

Pursuant to Article 16 Paragraph 3 of the Law on Protection from Domestic Violence (RS OG 118/05) and Article 112 Paragraph 1 of the Law on Administration in the Administrative Bodies of RS (RS OG 16/02, 62/02, 38/03 and 42/04) the Minister of Health and Social Welfare Protection issues the following

**BOOK OF RULES
ON THE INSTITUTIONS RESPONSIBLE FOR IMPLEMENTATING AND THE
MANNER BY WHICH NAMED INSTITUTIONS SHALL IMPLEMENT, THE PRO-
TECTION MEASURE OF MANDATORY TREATMENT OF ALCOHOL AND SUB-
STANCES ABUSE**

Article 1

The Book of Rules specifies the manner by which the protection measure of mandatory treatment of alcohol and substances abuse shall be implemented by health institutions, other institutions, organizations and associations specialized in providing for alcohol and substances addicts, which are defined by law, the Book of Rules and other legal acts.

Article 2

- (1) The purpose of mandatory treatment of alcohol and substances abuse is to eliminate conditions created by alcohol or substances abuse by the perpetrator of domestic violence which can influence a change in his/her violent behavior.
- (2) The protection measure of mandatory treatment of alcohol and substances abuse is, by its content and aim, the special preventive measure.
- (3) The aim of this measure is protection of family and society in its entirety from the domestic violence.

Article 3

The person for whom the mandatory treatment of alcohol and substances abuse was ordered shall be referred to competent institutions that provides treatments for alcohol and substances abuse in place of his/her permanent or temporary residence or to the nearest institution for this purpose.

Article 4

- (1) **Centers for mental health**, psychiatric departments of general hospitals, psychiatric clinic, specialized departments for treatments of alcohol and substances abuse, institutions for treatment of abuses and other institutions for this purpose approved by the Ministry of Health and Social Protection are the competent institutions for treatment of alcohol and substances abuse.
- (2) The treatment shall be conducted on the basis of the rules of that institution based on the adopted doctrines and modern views and approaches.

Article 5

The treatment in a competent institution shall commence at the moment of arrival of a person into this institution and shall last for the period specified in the court order.

Article 6

- (1) The perpetrator of domestic violence, the health institution and the Social Welfare Center shall develop a written action plan for implementation of the protection measure by applying a multidisciplinary approach including the participation of psychiatrist, psychologist and social worker.
- (2) The written action plan shall include personal data on perpetrator of domestic violence, the type of treatment to be applied, the duration of the treatment, the responsibilities of the recipi-

ent during the treatment, the psychosocial treatment of the victim and his/her family, the way of supervising the perpetrator during the treatment and a strategy to address critical situations. (3) If the perpetrator of domestic violence fails to respect schedule of treatment, or violates orders of the court or law, or if the health institution assesses that the treatment will not lead to adequate behavioral changes, the court shall be immediately notified so the court may institute punishment for failure to respect instituted protection measure.

Article 7

The Social Welfare Center in the place of permanent or temporary residence of the perpetrator of domestic violence shall participate in implementation of the protection measure.

Article 8

The protection measure of mandatory treatment of alcohol and substances abuse shall be implemented in accordance with the Law on Protection of Persons with Mental Incapacity (OG RS 46/04).

Article 9

(1) The institution applying treatment shall keep record of all persons who received court ordered treatment at their institution. It shall also keep record of all implemented treatments. (2) The health institution shall inform by 31st January on the progress and results of the treatment from the prior year to the Social Welfare Center in the jurisdiction of the perpetrator's permanent or temporary residence. The health institution shall provide a similar report prior to 31st January upon the request of the competent Social Welfare Center.

Article 10

The Social Welfare Centre, within its competence, shall take necessary measures to ensure presence of persons at treatments, make data on available health insurance, when necessary apply force to ensure presence at treatments including movement restriction for the perpetrator, take necessary measures to take care of the family in which domestic violence was perpetrated and participate in planning and implementation of the treatment and rehabilitation of the perpetrator.

Article 12

The Social Welfare Centre in the jurisdiction of the perpetrator's permanent or temporary residence shall keep records of all pronounced protection measures in accordance with the Law on Gender Equality in BiH (OG BiH 16/03). The records shall be kept for perpetrators and victims of domestic violence. The Social Welfare Centre shall monitor the implementation, report to the court, and propose termination or extension of the treatment or the application of an alternative measure.

Article 13

(1) The Social Welfare Center shall keep the records on a special form for record keeping. (2) The record keeping template to be applied shall be published within the Book of Rules. (3) The Social Welfare Center shall report to the court on the implementation of the protection measure the latest within 6 months or earlier if requested by the court.

Article 14

When requested by the Ministry of Health and Social Protection the social welfare centre shall provide data on the perpetrators for whom the protection measure was ordered.

Article 15

Unofficial Translation

Besides this Book of Rules, the Social Welfare Centers and institutions for treatments of alcohol and substances abuse shall apply other laws and legislation regulating treatments of abuses.

Article 12

The Book of Rules shall enter into force eight days after their publication in the Official Gazette of RS.

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Banja Luka

Minister
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