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NEWSLETTER

KOSOVO'S NEW LEGISLATION AND GOVERNMENTAL DECISIONS
RELATED TO ECONOMY, FINANCE AND BUSINESS



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ADMINISTRATIVE INSTRUCTIONS

**Administrative Instruction No. 01/2024 on
Determining the Conditions for the
Provision of Active and Adventure Tourism
Services (hereinafter the "Administrative
Instruction"), 28 February 2024,**

The Administrative Instruction establishes the conditions, criteria, and obligations for exercising active and adventure tourism activities, that apply to professional tourism

associations and business organisations that provide such services.

According to the Administrative Instruction, business organizations and professional tourism associations must be registered at Kosovo's Business Registration Agency and in the tourism register and keep accurate records. Further, its provisions establish the minimum technical conditions for the provision of services for climbing, hiking in mountainous areas, mountain biking, parachuting, mountaineering, whitewater rafting, kayaking, speleology, horse-riding, rock-climbing, rope sliding and ropes course.

The competent market inspectorate within the Ministry for Industry, Entrepreneurship and Trade will monitor the implementation of this Administrative Instruction.

DRAFT LAWS

Draft Law on the Administrative Court (hereinafter the “Draft Law”), 15 February 2024

The draft law aims to establish an Administrative Court, with a seat in Prishtina, which shall be competent to decide on all administrative disputes, except those under the jurisdiction of the Supreme Court, all employment-related disputes between the natural person and public institution, or between public institutions, and any other dispute as defined by special law. The Court will be organized in two (2) adjudication levels; the first instance shall adjudicate all issues within the Court's jurisdiction, and the second instance shall adjudicate the appeals, and resolve conflicts of competence between the departments of the first instance.

The Court will work with different departments, including the fiscal department, department for labour disputes, for social and pension schemes, and the general department with the competence to decide on all administrative conflicts that do not fall under the scope of the other departments.

The draft law further intends to amend the Law on Commercial Court by transferring jurisdiction over administrative disputes involving business organisations, as well as any other administrative disputes, from the Commercial Court to the Administrative Court. It also seeks to remove the Department of Administrative Matters from the composition of the Commercial Court.

DECISIONS OF THE GOVERNMENT

Decisions of date 14 February 2024

Decision No. 03/188 on approving the Draft Law on Administrative Court and submitting it to the Assembly of Kosovo for review and adoption.

Decision No. 10/188 on approving the proposal to request the President of Kosovo to authorize the first Deputy Prime Minister for European Integration, Development and Dialogue, Mr. Besnik Bislimi, for signing Amendment No. 1 of the Financial Agreement between the Republic of Kosovo and the European Union for IPA Programme 2020.

Decision No. 15/188 on approving in principle the Initiative for signing the Grant Agreement between the Republic of Kosovo represented by the Ministry of Finance, Labour and Transfers and the International Bank on Reconstruction and Development for the project “Fostering and Leveraging Opportunities for Water Security Program”. The project is funded by the World Bank – International Development Association and aims to strengthen the national capacities of managing water security.

Decision No. 20/188 on approving the request of the Ministry of Economy on allocating EUR 1,000,000 for the implementation of measure no. 5 of the Action Plan for mitigating the immediate socio-economic of the energy crisis for small and medium enterprises.



Decisions of date 27 February 2024

Decision No. 05/190 on approving the request of the Office of the Prime Minister on allocating EUR 120,000 for the sensibility campaign for the Project for Registration of Population.

OTHER

Ministry of Economy, The Law on Electricity and Draft Law on Energy open for public discussion, 23 February 2024

The purpose of the Law on Electricity is to establish the rules and measures for the electricity sector, for a high-quality supply of electricity at affordable and transparent prices for end consumers, and to address the climate challenges. It intends to establish the rights and obligations of producers of electricity, measures to store energy, rules on transmission of electricity, procurement procedures, measures to increase capacities, etc.

The Draft Law on Energy aims to establish the principles and general rules for activities in the energy sector, to ensure energy supply, open and competitive market, affordable energy prices, protection of consumers, integration of renewables, promotion of gender equality in the sector, and protection of environment and climate.

Ministry of Industry, Entrepreneurship and Trade, Draft Law on the Register of Beneficial Owners passes the first reading, hereinafter the “Draft Law”, 23 February 2024

The Draft Law aims to create, operate, administer the register of beneficial owners, determine the obligations of natural persons and entities that register beneficial ownership information, and define the punitive measures in case of non-compliance. Its provisions are partially compliant with the EU Directive on the prevention of the use of the financial system for money laundering or terrorist financing. The main goal is to increase the transparency of beneficial ownership and the fight against economic crimes.



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