

LAW No. 04/L-145 ON INFORMATION SOCIETY GOVERNMENT BODIES

Assembly of Republic of Kosovo,

Based on Article 65 (1) of the Constitution of the Republic of Kosovo;

Approves

LAW ON INFORMATION SOCIETY GOVERNMENT BODIES

**Article 1
Aim**

The aim of this Law shall be the determination of bodies responsible for development of information society services at the institutions of the Republic of Kosovo, and their competencies, responsibilities, organization and functioning.

**Article 2
Scope**

This Law shall determine the competent institutions, their functions and responsibilities in the development and implementation of information technology at the institutions of the Republic of Kosovo, establishment of Agency for Information Society, as well as consolidation of functions and responsibilities in the field of Information and Communication Technology (ICT).

**Article 3
Definitions**

1. Terms used in this Law shall have the following meaning:

1.1. **Agency** - Agency for Information Society;

1.2. **Relevant organizational structure or Official** – Relevant organizational structure or Official responsible for ICT management in each institution of the Republic of Kosovo for delivery the joint services and support of ICT in that institution;

1.3. **E-Governance** - electronic governance for delivery of the governmental institutions services through information and communication technology to the Government, businesses and citizens,

1.4. **Data Center - State Data Electronic Centre** – state electronic data base for accumulation, administration, delivery and storing of data;

1.5. **IT** - Information Technology;

1.6. **ICT** - Information and Communication Technology.

**Article 4
Responsible structures for information society**

1. Responsible structures for information society in institutions of the Republic of Kosovo shall be as following:

1.1. Agency for Information Society;

1.2. Relevant organizational structure or Official for ICT management.

Article 5

Establishment of the Agency for Information Society

1. Agency for Information Society (hereinafter: Agency) shall be established as governmental executive agency within the Ministry responsible for public administration, or at the following higher authority of state administration decided by the Government.

2. Agency shall be state administration central body for development and implementation of Information and Communication Technology for institutions of the Republic of Kosovo.

Article 6

Functions of the Agency

1. Agency shall exercise the following duties and responsibilities:

1.1. proposes and coordinates all policies related to information and communication technology in institutions of the Republic of Kosovo;

1.2. drafts and ensures the implementation of strategy for electronic governance and relevant action plan, for approval at the Government;

1.3. manages and supervises the implementation of the projects related to information technology in institutions of the Republic of Kosovo.

2. Agency shall support the development of information technology, promote the investment in the field of information society, the development of training systems in information technology and shall do the coordination, management and supervision of processes and mechanisms of electronic governance in the following areas:

2.1. ICT infrastructure for institutions of the Republic of Kosovo and increase of the level of IT use;

2.2. expansion of internet services and content of internet in institutions of the Republic of Kosovo;

2.3. accumulation, administration, dissemination and storage of data by creating the State Data Electronic Centre;

2.4. security and protection of electronic communication infrastructure and data;

2.5. according to the needs assist relevant institutions in combating cyber-crime;

2.6. attend to the management and maintenance of intellectual property and rights related to data bases and software, which are the property of the state;

2.7. ensure protection of personal data in electronic form in accordance with the legislation into force;

2.8. facilitate the access to public information in electronic form;

2.9. in cooperation with KIPA make the identification of Information Society electronic training needs for employees of institutions of the Republic of Kosovo.

Article 7
General Director of the Agency

1. Agency shall be led by the General Director appointed in accordance with the rules and procedures for the appointment of senior management positions in the Civil Service of the Republic of Kosovo.

2. Director General shall be responsible for:

2.1. general administration and management of the Agency and ensuring the implementation of functions entrusted to the Agency;

2.2. providing accurate and impartial professional advice for institutions of the Republic of Kosovo in the field of ICT;

2.3. efficient management of human and financial resources available to the Agency; and

2.4. implementation of other responsibilities analogously with the responsibilities of the Secretary General of the ministry as defined in the Law on State Administration.

Article 8
Structure, the relevant official and coordination in ICT

1. Each institution of the Republic of Kosovo should have relevant organizational structure or the relevant Official for ICT management.

2. Relevant organizational structure or the relevant Official shall be responsible for performance of joint services and support of ICT in relevant institution.

3. Relevant organizational structure or the relevant Official in an institution shall operate in accordance with policies, standards and instructions in power related to ICT.

4. All institutions shall submit their requests to the Agency for all planned investments in the field of ICT.

5. The Agency, in compliance with policies and strategies of electronic governance, shall review requests for planned investments and propose the budget of the Agency for their realization, as well as does their implementation.

6. The way of coordination of works between the relevant organizational structure or the relevant Official for ICT management in institutions and Agency shall be determined by sub-legal act proposed by the Ministry responsible for public administration and adopted by the Government of the Republic of Kosovo.

Article 9
Budget of the Agency

The Agency shall be financed by the Kosovo Budget.

Article 10
Transitional provisions

1. Ministries responsible for public administration shall undertake necessary measures that within six (6) months, upon entry into force of this law, to transform the Department of e-Governance and Administrative Processes into an Agency, including relevant resources and infrastructure.

2. With the initiative and proposal of relevant ministry for public administration, the Government shall decide to transfer the responsibilities of other governmental institutions to the Agency.

3. Institutions which enjoy the constitutional independence, which are excluded from the implementation of this Law, shall have the right to bind an understanding agreement with the Ministry responsible for public administration for those fields for which these institutions may benefit from the agency for applying the information and communication technology.

4. The right of the holder of all physical and intellectual property of Information Technology Departments and other units of IT and ICT transferred to the Agency, after the entry into force of this Law, shall be given to the Agency.

Article 11 Sub-legal acts

1. Within six (6) months upon entry into force of this Law, Ministry responsible for public administration shall propose for approval in the Government sub-legal acts for transformation of new information society government bodies established under this Law, human resources, inventory, infrastructure and their budget, as well as other issues related to the implementation of this Law.

2. Issues of transfer of human resources, inventory, infrastructure and budget shall be made by inter-governmental agreements.

3. One (1) year upon entry into force of this Law, the Agency shall propose underlying policies and standards for IT services which should be approved by the Government. These policies and standards shall be continuously reviewed and supplemented.

Article 12 Entry into force

This Law shall enter into force fifteen (15) days after published in the Official Gazette of the Republic of Kosovo.

**Law No. 04/L-145
18 April 2013**

Promulgated by Decree No.DL-021-2013, dated 02.05.2013, President of the Republic of Kosovo Atifete Jahjaga.