

Article 61
(Family reunification - PB/3)

(1) An alien who is a member of immediate family of a citizen of Bosnia and Herzegovina residing in Bosnia and Herzegovina or who is a member of immediate family of an alien with granted permanent residence in Bosnia and Herzegovina or an alien who resides in Bosnia and Herzegovina on the basis of an approved temporary residence for the duration exceeding 18 months, may be approved temporary residence for the purpose of family reunification.

(2) In addition to the application for the approval or extension of temporary residence permit, and apart from the evidence of meeting the general requirements for the approval of temporary residence referred to in Article 53 of the Law and 58 of this Bylaw, an alien shall submit:

- a) evidence of being a member of immediate family of Bosnia and Herzegovina citizen residing in Bosnia and Herzegovina, that is, that he/she is a member of immediate family of an alien with granted temporary or permanent residence in Bosnia and Herzegovina:
 - 1) for minor children – birth certificate or other evidence attesting family relations, and for adult dependent children, evidence that the child is being supported (evidence that a child attends regular education or evidence that the child is unable to perform business or work related activities, or in case that both parents are the citizens of Bosnia and Herzegovina residing in Bosnia and Herzegovina, evidence that the adult child is unmarried, lives in a common household with the parents and has no sources of income which is proved with a signed and regularly certified declaration, the form of which is an integral part of this Bylaw, Form number 18,)
 - 2) for dependent parents – evidence of family relations and evidence that the parent is a dependent (evidence that he/she is not able to work and has no adequate means of subsistence or that he/she cannot achieve them through his/her property or cannot fulfil the right of dependency on a marital or common law partner or other person),
 - 3) for an alien spouse who is granted temporary or permanent residence in Bosnia and Herzegovina – a marriage certificate,
 - 4) for a common-law marriage partner – evidence that the cohabitation has existed for at least three years prior to the submission of the application for the approval of temporary residence permit in Bosnia and Herzegovina, or a shorter period if the partners parented a child during cohabitation (evidence of registration of common-law marriage, evidence on registration of temporary or permanent residence, witness testimonies and other, and a birth certificate of a child/children),
- b) a certificate of citizenship for a citizen of Bosnia and Herzegovina and a certificate on registration of permanent residence in Bosnia and Herzegovina for a citizen of Bosnia and Herzegovina with whom the family reunification is sought,
- c) evidence that a citizen of Bosnia and Herzegovina or an alien with a residence permit in Bosnia and Herzegovina has a steady income source or is in possession of sufficient means for self-support and support of the members of immediate family (evidence of employment and monthly income, bank statement, evidence that he/she owns immovable property in

Bosnia and Herzegovina on the basis of which he/she can provide means for support, and other),

- d) a statement certified by a municipal administrative authority or a notary, by which the citizen of Bosnia and Herzegovina or an alien with a residence permit in Bosnia and Herzegovina obliges oneself to defray the costs of accommodation, medical costs, ensure the support and defray all the other costs which may incur as a result of the alien's stay in Bosnia and Herzegovina, as well as the cost of placing under supervision, voluntary leave of the country or forced removal, and all other costs that result from an alien leaving Bosnia and Herzegovina.

(3) In addition to the requirements stipulated in this Article, an alien with temporary or permanent residence permit in Bosnia and Herzegovina, with whom family reunification is sought, shall have confirmed adequate accommodation in Bosnia and Herzegovina.

(4) A dependent adult child referred to in paragraph (2), item a), indent 1) of this Article is an adult child up to 26 years of age. Exceptionally, a dependent adult child older than 26 years of age may fulfil the right of residence on the basis of family reunification only if he/she is procedurally incapable or if, due to illness, physical or psychological conditions, he/she is unable to work, and has no adequate means of subsistence or that he/she cannot achieve them through his/her property, which is proved with relevant documentation, or in case that both parents are the citizens of Bosnia and Herzegovina residing in Bosnia and Herzegovina, and that the adult child is unmarried, lives in a common household with the parents and has no sources of income, which is proved with a signed and regularly certified declaration and, if necessary, other evidence.

(5) During the procedural processing of the application referred to in paragraph (1) of this Article, the competent organizational unit of the Service conducts checks of the residence permit of an alien with whom a family reunification is sought by accessing the Central database for aliens.

(6) Temporary residence permit on the basis of family reunification with a citizen of Bosnia and Herzegovina or an alien with granted permanent residence in Bosnia and Herzegovina, shall be issued for a period of up to one year, and with regard to an alien who is granted temporary residence in Bosnia and Herzegovina, the permit shall be issued for the same period of stay as that of the alien with whom family reunification is sought, provided that the validity of the alien's passport exceeds the period of temporary stay in Bosnia and Herzegovina by three months.

(7) Notwithstanding paragraph (1) of this Article, a child of an alien who is residing on the basis of a temporary residence permit in Bosnia and Herzegovina for the duration shorter than 18 months may be granted a temporary residence permit for the purpose of family reunification pursuant to Article 139, paragraph (2) of the Law, only if both parents have a residence permit in Bosnia and Herzegovina or a child is reunited with one parent who was granted custody after a divorce, the death of the other parent or if the data on a father was not recorded.

(8) Exceptionally, a spouse of an alien residing in Bosnia and Herzegovina on the basis of a temporary residence permit for the duration shorter than 18 months, with the aim of protecting a

family in the sense of Article 5, item (t) of the Law, may be granted an extension of stay for the purpose of family reunification.