

Pursuant to Article 13(1)(c) and (d) of the Aviation Law of Bosnia and Herzegovina (Official Gazette of BiH 39/09 and 25/18), relating to Articles 2, 3 and 3a of the Law on Administrative Fees (Official Gazette of BiH 16/02, 19/02, 43/04, 8/06, 76/06, 76/07, 3/08, 42/08, 3/10, 98/12, 15/14, 78/14, 32/17, 53/17, 62/17, 73/17, 68/19, 18/20 and 30/22) and Article 13(2) of the Law on Financing the Institutions of Bosnia and Herzegovina (Official Gazette of BiH 61/04, 49/09, 42/12, 87/12 and 32/13), with the consent of the Council of Ministers of Bosnia and Herzegovina from the 5<sup>th</sup> session held on 10 March 2023, the Director General of the Bosnia and Herzegovina Directorate of Civil Aviation has hereby issued

## **DECISION**

### **ON THE AMOUNTS OF FEES TO BE PAID BY AIRCRAFT OPERATORS PER TRANSPORTED DEPARTING PASSENGER AND PER TONNE OF TRANSPORTED GOODS/CARGO DEPARTING FROM AIRPORTS IN BOSNIA AND HERZEGOVINA**

#### Article 1

#### **(Subject matter of the Decision)**

This Decision lays down the amounts of fees to be paid by aircraft operators per transported departing passenger and per tonne of transported goods/cargo departing from airports in Bosnia and Herzegovina.

#### Article 2

#### **(Fee per transported passenger)**

- (1) Air operators shall pay to the Bosnia and Herzegovina Directorate of Civil Aviation (hereinafter: BHDCA) a fee per transported passenger departing from Bosnia and Herzegovina airports in the amount of 3 BAM.
- (2) Notwithstanding the provision of paragraph (1) of this Article, the fee shall not be paid for:
  - a) transit and transfer passengers,
  - b) passengers holding free tickets and ID 00 and ID 90 discount tickets,
  - c) DHC crew,
  - d) infants up to the age of two (*INF*),
  - e) passengers on flights with military call signs,
  - f) passengers on state flights, and
  - g) passengers on flights registered as own-use transport.

#### Article 3

#### **(Fee per transported tonne of goods)**

- (1) Air operators shall pay to the BHDCA a fee in the amount of 40 BAM per tonne of transported goods/cargo on scheduled and charter flights departing from airports in Bosnia and Herzegovina.
- (2) Notwithstanding the provision of paragraph (1) of this Article, the fee shall not be paid for:
  - a) transit shipments of goods/cargo;
  - b) goods/cargo shipments that are exempt from paying transportation service fees.

Article 4

**(Data on transported passengers/goods/cargo for aircraft operators performing scheduled flights departing from airports in Bosnia and Herzegovina)**

- (1) Airport operators holding an international air transport certificate (hereinafter: Certificate) shall submit to the BHDCA a monthly report on transported passengers/goods/cargo on scheduled flights departing from their respective airports, for each individual aircraft operator that carries out flights via that airport in such a way that the data on the transport of passengers are shown separately from the data on the transport of goods/cargo.
- (2) The report referred to in paragraph (1) of this Article shall contain data on transported departing passengers and goods/cargo as per the following categories:
  - a) passengers departing from the airport:
    - 1) number of passengers with an initial departure from the airport,
    - 2) number of transfer passengers,
    - 3) number of transit passengers,
    - 4) number of passengers holding free tickets and ID 00 and ID 90 discount tickets,
    - 5) infant up to the age of 2 (*INF*),
    - 6) DHC crew.
  - b) goods/cargo departing from the airport:
    - 1) tonnes of transported goods/cargo departing from the airport,
    - 2) tonnes of transported goods/cargo in transfer,
    - 3) tonnes of transported goods/cargo in transit,
    - 4) tonnes of transported goods/cargo exempt from paying transportation service fees.
- (3) The airport operator shall submit the report referred to in paragraph (1) of this Article, signed by the responsible person of the airport operator for the calculation period that includes the respective calendar month, to the BHDCA no later than seven days after the end of the calculation period.
- (4) The content and layout of the report form referred to in paragraph (1) of this Article, as well as the instructions for its completion and submission, shall be determined by the BHDCA and made available on the BHDCA website ([www.bhdca.gov.ba](http://www.bhdca.gov.ba)).
- (5) In case of non-compliance of the airport operator with the provisions of this decision, the BHDCA shall inform the Council of Ministers of Bosnia and Herzegovina thereof through the competent Ministry of Communications and Transport of Bosnia and Herzegovina, within 15 days from the day it learns of the airport operator's non-compliance.
- (6) The Ministry of Communications and Transport of Bosnia and Herzegovina shall inform the owner or founder of the airport operator of the airport operator's non-compliance, within 15 days from the day it learns of the airport operator's non-compliance, in order for them to take appropriate measures.

Article 5

**(Data on transported passengers/goods/cargo for aircraft operators performing charter flights departing from airports in Bosnia and Herzegovina)**

- (1) For aircraft operators to whom the services are charged periodically, right after landing, or immediately before take-off (*Aircraft Handling Charge Note*), the fee per transported passenger/goods/cargo shall be calculated and collected by the airport operator in accordance with Articles 2 and 3 of this Decision.
- (2) A report on passenger/goods/cargo traffic, as well as information about the fees collected under paragraph 1 of this Article, shall be submitted by the airport operator to the BHDCA no later than seven days after the end of the calculation period (one month).

- (3) The form of the report on passenger/goods/cargo traffic and collected fees referred to in paragraph 1 of this Article (*Aircraft Handling Charge Note*), as well as the instructions for its completion and submission, shall be determined by the BHDCA and made available on the BHDCA website ([www.bhdca.gov.ba](http://www.bhdca.gov.ba)).

#### Article 6

#### **(Invoicing and payment of fees)**

- (1) Based on the report from Article 4 (1) of this decision, the BHDCA shall issue an invoice to the aircraft operator, with a payment term of 30 days from the date of the invoice.
- (2) The aircraft operator shall pay invoices in accordance with the instructions, which shall form an integral part of the invoice.
- (3) The funds collected on behalf of the BHDCA, based on the collection of fees under Article 5 (1) of this Decision, shall be paid by the airport operator in accordance with the Instructions for the Payment of Fees and Taxes published on the website [www.bhdca.gov.ba](http://www.bhdca.gov.ba).
- (4) The prescribed fee is non-taxable and does not represent an income for the airport operator, but the airport operator collects it on their own behalf, for the account of the BHDCA.

#### Article 7

#### **(Records and allocation of funds)**

Funds realized on the basis of this Decision shall be recorded on the special purpose program "Fees under Article 13 (1) c) and d) of the Law on Aviation of Bosnia and Herzegovina", project code: 0802040, in the amount and according to the economic categories determined by the Law on the Budget of the Institutions of Bosnia and Herzegovina and the international obligations of Bosnia and Herzegovina, and shall be available in accordance with the dynamics of monetary inflows.

#### Article 8

#### **(Purpose of the funds)**

The fees referred to in Article 2 (1) and Article 3 (1) of this Decision shall serve the following purposes:

- a) contracted and other special services in the amount of up to 67% of the planned funds;
- b) financing projects in the field of civil aviation that are related to the development of civil aviation and the improvement of aviation culture and safety in the general aviation of Bosnia and Herzegovina, as well as raising the level of aviation security at international airports in Bosnia and Herzegovina, up to 15% of the planned funds;
- c) payment of fees to airport operators for collecting data on transported passengers/goods/cargo departing from airports in Bosnia and Herzegovina in the amount of up to 3% of the planned funds; and
- d) capital investments in the amount of up to 15% of the planned funds.

#### Article 9

#### **(Enforced collection and other measures for aircraft operators in scheduled air transport)**

- (1) If an aircraft operator fails to meet their due obligation within the prescribed period, the BHDCA shall, after the expiry of the period of 45 days from the date of issuing the invoice, electronically send a reminder to settle the debt.

- (2) If the aircraft operator does not settle the debt in full even after receiving the reminder, the BHDCA shall send a written letter before action within 60 days of issuing the invoice.
- (3) In the case of failure to act in accordance with paragraph (1) of this Article, the BHDCA shall collect the debt in the manner prescribed by the rulebook regulating flight approvals.
- (4) In case of impossibility of collection in the manner described in paragraph (3) of this Article, the BHDCA shall collect the due and unpaid claims through court.

Article 10  
**(Repeal)**

The entry into force of this Decision shall repeal the Decision on the Amounts of Fees to be paid by Aircraft Operators per Transported Departing Passenger and the Amounts of Fees to be paid by Aircraft Operators per Tonne of Transported Goods/Cargo departing from Airports in Bosnia and Herzegovina (Official Gazette of BiH 4/17).

Article 11  
**(Entry into force)**

The Decision shall enter into force on the day of its publication in the Official Gazette of Bosnia and Herzegovina, and shall be applicable after 30 days from the date of publication of this Decision in the aviation publications of Bosnia and Herzegovina (AIP).

Ref. number: 1-4-02-2-117-16/22  
Banja Luka, 15 March 2023

Director General  
Čedomir Šušnjar