the holder of development of the strategic assessment and
 - 3) participation of interested authorities and organizations,
- b) stage of preparation of the strategic assessment report,
- c) consultation phase, which includes:
 - 1) participation of interested authorities and organizations,
 - 2) public participation,
 - 3) consultations with interested authorities, organizations and the public of the other entity or Brcko District or other country, if the implementation of the plan or program may have an environmental impact of the other entity, Brcko District or other country,
 - 4) report on the results of participation of interested authorities and organizations and the public and
- d) stage of assessment of the report that includes issuance of an opinion by the Ministry on the Strategic Assessment Report, which takes into account the results of consultations with the authorities and organizations, and with the public, and particularly the consultations conducted with representatives of the other Entity, Brcko District or other countries.

Article 52

(1) The decision on the development of the strategic assessment for plans and programs referred to in Article 48, paragraph 1 of this Law shall be issued by the authority in charge of preparation of plans and programs after having obtained the prior opinion of the competent environmental protection authority and other interested parties and organizations and the public.

(2) The decision establishing the obligation to conduct strategic assessment for plans and programs referred to in Article 48, paragraph 2 of this Law, shall include:

- a) the reasons for carrying out strategic assessment according to the criteria of the regulations referred to in Article 48, paragraph 3 of this Law,
- b) a summary of the issues and problems pertaining to the environment in the Plan and Program that will be considered in the context of strategic assessment,
- c) the reasons for excluding certain issues and problems pertaining to the environment in the Plan and Program of the Strategic Assessment,
- d) the elements of the Strategic Assessment Report,
- e) selection and obligations of the holder of the Strategic Assessment Report,
- f) method of participation of interested authorities and organizations and the public in the process of drafting and consideration of the Strategic Assessment Report and
- g) any other information relevant to the preparation of the strategic assessment.

(3) The decision stipulating that the implementation of a Strategic Assessment is not obligatory, shall include:

- a) information on the type of the Plan and Program and the reasons why a Strategic Assessment is not to be developed,
 - b) the criteria on the basis which it was concluded that the significant environmental impacts are not likely and
 - c) other relevant information on the basis of which it was decided not to develop a Strategic Assessment Report.
- (4) Decisions referred to in paragraphs 1 and 2 shall form an integral part of the decision on preparation of Plan and Program.

Article 53

(1) The authority in charge of preparation of Plan and Program shall decide on the selection of the holder of Strategic Assessment Report development, in accordance with the procedure established by the public procurement regulations.

(2) The holder of Strategic Assessment Report development may only be an authorized legal entity that meets the conditions for performing the activities in the field of environmental protection governed by the regulation referred to in Article 67, paragraph 3 of this Law.

(3) The Minister shall issue a regulation that defines the content of the Strategic Assessment Report.

Article 54

(1) The authority in charge of preparation of Plan and Program shall submit the Strategic Assessment Report referred to in Article 53 of this Law to the interested authorities and organizations for their opinion.

(2) Interested authorities and organizations shall be obliged to submit their opinion within 30 days from the receipt of the report and the supporting documents.

(3) If the opinion is not submitted within the period referred to in paragraph 2 of this Article it shall be deemed that there are no objections to the submitted Strategic Assessment Report.

Article 55

(1) The authority in charge of preparation of Plan and Program shall ensure public participation in the process of consideration of the Strategic Assessment Report prior to the submission of the report to the Ministry for opinion.

(2) The authority in charge of preparation of Plan and Program shall adequately inform the public about the method and deadlines for the reviewing of the content of the report and about the method and deadlines for submission of opinions, as well as on the time and the venue of the public debate in accordance with the regulation governing the procedure for the adoption of Plan and Program.

(3) The public shall consider the report within the presentation of Plan and Program for the public review and the public debate, unless the law provides otherwise.

(4) The authority in charge of preparation of Plan and Program shall draft a report on participation of interested authorities and organizations and the public, within 30 days following the completion of the public debate,

(5) The report referred to in paragraph 4 of this Article shall include the rationale for all the accepted or rejected opinions.

Article 56

(1) In the event that the implementation of Plan and Program may have a significant environmental impact of the other Entity, Brcko District or other country or if the other Entity, Brcko District, or other country whose environment could be significantly threatened files such request, the authority in charge of preparation of Plan and Program shall ensure that in the process of participation of interested authorities and organizations and the public, as soon as possible and at the latest when the information is disclosed to the public in the RS, the other Entity, Brcko District or other country receives the following information for their opinion:

- a) description of the Plan and Program together with all available information on their possible impacts,
- b) the nature of the decision that might be issued and
- c) the period for which and the manner in which other Entity, Brcko District, or another country can provide its opinion or its intention not to participate in the process of consultations.

(2) When giving its opinion on the strategic assessment report, the Ministry shall take into account the results of consultations and obtained opinion from the interested authorities, organizations and the public of the other Entity, Brcko District or other country and it shall prepare a specific part of the rationale of the opinion accordingly.

Article 57

The Ministry, within 30 days from the receipt of the Strategic Assessment Report and the report on the conducted consultations in accordance with Articles 54 to 56 of this Law, shall give its opinion, taking into account the interests of the protection, preservation and improvement of the environment, and in particular:

- a) the extent of environmental impact of the implementation of the plan, considering each individual potential impact, as well as the cumulative impact on the area covered by the Plan and Program,
- b) measures and activities to be undertaken so that the adverse impact of implementation of the Plan and Program is minimized or avoided,
- c) the report on consultations conducted with the relevant authorities and organizations and the public,
- d) report on conducted consultations with the relevant authorities and organizations and the public of the other Entity, Brcko District and other country and
- e) the foreseen method of monitoring the environmental impact of the Plan and Program, and the measures to be taken if a major adverse environmental impact is observed in the implementation of plans and programs in relation to what was anticipated or expected.

Article 58

Prior to the adoption of plans and programs, the authority in charge of preparation of Plan and Program shall take into account the opinion of the Ministry in accordance with which it shall align the Plan and Program with the interests of the protection, preservation and improvement of the environment.

Article 59

(1) Opinion on the Strategic Assessment Report, the Strategic Assessment Report, the report on the results of participation of interested authorities and organizations and the public shall make an integral part of the documentation basis of the Plan and Program.

(2) The authority in charge of preparation of Plan and Program shall ensure accessibility to the data referred to in paragraph 1 of this Article, after the adoption of the Plan and Program under the conditions specified by the law.

VII ENVIRONMENTAL IMPACT ASSESSMENT

Article 60

Environmental Impact Assessment involves identification, determining, analysis and assessment of direct and indirect impacts of the project with respect to the following elements and factors:

- a) human beings, flora and fauna,
- b) land, water, air, climate and landscape,
- c) material assets and cultural heritage and
- d) the interaction of the factors referred to under points a) to c) of this Article.

Article 61

(1) For projects that can have a significant environmental impact due to their nature, size or location, Environmental Impact Assessment shall be carried out and a Decision on approving the Environmental Impact Assessment Study (hereinafter: the Decision on the approval of the study) shall be obtained in accordance with this Law.

(2) Environmental Impact Assessment (hereinafter referred to as Impact Assessment) shall be carried out in two phases:

- a) in the process of preliminary Impact Assessment, in which a decision is made on the following:
 - 1) the obligation of conducting an Impact Assessment,
 - 2) the scope of Impact Assessment, if the Impact Assessment implementation is mandatory and
- b) in the process of Environmental Impact Assessment.

(3) Location requirements for projects that may have a significant environmental impact shall be issued by the administrative authority in charge of the construction, after having obtained a prior Decision on determining the obligation of the implementation of Impact Assessment and its scope, if its implementation is mandatory.

(4) Construction permit for the projects that can have a significant environmental impact shall be issued by the administrative authority in charge of construction, based on previously obtained Decisions on approval of the study or environmental permit.

Article 62

(1) The Decision on establishing the obligation to implement an Impact Assessment and its scope, and the Decision on the approval of the study for individual projects pursuant to the procedure stipulated by this Law, shall be issued by the Minister.

(2) Procedural issues not regulated by this Law shall be subject to the regulations governing general administrative procedure.

Article 63

(1) The Minister shall issue a regulation which defines:

- a) projects, for which an Impact Assessment has to be carried out and
- b) projects for which the obligation of conducting an Impact Assessment is decided by the Ministry on the basis of the criteria in the specific cases on the obligation of conducting Impact Assessment and on its scope.

(2) In addition to the projects established by the regulation referred to in paragraph 1 of this Article, the Impact Assessment shall be also required for:

- a) significant changes of the projects referred to in paragraph 1 of this Article,
- b) the projects referred to in paragraph 1 of this Article, whose production growth, energy use, water use, use of space, emissions or waste generation exceeded 25% in the past ten years
- c) decommissioning of plants and demolition of buildings referred to in paragraph 1 of this Article.

Article 64

(1) The procedure for preliminary Environmental Impact Assessment shall be initiated by the request submitted by the project owner to the Ministry (hereinafter: the Request for the preliminary Environmental Impact Assessment).

(2) The request for a preliminary Environmental Impact Assessment shall be accompanied by the following information:

- a) project description, including information about its location, purpose and size,
- b) description of the possible environmental impact of the project during its construction or execution, and during its operations or exploitation,
- c) description of the measures envisaged to prevent, reduce or eliminate adverse impacts of the project on the environment,
- d) a summary of the options that the project holder considered and stating the reasons for the selected solution, considering the environmental impacts,
- e) excerpt from the planning document,
- f) information on possible difficulties encountered by the project holder in data collection and
- g) non-technical summary of the information referred to in paragraph 2 of this Article.

(3) The descriptions referred to in paragraph 2 of this Article shall be provided in technical terms, with textual, numerical and graphical data, and a summary of the description by using the non-technical terms in a manner that is suitable for informing the relevant authorities, organizations and the public.

(4) The Ministry may ask from the project holder for additional information about the project, establishing the status of a party to the procedure, which are needed for making a Decision on the obligation for implementation and scope of Impact Assessment in accordance with the criteria set out in Article 63, paragraph 1 of this Law.

(5) The applicant of the Request for the issuance of location requirements for the projects referred to in Article 63, paragraph 1 of this Law shall submit the Decision on establishing the obligation to implement Environmental Impact Assessment and its scope referred to in Article 66 of this Law to the competent authority, together with the request for the issuance of location requirements.

Article 65

(1) In the process of considering and deciding on the request for a preliminary Impact Assessment, the Ministry shall be obliged to deliver a copy of the request and provide accessibility to the enclosed documents for the purpose of obtaining the opinion, to the following entities:

a) the administrative authority in charge of construction in the local government in the territory of which the project would be implemented, in cases where the Ministry is in charge of issuing location requirements,

b) administrative authorities and organizations in charge of environmental protection, which may be exposed to a substantial impact by the implementation of the project, namely:

- 1) authorities in charge of nature protection,
- 2) authorities in charge of protection of cultural, historical and natural heritage,
- 3) authorities in charge of agriculture, forestry, water management,
- 4) authorities in charge of health protection,
- 5) other interested authorities and

c) authority in charge of the environmental protection of the other Entity and Brcko District, if it is a project with a significant environmental impact on the other Entity or Brcko District, or another country, in accordance with Articles 75 to 79 of this Law.

(2) The entities referred to in paragraph 1 of this Article shall provide an opinion to the Ministry within 30 days from the receipt of a copy of the request in writing in connection with the request and the enclosed documentation, in particular on the scope of Impact Assessment and content of the study on the impact on the environmental elements for the protection of which they are in charge, if they consider that the implementation of Environmental Impact Assessment is necessary.

Article 66

(1) The Ministry shall issue a decision based on the request for preliminary Environmental Impact Assessment, establishing the obligation of the applicant to carry out an Impact Assessment of the project and obtain a Study on the Environmental Impact Assessment (hereinafter: the Impact Study) and determining the framework scope and content of the Study, or establishing that the implementation of the Environmental Impact Assessment and obtaining of the Study is not required.

(2) The scope and content of the Impact Study shall be determined according to the specific characteristics of each project in accordance with the regulation referred to in Article 68, paragraph 1 of this Law and the criteria laid down in the special regulation

referred to in Article 63, paragraph 1 of this Law, also taking into account the provisions of Article 75 paragraph 1 and Article 79 of this Law.

(3) When making a decision on the obligation of conducting the Impact Assessment and its scope, the Ministry shall consider and take into account the timely received opinions referred to in Article 65, paragraph 2 of this Law.

(4) The Decision referred to in paragraph 3 of this Article shall be issued within 60 days from the receipt of the request.

(5) Within 15 days from the day of delivery of the Decision on the obligation of conducting the Impact Assessment and its scope to the project holder, the Ministry shall deliver such Decision to the entities referred to in Article 65, paragraph 1 of this Law and publish it on the web site of the Ministry or the Government within the period of 30 days.

Article 67

(1) Within six months from the receipt of the Decision referred to in Article 66, paragraph 1, the project holder shall be required to submit a Request for the development of a Study to the authorized legal entity referred to in paragraph 2 of this Article, for the activities determined by the location requirements and based on the Decision on determining the obligation to implement Impact Assessment and obtaining an Impact Study.

(2) The Impact Study shall be developed by the authorized legal entity that fulfils conditions for carrying out activities in the field of environmental protection.

(3) The Minister shall establish the conditions for carrying out activities referred to in paragraph 2 of this Article by the means of a special regulation.

(4) The Ministries and other authorities and organizations with competences and responsibilities or with the public authorizations in the field of environmental protection must ensure for the project owner to have an access to data that are needed for the Impact Study development, if available.

Article 68

(1) The Minister shall issue a regulation setting out the contents of the impact study.

(2) In addition to the content set forth in paragraph 1 of this Article, if necessary, the Impact Study may also contain a special section, which provides a brief overview of the received opinions of the authorities in accordance with Article 65 of this Law and an explanation of whether and in what way the received opinions were taken into consideration when drafting the Impact Study.

(3) The Impact Study shall contain a special section, which makes reference to the potential impact of the project on the environment of the other Entity or Brcko District or transboundary impact in accordance with Article 75, paragraph 1 and Article 79 of this Law, respectively.

Article 69

(1) Project holder shall submit the Impact Study in two copies in writing and in four copies in electronic form to the Ministry, along with the request for issuing a Decision on approval of the Impact Study, within 30 days from the date of receipt of the Study from the authorized legal entity.

(2) Upon receipt of the Request referred to in paragraph 1 of this Article, and within the deadline of 15 days, the Ministry shall submit a copy of the Request for approval of the Impact Study to the entities referred to in article 65, paragraph 1 of this Law, which shall, within 30 days, provide their opinion in writing on the Request and the Impact Study, in particular on the content of the Impact Study.

(3) Within 15 days from the date of filing the Request for the approval of the Impact Study to the Ministry, the project holder shall be obliged to inform the public and the interested public on the submitted Request for approval of the Impact Study by publishing a notification in the daily newspapers in the RS, available on the territory of the local community in which the project is planned.

(4) The notification referred to in paragraph 3 of this Article shall contain the following information:

- a) basic information on the Request,
- b) a summary of the content and conclusions of the Impact Study,
- c) the time and place where free public access is provided to the Request and the Impact Study,
- d) the estimated time and place of holding the public debate on the Impact Study,
- e) deadline for the submission of written opinions on the Request and the Impact Study,
- f) the address to which the opinions referred to in point d) of this Article can be submitted and
- g) the facts that it is a project with potential environmental impact on the other Entity or Brcko District.

(5) The project holder shall provide the interested public with the free access to the Request for approval of the Impact Study and the Impact Study in the local government where the project is located, from the date of publication of the notification referred to in paragraph 3 of this Article until the expiry of the deadline for providing comments and opinions referred to in Article 70, paragraph 5 of this Law.

(6) The project holder shall be obliged to organize a public debate in the local government at the location of which the project is planned, not later than 60 days from the date of filing of the Request for approval of the Impact Study to the Ministry.

(7) Invitation to a public debate must be published at least 15 days before the public debate.

Article 70

(1) The project holder shall organize a public debate on the Impact Study in the local government in which the project is located.

(2) Representative of the Ministry shall participate in the public debate, who also manages the public debate.

(3) Experts and representatives of interested local governments shall attend public debates and give their opinions, and all other persons who attend public debates shall give remarks in a manner determined by the representative of the competent authority.

(4) The project holder shall prepare and submit to the Ministry the Minutes of the public debate within eight days after its holding.

(5) Interested public may submit comments and opinion on the Request and on the Impact Study to the project holder, in writing, within 30 days from the date of the public debate.

Article 71

(1) After the expiry of the deadline referred to in Article 70, paragraph 5 of this Law the project holder shall be obliged to deliver to the Ministry the received remarks regarding the Request and the Impact Study, including its preliminary expert position on the comments received, within 15 days.

(2) The Ministry, within 15 days, shall provide the project holder with its assessment of the remarks received from the interested public, the preliminary expert view of the project holder, as well as its view on the remarks received from the interested authorities and, if necessary, it shall ask the project holder to make the amendments to the Impact Study.

(3) The Ministry shall set the deadline for the project holder which may not be longer than 30 days to file an amended Study, including a special section of the Impact Study referred to in Article 68, paragraph 2 of this Law.

Article 72

(1) The Ministry shall entrust the review of the Impact Study to the authorized legal entity that fulfils the conditions for carrying out activities in the field of environmental protection (hereinafter: the reviewer).

(2) The review of the Impact Study includes the verification of its professional quality, in particular:

a) consistency of the scope and content of the Impact Study with the Decision referred to in Article 66 of this Law, legal acts and bylaws in the field of environmental protection, technical norms and standards pertaining to the activity planned by the project and with the RS Strategic Plan for the environmental protection and Environmental Protection Programs of the local government on the territory of which the project would be implemented, if such documents were passed,

b) sources and accuracy of the data stated in the Impact Study,

c) professional merit of the description, analysis and evaluation of conclusions and opinions given in the Impact Study on the current state of the environment, potential impacts on the environment, measures to eliminate, reduce or prevent harmful effects on the environment and similar, and

d) presence, scope and quality of the special section of the Impact Study referred to in Article 68, paragraph 2 of this Law.

(3) The holder of the Study shall not perform the review referred to in paragraph 1 of this Article, and neither the following persons:

a) the applicant,

b) persons working with the applicant on the basis of employment or a contract,

c) persons working with the authorized legal entity, which has prepared the Study, on the basis of employment or a contract and

d) spouses, fourth-degree relatives and relatives by marriage to the second degree of kinship in view of the persons referred to in points a) to c) of this paragraph.

(4) The reviewer shall submit a Report on the review to the Ministry, which shall contain expert assessment of the Impact Study, potential remarks regarding quality and completeness of the Study and the instructions to eliminate such shortcomings.

(5) The Ministry shall submit Report on the review to the project holder.

(6) Project holder shall be obliged to submit the final version of the Impact Study to the Ministry in accordance with the comments and instructions from the Report on the review, within the deadline set by the Ministry, but not longer than 15 days.

Article 73

(1) The Decision on the approval of the Study shall be issued by the Ministry within 60 days following the receipt of the final version of the Study referred to in Article 72, paragraph 6 of this Law.

(2) The Decision on the approval of the Study shall particularly set out the following:

a) that the Impact Study has been prepared in accordance with this Law,

b) that the project holder is obliged to undertake the environmental protection measures identified in the Impact Study and

c) that the Impact Study is considered an integral part of the Decision on the approval of the Study.

(3) In the rationale of the Decision on the approval of the Study it shall be stated whether and which observations of the interested authorities and the interested public have been taken into account, obtained pursuant to Article 70, paragraph 5 of this Law, as well as the observations of the other Entity, Brcko District or other the country, obtained pursuant to Article 69, paragraph 2, Article 76, paragraph 5 and Article 79 of this Law.

(4) A Decision on rejection of the Study shall be issued if it is established that:

a) the project could cause a significant adverse environmental impact, or it could significantly harm the environment,

b) the project is not in accordance with the Environmental Protection Plan on the inter-entity and Entity level or

c) the project is not in accordance with the international obligations of Bosnia and Herzegovina in the field of environmental protection.

(5) Decision on the approval of the Study shall cease to have effect if the project holder fails to obtain construction or environmental permit, or any other decision in accordance with special regulations within a period of two years from the date of receipt of the decision.

(6) The validity of the Decision on the approval of the Study may be extended by a separate Decision for the period of another year, at the request of the project holder, due to tardiness of the authorities in taking Decisions referred to in paragraph 5 of this Article and if the conditions under which the Decision was issued have not been changed.

(7) Within 15 days from the date of delivery of the Decision on the approval of the Study to the project holder, the Ministry shall deliver the Decision to the entities referred to in Article 65, paragraph 1 of this Law and publish it on the web site of the Ministry or the Government within the period of 30 days.

Article 74

The costs of informing the public and facilitating public participation in Impact Assessment procedures and costs of review of the Impact Study shall be borne by the project holder.

Article 75

(1) When the Ministry estimates that the project may have a significant environmental impact on the other Entity or Brcko District, or at their request, it shall set out an obligation for preparing a special section of the Study on the possible environmental impacts on the other Entity or Brcko District, by the means of the Decision referred to in Article 66 of this Law.

(2) When a project may have a significant environmental impact on the other Entity or Brcko District, the project holder shall notify the Ministry accordingly.

Article 76

(1) When the Ministry, in the process of preliminary assessment, establishes that it is a project with potential environmental impact on the other Entity or Brcko District, it shall deliver to the competent authority of the other Entity or Brcko District a notification containing:

a) project description with available information on the potential environmental impact on the other Entity or Brcko District,

b) information that the Ministry is conducting the preliminary Impact Assessment of the project and that it shall issue a Decision on the obligation of implementing an Impact Assessment, as well as on its scope, if its implementation is mandatory and

c) the period within which the other Entity or Brcko District may make a statement whether it requires further information for the purpose of submission of an opinion in the preliminary assessment procedure, and in the potential procedure of issuing environmental permit.

(2) In the case referred to in paragraph 1, point c) of this Article, the Ministry shall deliver to the competent authority of the other Entity or Brcko District the following:

a) request for preliminary Impact Assessment and supporting documents in the preliminary Impact Assessment procedure or

b) request for issuing a Decision on approval of the Study and the Impact Study, and a notification on the time and venue of the public debate in the procedure of issuing the Decision on the approval of the Study.

(3) In the procedure referred to in paragraph 2 of this Article, the Ministry shall foresee a deadline for the competent authority of the other Entity or Brcko District for submission of an opinion.

(4) The deadline referred to in paragraph 3 of this Article shall not be included in the deadline for issuing a Decision on the obligation of implementing of an Impact Assessment and its scope, as well as in the deadline for issuing a Decision on the approval of the Study, and the Ministry shall consider the opinions on the Request for preliminary Impact Assessment and the supporting documents, submitted by the competent authority of the

other Entity or Brcko District, in accordance with paragraph 3 of this Article, when making the Decision referred to in Article 66 of this Law.

(5) The Ministry shall consider the opinions on the Request for issuing a Decision on approval of the Study and on the Impact Study submitted by the competent authority of the other Entity or Brcko District, in accordance with paragraph 3 of this Article, when approving the Impact Study and the issuing the Decision on approval of the Study.

(6) In the process of issuing the Decision on the approval of the Study, the Ministry shall allow participation in the public debate to the representatives from the other Entity or Brcko District to which the project may have an impact, as well as representatives of the competent authority of the other Entity or Brcko District.

(7) The Decision referred to in Article 66 of this Law and the Decision on the approval of the Study for projects with potential environmental impact of the other Entity or Brcko District shall be submitted to the competent authority of the other Entity or Brcko District.

Article 77

(1) If the project that is planned or that is being implemented in the other Entity or Brcko District may have a significant environmental impact in the RS, the Ministry shall submit a request for providing necessary information and documents related to the project, to the competent authority of the other Entity or Brcko District.

(2) The Ministry, after having obtained the information and documents referred to in paragraph 1 of this Article shall submit an opinion on the impact of the project on the environment of the RS and it shall take all the necessary measures so as to ensure that the interested authorities and the public may participate in the assessment of the impact of that project on the environment of the RS.

(3) The Ministry shall ensure that the competent authority of the other Entity or Brcko District considers the opinion of the interested authorities and the public referred to in paragraph 2 of this Article.

Article 78

If the Entities and the Brcko District establish more detailed procedure for projects that may have an impact on the Entities or Brcko District, in the relevant procedure the Ministry shall apply the provisions thereof.

Article 79

If the projects are likely to have a transboundary impact on another country, the Ministry shall proceed in terms of the provisions of Articles 75 to 78 of this Law, when there is an obligation on the basis of international treaties or agreements, the principle of reciprocity or formal political agreements.

VIII ISSUANCE OF ENVIRONMENTAL PERMITS AND PREVENTION OF LARGE-SCALE DISASTERS

Article 80

(1) Environmental permit shall set out the measures for preventing or, when this is not feasible, reducing emissions into air, water and land and preventing generation of waste, in order to achieve a high level of environmental protection as a whole.

(2) Environmental permit shall not be issued for research activities, development activities or for testing of new products and processes.

Article 81

(1) The Minister shall issue a regulation identifying the plants that can be constructed and commissioned only if they have environmental permit.

(2) For the plants that require an environmental permit or to which the provisions with regard to the control of the risk of large-scale accidents are related, fall within the competency of the following authorities:

a) The Ministry:

1) for large and medium plants above the thresholds laid down in the regulation referred to in paragraph 1 of this Article,

2) for the plants that are listed in the regulation referred to in paragraph 1 of this Article within the provisions on the prevention of large-scale accidents and

b) local administrative authority in charge of the environmental protection for smaller plants, or plants that are below the thresholds laid down in the regulation referred to in paragraph 1 of this Article.

Article 82

(1) Environmental permit may cover two or more plants operated by one responsible person at the same location, provided that such environmental permit contains measures ensuring that each individual plant meets the requirements prescribed by this Law.

(2) If one responsible person has two or more environmental permits for several separate plants on the same site, the competent authority for issuing the environmental permit (hereinafter referred to as the authority in charge of issuing environmental permit) may replace the existing environmental permits in the procedure of ordinary or extraordinary review with an integrated environmental permit.

(3) The integrated environmental permit shall refer to the same plants and it shall indicate the same conditions that were applicable for the existing permits.

(4) The authority in charge of issuing environmental permit shall replace the existing permits with an integrated environmental permit *ex officio* only if it is itself in charge of all plants or at the request of the responsible person of such plants.

Article 83

(1) The responsible person of a plant shall be required to contribute to the achievement of environmental quality standards, minimize transboundary pollution and effectively protect the environment as a whole.

(2) The plants must be constructed and operate in the following way:

- a) to take all appropriate preventive measures so as to prevent contamination and prevent significant pollution,
- b) to apply best available techniques,
- c) to avoid waste generation,
- d) if the waste generation occurs, the amount will be reduced to a minimum or recycling shall be carried out, or if it is not technically or economically feasible, the waste shall be disposed of, thereby avoiding or reducing any adverse environmental impact,
- e) energy and natural resources shall be used efficiently,
- f) to take the necessary measures for preventing accidents and limiting their consequences and
- g) to take the necessary measures after decommissioning of the plant in order to avoid any risk of pollution and so as to reinstate the site of the plant to a satisfactory state.

(3) The responsible person must meet conditions referred to in paragraph 2 of this Article during the construction, operation and decommissioning of the plant.

(4) The obligation of meeting the requirements referred to in paragraph 2 of this Article, for the plants that do not require obtaining an environmental permit and the plants, which are not listed in the bylaw referred to in Article 81, paragraph 1 hereof, shall be established within the urban-technical conditions that form an integral part of location requirements.

Article 84

(1) Environmental quality standards shall be achieved by using the best available techniques in order to reduce adverse impacts of industrial plants and facilities or to prevent or reduce the activities to a minimum, in particular:

- a) through the establishment of emission limit values for pollutants,
- b) through the application of technical environmental protection standards for a certain product, plant, facility or device, equipment and manufacturing procedure, which may cause a risk or danger to the environment and
- c) by determining the requirements for the measurements and monitoring.

(2) The best available techniques shall be defined in the form of the technical guidelines for the activities, which shall be developed and updated taking into account the development of reference documents for the best available techniques.

(3) The Minister shall issue a regulation defining the activities for which the best available techniques are determined, the relation with the reference documents for the best available techniques and the application of other documents on the best available techniques, the criteria for determining the best available techniques, the content of the technical guidelines on the best available techniques and decision-making and methods of work of the working groups for development and updating of technical guidelines on the best available techniques.

(4) Technical guidelines shall be prepared by the working groups for the best available techniques, whose members shall be appointed by the Minister.

(5) All information on the development of technical guidelines shall be available to the public.

Article 85

- (1) The application for the environmental permit shall be submitted by the responsible person to the competent authority, together with the evidence including:
- a) information on the plant, the responsible person and the location where the plant is located,
 - b) description of the plant and the operations,
 - c) description of primary and auxiliary raw materials, other substances and energy used or generated by the plant,
 - d) description of the sources of emissions from the plant,
 - e) description of the state of the location of the plant,
 - f) description of the nature and amount of projected emissions from the plant in all parts of the environment (air, water, land), as well as identification of significant environmental impacts,
 - g) description of the proposed measures, technology and other prevention techniques or, where this is not possible, reducing emissions from the plant,
 - h) measures planned for monitoring emissions into the environment,
 - i) description of other measures for the purpose of compliance with the main obligations of the responsible person, in particular the measures following decommissioning of the plant,
 - j) description of the measures planned for monitoring of the emissions into the environment,
 - k) description of alternative solutions in relation to the proposed site and technology and
 - l) Waste Management Plan.
- (2) Evidence for the issuance of environmental permit shall contain a non-technical summary of the information specified in paragraph 1 of this Article.
- (3) Evidence referred to in paragraph 1 of this Article shall be prepared by authorized legal entities that meet the conditions for carrying out activities in the field of environmental protection.
- (4) Evidence supporting the application for the environmental permit shall be submitted in two printed and signed original copies and one electronic copy.

Article 86

In case when for a new plant or substantial change of an existing plan an Impact Assessment is carried out, all relevant information collected in the process of Impact Assessment shall be enclosed with the application for the environmental permit.

Article 87

(1) The authority in charge of issuing environmental permits shall consider the submitted application and if the application does not contain the prescribed information

and/or documentation it shall request from the applicant to submit the missing data, documents or information, within 30 days from the submission of the application.

(2) If the applicant fails to submit the requested data, documents and/or information within the specified period, the authority in charge of issuing environmental permits shall promptly issue a conclusion on rejecting the application.

Article 88

(1) The Ministry shall notify the public and the interested public about the content of the application for the environmental permit in one of the daily newspapers in the RS, at the expense of the applicant.

(2) The local government shall notify the public and the interested public about the content of the application referred to in paragraph 1 of this Article on the notice board.

(3) The local government on the territory of which the site of the plant is located, shall make available the application for an environmental permit referred to in paragraphs 1 and 2 of this Article, as well as the attached documentation, for the insight of the interested public, at its premises and free of charge, from the date of publication of the notification referred to in paragraph 1 of this Article until the expiry of the deadline referred to in paragraph 4 of this Article.

(4) The interested public may submit an opinion on the application and the supporting documentation, in writing, to the competent authority, within 30 days from the date of publishing of the notification referred to in paragraph 1 of this Article.

Article 89

(1) The authority in charge of issuing environmental permit shall issue a Decision on the issuance of environmental permit and its contents based on the request of the responsible person, the accompanying documentation and the obtained opinion of local government and the interested public, within 60 days following the receipt of the complete application for environmental permit.

(2) Procedural issues not regulated by this Law shall be subject to the regulations governing general administrative procedure.

Article 90

(1) The environmental permit shall contain the basic obligations of responsible person and measures prescribed by the laws, the provisions of which are related to the given plant.

(2) The environmental permit shall contain:

a) emission limit values for pollutants, based on currently applicable regulations or best available techniques,

b) measures to protect land, air, water, flora and fauna,

c) measures for the management of waste generated by the plant,

d) requirements for monitoring emissions by determining the methodology and frequency of measurement,

e) measures for bringing transboundary pollution to the minimum and

f) measures for the living conditions in emergencies

(3) Decision on the environmental permit shall be submitted to the competent inspection, and if the issuing authority is the Ministry then it shall be also submitted to the local government, within 15 days from the date of issuance of the Decision.

(4) The Ministry shall inform the interested public about the issued Decision on the environmental permit in one of the daily newspapers in the RS, at the expense of the applicant and it shall also publish it on its website.

(5) The local government shall inform the interested public about the issued Decision on the environmental permit on the notice board and on its website.

(6) The notification referred to in paragraphs 4 and 5 shall be published within eight days from the day of the delivery of the Decision on the environmental permit to the applicant and it shall include:

- a) the content of the Decision and
- b) the main reasoning on which the Decision is based.

(7) Environmental permit shall be issued for the period of five years.

Article 91

(1) The authority in charge of issuing environmental permits shall reject the application for the environmental permit if:

- a) the relevant plant does not meet the prescribed conditions,
- b) the data and documentation accompanying the application do not meet the conditions for the application of the prescribed environmental quality standards and
- c) enclosures to the application contain inaccurate information that have an impact on the issuance of the environmental permit.

(2) The authority in charge of issuing environmental permits shall deliver the Decision on rejecting the application for the environmental permit to the responsible person and shall notify the competent inspection and the local government accordingly, within 15 days from the date of issuance of the Decision.

Article 92

(1) The responsible person of the plant, which is a source of emissions, shall be obliged to monitor emissions, ensure meteorological measurements for large industrial complexes or facilities of special interest for the RS, to participate in the costs of imission measurements in the impact zone if necessary and to monitor other impacts of its activities on the state of the environment.

(2) The frequency of the monitoring shall be determined in the environmental permit by the authority in charge of issuing environmental permit, in accordance with relevant laws and regulations.

(3) The frequency of monitoring the plants for which environmental permit is issued, shall be determined by the authority in charge of issuing environmental permits on the basis of best available techniques.

(4) The responsible person shall notify the authority in charge of issuing environmental permits and the authority in charge of performing the inspection on the results of monitoring, in a manner determined by the environmental permit.

(5) The monitoring shall be performed by the authorized legal entity that fulfils the conditions for carrying out activities in the field of environmental protection.

Article 93

(1) When an environmental quality standard requires more stringent measures in relation to those stipulated by special regulations, which regulate the emission limit values, additional or more stringent measures shall be incorporated in the environmental permit so as to achieve the environmental quality standard.

(2) When an environmental quality standard requires more stringent measures in relation to those that are achievable by using the best available techniques, additional or more stringent measures shall be incorporated in the environmental permit so as to achieve the environmental quality standard.

Article 94

(1) The authority in charge of issuing environmental permit shall perform review and renewal of the issued environmental permit every five years, changing the conditions of the permit, if necessary.

(2) The responsible person of the plant shall be required to provide the competent authority with all information necessary for the review of the conditions from environmental permit, which, in the first place, involves monitoring results and other data.

(3) Upon completion of regular review and renewal of environmental permit, the public shall be informed through the website of the competent authority where the renewed permit shall be published.

(4) The renewed permit referred to in paragraph 3 of this Article shall be submitted to the competent inspection authority and the local government within 15 days from the date of its issuing.

(5) The Minister shall issue a regulation establishing the procedure for the review and renewal of the environmental permits.

Article 95

(1) The authority in charge of issuing environmental permit shall perform an extraordinary review and updating of the permit, if:

- a) the pollution generated by the plant is so significant that the existing emission limit values laid down in the permit must be reconsidered or new values must be entered in the permit,
- b) safety of operations and activities require use of other techniques and
- c) when this is necessary so as to ensure compliance with new or revised environmental quality standard.

(2) A person who lives in the area where operation of the plant may have an adverse impact may launch an initiative before the competent authority for issuing environmental permit for modification of the environmental permit.

(3) Upon completion of the extraordinary review the public shall be informed through the website of the competent authority on which the renewed permit shall be published.

(4) The renewed permit referred to in paragraph 3 of this Article shall be submitted to the responsible person of the plant, the competent inspection authority and the local government within 15 days from the date of its issuing.

Article 96

(1) If the responsible person of the plant, during the validity of the issued environmental permit plans to change the nature or operation of the plant or an expansion of the plant that may affect the environment, it shall be obliged to inform the authority in charge of issuing environmental permit accordingly, by written notification.

(2) The notification referred to in paragraph 1 of this Article shall contain data on the existing and planned part of the plant, and such data will include explanations and other supporting documents that are relevant for the appropriate assessment.

(3) The authority in charge of issuing environmental permits shall analyse the notification and decide whether the proposed change is significant.

(4) If additional data are required to determine whether the change is significant, the authority in charge of issuing environmental permit shall request the responsible person to provide such data.

(5) The authority in charge of issuing environmental permits shall decide on whether the proposed change is significant within 30 days following the receipt of the necessary data.

(6) If the change is identified as significant, the authority in charge of issuing environmental permits shall inform the responsible person accordingly and invite him/her to submit a new application for the environmental permit that contains information on the existing and planned part of the plant.

(7) The procedure for issuing environmental permit referred to in paragraph 6 of this Article shall be made in accordance with the provisions of this Law which prescribe the procedure for issuing environmental permit.

(8) If the authority in charge of issuing environmental permits decides positively, environmental permit shall be issued for the entire plant.

Article 97

(1) When a plant that has an environmental permit becomes decommissioned, the responsible person of that plant shall be required to inform the competent authority in charge of issuing the environmental permits in writing.

(2) The responsible person or a provisional administrator in the case of bankruptcy, shall inform in writing the authority in charge of issuing environmental permits of the fulfilment of obligations under the environmental permit pertaining to the measures taken after the plant was decommissioned if a procedure of liquidation or bankruptcy has been instigated.

(3) Once the authority in charge of issuing environmental permits establishes that the obligations specified under paragraphs 1 and 2 of this Article are completed, it shall issue a Decision on termination of validity of environmental permit.

Article 98

(1) Environmental permit ceases to have effect if:

- a) the period for which it was issued has expired,
- b) at the request of the responsible person,
- c) it is established that the responsible person failed to inform the authority in charge of issuing environmental permits on significant changes in the plant,

- d) the competent authority, *ex officio*, or at the initiative of inspection and other state authorities, organizations and citizens determines that the conditions laid down in the environmental permit have not been fulfilled,
- e) the responsible person does not have the technical and financial resources to fulfil its obligations stipulated by the permit,
- f) it is established that the responsible person has provided inaccurate data in the application for the environmental permit or forged documents of importance for the environmental permit,
- g) a plant for which the environmental permit is issued is not operating for more than four years,
- h) the responsible person fails to perform monitoring and is not providing information within the period specified in the environmental permit,
- i) the responsible person fails to submit data to the Registry on the emission and transfer of pollutants,
- j) the responsible person fails to submit documents to the competent authority, which were requested in the process of ordinary and extraordinary review of environmental permit,
- k) the responsible person fails to comply with the request of inspector in charge of environmental protection according to the Report of inspectors on performed inspection and
- l) the bankruptcy proceedings have been instigated, and the operations are not continued by someone else.

(2) The conditions referred to in paragraph 1 of this Article may be determined during the ordinary and extraordinary audit of the plant for which environmental permit is issued.

(3) If the authority in charge of issuing environmental permit establishes the existence of any of the conditions referred to in paragraph 1 of this Article, it shall initiate the procedure for termination of the permit, and shall notify the responsible person accordingly within 15 days following the initiation of the procedure.

(4) The responsible person may file an appeal to the Ministry on the Decision on termination of the environmental permit or initiate an administrative dispute before the competent court.

(5) Filing of an appeal or instigation of an administrative dispute shall not postpone the enforcement of the Decision.

(6) The Decision on termination of the permit shall set out the mandatory measures for taking due care of the plant and location after its decommissioning so as to avoid any risk to the environment, human health and material assets.

Article 99

(1) If the operation of a plant can cause significant adverse effects on the territory of another country or Entity or Brcko District, or if the other country or Entity or Brcko District require so, an application for environmental permit will be submitted through the competent authority of another country, Entity or Brcko District, at the same time when it becomes available to the public in the Republika Srpska.

(2) If, in the process of issuing environmental permit, carried out in another country or Entity or Brcko District, the Ministry comes across evidence that the plant might have an

adverse environmental impact in the RS, the Ministry shall inform the population living in this area and provide them with the opportunity to express their opinion.

(3) Detailed information regarding the transboundary impact of the operations of a plant to another country may be specified in the bilateral agreements concluded with other countries.

(4) In cooperation with the other Entity or Brcko District, detailed procedures may be established related to the projects that might have inter-entity transboundary impacts, or impacts on the Brcko District.

Article 100

The provisions of Article 99 of this Law shall not apply if the procedure referred to in Article 75 through 79 of this Law has been implemented.

Article 101

(1) The competent authority for issuing environmental permits shall establish and maintain a Registry of issued environmental permits.

(2) A local government shall submit to the Ministry annual report on issued permits for smaller plants that endanger or might endanger the environment.

(3) The Minister shall issue a regulation that defines the content and manner of keeping the Registry.

Article 102

(1) The Ministry shall keep the Registry of emissions and transfer of pollutants.

(2) The responsible person of the plant, for which the environmental permit was issued, shall be required to submit a report to the competent authority on emissions and transfers of pollutants outside of the site of the plant.

(3) The Minister shall issue a regulation on the content, the structure of the Registry, the reporting obligations of the plants and the reporting forms, insurance and assessment of data quality, data confidentiality, public participation in the amendments of the Registry and the reporting obligations under the assumed international obligations.

(4) The Minister shall prescribe the manner of keeping the Registry referred to in paragraph 1 of this Article.

Article 103

(1) The responsible person of the plant that might cause large-scale accidents shall be obliged to take all necessary measures to prevent large-scale accidents and limit their effects on humans and the environment.

(2) The responsible person referred to in paragraph 1 of this Article, at the request of the Ministry, at any time, especially for the purpose of inspection and control, shall demonstrate to have taken all measures on preventing large-scale accidents.

(3) The plants to which the provisions on the control of large-scale accidents are related, shall be determined in the regulation referred to in Article 81, paragraph 1 of this Law.

Article 104

(1) The responsible person of the plant that might cause large-scale accidents shall be required to notify the Ministry with the following information:

- a) the name of the responsible person and the person handling hazardous substances and full address of the plant,
- b) the registered place of business of the responsible person with full address,
- c) information to determine the presence of hazardous substances or categories of substances in the plant,
- d) the quantity and physical form of the dangerous substances in the plant,
- e) the operations or proposed operations of the plant and the storage facilities and
- f) the immediate environment of the plant or elements that might cause a large-scale accident or aggravate its consequences.

(2) The notifications referred to in paragraph 1 of this Article shall be submitted to the Ministry along with the application for the environmental permit.

(3) In the event of a significant increase in the quantity or significant change in the nature or physical form of the present dangerous substance or any modification of the procedure in which the hazardous substance is used, changes in plant or equipment that might significantly affect the large-scale risk or permanent closure of the plant, the responsible person shall immediately inform the Ministry about the changed status.

Article 105

(1) The responsible person of the plant that can cause large-scale accident shall be obliged to draw up a plan to prevent large-scale accidents through an authorized institution (hereinafter referred to as the Plan) and to ensure the proper implementation of the Plan.

(2) The Plan must ensure that the appropriate means, structures and management systems guarantee a high level of protection of people and the environment.

(3) The Plan for the plants referred to in paragraph 1 of this Article, including the storage facilities, shall be submitted to the competent inspection and the Ministry with the application for the environmental permit.

Article 106

(1) Based on the notification of the responsible person referred to in Article 104, paragraph 1 of this Law and the Safety Report referred to in Article 107, paragraph 1 of this Law, the Ministry shall identify the plants or group of plants in which the probability and possibility of large-scale accidents or the possibility of consequences from large-scale accidents may be higher because of the location and the proximity of such plants, as well as the quantity of their hazardous substances.

(2) When a plant or group of plants referred to in paragraph 1 of this Article, including the storage facilities, are identified, the Ministry shall ensure the exchange of information, so that such plant or group of plants can take care of the nature and the extent of the overall risk of a major accident in their Plans, safety systems, safety reports and internal plans of intervention.

(3) Plant or groups of plants referred to in paragraph 1 of this Article shall cooperate in informing the public and providing data for the preparation of external plans or plans for emergencies outside of the plants.

Article 107

(1) The responsible person of the plant that might cause large-scale accident shall be required to prepare a Safety Report, which indicates the following:

a) that the implementation of the safety system for the implementation of the Plan has started,

b) that the hazards of a major accident have been identified and that the necessary measures have been taken for preventing such accidents and limiting their consequences for humans and the environment,

c) that the adequate safety and reliability have been incorporated into the design, construction, operation and maintenance of each plan, storage facility, equipment and infrastructure for their operations, which are associated with the risk of major accidents in the plant,

e) that the internal intervention plans have been developed and that the information have been provided, which enable the development of external intervention plan for taking the necessary measures in the event of major accident and

f) that the Ministry provided sufficient information for deciding on the location of new operations or constructing around the existing plant, with an updated list of hazardous substances found in the plant.

(2) The report referred to in paragraph 1 of this Article or reports prepared in accordance with other regulations, which are related to the safety of the operations of the plant, may be merged into one Safety Report in terms of this Article, for the economy of the procedure, provided that requirements of this Article are complied with.

(3) Safety Report shall be submitted to the Ministry, together with the application for the environmental permit and it must be made available to the public.

(4) Notwithstanding paragraph 3 of this Article, parts of the report on the safety containing industrial, commercial or personal data, public security or defence data, shall not be made available to the public and in such cases the responsible person, along with the application for the environmental permit, shall submit a revised report, excluding the aforementioned issues.

(5) The Safety Report shall be considered in the context of the procedure for issuing environmental permit for the respective plant.

(6) In the case of periodic reviews or modifications, the Safety Report shall be promptly submitted to the Ministry, and the Ministry shall deliver the conclusions of the considerations regarding the Safety Report to the responsible person and the competent inspection, within 30 days.

(7) The Safety Report shall be periodically reviewed every five years, and if necessary even earlier, upon the initiative of the responsible person or at the request of the Ministry where justified by new facts or taking into account the new techniques on safety issues.

Article 108

(1) For the plant, which may cause large-scale accidents, the responsible person shall prepare an internal intervention plan for the measures to be taken inside the plant and he/she shall submit the information necessary for making external intervention plans to the competent authorities for emergencies, prior to putting the plant in the operation.

(2) The responsible person shall prepare the Plan referred to in paragraph 1 of this Article in order to:

- a) control accidents so that their effects are reduced to a minimum and to limit the harmful effect on humans, the environment and property,
- b) apply the measures which are necessary for the protection of people and the environment from the impact of large-scale accidents,
- c) disclose the necessary information to the public, the relevant services and authorities located within the given area and
- d) ensure the reinstating of the original state and clean environment after a large-scale accident.

(3) The responsible person shall ensure that the internal plans for emergencies within the plant are prepared in cooperation with the employees of the plant, including the relevant long-term contractors, and that when creating, updating or changing external emergency plans the public and civil protection are consulted.

(4) The responsible person shall apply, without delay, internal and external emergency plans in case of large-scale accidents or in case of an unplanned situation that might lead to a major or significant accident.

(5) The responsible person shall be required to check and, if necessary, amend the internal or external intervention plan, taking into account changes that have occurred in operation of the plant, intervention plans or in new technological developments, within the period of three years from the development of the Plans referred to in paragraph 1 of this Article and notify accordingly the authority in charge of issuing environmental permits and the relevant inspection.

Article 109

(1) The objectives of preventing large-scale accidents and limiting their consequences shall be taken into consideration in the development of spatial planning documents and decision-making, in accordance with the law governing spatial planning, particularly in determining the locations of new plants, including storage facilities, modifications of the existing plants, including storage facilities and new buildings (such as roads, public places and residential areas) near settlements.

(2) In developing internal and external intervention plans the distances between the plants must be taken into account, including storage facilities, residential zones, public areas and facilities, protected cultural, historical and natural resources, as well as areas of particular natural sensitivity or interest.

(3) In the plants which may cause large-scale accidents, including storage facilities, the responsible person of the plant and the Ministry shall be required to take due care in terms of a need to apply additional technical measures in order to avoid increasing the risks to humans or the environment.

Article 110

(1) The responsible person of the plant that can cause large-scale accident shall be obliged to inform the Ministry and the authority in charge of the inspection, of large-scale accident and immediately submit information on the following:

- a) circumstances of the accident,
- b) hazardous substances present,
- c) available data for assessing the impact of the accident on people and the environment,

d) the measures taken in the case of an adverse event and
e) the measures taken to mitigate the consequences of an accident and preventing new accidents.

(2) If further investigation discovers additional facts, the responsible person shall be obliged to submit them to the Ministry and the competent inspection, and to take all measures to eliminate the consequences of the accident.

(3) Based on the notification on accidents, the authority in charge of issuing environmental permits shall be required to keep the records and make changes in the Registry of plants, as well as to maintain a Registry of large-scale accidents that have been reported.

IX ECO-LABELLING, MANAGEMENT AND ENVIRONMENTAL CONTROL SYSTEM

Article 111

(1) The system of awarding eco-labels shall be established to encourage the development, production, marketing and use of product with reduced environmental impact compared to the overall product life cycle, and for the purpose of better informing the consumers about the impact of a product on the environment.

(2) The environmental impacts shall be determined on the basis of testing the interaction of products with the environment, including use of energy and natural resources, compared to the overall product life cycle.

(3) The system of awarding eco-labels shall be in accordance with health and safety conditions and requirements for environmental protection.

(4) Eco-label is an emblem, which is determined in accordance with the regulation referred to in paragraph 5 of this Article and it is awarded to products and services.

(5) The Minister shall prescribe the system and the procedure for awarding the eco-labels, the authorities in charge of the eco-labels management system, starting from the selection of product groups and their environmental criteria for eco-labels awarding and the conclusion of a contract pertaining to the conditions for use of the label in a way that allows voluntary participation of natural and legal persons whose products and services meet the requirements of this system.

Article 112

(1) Eco-label may be awarded to products available in the Republika Srpska, which are in conformity with the essential requirements for environmental protection and the eco-label criteria established by product group.

(2) In order to be included in this type of labelling, product group must fulfil the following conditions:

- a) that is significantly represented in sales and in the turnover on the market,
- b) that it includes, in one or several phases of the total product life cycle, an important environmental impact on a global or regional level,
- c) that it represents a significant likelihood for the environmental impact in terms of environmental improvement through consumer choice and provides an incentive for

producers, or service providers, to establish competitive advantages by offering products that correspond to the system of eco-labels and

d) that a significant part of the sales volume of that group of products is available on the market for end consumption and use.

(3) Eco-labels may not be placed on the substances or preparations that are classified as highly toxic and dangerous to the environment or that are carcinogenic, toxic for reproduction or mutagenic, nor the products that are produced in processes which are likely to be extremely dangerous to human health or the environment, or that their common use may be dangerous for consumers.

(4) Awarding the eco-labels for food, beverage, pharmaceutical or medical products shall be regulated by a special regulation.

Article 113

(1) The Ministry, in accordance with the bylaw referred to in Article 111, paragraph 5 of this Law shall govern the system of awarding the eco-labels from the selection of product groups and their environmental criteria for awarding eco-labels and the conclusion of a contract pertaining to the conditions for use of the label.

(2) The selection of product groups and ecological criteria of these groups shall be determined after consultations with representatives of stakeholders from industry, commerce, consumer organizations and the organizations for environmental protection.

(3) Interest groups shall choose their own representatives by themselves, depending on the product group in question.

Article 114

(1) Eco-label shall be awarded on the basis of voluntary applications submitted by manufacturers, importers, service providers and traders.

(2) The Decision on the award of eco-label shall be issued by the Ministry after checking whether the conditions of the ecological criteria for this product group have been complied with.

(3) Eco-label shall be awarded for a period of three years.

(4) The Ministry shall sign a contract with the applicant for an eco-label, defining the conditions of use of the label and the withdrawal of authorization for the use of eco-label.

(5) Fees for processing the application and use of the label shall be governed by a special regulation.

(6) Eco-label shall not be used and a reference shall not be made to it in advertising until the label is awarded, and after the award it may only be used for that type of the product for which it was awarded.

Article 115

(1) Legal and natural persons in the RS may voluntarily participate in the Eco-Management and Audit Scheme (EMAS), which was founded at the level of the European Union with the purpose of evaluating and improving the environmental performance of legal and natural persons and to provide adequate information to the public and interested parties.

(2) The objective of the system referred to in paragraph 1 of this Article is to promote continuous improvements in the environmental performance of the organizations by:

- a) establishing and implementing the management system of organizations,
- b) systematic, objective and periodic evaluation of effects of environmental management systems,
- c) collecting information on the improvements in the field of environmental protection,
- d) providing information about the effects on the environment, and facilitating the exchange of information with the public and interested parties and
- e) active participation of employees in the organization on the establishment and implementation of environmental management system.

X ENVIRONMENTAL PROTECTION FINANCING AND ECONOMIC INSTRUMENTS

Article 116

(1) Funds for financing environmental protection shall be provided in the RS budget, the budget of local governments, the Fund for Environmental Protection and Energy Efficiency of Republika Srpska (hereinafter: the Fund) and from other sources in accordance with the law.

(2) Other sources of funds referred to in paragraph 1 of this Article shall include donations, loans, international aid, international projects' grants, programs and investments intended for environmental protection and other means prescribed by a special law.

(3) The funds for financing environmental protection shall be used for the preservation, protection and improvement of the state of the environment.

Article 117

In accordance with the regulation governing financing and environmental protection, the Fund shall collect and distribute funds for environmental protection in the RS, which are used in particular for the following purposes:

- a) support in the implementation of tasks arising from the obligations and responsibilities to the international community in the field of environmental protection,
- b) elimination of environmental damage in the case when the responsibility for the incurred damage may not be assigned to a specific person,
- c) costs of preventing or eliminating damage to the environment that require immediate intervention,
- d) support to the measures aimed at protecting the environment, particularly in the field of development and financing of information system, education and dissemination of information, research and public activities pertaining to environmental protection and
- e) preservation of protected natural areas.

XI CIVIL LIABILITY FOR DAMAGE TO THE ENVIRONMENT

Article 118

(1) Any legal or natural person shall be required to ensure the environmental protection in the exercise of their activities, namely:

- a) by applying and enforcing regulations on environmental protection,
- b) by sustainable use of natural resources, goods and energy,
- c) by introducing energy-efficient technologies and using renewable natural resources,
- d) by using products, processes, technologies and practices that are less harmful to the environment,
- e) by taking preventive measures or eliminating the consequences of endangering and damages to the environment,
- f) by keeping records on consumption of raw materials and energy, emission of pollutants and energy, classification, characteristics and quantities of waste,
- g) by controlling the activities and operation of the plants that may pose a risk or cause harm to the environment and human health and
- g) other measures in accordance with the law.

(2) Legal or natural person shall perform measures of environmental protection referred to in paragraph 1 of this Article independently or through an authorized legal entity.

Article 119

(1) A polluter causing environmental pollution shall be held responsible for the incurred damage under the principle of strict liability.

(2) Any legal or natural person that has enabled or allowed pollution of the environment by illegal or irregular action shall be held responsible for environmental pollution.

Article 120

(1) A polluter who caused environmental pollution by acting or failure to act shall immediately take the necessary measures to mitigate damage to the environment or eliminate further threats, hazards or remediation of environmental damage at its own expense.

(2) If the damage caused to the environment may not be rehabilitated by the appropriate measures, the person who caused the damage shall be held liable for compensation in the amount of the value of the destroyed asset.

Article 121

(1) A polluter shall be held liable for damage caused to the environment and space and shall bear the costs of damage assessment and remediation, in particular:

- a) costs of emergency repairs undertaken at the time of the damage, which are necessary for limitation and prevention of the effects of damage on the environment, space and health of the population,

- b) direct and indirect costs of remediation, establishing the new conditions or reinstating of the previous state of the environment and space, as well as monitoring the effects of recovery and the effects of environmental damage,
- c) costs of preventing the occurrence of the same or similar damage to the environment and space and
- d) costs of compensation to persons directly threatened by the damage to the environment and space.

(2) A polluter shall be obliged to provide financial or other types of guarantees for ensuring the payment of the compensation of costs referred to in paragraph 1 of this Article, during and after carrying out the activities.

Article 122

(1) A legal person engaged in activities dangerous to the environment, shall be held liable for the damage caused by such activity to persons, property and the environment.

(2) The activities dangerous to the environment are those activities that pose a significant risk to people, property or the environment, including:

- a) managing the locations that are dangerous for the environment,
- b) release of genetically modified organisms and
- c) release of microorganisms.

(3) If several persons perform a dangerous activity at the same site, they shall be held jointly liable for the damage.

Article 123

(1) The responsible person shall not be held liable for the damage caused by:

- a) war or some other particular natural phenomenon that could not be prevented nor eliminated,
- b) third party that had an intention to cause harm or
- c) special orders and measures of the competent authorities that have directly caused the damage.

(2) The responsible person shall not be held liable for damages if they prove to have exercised the appropriate protection measures required by the circumstances, in order to prevent or alleviate damage.

Article 124

(1) The responsible person conducting activities dangerous to the environment shall be obliged to ensure funds for compensation for possible damages.

(2) The responsible person shall be obliged to provide a guarantee for ensuring payment of the compensation of costs during and after conduction of the activity.

Article 125

(1) Any person who suffers damage shall have a right to compensation.

(2) The claim for damages may be submitted directly to the responsible person of the plant or insurer of the responsible person where the damage occurred.

(3) If several polluters are responsible for the environmental damage, and the share of individual polluter cannot be determined, the costs shall be borne jointly and severally.

(4) The court proceedings for the damages shall be taken as urgent.

(5) The RS shall reserve the right to compensation for damages if there are no other entitled persons.

Article 126

Any questions about the liability for the damage caused to the environment that are not specifically regulated by this Law shall be subject to the provisions of the regulations governing the obligations.

XII INTER-ENTITY COOPERATION

Article 127

(1) Establishment of cooperation and coordination referred to in Article 5, paragraph 3 of this Law shall be conducted by an Inter-Entity Environmental Protection Body (hereinafter referred to as: Inter-entity body), established by the Government of the Republika Srpska, Government of the Federation of Bosnia and Herzegovina and the Government of Brcko District.

(2) The Inter-entity body shall consist of four members from the Republika Srpska, four members from the Federation of Bosnia and Herzegovina and two members from the Brcko District.

(3) The members of the Inter-Entity body from the Republika Srpska shall be appointed by a decision of the Government of the Republika Srpska.

(4) The Inter-entity body shall meet at least six times a year and shall make decisions by consensus.

(5) The Ministry of Foreign Trade and Economic Relations shall be informed regularly on the sessions of Inter-entity body, so as to ensure the coordination and cooperation.

Article 128

(1) The Inter-entity body shall be addressing all issues in the field of environmental protection, which require harmonized approach of the Entities, as well as any other matters that are transferred to the competence of the Inter-entity body by the Entities and Brcko District, by this Law and other regulations, and in particular the following issues:

- a) international agreements and programs in the field of environmental protection,
- b) cooperation with international organizations and other countries,
- c) coordination of implementation and enactment of laws and other regulations,
- d) coordination of monitoring the implementation of standards and procedures for the environmental protection,
- e) giving recommendations for the establishment of harmonized environmental quality standards at the Entity level,
- f) coordination of entity Action Plans and other plans and programs in the field of environmental protection,

- g) coordination of monitoring and information system and
- h) collection and exchange of information.

(2) The Inter-entity body shall provide technical assistance to the relevant Entity ministries.

(3) The Inter-entity body shall be obliged to ensure that the interests of both Entities and Brcko District are taken into account when planning projects in areas that cross the inter-entity boundary line.

XIII CONTROL

Article 129

Administrative control of the implementation of the provisions of this Law and regulations made thereunder shall be performed by the Ministry.

Article 130

Inspection over the implementation of the provisions of this Law and other regulations adopted thereunder shall be performed by inspectors in charge of environmental protection of the RS Administration for inspection affairs and local governments (hereinafter: the competent inspectors).

Article 131

In carrying out inspection referred to in Article 130 of this Law, the competent inspectors, in addition to general authorizations prescribed by the law governing the inspection, shall be authorized to order the following:

- a) elimination, within a specified deadline, of identified deficiencies and irregularities in the operations of the plant that caused or may cause environmental pollution,
- b) a temporary ban of the plant's operations or performance of the activities in the manufacturing process, the use of the devices and/or machinery and equipment that caused or may cause significant pollution of the environment,
- c) prohibition of the activity in the manufacturing process, the use of the devices and/or machinery and equipment that caused or may cause significant pollution of the environment, until the shortcomings or irregularities in the work are eliminated,
- d) suspension of the works if they are carried out contrary to the established measures of Environmental Impact Assessment, until the irregularities are eliminated,
- e) suspension of the works if they are not performed in accordance with this Law and the conditions laid down in the environmental permit and
- f) prohibition of the operations of the authorized legal entity that does not meet the conditions for carrying out activities in the field of environmental protection.

XIV PENAL PROVISIONS

Article 132

- (1) A fine ranging from 2,000 KM to 20,000 KM shall be imposed on a legal entity that:

- a) prepares the Impact Study contrary to the conditions laid down in Article 67 of this Law,
 - b) builds or manages the operations of a plant or carries out activities without obtaining environmental permit referred to in Article 80 of this Law,
 - c) violates the general obligations referred to in Article 83, paragraph 2 of this Law,
 - d) fails to comply with the measures established in the environmental permit referred to in Article 90 of this Law,
 - d) fails to perform monitoring, as well as follow-up of other effects on the state of the environment referred to in Article 92, paragraph 1 of this Law,
 - f) fails to submit the results of monitoring referred to in Article 92, paragraph 4 of this Law to the competent authority for issuing environmental permit and to the competent inspection,
 - e) performs monitoring contrary to Article 92, paragraph 5 of this Law,
 - g) fails to inform the authority in charge of issuing environmental permit of any change in the work, or the operation of the plant referred to in Article 96, paragraph 1 of this Law,
 - h) fails to carry out all the measures identified by the authority in charge of issuing environmental permits after the expiry of the permit referred to in Article 98, paragraph 6 of this Law,
 - i) fails to submit the report referred to in Article 102, paragraph 2 of this Law,
 - j) fails to take all the necessary measures to prevent large-scale accidents and fails to submit to the competent authorities the evidence on the taken measures under Article 103 of this Law,
 - k) fails to draw up a plan to prevent large-scale accidents referred to in Article 105, paragraph 1 of this Law,
 - l) fails to prepare a Safety Report referred to in Article 107, paragraph 1 of this Law,
 - m) fails to submit the information referred to in Article 110, paragraph 1 of this Law to the competent authorities
 - n) uses eco-label contrary to the provisions of Article 113 of this Law,
 - o) fails to carry out measures to reduce the damage or eliminate further threats, hazards or remediation of the environmental damage referred to in Article 120 paragraph 1 of this Law and
 - p) fails to ensure funds for compensation under Article 124 of this Law.
- (2) A fine from 1,000 to 3,000 KM shall be imposed to the responsible person in legal entity for violations referred to in paragraph 1 of this Article.

Article 133

A fine ranging from 1,000 KM to 10,000 KM shall be imposed on an entrepreneur if it:

- a) builds or manages the operations of the plant or carries out activities without obtaining environmental permit referred to in Article 80 of this Law,
- b) violates the general obligations referred to in Article 83, paragraph 2 of this Law,
- c) fails to comply with the conditions established in the environmental permit referred to in Article 90 of this Law,
- d) fails to perform monitoring, as well as follow-up of other effects on the state of the environment referred to in Article 92, paragraph 1 of this Law,

e) fails to submit the results of monitoring referred to in Article 92, paragraph 4 of this Law to the competent authority for issuing environmental permit and to the competent inspection,

f) performs monitoring contrary to Article 92, paragraph 5 of this Law,

g) fails to inform the authority in charge of issuing environmental permit of any change in the work, or the operation of the plant referred to in Article 96, paragraph 1 of this Law,

h) fails to carry out all the measures identified by the authority in charge of issuing environmental permits after the expiry of the permit referred to in Article 98, paragraph 6 of this Law,

i) fails to submit the report referred to in Article 102, paragraph 2 of this Law,

j) fails to submit the information referred to in Article 110, paragraph 1 of this Law to the competent authorities, and

k) uses eco-label contrary to the provisions of Article 113 of this Law.

XV TRANSITIONAL AND FINAL PROVISIONS

Article 134

(1) Within six months from the date of entry into force of this Law the Government shall harmonize the Resolution on the establishment of the Advisory Council for Environmental Protection and the Decision on establishing the Inter-Entity Environmental Protection Body with the provisions of this Law.

(2) Within six months from the date of entry into force of this Law, the Minister shall adopt:

a) Rulebook on the criteria for deciding on the need for the implementation of a Strategic Assessment for Plans and Programs referred to in Article 48, paragraph 3 of this Law,

b) Rulebook on the content of the Strategic Assessment Report referred to in Article 53, paragraph 3 of this Law and

c) Rulebook on the conditions for performing activities in the field of environmental protection under Article 67, paragraph 3 of this Law and

d) Rulebook on the procedure of review and renewal of the environmental permits under Article 94, paragraph 5 of this Law.

(3) Within one year from the date of entry into force of this Law, the Minister shall adopt:

a) Rulebook on the intensity of sound and noise under Article 23, paragraph 3 of this Law,

b) Rulebook on the projects that require Environmental Impact Assessment and the criteria for deciding on the requirement for implementation and scope of the environmental impact referred to in Article 63, paragraph 1 of this Law,

c) Instruction on the content of the Impact Study referred to Article 68, paragraph 1 of this Law,

d) Rulebook on plants which can be constructed and commissioned only if an environmental permit has been issued under Article 81, paragraph 1 of this Law,

e) Rulebook on activities and method of developing the best available techniques under Article 84, paragraph 3 of this Law,

f) Rulebook on the content and manner of keeping the Registry of issued environmental permits referred to in Article 101, paragraph 3 of this Law,

g) Rulebook on the Registry of emission and transfer of pollutants from the plant and Instruction for keeping the Registry of emissions and transfer of pollutants referred to in Article 102, paragraphs 3 and 4 of this Law and

h) Rulebook on the eco-labels and on eco-labels management referred to in Article 111, paragraph 5 of this Law.

Article 135

The procedures initiated under the provisions of the Law on Environmental Protection (Official Gazette of the Republika Srpska, no. 53/02, 109/05, 41/08 and 29/10) before entry into force of this Law shall be completed pursuant to the provisions of that Law.

Article 136

Until adoption of the bylaws referred to in Article 134 of this Law, the bylaws adopted on the basis of the Law on Environmental Protection (Official Gazette of the Republika Srpska, no. 53/02, 109/05, 41/08 and 29/10) shall continue to be applied, unless they are contrary to this Law.

Article 137

On the date of the entry into force of this Law, the Law on Environmental Protection (Official Gazette of the Republika Srpska, no. 53/02, 109/05, 41/08 and 29/10) shall cease to have effect.

Article 138

This Law shall enter into force on the eighth day following that of its publication in the Official Gazette of the Republika Srpska.

Number:

Date:

PRESIDENT OF
NATIONAL ASSEMBLY

Igor Radojičić, MSc.