

## WORKING TRANSLATION

Based on the Article 8, Para 1, point 1 of the Law on the Centre for Judicial and Prosecutorial Training of the Republika Srpska (“RS Official Gazette”, No 34/02, 49/02, and 77/02), and the Article 19 of the Decision on Establishment of the Centre for Judicial and Prosecutorial Training of the Republika Srpska (“RS Official Gazette”, No 34/02), at its session held on \_\_\_\_\_, the Steering board of the Centre has issued the

### STATUTE OF THE PUBLIC INSTITUTION CENTRE FOR JUDICIAL AND PROSECUTORIAL TRAINING OF THE REPUBLIKA SRPSKA

#### I GENERAL PROVISIONS

##### Article 1

The Statute regulates **establishes** the name and the main seat of the institution, its activities, establishment funds, beginning of work of the institution, providing funds; duties and responsibilities in regard with activities of the institution, managing bodies, administration, general acts, expert counselling bodies of the Centre etc.

The Public institution Centre for Judicial and Prosecutorial Training of the Republika Srpska (hereinafter: the Centre) has been established on the basis of the Law as a public institution, of a legal entity and as a bearer of certain rights in regard with managing funds.

The aim of the Centre is, under the monitoring of the High Judicial and Prosecutorial Council (hereinafter: the Council), to provide that the judicial and prosecutorial training programmes are performed with high criteria set in terms of openness, expertise, professionalism, and impartiality, as these criteria are integral components for the performance of judicial and prosecutorial duties.

#### A) INFORMATION ABOUT THE CENTRE

##### Article 2

The Centre has been registered by the Basic Court Banja Luka, registration number U/I 748/03, 09/04/03.

The unique identification number of the Centre, determined by the Statistics Institute, is 1967606.

The Centre’s unique identification number at the Ministry of Finance/Tax Administration is 4401678380007.

### Article 3

The full name of the Centre is: the Public Institution Centre for Judicial and Prosecutorial Training of the Republika Srpska (Javna ustanova Centar za edukaciju sudija I tuzilaca u Republici Srpskoj).

The full name of the Centre in the English language: the Public Institution Centre for Judicial and Prosecutorial Training of the Republika Srpska.

The Centre has its own logo, consisting of:\_\_\_\_\_.

The abbreviated name of the Centre: Centre for Judicial and Prosecutorial Training of the Republika Srpska (CJPT) – Centar za edukaciju sudija I tuzilaca u Republici Srpskoj (CEST).

The abbreviated name in the English language: Centre for Judicial and Prosecutorial Training of the Republika Srpska (CJPT).

### Article 4

The main seat of the Centre is situated in Banja Luka, 139 b Blagoja Parovica Street.

## B) DUTIES AND RESPONSIBILITIES RELATED TO PERFORMANCE OF ACTIVITIES, REPRESENTATION AND SIGNING ON BEHALF OF THE CENTRE

### Article 5

When approach third persons, the Centre acts on its behalf, with no limitations.

### Article 6

In its legal dealings with third parties the Centre is to be held responsible with all its assets.

### Article 7

The legal representative of the Centre is the Centre Director.

The Director of the Centre can allocate authorisation to another person and define its contents and the extent of authority.

### Article 8

The Centre's Director signs on behalf of the Centre.

Other managers can sign on behalf of the Centre within their regular activities.

### Article 9

Signing on behalf of the Centre is done by signing of signature at the right side below the text, and above clearly written name and surname of the signatory.

Seal is to be put on the left side.

At documents that demand two signatures, both signatures are to be placed at the right side below text, in the manner described in Para 1, with the right place reserved for a senior positioned person.

#### Article 10

Regulations of authorities for signing the Centre's documents, as well as records on persons authorised to sign, are established by instructions brought by the Steering board.

#### C) SEAL

#### Article 11

The seal of the Centre is of the following content: "Republika Srpska, the Centre for Judicial and Prosecutorial Training of the Republika Srpska, Banja Luka", written in both Cyrillic and Latin alphabet, in the concentric circles surrounding the coat-of-arms of the Republika Srpska, placed in the centre of the seal.

The seal is rotund, of the 35 mm diameter.

#### Article 12

The Centre can have a smaller size seal (small seal) for verifying identification documents, financial and other documents in cases where the usage of the 35 mm diameter seal is deemed not appropriate.

The small seal is of the same content as the above said seal; the text could be abbreviated, but clearly visible.

The small seal cannot be smaller than 20 mm in diameter.

#### Article 13

The Centre's seal, with which a document or a identification papers for use abroad is verified, is of the following content: around the Bosnia and Herzegovina coat-of-arms, in the outside circle, the name of Bosnia and Herzegovina is written, and in the lower part the name of the Republika Srpska. The name and the seat of the relevant body are written in the next circle.

#### Article 14

The ways for usage, keeping and handling the seals and the stamps is regulated by a special document, brought by the Steering board, in accordance with the Law on Seals.

## II CENTRE ACTIVITIES

## Article 15

The activities of the Centre are as follows:

1. To provide under the direction and supervision of the Council induction training courses to those persons considering a career as a judge or prosecutor
2. To provide under the supervision of the Council advanced professional training for judges and prosecutors
- 3.
4. To award certificates of graduation on the successful completion of the training from Para 1 of this Article, as well as issuing annual certificates of the minimum criteria met for professional development( Para 2 of this Article).

The activities of the Centre, according to the Classification of Activities ("RS Official Gazette", No 4/97), are classified as subgroup 80420, "The Adult Education and Otherwise Mentioned Education".

### III CENTRE – INTERNAL ORGANISATION

#### Article 16

Internal organisation of the Centre, and the Centre's work/performance, is regulated in a way to secure legal, rational, professional, prompt, efficient, and public performance of the Centre activities, the Centre being a public institution that, under the Council's monitoring, is to provide that educational programmes for judges and public prosecutors are determined and performed in accordance with the Article 1, Para 3 of the Statute.

#### Article 17

The internal organisation and division of activities are to provide full employment of the staff, full exploitation of their working capabilities, co-ordination in work, efficient management over organisational units and constant supervision over performance of activities, full responsibility of all employees, co-operation with bodies and organisations where the public authority lies, as well as inclusion of professional and scientific institutions and undertaking of appropriate measures.

#### Article 18

Basic organisational units are established within the Centre for performance of activities from the Article 2 of the Statute:

- Civil Law Sector
- Criminal Law Sector

- Commercial Law Sector
- Financial Dealings Sector
- Administration Department (internal organisational unit)

#### Article 19

Within the Civil Law, Criminal Law and Commercial Law sectors (hereinafter: programme activities), there are other activities performed, such as preparations of appropriate training and educational plans, programmes and projects in particular legal fields, for preliminary training and professional education, their implementation, preparatory activities and organisation of seminars, conferences and similar, following needs in particular programme fields, following of court practice. By these activities, planning, execution and respecting the policy of the Centre under the monitoring of the Council is secured, as well as preparations of regular and periodical reports on activities, informative and analytical materials, preparations and tracking of annual educational plans, preparations of training materials, keeping records on persons who applied for preliminary training (those who intend to work professionally as judges and prosecutors), keeping records on persons attending preliminary training, records on professional education of judges and prosecutors, keeping records of trainees, production and delivery of certificates on completed education/training, and other activities related to education of judges and prosecutors.

#### Article 20

The Financial Dealings Sector performs all financial and joint dealings in support of programme activities, preparation of documents on financial dealings, planning of expenditure funds, keeping of financial books, production of accountancy statements, analysing of annual income and expenditure plans, and making of appropriate reports, keeping vault dealings, harmonising of actual and accountancy status, handling financial means, calculating payments for the employees and compensations, monitoring and internal financial control, planning and keeping of records related to the Government budget funds and funds outside the budget, tracking of their realisation, procurement of the equipment and means for joint use, handling financial funds, calculating payments for the employees and compensations, keeping records on obligatory insurance for the employees and assets, monitoring and internal control, and other activities seen as needed in accordance with law and regulations, as well as rules/standards from this field of international organisations who are partners in execution of particular programmes and projects.

#### Article 21

Administrative Department performs administrative and clerical activities, including information and documentation, by which planning, following and execution of the Centre programmes are provided, especially: preparation, technical coverage/logistics for round tables, conferences, seminars and similar, sessions of the Steering board and other bodies of the Centre, maintenance and development of electronic archiving, personnel related activities, library, preparation of documents on duties and obligations of the employees, implementation of regulations in the field of work relations, organisation of work and office, providing expert and technical support to bodies in charge of procedure for establishing violations of work relations and

material damage done by employees while at work or connected to work, regular maintenance and replacement of equipment and facilities for joint use, transportation and car maintenance, handling incoming and out coming mail, gathering necessary information, analysis and presentation of information on activities of the Centre, maintaining database, correspondence, technical, secretarial and other activities as deemed necessary.

#### Article 22

The organisational units cooperate, interrelate, and harmonise their work. Activities, tasks, and mutual relations of individual organisational units are established by the Rules and Regulations on Internal Organisations and Systematisation of Posts.

### IV MANAGING AND EXECUTIVE BODIES

#### Article 23

The managing body of the Centre is the Steering board of the Centre, and the Director is executive authority.

#### A) STEERING BOARD

#### Article 24

The Steering board has the following competencies:

1. Adopting the Statute of the Centre and other general acts,
2. Establishing, in accordance with instructions and under the monitoring of the Council, the training programme for preliminary training of persons intending to work as judges and public prosecutors,
3. Establishing, in consultations with the Council, special educational programmes,
4. Appointing and releasing from duty the Director of the Centre, in consultations with the Council,
5. Proposing of Annual Budget for work of the Centre and sending of it to competent bodies for adoption,
6. Bringing of the Financial Plan,
7. Adopting of the Annual Report on the work of the Centre,
8. Appointing judges, deputy public prosecutors and other persons for performance of training and education, in agreement with the Director of the Centre and the President of the appropriate court.
9. Adopting Rules and Regulations of its work,

10. Providing financial means for the Centre, including research for donations and gifts of local and international legal and physical entity and international organisations,
11. Cooperating, while composing educational programmes, with other educational bodies in Bosnia and Herzegovina and other countries, especially with European networks for judicial training,
12. Recruiting consultants and experts for work in the Centre,
13. Issue annual certificates to the judges and prosecutors that met orescvribed minimum of education
14. Performing other activities prescribed by the Law and the Rules and Regulations, as well as activities deemed necessary for the Centre functioning.

#### Article 25

The Steering board is composed of nine members.

The members of the Steering board are:

1. One RS Supreme Court judge, elected at the general session of the Supreme Court,
2. One RS Deputy Public Prosecutor, elected by the Republic Public Prosecutor's Office Collegiate,
3. Two prominent legal experts, with training experience, appointed by the Minister of Justice, and after consultations with professional associations, law schools and other similar bodies,
4. Two judges and two prosecutors, elected by members of the Association of Judges and Prosecutors of the Republika Srpska,
5. One judge for misdemeanour offences, elected by the Association of Judges for Misdemeanour Offences.

The Council approves elections and appointments of the members of the Steering board, or rejects their election and appointment. The Council may decide that a member of the Steering board be temporarily removed from the Board or that his/her mandate expires.

The Steering board brings decisions when minimum six members of the Board are present.

The steering board brings its decisions by over halfway majority of votes. In case votes for two different decisions are equally divided and there is no majority, decisive vote is the vote of the President/Chairman of the Steering board.

Members of the Steering board are appointed, or elected, for period of five years. Mandate of the Steering board members can be renewed only once.

the Director is entitled to participate at the Steering board meetings, with no vote.

Mandate of the members of the Steering board ceases under conditions prescribed in the Law on Modifications and Amendments of the Law on the Centre for Judicial and Prosecutorial Training of the Republika Srpska ("RS Official Gazette", No 77/02).

#### Article 26

The President/Chairman of the Steering board is elected by majority of votes present and eligible. Mandate of the President/Chairman lasts two and a half years, or until his/her mandate expires or ceases for other reasons in accordance with the Law.

#### Article 27

Members of the Steering board do not receive compensation for their work. Members of the Steering board are entitled to compensation of necessary and justifiable costs, including travel costs incurred while performing activities on behalf of the Centre, or by being a member of the Steering board.

### B) DIRECTOR

#### Article 28

The Director has the following responsibilities:

1. Executes decisions made by the Steering board,
2. Organises and manages the work of the Centre,
3. Prepares drafts for the Annual Budget of the Centre,
4. Prepares Financial Plan,
5. Prepares Annual Report on work and financial status of the Centre,
6. Represents the Centre when dealing with third parties,
7. Proposes and performs educational programmes defined by the Steering board,
8. Is held responsible for the Centre's legality,
9. issue certificates for certain education activities during calendar year
10. Performs other activities necessary for the work of the Centre, in accordance with law and general acts of the Centre, and the Steering board instructions.

In order to accord inter-entity educational programmes and other joint activities, the Director should hold regular meetings with the Director of the respective Centre in the Federation of Bosnia and Herzegovina, and the corresponding body in the Brcko District.

#### Article 29

The Council advertises the Vacancy for the Director of the Centre in daily newspapers of the Bosnia and Herzegovina, and official gazettes of the Republika Srpska, the Federation of the Bosnia and Herzegovina and the Brcko District, and sends applications for the post, upon their arrival, to the Steering board.

In case of resignation, removal, or death of the Director, the Council advertises the vacancy as soon as possible, within 30 days from the date the post has been vacated.

Following conditions are necessary for a person to be appointed as the Centre Director:

1. BaH citizenship,
2. Significant experience and management and administration skills,



3. Law degree from a law school in Bosnia and Herzegovina or former Yugoslavia, or law degree of other law school recognised in Bosnia and Herzegovina, in accordance with law,
4. Principles, high moral qualities and proved professional expertise, along with appropriate education and qualifications.

The Director of the Centre is appointed for period of four years, and can be reappointed for another mandate of the same duration.

#### Article 30

The Steering board can, by majority of votes suspend or release from duty the Director, and from following reasons:

- non-performance of activities, work related duties and obligations,
- negligence towards work,
- bad administration over financial means,
- incapability,
- fulfilling pension requirements, or due to effective court decision by which the Director is found guilty of a criminal activity.

### V CENTRE FUNDS

#### Article 31

The Republika Srpska Government has to provide appropriate premises, equipment, and annual budget for the work of the Centre, as well as establishing funds.

Apart from the funds coming from the RS Annual Budget, the Centre gains its funds from city and municipal subventions, donations and gifts from local and international legal and physical entities, and international organisations, loans, and compensations for services performed by the Centre.

The Centre cannot accept funds by which its independence would be put in question. Fee for services from Para 1 of this Article is determined by the general act of the Centre.

#### Article 32

Financial means of the Centre are used for following purposes: payments for the employees, compensations for the special service agreements, overhead costs, procurement and maintenance of the equipment, loan payments and other costs related to the activities of the Centre, and approved by the Steering board.

### VI GENERAL ACTS OF THE CENTRE

#### Article 33

General acts of the Centre are Statute, Rules and Regulations, and Decisions, in which way general issues are determined.

Statute is the principal general act of the Centre.

Other general acts of the Centre have to be in accordance with the Statute.

Individual acts, brought by the bodies and authorised individuals of the Centre, have to be in accordance with the appropriate general act.

## VII PLANS AND PROGRAMMES

### Article 34

Scope of the Centre activities is determined by annual plan, which is basis for producing of the Centre Budget Proposal.

Annual Plan is defined by the Steering board, in consultations with the Council, and at the Director's proposal.

Director proposes the Plan to the Steering board, based on coordinated proposals, done by managers of the respective organisational units.

### Article 35

Plan of activities should provide timely and efficient planning and conducting of activities, in accordance with the approved budget.

## VIII TRAINING AND EDUCATION BODY

### Article 36

Steering board, with the Council approval, appoints judges, prosecutors and other persons to perform training and education, and establishes working body, composed of judges and prosecutors who will perform training and education for the Centre.

### Article 37

Judges and prosecutors who perform educational programmes for the Centre, including necessary preparations for educational purposes in accordance with the Centre's instructions, are paid with appropriate benefits.

Judges and prosecutors from Para 1 of this Article are entitled to compensation of all necessary and justifiable costs incurred during preparations and performance of educational activities outside their regular working place.

Detailed regulations on defining such compensation are determined by general acts of the Centre.

## IX MUTUAL RIGHTS AND OBLIGATIONS

## Article 38

The Centre is obliged to perform its activities with quality and in timely manner, so that this satisfies needs and interests for which purposes it has been established, and in accordance with the Law on the Centre for Judicial and Prosecutorial Training of the Republika Srpska, Decision on establishment, this Statute and the general acts of the Centre.

The Government of the Republika Srpska provides regulated conditions for the work of the Centre, so as to implement activities for which the Centre has been established.

## X CENTRE EMPLOYEES

### Article 39

In regard with rights, duties and responsibilities of the employees of the Centre, regulations regulating working relations in state bodies.

## XI STATUTE MODIFICATION AND AMANDEMENTS

### Article 40

Modifications and amendments to the Statute are to be done in a way and in a manner, which is in accordance with procedure envisaged for them.

## XII FINAL PROVISIONS

### Article 41

The Statute will come into effect 8 days after is being published.

The General Acts of the Centre, necessary for performance of activities, will be brought within six months of the date the Statute comes into effect.

PRESIDENT OF THE STEERING BOARD:

Obren Buzanin

