

## PROHIBITED ADVERTISING IN FBİH

NEW LAW IN THE FEDERATION OF BOSNIA AND HERZEGOVINA AIMS TO REGULATE PROTECTION OF MERCHANTS FROM PROHIBITED ADVERTISING.

The Law on Prohibited Advertising (**Law**) was published on 23 December 2016 and will enter into force on 31 December 2016.

The Law regulates forms of prohibited advertising, the procedure for protection of merchants and criteria for prohibition of comparative advertising. The Law is applicable to all legal and natural persons who sell goods or provide services to consumers within their business activity, and to all persons acting on their behalf and for their account (**Merchants**), unless otherwise prescribed by the law.

The Law defines deceptive advertising and prohibited comparative advertising as forms of prohibited advertising. Deceptive advertising is defined as that which leads or may lead to delusion of persons at whom it is directed or persons whom it reaches, and thereby influences their economic behavior, or advertising which harms or may harm market competitors. Prohibited comparative advertising refers either directly or indirectly to market competitors or their goods and/or services.

Besides criteria for assessment of prohibition of individual advertisements, the Law provides the procedure that serves to protect Merchants and specifies where interested persons may file a lawsuit to initiate urgent proceedings before the competent municipal court and in order to request that an existing publication be terminated or that pending prohibited advertising be banned. Initiating court proceedings does not preclude the voluntary regulation or initiation of proceedings before associations of Merchants or associations which have adopted codes of conduct in certain business practices or commercial sectors. In the event that the advertising of certain goods or services, i.e. prohibition or limitation of advertising, is regulated by specific rules, those rules shall apply.

Please feel free to contact us with any questions.

## About WOLF THEISS

Wolf Theiss is one of the leading law firms in Central, Eastern and Southeastern Europe (CEE/SEE). We have built our reputation on a combination of unrivalled local knowledge and strong international capability. We opened our first office in Vienna almost 60 years ago. Our team now brings together over 340 lawyers from a diverse range of backgrounds, working in offices in 13 countries throughout the CEE/SEE region.

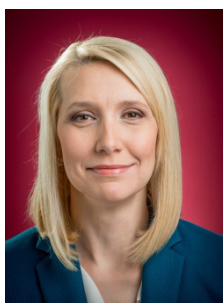
For more information about our services, please contact:

**Naida Čustović**

Attorney at Law in cooperation with Wolf Theiss

[naida.custovic@wolftheiss.com](mailto:naida.custovic@wolftheiss.com)

T: +387 33 953 460

**Samra Hadžović**

Attorney at Law in cooperation with Wolf Theiss

[samra.hadzovic@wolftheiss.com](mailto:samra.hadzovic@wolftheiss.com)

T: +387 33 953 457

This memorandum has been prepared solely for the purpose of general information and is not a substitute for legal advice.

Therefore, WOLF THEISS accepts no responsibility if – in reliance on the information contained in this memorandum – you act, or fail to act, in any particular way.

If you would like to know more about the topics covered in this memorandum or our services in general, please get in touch with your usual WOLF THEISS contact or with:

Wolf Theiss d.o.o. Sarajevo  
Zmaja od Bosne 7/III  
71000 Sarajevo  
Bosnia and Herzegovina  
Tel.: +387 33 953 444  
Fax: +387 33 953 445  
[www.wolftheiss.com](http://www.wolftheiss.com)