

Based on Article 80 paragraph 1 point 4 of the Constitution of the Republic of Srpska, the President of the Republic issues

**THE DECREE ON
THE PROMULGATION OF THE LAW ON AMENDMENTS TO
THE LAW ON COMPULSORY TRAFFIC INSURANCE**

I hereby promulgate the Law on Amendments to the Law on Compulsory Traffic Insurance which was adopted by the National Assembly of the Republic of Srpska at its Seventh Regular Session, held on 22 December 2023. On 28 December 2023 the People's Council concluded that the adopted Law on Amendments to the Law on Compulsory Traffic Insurance does not relate to the vital national interest of any of the constituent peoples in the Republic of Srpska, by which the formal and legal conditions for the adoption of the Decree were fulfilled.

Number: 01-020-5665/23
29 December 2023
Banja Luka

President of
the Republic,
Milorad Dodik, signature

**THE LAW
ON AMENDMENTS TO THE LAW ON COMPULSORY TRAFFIC INSURANCE**

Article 1

In the Law on Compulsory Traffic Insurance (Official Gazette of Republic of Srpska, 82/15 and 78/20) in Article 12, paragraph 2, comma and words; "which shall remain in force for eight years from the day of entry into force of this Law" are replaced by the words; "and shall determine the term of their application, which cannot be longer than 31 December 2026".

Paragraphs 7 and 8 are deleted, and the previous paragraphs 9, 10, and 11 become paragraphs 7, 8, and 9.

In the previous paragraph 9, which becomes paragraph 7, the words; "referred to in paragraphs 1, 3 and 7, of this Article" are deleted.

Article 2.

In Article 15, paragraph 3, after the word: "kept" the word: "at least" is added, and in paragraph 5, after the word: "way" the words "and deadlines" are added.

Article 3.

After Article 54, the titles of the Articles and a new Article 54a.and 54b is added, which read:

"Central electronic records

Article 54a.

(1) The Protection Fund shall maintain a central electronic database prescribed by Article 15 paragraph 1 of this Law (central electronic records) necessary for concluding insurance contracts, resolving compensation claims and data on the calculated insurance premium, in accordance with the acts of the Agency.

(2) The Protection Fund collects, processes, stores and submits the data for central electronic records in accordance with the law governing the protection of personal data and regulations on the method of collecting, storing and submitting data from the field of insurance, as well as by applying the statistical insurance standards.

(3) Data for central electronic records are collected from insurance companies in real time when concluding insurance contracts, in accordance with the acts of the Agency, and can also be collected from registers, i.e. records of competent authorities based on a previously agreed protocol and signed agreement.

(4) The Protection Fund and an insurance company shall use personal data on insured persons from the central electronic records exclusively for the purpose for which the data was obtained.

(5) The insurance company shall submit the prescribed data to the Protection Fund according to the content, in the manner and within the deadlines prescribed by the Agency.

(6) The Insurance Company and the Protection Fund form and manage the databases referred to in Article 15 of this Law by applying information systems that ensure the acquisition of comprehensive and accurate data, in accordance with the needs and requirements of business, the storage and processing of such data, and their timely availability to authorized users, high reliability and data protection against unauthorized access, business continuity, as well as a reliable connection for data exchange with participants in the data recording process,

(7) Obligations to form and maintain databases and submit them to the Protection Fund, as well as the method of using data from the central electronic records prescribed by this article, also apply to branches in the Republic of Srpska of companies with headquarters outside the Republic of Srpska.

(8) Data from the central electronic records shall be kept for at least seven years after the expiry of the compulsory insurance contract, i.e. after the end of the compensation procedure.

(9) The Protection Fund is obliged to submit data from the central electronic records to the Agency, the Ministry of Finance and the Association of Insurance Companies of the Chamber of Commerce of the Republic of Srpska, upon their request.

(10) The Management Board of the Agency adopts an act that elaborates the content of the data of the central electronic records, the method and deadlines for their collection, storage, management and delivery, as well as the method of accessing that data.

Other Affairs of the Protection Fund Article 54b.

The Protection Fund can organize professional training for its members, insurance agents and brokers, as well as the education of the insured and insurance beneficiaries, and perform other auxiliary tasks that contribute to the performance of the basic tasks of the Protection Fund".

Article 4

The number in brackets: "10" is replaced by the number: "8" in Article 66 paragraph 1 point 4) of this Law.

Article 5

The words: "paragraph 1, 3, 8 and 9" are replaced by the words "paragraphs 1, 3 and 7 in Article 67, paragraph 1, point 3)".

Number: "11" is replaced by number "9" in point 4) in brackets

The word "and" is replaced by a comma in point 7).

After point 8) a comma and a new point 9) are added and read:

"9) fails to submit data to the Protection Fund in the prescribed manner (Article 54a paragraph 5 and 7)".

Article 6

In Article 68, paragraph 1 in point 1) word "and" is replaced by a comma.
After point 1) a new point 2) is added, which reads:

"2) fails to establish and maintain central electronic records in accordance with this Law (Article 5da, paragraph 1),"

The former point 2) becomes point 3).

Article 7

After Article 70, the title of Article and a new Article 70a is added, which reads:

"Harmonization of business operations
Article 70a

The Insurance Company and the Protection Fund shall harmonize their business operations with the provisions of this Law within one year from the date of entry into force of the act of the Agency's Management Board referred to in Article 54a paragraph 10 of this Law".

Article 8

After Article 71, the titles of Articles and a new Article 71a and 71b are added, which read:

"Adopting of the acts
Article 71a

The Management Board of the Agency shall adopt the act referred to in Article 54a, paragraph 10 of this Law within 90 days from the date of its entry into force.

Report on the Effects of the Application of the Law
Article 71b

Within the report that the Agency delivers to the Government of the Republic of Srpska, i.e. it submits to the National Assembly of the Republic of Srpska, in accordance with the law governing its jurisdiction and work, the Agency also reports on the effects of the application of the Article 12 of this Law, as well as on the fulfilment of the conditions for determining the termination of the obligation of the insurance company to obtain the prior consent of the Agency on its own premium tariff and price list: for the liability insurance specified in that article".

Article 9

This Law shall enter into force on the eighth day from the day of its publication in the Official Gazette of the Republic of Srpska.

Number 02/1-021-1489/23
22 December 2023
Banja Luka

President of
the National Assembly
Nenad Stevandić, MD,
signature