

LAW No. 05/L-130

ON SERVICES

The Assembly of the Republic of Kosovo,

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

Approves:

LAW ON SERVICES

**CHAPTER I
GENERAL PROVISIONS**

**Article 1
Aim**

1. The aim of this Law is to establish general principles and criteria that enable the right of establishment and exercise of activity for service providers in Kosovo, while at the same time guaranteeing a high level of safety and quality of services to their recipients.

2. This Law is partly in compliance with Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market.

**Article 2
Scope of application**

1. This Law shall apply to services offered or supplied by service providers in Kosovo.

2. The provisions of this Law shall not apply to the following services:

2.1 non-economic services of general interest;

2.2. financial services, such as banking, credit, insurance and reinsurance, occupational and personal pensions, securities, investment funds, payments and investment advice;

2.3. services and electronic communication networks, infrastructure and associated electronic facilities, which are regulated by special acts in the field of electronic communications;

2.4. services in the field of transport, including the public transport, taxis, transport by an ambulance or an emergency medical service vehicle and port services;

2.5. services of temporary work agencies;

2.6. healthcare services whether or not they are provided via healthcare facilities, and

regardless of the ways in which they are organised and financed at national level or whether they are public or private;

2.7. audiovisual services, including cinematographic services, regardless of their mode of production, distribution and transmission, and radio broadcasting;

2.8. gambling activities which involve wagering a stake with pecuniary value in games of chance, including lotteries, gambling in casinos and betting transactions;

2.9. activities which are connected with the exercise of official authority;

2.10. services relating to social housing, social protection and childcare and support of families and persons permanently or temporarily in need which are provided by the State, by providers mandated by the State or by charitable organizations recognised as such by the State;

2.11. services for security and private property;

2.12. services provided by notaries and bailiffs appointed by an official act of the Government.

Article 3

Other Fields of the Activity Excluded by this Law

1. The provisions of this Law shall not deal with the principles, rules and relationships established by the law in the field of:

1.1. the liberalisation of services of general economic interest reserved to public or private entities;

1.2. the privatisation of public undertakings providing services;

1.3. the abolition of monopolies in the field of provision of services;

1.4. aids granted in accordance with the rules on competition protection;

1.5. the freedom to define services considered to be services of general economic interest, the manner how those services should be organised and financed, in compliance with the State Aid rules, and what specific obligations they should be subject to;

1.6. the exercise of fundamental human rights, the right to negotiate, conclude and enforce collective agreements;

1.7. rules of the labour law, including the rules on the protection of health and safety at work;

1.8. social security;

1.9. criminal law;

1.10. protection or promotion of cultural or linguistic diversity or media pluralism;

1.11. field of taxation.

Article 4 **Definitions**

1. The terms used in this Law shall have the following meanings:

1.1. **Service** - any self-employed economic service activity, normally provided for remuneration;

1.2. **Provider** - any natural or legal person registered in Kosovo in compliance with the applicable legislation, who offers or provides a service;

1.3. **Recipient** - any natural person who is a national of Kosovo or a foreigner, or a legal person established in the territory of Kosovo who, for professional or non-professional purposes, uses or intends to use a service;

1.4. **Establishment** – the pursuit of an economic activity by the service provider for an indefinite period and through a stable physical infrastructure (premises, offices etc) in Kosovo;

1.5. **Seat** - a place of business from where the exercise of the economic activity by the provider is actually managed;

1.6. **Authorisation scheme** - any procedure under which a provider or recipient is in effect required to take steps in order to obtain from a competent authority a formal decision, or an implied decision, concerning access to a service activity or the exercise thereof. Within the meaning of this Law, the concepts of license, permit, authorisation, certificate, consent, registration with a body or professional organisation, notification and any other term similar to those in the applicable legislation, allowing or restricting the access to, or the exercise of, the service activity, shall be considered as authorisation scheme;

1.7. **Requirement** – any obligation, prohibition, condition or limit provided for in the laws and other acts, or in consequence of case-law or administrative practice, the rules of professional bodies or the collective rules of professional associations or other professional organisations, adopted in the exercise of their legal autonomy, except for the rules laid down in collective agreements negotiated by the social partners;

1.8. **Overriding reasons relating to the public interest** - reasons of the general interest of the society including, in particular, the following: public policy, public security, public safety, public protection, public health, preserving the financial equilibrium of the social security system, the protection of consumers, recipients of services and workers, fairness of trade transactions, combating fraud, the protection of the environment and the urban environment, the health of animals, intellectual property, the conservation of the cultural and historic heritage; social policy objectives and cultural policy objectives;

1.9 **Competent authority** - any authority or body which has a supervisory or regulatory role in Kosovo in relation to the provision of services, including, in particular, administrative authorities, including courts, professional bodies and those professional associations or other professional organisations which, in the exercise of their legal autonomy, regulate in a collective manner access to service activities or the exercise thereof;

1.10. **Regulated profession** - any professional activity or a group of professional activities, as regulated in the Law on Regulated Professions;

1.11. **Commercial communication** - any form of communication designed to promote, directly or indirectly, the goods, services or image of an undertaking, organisation or person engaged in commercial, industrial or craft activity or practising a regulated profession, except for the following:

1.11.1. information enabling direct access to the activity of the undertaking, organisation or person, including in particular a domain name or an electronic-mailing address;

1.11.2. communications relating to the goods, services or image of the undertaking, organisation or person, compiled in an independent manner, particularly when provided for no financial consideration.

1.12. **Service of general economic interest** – a service carrying out a special task in the interest of the society, provided for in a special law specifying the specific nature of such task;

1.13. **Multidisciplinary activity** - provision of different services by one or more service providers jointly or in partnership;

1.14. **Direct and particular risk** - a risk arising directly from the provision of the service;

1.15. **Health and safety** - in relation to a recipient or a third person, the prevention of death or serious personal injury;

1.16. **Financial security** - in relation to a recipient, the prevention of substantial losses of money or of value of property;

1.17. **Professional liability insurance** - insurance taken out by a provider in respect of potential liabilities to recipients and, where applicable, third parties arising out of the provision of the service.

Article 5

Relationship with other legislation

1. Laws and other acts governing the conditions for establishment and access to, or exercise of, service activities in Kosovo shall be harmonised with the provisions of this Law.

2. If the provisions of this Law are in conflict with any provision of a special law or other act of Kosovo governing the special aspects of the establishment and provision of services in specific

sectors or for specific professions, the provisions of those laws and other acts shall apply, if they are fully harmonized with the EU *acquis*.

CHAPTER II

RIGHT OF ESTABLISHMENT AND AUTHORISATION SCHEMES

Article 6

General principles

1. Under the conditions prescribed by this Law the right of establishment and access to, or the exercise of, a service activity shall be guaranteed and may not be restricted by a special law.
2. The requirements for the access to, or exercise of, a service activity in the territory of Kosovo by natural or legal persons regulated by special law shall fulfil the following criteria:
 - 2.1. be non-discriminatory;
 - 2.2. be necessary - justified by an overriding reason relating to the public interest;
 - 2.3. be proportionate - suitable for attaining the objective pursued, where they must not go beyond what is necessary to attain that objective and it must not be possible to replace them with other, less restrictive measures which attain the same result.

Article 7

Simplification of procedures

1. The competent authorities shall examine procedures and formalities that apply for access to and provision of service activity.
2. Where procedures and formalities examined under paragraph 1. of this Article are not sufficiently simple, the competent authority shall simplify them.

Article 8

Prohibited requirements

1. Special laws and other acts may not make the providers' right to establishment and access to, and the exercise of, the service activity in the territory of Kosovo subject to:
 - 1.1. application of discriminatory requirements based directly or indirectly on nationality or, in the case of companies, the location of the registered office, including in particular:
 - 1.1.1. nationality requirements for the provider, his staff, persons holding the share capital or members of management or supervisory bodies;
 - 1.1.2. a requirement that the provider, his staff, persons holding the share

capital or members of management or supervisory bodies be resident within the territory of Kosovo;

1.2. requirements restricting the freedom of a provider to choose between a principal or secondary form of establishment, and in particular an obligation on the provider to have its principal establishment in the territory of Kosovo, or restrictions on the freedom to choose between establishment in the form of an agency, branch or subsidiary;

1.3. the case-by-case application of an economic test in respect of the service provider, as a condition for the granting of authorisation so as to prove the existence of an economic need or market demand, an assessment of the potential or current economic effects of the activity or an assessment of the appropriateness of the activity in relation to the economic planning objectives set by the competent authority;

1.4. the direct or indirect involvement of competing operators within consultative bodies, in the granting of authorisations or in the adoption of other decisions of the competent authorities, with the exception of organisations and professional associations acting as the competent authorities. This prohibition shall not concern the consultation of organisations, such as chamber of commerce or social partners, on matters other than individual applications for authorisation or public consultations.

1.5. an obligation on the provider to obtain or participate in a financial guarantee or another instrument of insurance of payment from a provider or entity established in the territory of Kosovo. This provision shall not affect the right of competent authorities to require insurance or financial guarantee as such, nor shall it affect requirements relating to the participation in a collective compensation fund, for instance for members of professional bodies or organisations;

1.6. an obligation on the service providers to have been pre-registered, for a given period, in the registers held in Kosovo or to have previously exercised the activity for a given period in the territory of Kosovo.

1.7. requirements prohibiting establishment in more than one State or being entered in the registers or enrolled with professional bodies or associations of more than one State.

Article 9

Requirements to be examined

1. The competent authorities shall examine whether special laws and other acts contain requirements referred to in paragraph 2. of this Article and evaluate their compatibility with the criteria referred to in Article 6 of this Law. The competent authorities shall adapt laws and other acts so to make those requirements compatible with these principles.

2. The obligation to examine referred to in paragraph 1. of this Article relates to the following requirements in special laws and other acts, conditioning access to a service activity and the exercise thereof:

2.1. quantitative or territorial restrictions, in particular those relating to a number of population or a minimum geographical distance between providers;

- 2.2. an obligation on a provider to take a specific legal form;
- 2.3. requirements which relate to the shareholding of a company;
- 2.4. requirements, other than those concerning matters covered by legislation on recognition of professional qualifications, which reserve access to the service activity to particular providers by virtue of the specific nature of the activity;
- 2.5. a ban on having more than one establishment in the territory of Kosovo;
- 2.6. requirements fixing a minimum number of employees;
- 2.7. requirements setting fixed minimum and/or maximum tariffs with which the provider must comply;
- 2.8. an obligation on the provider to supply other specific services jointly with his service.

3. The provisions of paragraphs 1. and 2. of this Article shall apply to laws and other acts in the field of services of general economic interest only insofar as their application does not obstruct the performance, in law or in fact, of the particular task assigned to them.

Article 10 **Authorisation schemes**

1. Special laws and other acts shall not make access to a service activity or the exercise thereof subject to an authorisation scheme, unless the prescribed procedures are compatible with the criteria referred to in Article 6 of this Law.

2. The condition of compatibility referred to in paragraph 1. of this Article is satisfied if:

- 2.1. the authorization scheme is not discriminatory against the service providers;
- 2.2. the authorisation scheme is justified by an overriding reason relating to the public interest;
- 2.3. the authorisation scheme proportionately protects the rights of the parties and the public interest, in a way that the objective pursued cannot be attained by means of less restrictive measures, in particular because a posteriori inspection would take place too late to be genuinely effective.

Article 11 **Territorial validity and duration of authorisation**

1. Granted authorisation shall give the right to a service provider to exercise its activity throughout the territory of Kosovo, including by means of setting up agencies, subsidiaries, branches or offices, except in cases when the granting of authorisation for each individual establishment or a limitation of the authorisation to a certain part of the territory is justified by an overriding reason relating to the public interest.

2. An authorisation granted to a service provider shall be for an indefinite period, except in cases when:

2.1. the authorisation is being automatically renewed or is subject to the continued fulfilment of imposed requirements, which guarantees the services provider that the authorisation shall be renewed;

2.2. the number of available authorisations is limited by an overriding reason relating to the public interest;

2.3. a limited authorisation period is justified by an overriding reason relating to the public interest.

3. The time limitation referred to in paragraph 2. of this Article shall not concern the period before the end of which the service provider, in accordance with granted authorisation of the competent authority, must commence the exercise of his service activity.

4. A service provider shall be required to inform the point of single contact referred to in Article 14 of this Law in a timely manner and not later than fifteen (15) days, unless otherwise stipulated by special law, in the case of:

4.1. the creation of subsidiaries whose service activity falls within the scope of application of this Law;

4.2. changes which result in the conditions on the basis of which the authorisation for the provision of service had been granted before.

5. The provisions of paragraphs 2. to 4. of this Article shall be without prejudice to the right of the competent authority to revoke authorisation in accordance with a special law, if the service provider does not meet the required conditions.

Article 12

Conditions for granting of authorisation

1. Authorisation schemes in special laws and other acts must be in compliance with the respective law which regulates general administrative procedure.

2. Authorisation schemes contained in special laws and other acts must fulfil the following conditions:

2.1. be clear, transparent, made public in advance and guarantee the objectivity and the impartiality of the competent authorities in the procedure for deciding on the application;

2.2. be easily accessible, simple and not cause unnecessary delays in the provision of services;

2.3. ensure that the applications will be processed within a reasonable period which is fixed and made public in advance and which shall run from the day when all documentation has been submitted. In complex cases, this time period may be extended only once for a time which may not exceed the original time limit for decision,

which, and whose duration, shall be motivated in detail and notified to the applicant by the competent authority before the original period has expired.

2.4. any charges for granting an authorisation should be reasonable and proportionate, therefore may not exceed administrative costs of the procedure;

2.5. contain clear provisions on legal remedies available to the applicant;

2.6. ensure that in cases when the application is incomplete, the competent authority shall inform the applicant to submit additional documents, as well as of effects on the time limits referred to in paragraph 2.3. of this Article;

2.7. in case of refusal of the application, due to the failure to comply with the prescribed procedures, the applicant shall be informed thereof within the shortest possible period of time.

3. Any decision of the competent authorities, including the refusal to grant authorisation or revocation of an authorisation shall be reasoned and shall be open to appeal or an administrative dispute or other proceedings may be initiated against it before a court, in accordance with the applicable legislation.

Article 13

Selection procedures of service provider

1. In case of the scarcity of available natural resources or technical capacities the number of available authorisations for a certain service activity may be limited.

2. In the case referred to in paragraph 1. of this Article the competent authority shall conduct selection from among potential candidates on the basis of a public call and openly published criteria, based on transparent and impartial process.

3. In the case referred to in paragraph 1. of this Article, authorisation shall be granted for a limited period and may not be extended without conducting the procedure referred to in paragraph 2. of this Article.

4. In the cases referred to in paragraphs 1. to 3. of this Article, all candidates shall be treated equally and previous authorisation which had expired may not be a basis for advantage status in the selection procedure.

5. In establishing the rules for the selection of candidates, the competent authority, in accordance with respective law, shall take into account overriding reasons relating to the public interest.

CHAPTER III POINT OF SINGLE CONTACT

Article 14 Point of single contact

1. The point of single contact (hereinafter: the PSC) is an electronic window established by the Ministry of Trade and Industry which aims to facilitate the service providers the access to a service activity and necessary information.

2. Through the PSC service providers may carry out all procedures for:

2.1. access to a service activity, which relate to the obtaining of statements, notifications or requirements necessary for granting of authorisation by the competent authority, including applications for entry in a register, list or database, or for registration with a professional body or association;

2.2. each application for authorisation which is necessary for the exercise of service activity.

3. The establishment of the PSC shall not affect the competencies and functions of the competent authorities for performing the procedures referred to in paragraph 2. of this Article which are regulated by special laws or other acts.

4. The manner of functioning of the PSC shall be regulated by bylaw adopted by the Government of Kosovo.

Article 15 Information through the PSC

1. The competent authority shall be obliged to ensure that the following information is provided to a provider and a recipient through the PSC for:

1.1. requirements applicable to providers established in the territory of Kosovo, in particular the requirements concerning the procedures and formalities to be completed in order to access or to provide services;

1.2. the details through which the authorities responsible for matters concerning the provision of a service can be contacted directly;

1.3. information on the means of, and conditions for accessing (insight and entry) public registers and databases on services and service providers;

1.4. the means of redress which are available in the event of dispute between the competent authorities and the service provider or the recipient, or between a service provider and a recipient or between service providers;

1.5. the contact details of the associations or organisations, other than the competent authorities, from which providers or recipients may obtain practical assistance.

2. The competent authority shall be obliged to provide, through the PSC, to the provider and to the recipient the information on the way in which the requirements referred to in item 1.1. of paragraph 1. of this Article are generally interpreted and applied, including simple procedural rules.

3. Information referred to in paragraph 2. of this Article shall not relate to provision of legal advice in individual cases.

4. The competent authority, through the PSC, shall be obliged to respond to the provider and to the recipient as quickly as possible to any request for information referred to in paragraph 1. of this Article, including information whether the request is incomplete or unintelligible, and no later than five (5) working days from the date of receipt of the request.

CHAPTER IV RIGHTS OF RECIPIENTS AND QUALITY OF SERVICES

Article 16 Rights of recipient of services

1. The recipient of services may not be made subject to requirements based on his nationality, place of domicile or residence.

2. General conditions for using a certain service, made public by the service provider, may not contain discriminatory criteria related to the nationality or the place of residence of the recipient, with the exception of the cases where it is objectively justified to provide for different conditions of access to services.

3. The competent authority shall ensure directly or through PSC that the recipients obtain:

3.1. general information on the requirements applicable for access to, and exercise of, service activities, in particular those relating to consumer protection;

3.2. general information on the legal remedies available in the case of a dispute between a provider and a recipient;

3.3. contact details of associations or organisations from which providers or recipients may obtain practical assistance.

4. The information shall be provided in a clear and intelligible manner, shall be easily accessible by means of distance communication, including by electronic means, and shall be kept up to date.

Article 17 Information on service providers and their services

1. The service providers shall make the following information available to the recipients:

1.1. the name of the provider, his legal status and form, the address of the seat and

details enabling him to be contacted and communicated with directly, including by electronic means (telephone number, fax number and e-mail address);

1.2. Business Registration Number (BRN);

1.3. where the activity is subject to the authorisation, details of the relevant competent authority or the PSC;

1.4. in the case of the regulated professions, any professional body or similar institution with which the provider is registered, the professional title and the country in which that title has been granted;

1.5. the general conditions and contractual clauses, if any, used by the provider, including the provisions concerning the law applicable to the contract and/or the competent courts;

1.6. an after-sales guarantee, if any, not imposed by law;

1.7. the price of the service, where a price is pre-determined by the provider for a given type of service;

1.8. the main features of the service, if not already apparent;

1.9. where the provider is subject to value added tax, the information on tax identification number;

1.10. the insurance or guarantees referred to in Article 18 of this Law, and in particular the contact details of the insurer or guarantor and the territorial coverage.

2. The information referred to in paragraph 1. of this Article shall be supplied by the provider in one of the following manners:

2.1. is supplied by the provider on his own initiative;

2.2. is easily accessible to the recipient at the place where the service is provided or the contract concluded;

2.3. is easily accessible to the recipient electronically by means of an address supplied by the provider;

2.4. is included in the information documents supplied to the recipient by the provider which set out a detailed description of the services he provides.

3. At the recipients' request, the service providers shall supply the following additional information:

3.1. where the price is not pre-determined for a given type of service, the price of a service or, if an exact price cannot be determined, shall be offered the method for calculating the price so that it can be checked by the recipient, or a sufficiently detailed estimate;

3.2. as regards the regulated professions, a reference to the special legislation applicable in the State of establishment and how to access them;

3.3. information on multidisciplinary activities and partnerships which are directly linked to the service in question and on the measures taken to avoid conflicts of interest. That information shall be included in any information document in which providers give a detailed description of their services;

3.4. information on any codes of conduct to which the provider is subject and the web page on which these codes are posted and the languages in which they are available;

3.5. where a provider is subject to a code of conduct, or member of a trade association or professional body which provides for recourse to a non-judicial means of dispute settlement, the provider shall specify how to access detailed information on the characteristics of, and conditions for, the use of non-judicial means of dispute settlement;

4. The information provided for in paragraphs 1. to 3. of this Article shall be clear, unambiguous and supplied in good time before conclusion of the contract or, where there is no written contract, before commencing to provide services.

Article 18

Professional liability insurance and guarantees

1. The service provider whose services may present a direct and particular risk to the health or safety of the recipient or a third person, or to the financial security of the recipient shall be obliged to inform the recipient of those risks before the services are provided.

2. A special legislation may impose on the provider referred to in paragraph 1. of this Article an obligation to subscribe to professional liability insurance appropriate to the nature and extent of the risk, or provide a guarantee or similar arrangement which is equivalent or essentially comparable as regards its purpose.

3. A special legislation or other act may regulate that when a provider establishes himself in the territory of Kosovo, the competent authority may accept professional liability insurance or a guarantee from the provider where he is already covered by a guarantee which is equivalent, or essentially comparable as regards its purpose and the cover it provides in terms of the insured risk, the insured sum or a ceiling for the guarantee and possible exclusions from the cover, in another country in which the provider already has a seat, and provided that such insurance or a guarantee already covers the territory of Kosovo in which the provider wishes to establish himself. Where equivalence is only partial, the competent authority may require a supplementary guarantee to cover the risks not already covered in the territory of Kosovo.

4. When a special legislation requires a provider having a seat in the territory of Kosovo to subscribe to professional liability insurance or to provide another guarantee, attestations of such insurance cover issued by a financial institution and insurer having a seat in another country shall be accepted as sufficient evidence provided that the existing insurance or a guarantee already covers the territory of Kosovo.

Article 19

Commercial communications by the regulated professions

1. Total restrictions on the commercial communications by the regulated professions shall be prohibited, unless otherwise provided by a special legislation.
2. Commercial communications by the regulated professions must comply with special rules which relate, in particular, to the independence, dignity, integrity of the profession and professional secrecy, in a manner consistent with the specific nature of each profession.
3. Special rules on commercial communications, including laws and regulations, professional rules, codes of professional ethics, shall comply with the criteria referred to in Article 6 of this Law.

Article 20

Multidisciplinary activities

1. The service providers shall not be made subject to requirements which oblige them to exercise a given specific activity exclusively or which restrict the exercise jointly or in partnership of different activities.
2. By way of exception to paragraph 1. of this Article, special legislation may contain such requirements which relate to the following service providers:
 - 2.1. the regulated professions, in so far as such requirements are justified in order to guarantee compliance with the rules governing professional ethics and conduct, which vary according to the specific nature of each profession, and in so far as such requirements are necessary in order to ensure their independence and impartiality;
 - 2.2. providers of certification, accreditation, technical monitoring, test or trial services, in so far as such requirements are necessary in order to ensure their independence and impartiality.
3. Where multidisciplinary activities between providers referred to in paragraph 2. of this Article are authorised, special legislation shall in addition ensure:
 - 3.1. that conflicts of interest and incompatibilities between certain activities are prevented;
 - 3.2. that the independence and impartiality required for certain activities is secured;
 - 3.3. that their provisions governing professional ethics and conduct for different activities are compatible with one another, especially as regards matters of professional secrecy.

Article 21

Supervision

1. Supervision of the implementation of this Law and other acts adopted on the basis of this Law shall be conducted by the Ministry of Trade and Industry.

2. Inspection control shall be performed by the state administration bodies through competent inspectorates, independent legal persons authorised to perform inspection control, and competent local administration bodies through local inspectors, within the scope of competence of local self-government.

Article 22

Notification

1. Within the meaning of Article 21 paragraph 1. of this Law the competent authorities shall be obliged to notify the Ministry of Trade and Industry on drafting of special laws and other acts which, for services falling within the scope of this Law, propose application of any of the requirements referred to in Article 9 paragraph 2., Article 18 and 20 of this Law including the information on compatibility of those requirements with the criteria referred to in Article 6 of this Law.

2. The respective Ministry of Trade and Industry shall give an opinion on the notification referred to in paragraph 1. of this Article which shall approve imposing of a requirement referred to in paragraph 1. of this Article or order that the proposed requirement be amended or abolished.

3. The notification procedure, manner and methodology of evaluating the compliance of a special draft law or sub-legal act with this Law shall be determined by a decision of the Government.

Article 23

Penalty provisions

1. A fine in the amount between one thousand (1.000,00) to five thousand (5.000,00) Euros shall be imposed for a misdemeanor on a natural or legal person, i.e. service provider who:

1.1. applies discriminatory requirements to recipients based on nationality or place of residence in accordance with Article 16 paragraph 1. and 2. of this Law;

1.2. does not make the information available to the recipient in accordance with Article 17 of this Law;

1.3. fails to inform the recipient of the risks or does not subscribe to professional liability insurance in accordance with Article 18 paragraphs 1. and 2. of this Law.

2. A fine in the amount between one thousand (1.000,00) to five thousand (5.000,00) Euros shall be imposed for a misdemeanor on a natural or legal person who exercises the service activity in the territory of Kosovo without required authorisation.

3. In case when a special legislation for specific service activities provides for misdemeanor provisions different from the misdemeanor provisions in paragraphs 1. and 2. of this Article, the provisions of the special legislation shall apply.

CHAPTER V TRANSITIONAL AND FINAL PROVISIONS

Article 24 Personal data protection

This Law shall be implemented in accordance with special legislation regulating the protection of personal data.

Article 25 Legislation for recognition of professional qualifications

Unless otherwise is provided for in this Law, the provisions of special legislation regulating the recognition of foreign qualifications and regulated professions shall apply to all procedures provided for in this Law relating to regulated professions and recognition of foreign qualifications for the purpose of service provision.

Article 26 Application of legislation for general administrative procedures

Unless otherwise is provided for in this Law, the provisions of the law regulating the general administrative procedure shall apply to all procedures relating to administrative procedure.

Article 27 Application of legislation of business organization

Unless otherwise is provided for in this Law, the provisions of the law regulating the forms of the exercise of economic activities and their registration shall apply to all procedures provided for in this Law relating to service providers having the right of establishment in Kosovo.

Article 28 Transitional provisions

1. Within five (5) years following the entry into force of this Law, the ministries and other administrative authorities shall examine all existing requirements provided for in special law which in more detail regulates individual services to which this Law applies, in order to evaluate their compliance with the provisions of this Law.

2. Within five (5) years following the entry into force of this Law, the competent ministries and other administrative authorities shall propose the amending of special laws in order to be in line with the provisions of this Law.

Article 29 Issuance of sub-legal acts

The Government for the implementation of this Law shall issue sub-legal acts in the timeline of one (1) year from the day of entry into force of this Law.

Article 30
Entry into force

This Law shall enter into force fifteen (15) days after its publication in the Official Gazette of Kosovo, excluding provisions of Articles 8, 10, 11, 12, 13, 14, 15, 16, 17, 19 and Article 23 paragraph 1., points 1.1. and 1.2. of this Law, which shall enter into force five (5) years after publication in the Official Gazette of the Republic of Kosovo.

Law No. 05/L-130
10 March 2017

Promulgated by Decree No.DL-013-2017, dated 23.03.2017, President of the Republic of Kosovo Hashim Thaçi

