



Decision

**at the request of the specialist health institution Poliklinika Vitalis, Vukovarska bb,
88000 Mostar against the Federal Ministry of Internal Affairs, Mehmed Spaha 7, 71000
Sarajevo and the Federal Ministry of Health, Titova 6, 71000 Sarajevo**

**Sarajevo,
January, 2026**

**Broj: UP-05-26-3-010-29/25****Sarajevo: 16.01.2026.**

The Competition Council of Bosnia and Herzegovina, pursuant to Article 25, paragraph 1, item e), Article 42, paragraph 1, item a) and Article 48, paragraph 1, and in connection with Article 4, paragraph 1, item b) of the Law on Competition ("Official Gazette of Bosnia and Herzegovina", No. 48/05, 76/07 and 80/09), and Article 105 of the Law on Administrative Procedure ("Official Gazette of Bosnia and Herzegovina", No. 29/02, 12/04, 88/07, 93/09, 41/13 and 53/16) in the proceedings initiated pursuant to the Request for Initiation of Proceedings No. UP-05-26-3-010-1/25 dated 26.03.2025., filed by the Health Specialist Institution Poliklinika Vitalis, Vukovarska bb, 88000 Mostar, represented by the Paponja & Partners Law Firm, Kralja Tomislava 109, 88000 Mostar against the Federal Ministry of the Interior, Mehmed Spaha 7, 71000 Sarajevo and the Federal Ministry of Health, Titova 6, 71000 Sarajevo, in order to establish the existence of a prohibited agreement from Article 4, paragraph 1, item b) of the Law on Competition, at the 39th (thirty-ninth) session held on 16 January 2026, issued

DECISION

1. It is determined that the Federal Ministry of Internal Affairs and the Federal Ministry of Health, by adopting and implementing Article 4 of the Rulebook on the Criteria for Checking the Health Capabilities of Persons Performing the Tasks of Protecting People and Property (Official Gazette of the Federation of Bosnia and Herzegovina, No. 32/15), which specifically specifies health institutions authorized to perform health capabilities checks, have prevented, restricted and distorted competition in the market for providing health capabilities check services for persons performing the tasks of protecting people and property in the territory of the Federation of Bosnia and Herzegovina by restricting and controlling the market, which constitutes a prohibited agreement within the meaning of Article 4, paragraph 1, item b) of the Law on Competition.
2. The Federal Ministry of Internal Affairs and the Federal Ministry of Health are ordered to immediately, and no later than 60 (sixty) days from the date of receipt of this Decision, submit the amended and adopted Rulebook on the criteria for checking the health fitness of persons performing tasks related to the protection of people and property, with amendments aligned with the comments from this Decision.
3. A fine is imposed on the Federal Ministry of Internal Affairs and the Federal Ministry of Health, as follows:
 - The Federal Ministry of Internal Affairs in the amount of 10,000.00 (ten thousand) KM,
 - The Federal Ministry of Health, in the amount of 10,000.00 (ten thousand) KM for concluding a prohibited agreement referred to in point (1) of this Decision and infringement of the provisions of Article 4, paragraph (1), item b) of the Law on

Competition, in accordance with Article 48, paragraph (1), item a) of the Law on Competition. They are obliged to pay the fine within 8 (eight) days from the date of receipt of this Decision, and to submit proof of its execution within the specified period.

In the event that the fine imposed is not paid within the specified period, it will be collected by force, in accordance with the provisions of Article 47 of the Law on Competition, with the calculation of default interest for the period of exceeding the deadline, in accordance with the applicable regulations of Bosnia and Herzegovina.

4. The Federal Ministry of Internal Affairs and the Federal Ministry of Health are obliged to pay the Health Specialist Institution Vitalis Polyclinic the amount of 3,642.50 KM (in words: three thousand six hundred forty-two KM and 50/100) for procedural costs, each in the amount of 1,821.25 KM within 8 (eight) days from the date of receipt of this Decision.
5. The Health Specialist Institution Polyclinic Vitalis is obliged to pay an administrative fee for the Decision in the amount of 1,500.00 KM in favor of the Budget of the Institutions of Bosnia and Herzegovina.
6. This Decision is final and will be published in the Official Gazette of Bosnia and Herzegovina, the official gazettes of the entities and the Brčko District of Bosnia and Herzegovina.