

Article 38
(Visa cancellation and annulment)

- (1) Visa shall be annulled if subsequently established that the conditions for its issuance were not met or in case of serious reasons for suspicion that it was fraudulently acquired.
- (2) Visa shall be cancelled if determined that that the grounds for its issuance no longer exist.
- (3) Visa may be annulled or cancelled by the BiH DCR, the Border Police or the Service.
- (4) Decision on visa annulment or cancellation shall be provided to an alien on a prescribed form.
- (5) Alien may appeal to the decision from paragraph (4) herein within 15 days from the day of being served with the decision via competent BiH DCR.
- (6) In case the decision referred to in paragraph (4) herein was issued by the BiH DCR, the appeal to the decision shall be considered by MoFA, and in case the decision was issued by either Border Police or the Service, it is the Ministry to decide upon the appeal. The appeal shall not stay the execution of the decision.
- (7) Visa may also be cancelled upon a request of an alien granted a visa, and in such case no appeal is foreseen.
- (8) In case a visa is annulled or cancelled, over a visa sticker shall be affixed a stamp imprint stating “ANNULLED” or “CANCELLED” or shall have another appropriate mark.
- (9) Authority annulling or cancelling the visa shall inform on the fact the Ministry and the visa issuing authority.

Article 39
(Reasons for visa annulment or cancellation)

- (1) Alien's visa shall be annulled or cancelled in case he/she:
 - a) possesses a false or a fraudulent travel document;
 - b) resides adversely to the purpose of intended entry and residence;
 - c) does not possess and is not in position to legally acquire means for subsistence during the intended stay or return to the country of origin or habitual residence or for the transit to a third country;
 - d) resides in BiH longer than 90 days during any period within 180 days, where the 180 day period refers to the period preceding each day of stay;
 - e) is rendered a measure of prohibition of entry to BiH that is still in force;
 - f) is a threat to public order, security or international relations of BiH;

g) does not respect the legal order in BiH or has undertaken an activity undermining the security of BiH or is a member of an organisation intending or undertaking such activities or is organising or is related to organising illegal entry, stay or exit of individual or groups to/from BiH, or is organising or in any way participates in a criminal activities; or is a subject to an international arrest warrant;

h) violates or attempts to violate the regulations governing the BiH state border crossing, regardless of the fact if the violation has occurred while entering or leaving BiH;

i) provides false information or conceals the circumstances of relevance to the issuance of the visa;

j) performs an activity requiring a work permit, although not in possession of the work permit in BiH;

k) is convicted by a final and binding court decision for violations punishable by law with one (1) year of imprisonment or by a more serious punishment;

l) does not have a valid travel health insurance;

m) does not intend to leave BiH territory prior to expiry of visa;

n) submits a request for visa cancellation.

(2) Grounds for determining the reasons for visa cancellation or annulment from paragraph (1) herein may be: evidence or information available to Border Police, the Service or BiH DCR depending of their authorities; the existence of an international arrest warrant; final and binding court decisions or notifications from the competent authorities and security agencies in BiH.

(3) Alien whose visa is annulled or cancelled on BiH territory due to the reasons provided in paragraph (1) indents a), e), f), g), h), i), j) and k) of this Law may also be a subject to expulsion measures.

(4) Alien whose visa is annulled or cancelled, without being issued an expulsion measure, shall be given a time frame of a maximum of 8 days to voluntarily leave BiH.

(5) Authority annulling or cancelling a visa shall inform on the fact the authority which issued the visa.