

LAW
ON COMPANIES' REGISTER IN FEDERATION OF BOSNIA AND HERZEGOVINA
(«Official Gazette FB&H» No 27/05 and 68/05)

EXCERPT

By the Law on companies' register in B&H, according to the Frame Law («Official Gazette B&H» No 42/04) the rules of out-of-court proceedings are arranged, on the basis of the competent register court acts and decide on registration into court register of companies in FB&H.

The procedure of registration of companies in FB&H into register is urgent, uniform and applicable onto all companies established in B&H, both by domestic and foreign juristic and physical persons.

Obligated to the registration are: all forms of companies and their links, public companies, institutions with public authorities, institutions, public corporations, business associations, cooperatives, cooperation unions and other, fixed by special law.

The following is to be registered: establishing, link and end of company registration, establishing i.e. end of a part of company registration, all status changes including changes in forms of company organizing, data on company register important for legal circulation and their changes, data on bankruptcy i.e.. liquidation procedure, data on starting of procedure for erasing of company registration as well the other data. The prohibition for activity performing is also to be registered, on the basis of decision in effect of competent authority, temporary measures i.e. records on decisions passed according to other regulations.

The Chapter II arranges the registration procedure: competence for register running, competence in case of place changes, register contents and registration costs. The register is conducted by the courts fixed through the law which arranges the organization and authority of the courts in FB&H. The application for the registration can be delivered to any registered court, independent on register place.

The Chapter III establishes the obligatory data consisting of general and special data. The general data about the company are to be registered to the main register book by the competitive register court.

The Chapter IV and V regulate the documents and other files necessary for company registration and single forms of companies such as: joint stock companies, joint stock companies for insurance, banks or other financial organizations, limited liability companies and partnership company, public company and privatization of the company, companies with public authorities, business associations, cooperatives, cooperation unions and procures.

The Chapter VI and VII regulate the documents necessary for the registration of data changes important for legal circulation as well the documents necessary for registration of status changes and the changes of the company' form.

In the Chapter VIII are fixed: the procedure for data registration into application form register and checking of the application for registration concerning: application form hand in, application form, procedure after application receipt, identity of application form submitter, principle of company exclusivism, acting of the register court competence after application form receipt, application form checking, documents checking, typographical errors.

The Chapter IX and X regulate the decisions of the register court competence and legal remedies.

The Chapter XI, XII, XIII regulate the procedure of the data registration important for legal circulation and their changes, procedure for register erasing and tax identification number obtaining.

The obliged information to the register court, added register services and penal regulations in violation of the reliable person by the court in the cases foreseen by the law are regulated in the Chapter XIV, XV and XVI.

The competent register court delivers the decision on the registration of the establishing i.e. status changes of the company after decision making to: tax officials competent according to the place of company registration – Agency for Indirect Taxation, municipality and canton competitive according to the place of company registration, statistics office and chamber of commerce, bureau of social and invalid insurance according to the place of company registration for registration, customs officials competent according to the place of company registration, if the company is registered for foreign trade activities and to the competent regulating bodies according to the special regulations fixing the conditions and issuing the permissions i.e. approvals for performing of certain activities, if the company is registered for such activity.

Notarized excerpt from the register from any register court presents a public document on the area of B&H.

The competent court issues the decision on company registration **five days** from the day of a regularly application has been submitted. If the defects are presented because of which it is not possible to make a registration according to the regulations of this law, the register court informs the application submitter for eliminating the defects in question in time limited.

The decision in effect on registration is to be published in «Official Gazette FB&H».

With the day of use of this Law, the Law on procedure for the registration of juristic persons to the court register («Official Gazette FB&H, No 4/00, 19/00, 49/00 and 19/03) as well the regulation on registration to the court register of juristic persons performing an economy activity («Official Gazette B&H No 12/00. 16/00, 38/00 and 58/01) are not valid any more.

The law went into effect on May 05, 2005.

The Law on amendment of Law on companies' register in Federation of Bosnia and Herzegovina was advertised on December 7, 2005 and took effect on December 8, 2005.