

Pursuant to Article 13, paragraph (1), points (c) and (d) of the BiH Aviation Law (Official Gazette of BiH No: 39/09), in relation to Article 3 and 3a of the Bosnia and Herzegovina Law on Administrative Taxes (Official Gazette of BiH No: 16/02,19/02, 43/04, 8/06, 76/06 and 76/07) and Article 13, paragraph (2) of the Law on Financing of Bosnia and Herzegovina Institutions (Official Gazette of BiH No: 61/04, 49/09, 42/12, 87/12 and 32/13), with approval of the Bosnia and Herzegovina Council of Ministers given at its 86th session held on 20 December 2016, the Director General of the Bosnia and Herzegovina Directorate of Civil Aviation hereby issues the

DECISION

ON AMOUNT OF CHARGES TO BE PAID BY AIRCRAFT OPERATORS PER DEPARTING PASSENGER AND CHARGES TO BE PAID BY AIRCRAFT OPERATORS PER TON OF TRANSPORTED GOODS/CARGO DEPARTING FROM AIRPORTS IN BOSNIA AND HERZEGOVINA

Article 1 (Subject of the Decision)

This Decision establishes the amount of charges to be paid by aircraft operators (legal or natural person operating or intending to operate one or larger number of aircraft) per transported passenger departing from airports in Bosnia and Herzegovina and by aircraft operators per ton of transported goods/cargo departing from airports in Bosnia and Herzegovina.

Article 2 (Charges per transported passenger)

- (1) Air carriers shall pay to Bosnia and Herzegovina Civil Aviation Directorate (hereinafter: BHDCA) charges per transported passenger departing from Bosnia and Herzegovina airports in the amount of:
- a) 1 BAM in 2017,
 - b) 2 BAM in 2018 and
 - c) 3 BAM as of 1/1/2019.

Notwithstanding the provisions of paragraph (1) of this Article, charges shall not be paid for:

- a) transit and transfer passengers;
- b) passengers with free and chartered tickets, marked as ID 00 and ID 90 tickets;
- c) children up to 2 years old (INF);
- d) passengers on flights with military call signs;
- e) passengers on state flights, and
- f) passengers on flights registered as transport for own purposes.

Article 3 (Charges per ton of transported goods)

- (1) Air carriers shall pay to BHDCA charges per ton of transported goods/cargo on scheduled and charter flights departing from airports in Bosnia and Herzegovina in the amount of:

- a) 20 BAM in 2017,
- b) 30 BAM in 2018 and
- c) 40 BAM as of 1/1/2019.

Notwithstanding the provisions of paragraph (1) of this Article, charges shall not be paid for:

- a) transit consignments of goods/cargo;
- b) goods/cargo consignments exempted from payment of transport services.

Article 4

(Data on transported passengers/goods/cargo departing from airports in BiH)

(1) Airport operator holding certificate for serving international traffic shall submit to BHDCA monthly reports on transported passengers/goods/cargo on scheduled and charter flights departing from the airport per air carrier operating from that airport, where data on transport of passengers shall be presented separately from data on transport of goods/cargo.

(2) Reports under paragraph (1) of this Article shall contain information on transported departing passengers or goods/cargo per category:

- a) passengers departing from the airport:
 - 1) number of passengers with starting point at the airport;
 - 2) number of transfer passengers;
 - 3) number of transit passengers;
 - 4) number of passengers with free and chartered tickets – tickets marked ID 00 and ID 90 tickets;
 - 5) children up to 2 years old (INF);
- b) goods/cargo departing from the airport:
 - 1) tons of transported goods/cargo with starting point at the airport;
 - 2) tons of transported transfer goods/cargo;
 - 3) tons of transported transit goods/cargo;
 - 4) tons of transported goods/cargo exempted from payment of carriage services.

(3) Report under paragraph (1) of this Article, signed by the accountable manager of the airport operator, shall be delivered to BHDCA not later than 7 days upon expiration of the accounting period for the calendar month.

(4) Contents and the report template specified under paragraph (1) of this Article, as well as the instructions for its completion and delivery shall be determined by BHDCA and will be available at the BHDCA web page (www.bhdca.gov.ba).

Article 5 **(Invoicing)**

Pursuant to the report under Article 4, paragraph (1) of this Decision, BHDCA shall deliver to the air carriers invoices with deadline of 30 days for payment as of the date of delivery of the invoice.

Article 6
(Payment of charges)

- (1) On the basis of invoice delivered by BHDCA, air carriers shall effect payment of charges prescribed by provisions of this Decision.
- (2) Payment of charges shall be effected in accordance with the Order of the BiH Ministry of Finance and Treasury to one of deposit accounts of the BiH Treasury.
- (3) Funds collected in this way shall be used through special purpose programme that BiH Ministry of Finance and Treasury will open upon BHDCA request.

Article 7
(Non-payment of charges)

(1) In case of non-payment of due charges, BHDCA retains the entitlement to claim its due and uncollected payment by way of initiating procedure before the competent courts in accordance with the applicable legislation and to undertake appropriate measures prescribed by the Bosnia and Herzegovina Aviation Law.

(2) In case of belated payment of charges under paragraph (1) of this Article, BHDCA shall calculate statutory legal interest for every day of overdue payment with the official rate of statutory interest in effect in Bosnia and Herzegovina.

Article 8
(Purpose)

Charges under Article 2, paragraph (1) and Article 3, paragraph (1) of this Decision shall be used for:

- a) employment of sufficient number of qualified and experienced aviation staff, needed for exercising of BHDCA responsibilities in the amount of 25% of collected funds;
- b) specialised training of BHDCA aviation staff in the amount of 25% of collected funds;
- v) financing of civil aviation projects related to civil aviation development and improvement of aviation culture and safety in Bosnia and Herzegovina general air traffic and enhancement of security at international airports in Bosnia and Herzegovina, that are to be approved by the Bosnia and Herzegovina Council of Ministers after BHDCA proposal, in the amount of 15% of collected funds;
- g) technical upgrading of BHDCA - capital investments in the amount of 32% of collected funds;
- d) payment of compensation to airport operators for collecting data on transported passengers/goods/cargo departing from airports in Bosnia and Herzegovina in the amount of 3% of collected funds.

Article 9
(Final provisions)

- (1) This Decision shall enter into force on the day of its publication in Official Gazette of BiH and shall be applied upon expiry of 30 days after publication of this Decision in Aeronautical Information Publication (AIP) of Bosnia and Herzegovina.
- (2) The Decision on amount of charges to be paid by aircraft operators per departing passenger and charges to be paid by aircraft operators per ton of transported goods/cargo departing from airports in Bosnia and Herzegovina (Official Gazette of BiH No. 04/12) shall be repealed with effect from the date of entry into force of this Decision.

Director General
Djordje Ratkovica

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Banja Luka 11 January 2017