

**LAW No. 04/L-046  
ON RADIO TELEVISION OF KOSOVO**

**Assembly of Republic of Kosovo,**

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

Approves:

**LAW ON RADIO TELEVISION OF KOSOVO**

**CHAPTER I  
GENERAL PROVISIONS**

**Article 1  
Purpose and Scope**

The present law shall regulate the establishment, operation and competences of the Radio Television of Kosovo, in order to provide accurate, objective, impartial and prompt information for the citizens of the Republic of Kosovo.

**Article 2  
Definitions**

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

**1.1 Audio Visual Media Service** - the service which is under the editorial responsibility of programming service provider and whose key principle would be to provide programs, in order to inform, entertain or educate the entire public, through electronic communication network. Such a provider of audio visual media services is television or video broadcaster upon request.

**1.2. Media service provider** - a natural or legal person who has editorial responsibility to select the audio visual content of the media service provider and define the way how it is organized.

**1.3. Broadcasting** - the original dissemination of broadcast programs in diffusive net connection through terrestrial transmitters, cable, satellite or any other electronic means, with code or no code designated for public consumption and reception through radio and television or any other particular electronic equipment for dissemination, with no inclusion of individual communications;

**1.4 Broadcaster** – the legal person who has editorial responsibility for the composition of television or radio programme services for reception by the general public and transmits them or has them transmitted, complete and unchanged, by a third party.

**1.5. Television Broadcasting** - a linear audio visual service provided by the media service provider for simultaneous viewing of programs, based on the predetermined program schedule.

1.6. **Network operator** - legal person who provides any form of network for broadcasting programs or any other broadcasting service for the public.

1.7. **Digitalization** - the process of transfer from analogue broadcasting of programs to digital/numerical one.

1.8. **Editorial responsibility** – exercising effective control over the selection of programs and means for exercising effective and efficient control on their selection and organisation in chronological order during television broadcast or in the catalogue in case of demand-based audio visual media services.

1.9. **Broadcasting Frequency Plan** - the schedule of radio and television broadcast frequencies assigned by the competent authority for telecommunications.

1.10. **Commercial Audiovisual Communication** - according to the present law means scenes with and without sound, that are produced with the aim of promoting, directly or indirectly, goods-products, services, or other scenes of a legal or natural entity that carries out legal and legitimate economic activities. Such scenes are included in audiovisual of RTK, against a relevant payment, in order to promote certain products and services, which are subject of commercial audiovisual communication. These forms of communication include, inter alia: television commercials/advertisements, sponsorships, teleshopping and placement of products.

1.11. **Advertisement** - any public announcement broadcast in return for payment or similar consideration or for self-promotional purposes, which is intended to promote the sale, purchase or rental of a product or service; to advance a cause or idea, or to bring about some other effect desired by the advertiser or the broadcaster itself.

1.12. **Public broadcaster** - the natural or legal person – electronic public media organization which has editorial responsibility to offer radio and television programme services for the reception by the general public, and transmits them or has them transmitted by a third party in a free, professional and independent way, in accordance with the Kosovo legislation.

1.13. **Agent for the collection of Public Broadcasting subscription fee** - the registered legal person who carries out collection services for the needs of the Radio Television of Kosovo.

1.14. **IMC** - the Independent Media Commission as defined by the respective law.

1.15. **Fee for RTK** - the fee payable by households and legal persons for the reception of Radio television of Kosovo in compliance with the present law.

1.16. **Sponsorship** - the participation of either a public or private enterprise, or a natural or legal person who is not engaged in broadcasting activities or in the production of audiovisual works, in the direct or indirect financing of a programme with a view to promoting the name, trademark, image, or activities of that person.

1.17. **European audiovisual works** - creative works, the production or co-production of which is controlled by European natural or legal persons.

1.18. **Channel** - a content of terrestrial frequencies carrying a defined programme scheme, within the Public Radio Television of Kosovo and its office.

1.19. **Program** - content that is broadcast by a specific audio-visual channel of the public broadcaster.

1.20. **Communities** - inhabitants belonging to the same national or ethnic, linguistic or religious group, traditionally present in the territory of the Republic of Kosovo.

1.21. **Teleshopping** - broadcasting of direct offers to the public, with purpose to supply goods or services, including immovable property, rights and obligations, in exchange for a payment.

## **CHAPTER II THE RADIO TELEVISION OF KOSOVO**

### **Article 3 The Radio Television of Kosovo**

1. Radio Television of Kosovo (hereafter: RTK) is the Public Broadcaster of Kosovo.
2. RTK shall be a legal non-profitable entity with the status of independent public institution of particular importance, which provides a public service in the field of media activity as provided for by the present law and other relevant laws and secondary legislation.
3. RTK's mission is informative, educative, cultural and entertaining.

### **Article 4 The founder of the Radio Television of Kosovo**

1. The founder of the Radio Television of Kosovo is the Assembly of the Republic of Kosovo.
2. The Assembly shall ensure the institutional autonomy and adequate financing for the execution of RTK's public service mission as provided for by the present law.

### **Article 5 The Seat of the Radio Television of Kosovo**

The seat of the Radio Television of Kosovo shall be in Prishtina.

### **Article 6 Assets of the Radio Television of Kosovo**

Property issues of the RTK shall be regulated by a special decision of the Assembly of Kosovo in compliance with applicable legislation.

## **CHAPTER III THE RADIO TELEVISION OF KOSOVO PROGRAMMING PRINCIPLE**

### **Article 7 Obligations of RTK regarding the content, channels and services**

1. Obligations of the public service of RTK regarding the content, channels and services offered by it specifically should include the following:
  - 1.1. promoting a culture of civic dialogue and providing a wide arena for public discussion;
  - 1.2. providing a content of high quality that offers information on events in the country, in cross-border areas, in Europe and in the world;

- 1.3. providing educational content of a high quality;
- 1.4. providing cultural content of a high quality;
- 1.5. production of drama programs;
- 1.6. providing domestic television products of high quality for children, teenagers and elders;
- 1.7. providing entertaining content of high quality for all ages;
- 1.8. realization of constitutional rights of Serb community and other national communities regarding the provision of public information and distribution of the content offered by RTK;
- 1.9. inclusion of cultural achievements and other achievements of Serb community and other communities in national radio channels and national television contents in Albanian language;
- 1.10. in accordance with international treaties and in cooperation with radio television broadcastings corporations of other countries, provides support for creation and development of cross border projects for radio, television and other projects;
- 1.11. providing content for sense disabled persons, by using adaptable technologies for their needs;
- 1.12. particular attention shall be paid to the persons with disabilities in terms of programs and information delivery;
- 1.13. particular attention shall be paid to the children and family;
- 1.14. presentation and promotion of Kosovo culture, cultural creativity and free artistic expression;
- 1.15. presentation and promotion of science;
- 1.16. particular attention should be paid to the social position and activities of the registered religious communities;
- 1.17. particular attention should be paid to the history and identity of Kosovo and its country in international arena, and promotion of universal cooperation, understanding and knowledge of histories, cultures and identities;
- 1.18. promotion of social inclusion and development of sport, recreation and healthy way of life;
- 1.19. particular attention shall be paid to the contents of health, environment protection and consumer protection;
- 1.20. particular attention shall be paid to important issues dealing with security of people, protection against natural and other disasters and national defense, including issues related to the functioning of international community institutions whose member is Kosovo, and providing emergency notices regarding the risk to people, property, cultural heritage and environment;

1.21. due consideration shall be given to any particular and legitimate interests of other groups of viewer, listener and other users of content provided by RTK in any form or by any means of broadcasting or distribution platform in Kosovo;

1.22. promotion and in accordance with mandatory obligations of the public radio television network, ensuring the production and performance of local audio visual works, European audio visual works and audio visual works of independent producers;

1.23. promotion of Kosovo film production.

2. Within the structure of content, channels and services provided by RTK as a part of public service performance, RTK should dedicate a large proportion of time of weekly broadcasting in every channel or other service for cultural, artistic, information, documentary or educational content.

3. General Director, once a year, shall draft a report on offering cultural, artistic, information, documentary or educational content which will then submit it to the RTK Board for approval. If the RTK Board does not approve or adopt the report, he/she shall start procedure for removal of the General Director.

4. RTK shall perform its broadcasting activities, work in complete accordance with applicable laws in Kosovo and with all rules, regulations and IMC provisions, including the Law on IMC and IMC strategies for digitalization. RTK shall act on basis of license for authorized channels of its radios and television. RTK provides and guarantees to adequately and professionally safeguard and archive its programs as foreseen by the law.

## **Article 8 Contents, Structure of RTK**

1. Content and broadcasting of programs and programming structure of RTK shall be diverse and planned. The planning is done on annual, monthly, weekly and daily basis.

2. RTK shall consist of:

2.1. Two TV channels:

2.1.1. TV channel in Albanian language; and

2.1.2. TV channel in Serbian language;

2.2. Two Kosovo radio channels.

3. These two (2) channels are obliged to share 15 % of their programme scheme with the languages of other communities of Kosovo.

4. RTK shall broadcast satellite programs for Kosovars living abroad.

5. RTK may broadcast programs in languages other than those spoken by the communities of Kosovo.

6. In accordance with financial affordability, spatial, logistical and technical conditions, RTK may expand its transmission network with other channels including the channel in languages of other communities.

7. Management and RTK Board should take all necessary steps to ensure operational functioning of channel RTK 2 in Serbian language as content provider not later than twelve (12) months from adoption of this law.

## **Article 9**

### **RTK Special Programming Obligations**

1. In the performance of its public activities and function, RTK, according to the present law shall be obliged to:

1.1. encourage, cultivate, promote, produce and re-produce all modalities and contents of audiovisual production, which contribute to the development and advancement of culture, art and science and all other sublime values of Kosovo citizens and affirm those values outside Kosovo;

1.2. ensure conditions and possibilities for maximum achievements in audiovisual production;

1.3. prepare and transmit such programs that have values and professional and ethical achievements that are in full compliance with ethical standards and codes of investigative, objective, free and independent journalism;

1.4. contribute to advancement of democracy, human rights and freedoms as well as harmony and coexistence in Kosovo and more;

1.5. cultivate respect for dignity, integrity and privacy of the individual, his/ her honour and social and economic wellbeing;

1.6. ensure that it will respond to interested citizens;

1.7. not to broadcast programs with implications, neither discrete nor ambiguous, particularly those that are biased or of propagandistic character of political, religious and/or ethnic nature.

1.8. to act according to the obligations determined by special laws.

## **Article 10**

### **The right to reply, refute and explain**

RTK accepts, welcomes and handles all types and modalities of presentation of proposals, remarks, suggestions, creative and constructive criticisms, and various complaints and appeals from the citizens of Kosovo. For all news, shows, information and other broadcasting products, placed through electromagnetic and electronic radio-diffusive network, RTK in accordance with the law and the code of conduct for the electronic media, provides each natural and legal person with the right of reply and clarification.

## **Article 11**

### **Coverage of broadcasting network**

1. RTK covers, namely ensures full network coverage, of audio and viewer ship in the entire territory of Kosovo.

2. RTK may transmit contents through the terrestrial network, analogous or digital, satellite, cable, internet, or through any other advanced and legal way in accordance with the EU standards.

## **Article 12**

### **Independent productions**

1. RTK has its own source and authentic production.
2. In order to realize the mission, vision and its objectives, to meet the tastes, requirements, needs and diverse interests of viewers and listeners of Kosovo, RTK each year shall announce a public competition for purchase of audiovisual works from independent production, and shall broadcast them in its program in accordance with the law and statute of RTK.
3. For the sake of the rationalization of labour costs and to economize, RTK shall engage with its available human resources and technical to cover program scheme with as many productions of producers and workers in the institution.
4. RTK shall provide at least 15% of the program of RTK, but not more than 20%, from local independent producers, in radio-television broadcasts, including the obligations pursuant to the Article 9 of this law, but not including news programs.
5. Broadcast of independent productions paid by funds of RTK excludes any advertisement or sponsoring.
6. Procedures, conditions and more detailed criteria for ordering audiovisual and other approximate works from independent producers and their broadcast in accordance with the present Law and internal regulation harmonized with the local legislation.

### **Article 13 Special events**

In the interest of all citizens, RTK provides adequate coverage of the most important political, scientific, professional, cultural, entertainment and sports (conferences, festivals, the Olympics, international championships and the like) events in the country and abroad. RTK will transmit such events in order to inform its public as wider as it is possible.

### **Article 14 Broadcast of Emergency Information**

1. RTK shall, without delay and free of charge, broadcast reports and information of any nature, related to any event or emergency affecting security or public health, basic disasters or extraordinary events with serious negative consequences harmful to the population of Kosovo, any part thereof or any of its citizens.
2. Reports or information from the previous paragraph of this Article shall be issued and officially verified by the competent central or local level of the Republic of Kosovo and in full compliance with applicable laws.

### **Article 15 Broadcast of information and programs with religious content**

1. RTK may broadcast programs with religious content providing that such programs:
  - 1.1. do not portray, characterize or expose one religion as superior to another;
  - 1.2. do not mock, humiliate or denigrate any religion;
  - 1.3. do not impact, in a clear and straightforward manner membership in any religious organization, therefore it shall not promote membership and sermon on it;
  - 1.4. do not contain political-religious promotion messages.

**Article 16**  
**Election Campaigns Coverage**

RTK shall cover election campaigns in accordance with election legal provisions in power.

**Article 17**  
**Commercial Communication**

1. Under this law, RTK may broadcast advertising messages, advertising and marketing, to the extent that it does not endanger its development mission and vision, no more than 10% of the total program volume. This limit shall be reviewed at the moment it will be financed through subscription, in accordance with the Law on IMC.

2. Broadcast advertising messages, shall have all the necessary legal features, elements and characteristics and shall be distinguished from other parts of the program – from the visual point of view in TV, and acoustic in Radio.

3. Advertising messages shall not affect the content of regular programs of public broadcaster - RTK or shall violate its independence.

4. Advertising messages shall be broadcasted in blocks between certain programs.

5. RTK employees working as news reporters or presenters for other program content shall not directly participate or indirectly affect, in any form or manner, the advertising activity of RTK.

6. The contents, placing of advertisements and sponsored programs as well as ban on advertisement of products and services that are detrimental to health and public order are regulated by special laws.

**Article 18**  
**Editorial policy and program content**

1. Primary responsibilities of RTK, deriving from its mission provided by the law, specifically include:

1.1. preparation, production and broadcast of various audiovisual programs for the needs of citizens of Kosovo, region, diaspora and the rest democratic world interested on events and developments in Kosovo;

1.2. preparation, production and broadcast of special programs with specific and thematic content;

1.3. strengthening, reconstruction and construction of new radio-television transmitters and stations and substations of re-broadcasting;

1.4. technical and professional preparation and transmission teletext services;

1.5. incorporation of new technologies in production and broadcasting of radio television programs;

1.6. preparation and delivery of services in the implementation of business-commercial activities, related to audiovisual production, including exports and imports;



1.7. encourage artistic, scientific, cultural and educational and health programmatic activities;

1.8. cultivation of the official language and the languages of other communities in Kosovo as well as dissemination their knowledge abroad too;

2. RTK programs in the previous paragraph of this Article should be guided primarily by:

2.1. sense of responsibility, attention and care for the message content of each story, information or any broadcasted term, on the benefit of the name, authority and reputation of RTK, as the only public institution in Kosovo:

2.2. provide reliable information regarding a variety of events, cases, processes and phenomena that occur in Kosovo and abroad;

2.3. encourage, stimulate and promote the fairness and peak professionalism in continuous advancement of the views, opinions and attitudes of citizens towards forming public opinion, their active and contributing participation in social and economic life of the country;

2.4. respect, show and promote traditional and authentic system of universal values and our ethical and moral values of humanity;

2.5. serve and assist the process of cohesive strengthening of the family, kosovar solidarity and promotion of Kosovo state-building process;

2.6. contribute in receiving new knowledge for the preservation of health and living environment, and to put emphasis on information in legal and institutional fight against social pathologies;

2.7. to handle and shed light to problems, requirements and basic and vital needs of the citizens of Kosovo, especially the members of minorities and groups with the special needs.

3. RTK shall lead, develop and cultivate editorial policy with sound, positive, impartial, creative perspective, civilizing, professional and humane content.

4. RTK shall not broadcast any material which in its content, sub-text, ambiguity, allegations or the tone, incite discrimination based on race, colour, sex, language, religion, political or other opinion, national or social origin, connection with any community, property, economic, social, sexual orientation, birth, disability, or other personal status.

5. RTK shall respect and implement widely accepted standards of conduct in program content or programming scheme, with particular care to protection of the physical, mental and moral development of children, but also in respect of dignity, health, position and status of other age groups in society and conveyance of the messages to the public, through the broadcast of programs, reports and other modalities of information for them.

6. RTK pays special care not to broadcast programs with content and/or messages that may have contradictory content to public morality, unethical, non - educational, asocial, unfair, pornographic content with unnatural behaviours that propagate and incite violence, criminality, disorientation, depression and other psychopathologic and socio-pathologic phenomena.

7. RTK shall not broadcast any material which is untrue, misinforming, blackmailing, impugnable, profane or fraudulent or which through a routine and reasonable inquiry would be determined that is false, misleading or misinforming.

8. Editorial policy of RTK shall be independent, fair, professional, objective, balanced and impartial.

9. RTK, within its program scheme and space, shall broadcast official information of the state institutions, without delay and unchanged.

10. RTK shall not bear any responsibility for the content, and consequently accuracy and authenticity of the broadcasted official information.

### **Article 19 European Audiovisual Content**

RTK – with professional work, correctness to listeners and viewers and with permanent commitment to the development, advancement and promotion of values and virtues of Kosovo society, in the field of electronic information, aims to achieve the appropriate level which corresponds with contemporary European standards on audiovisual content, as soon as possible.

### **Article 20 Other Activities**

1. RTK activities may also include the following:

1.1. tele-text, usage and distribution through internet, new media and other forms of media communication as well as other media communication activities.

1.2. publication and distribution of audio, video and printed matter related to its programming or to broadcasting in general;

1.3. organization of cultural, musical and other events;

1.4. exchange of, or participation in, joint programming and other programming or technical projects with other broadcasting agencies and program producers;

1.5. programme transaction;

1.6. storage and usage of archives or other audio or video recordings;

1.7. surveying of the media market and conducting or commissioning audience research and opinion polls;

1.8. other activities set out in the Statute, providing that such activities are not inconsistent with the core activities of RTK activity as set out in this law and other applicable provisions.

## **CHAPTER IV FUNDING OF THE RTK**

### **Article 21 Sources of Funding**

1. For the purpose of developing its business and legal activities, RTK shall be funded from:

1.1. subscription;

1.2. founder;

1.3. self-funding and through its economic activity;

1.4. other sources of revenue, including:

1.4.1. contracts with third parties for transmission services, using available technical capacity in accordance with the law;

1.4.2. other program services;

1.4.3. publishing music video, audio products, books, newspapers and magazines related to the program;

1.4.4. concert activities and public performances;

1.4.5. advertising and other paid messages in accordance with law;

1.4.6. sponsorship and donations in accordance with law;

1.4.7. preparation, production and sale of RTK programs.

2. RTK funds, including the public broadcast subscription fee and other sources of funding foreseen by this article, as public funds, shall be deposited into a single official account, in accordance with the rules of Control and Financial Management.

3. All public funds, including the BK funds, received by RTK and fully deposited into a single official account in accordance with paragraph 2. of this Article shall be used for performance of public service and not for any type of commercial activity.

4. For a transitional three-year period, until the solution of funding through subscription, RTK will be allocated 0.7 % of this income from the Kosovo Budget annually, excluding incomes from the privatization process, one time incomes for the Budget of Kosovo and incomes of central and local level.

4.1. in every calendar year RTK shall allocate 10% of its own overall budget received from all sources for the channel in Serbian language. RTK shall continue to allocate 10% of its own overall budget for second channel of RTK in Serbian language after discontinuing financing from the Budget of Kosovo and the Founder.

4.2. allocation of 10% of fund, as prescribed in paragraph above from the budget of RTK for second channel of RTK in Serbian language shall be carried out no later than one week after receiving funds from the budget of Kosovo and the founder, regardless of the way how the financing was taken. 10% of the collected funds from subscription shall be transferred to the second channel of RTK in Serbian language not later than at the end of the month when the means shall be received. 10% of all other incomes of the budget of RTK shall be transferred to the second channel of RTK in Serbian language not later than the last day of each month.

4.3. the amount of 10% of the RTK budget that shall be transferred to the second channel of RTK in Serbian language, initially shall be used to start its work by ensuring premises, different technical equipment and equipment for office and furniture for office, as well as for employment of due staff. After RTK 2 in Serbian language becomes functional, then the 10% of the funds from the RTK budget shall be used to cover expenses for functioning of RTK 2 in Serbian language, including also production of specific programs of any kind in Serbian language. Allocation of 10% of the funds from the budget of RTK

for channel RTK 2 in Serbian language shall not be used for any other purpose except for administrative, technical and editorial functioning of channel RTK 2 in Serbian language.

5. RTK management should start preparations for implementation of mechanisms for collection of subscription and shall propose it to the RTK Board for internal review and approval, not later than six (6) months after entrance into force of this law.

6. Funds for RTK coming from Kosovo Budget and Founder shall be distributed and determined every year after presenting the annual report for RTK activities and approval of the budget proposal for coming year drafted by RTK.

6.1. RTK shall submit its annual report of activities to the Assembly not later than 31 March and its proposal for the budget of coming year not later than 30 October.

## **Article 22 Subscription**

1. Founder, with the proposal of the RTK Board, shall decide on the level of the tax for the public broadcaster. The tax shall be fixed and last for a minimum of three (3) years.

2. RTK Board shall propose to the Assembly mechanism for collection of subscription fee, including level of the fee, not later than two (2) weeks from receiving it from RTK management. The Assembly shall approve mechanism for collection of subscription fee, including level of the fee, as soon as possible from the moment of receiving it by the RTK Board, but not later than twelve (12) months from entrance into force of the present law. RTK management shall implement mechanism for collection of subscription fee immediately after approval by the Assembly.

3. After collection of subscription fee and pursuant to the annual report on collection of fees, financing from the Kosovo Budget under paragraph 4. of Article 21 of this Law shall be reviewed and reduced for collected amount through subscription mechanism.

4. All households and legal entities in the territory of Kosovo are obliged to pay the subscription fee for the public broadcaster.

5. Households, that are users of social assistance and war invalids and KLA martyr`s families, are exempted from the subscription of the public broadcaster according to the law in power.

6. In order to verify the number of these families, respective Ministry provides RTK with a register at the end of each year, with an exact number of the aforementioned beneficiaries.

7. All religious premises in the Republic of Kosovo are exempted from the subscription.

8. Those settlements or parts of Kosovo settlements lacking the acceptable television quality signal of terrestrial network, shall be exempted from television subscription fee until technical conditions are in place for the receipt of RTK signal.

9. RTK is authorized to bring cases of non-compliance with the request for subscription payment before the court of competent jurisdiction, based on provisions of applicable law, for purposes of enforcing fee collection.

10. The competent court is obliged to handle with priority and urgency all cases of non-payment, respectively failure to pay regularly the RTK subscription fee.

11. RTK shall keep accurate records on collection of subscription fee and its overall financial situation.

**Article 23**  
**Funding by the founder**

To ensure the pristine grounds of the activity, regular activities and editorial independence of RTK as an independent public institution, depending on the budget options the founder shall provide funding.

**CHAPTER V**  
**THE RTK BODIES**

**Article 24**  
**The RTK governing and managing bodies**

1. Governing and managing bodies of RTK are:

- 1.1. RTK Board;
- 1.2. General Director.

**Article 25**  
**Composition of the Board**

1. RTK Board shall be a collegial-steering body of RTK.
2. RTK Board shall comprise eleven (11) members.
3. The RTK Board shall be composed of public personalities with professional qualifications in various areas such as: culture, art, cinematography, journalism, law, business and financial management, public relations, international relations, academia, media and engineering.
4. Board members shall be individuals with credibility and high human, professional and moral authority. During their work, board members shall be fully dedicated, objective and impartial.
5. The members of the Board shall be appointed and shall act in their personal capacity and shall not represent any other interest external to RTK other than the public interest. They shall not request or accept any instruction related to the activities of the Board from any interest external to RTK.
6. The composition of the RTK Board shall reflect the multi-ethnic and gender character of Kosovo. At least two (2) RTK Board members shall be appointed out of the Serb community, and one (1) member shall be appointed from other non-majority communities, and at least two (2) members out of female gender. At least two (2) Board members shall fulfill the professional qualifications in financing, business managing and legal affairs.
7. The Board Members shall comply with applicable law in Kosovo, but shall not seek or accept instructions in the course of performance of their duties from any other authority.
8. Board members shall not abuse their position for personal gain, or for the benefit of any other party or entity including close family relations

**Article 26**  
**Selection of the Board Members**

1. The Board Members of RTK shall be appointed by the Assembly of Kosovo through the open and transparent procedure.
2. Candidates for the RTK Board shall be nominated according to the following procedures:
  - 2.1. within sixty (90) days prior to expiry of the term of the Board member or after the advertisement for job vacancy for other purposes, RTK makes a public announcement within a period of time not shorter than the deadline defined by law.
  - 2.2. five (5) days prior to closure of public advertisement, RTK shall submit all applications to the Kosovo Assembly, which establishes an ad-hoc Committee to review them vo.
  - 2.3. within a period of thirty (30) days, when the deadline has already been closed for the new applicants and subsequent to the interviewing two (2) candidates shall be recommended by the Committee for each Board positions, who are considered the most suitable based on their competencies, integrities and commitment to develop and advance RTK.
  - 2.4. based on the Rules of Procedure of the Assembly, the Assembly selects one of the proposed candidates with the majority of votes of the members of the Assembly, who are therein and vote.
3. The term of the Board members shall be as follows: Four members of the RTK Board members shall be appointed for a two-year mandate, four (4) members for a three-year mandate and three members for a four (4) year mandate. The definition of the duration of mandate of each group shall be determined by a draw.
4. The mandate of the Chair and Vice Chair of the Board shall be two (2) years with the possibility of re-election for one more mandate only.
5. Board members may be reappointed for one additional mandate of three (3) years.

**Article 27**  
**Impossibility to be Board member**

1. Members of the RTK Board can not be:
  - 1.1. close family members of the managing staff;
  - 1.2. the RTK former employees in last two (2) years;
  - 1.3. people, either who hold publicly-elected positions and are nominated (public officials), or who have been in these positions during the last two (2) years;
  - 1.4. is either a member of body steering of a political party or people who were in such positions during the last two (2) years;
  - 1.5. is a member of body steering of a public enterprise;

- 1.6. directly benefits financially or represent this beneficiary, work or has work for the last two (2) years in any broadcaster in terms of telecommunication or broadcasting and in RTK;
  - 1.7. not to be convicted for a criminal offence over six (6) months;
  - 1.8. media broadcasting or advertising businesses owner or co-owner, and their close family members or/and their employed in these media.
  - 1.9. is commissioned in activities, which may be considered conflicting and may be considered a conflict of interest as determined by the applicable law on preventing conflict of interest;
2. A member of the Board or his or her close family relations can not exercise business activities with the public institution of RTK.

### **Article 28 Dismissal and Resignation of a Member of the Board**

1. A member of the RTK Board may be dismissed when it is considered that any of the grounds for dismissal set out in sub-paragraphs 3.3, 3.4 and 3.5 paragraph 3. of the present article and apply to the member.
2. The dismissal of a Board member shall be made according to the following procedures:
  - 2.1. proposal for dismissal comes from the RTK Board upon the request of the simple majority of the Board members/or any other initiative from outside according to the requirements defined under paragraph 3. of this Article;
  - 2.2. the Assembly of Kosovo with a simple majority shall decide whether to dismiss a Board member.
3. A Board member shall be dismissed if he or she:
  - 3.1. professional incapability – fails, demonstrably and consistently to fulfil the duties of a Board member;
  - 3.2. due to mental or physical disability to carry out his or her duties;
  - 3.3. fails to fulfil the requirements of Article 26 of the present Law;
  - 3.4. fails to carry out his/ her duties for more than three (3) consecutive months without the approval of the Board.
  - 3.5. if the member has been convicted for a criminal act over six (6) months imprisonment;
  - 3.6. fails to fulfil the requirements under sub-paragraphs 1.3, 1.4 and 1.5 of paragraph 1. of Article 27 of the present Law;
  - 3.7. due to over one (1) month unreasonable absence at work;
  - 3.8. actively participated in political activities, subsequent to his/her nomination a Board member.
4. The Board Member can resign, providing a written notification to the Board at least three (3) months in advance.

**Article 29**  
**Competencies of the RTK board**

1. RTK Board shall work and operate in compliance with provisions of the RTK law and statute.
2. Competencies of RTK Board include:
  - 2.1. approves the status of RTK;
  - 2.2. approves the Rules of Procedures of the Board and other Regulations determined by statute;
  - 2.3. reviews and approves, programs, programming bases and standards in accordance with programming policy, international law and standards of public information as per the General Director proposal.
  - 2.4. reviews and approves the draft program of RTK production that must comply with the financial possibilities of RTK
  - 2.5. reviews and approves the general programming scheme.
  - 2.6. appoints and dismisses the General Director of RTK.
  - 2.7. appoints and dismisses the Deputy General Directors-, the radio and television directors and the head of joint services with a simple majority vote, following the General Director's recommendation;
  - 2.8. approves the organizational structure and program concept and structure of RTK;
  - 2.9. reviews and approves the annual budget and management and staff salary schedules, and assures that RTK expenditures do not exceed its financial resources. The annual budget shall be a public document which after its debate in the board is addressed to its promoter for approval;
  - 2.10. reviews and publishes by 31 March each year an annual financial report of income and expenditures for the previous year prepared by RTK management; this report shall be subject to independent outside audit; The report is then sent to its promoter for trainings and activities.
  - 2.11. approves an annual program plan proposed by General Director that is consistent with international law and standards and the mandate of RTK as set out by the present law;
  - 2.12. approves a comprehensive Code of Conduct for RTK and ensures its effective implementation;
  - 2.13. oversees impartiality, objectivity and accuracy of information in RTK programming;
  - 2.14. approves professional criteria for employment of staff, policies and procedures of performance evaluation;
  - 2.15. ensures that remedial action is taken upon a determination by the RTK Board or IMC that a violation has occurred of standards or of applicable regulation or law;



2.16. decides on other important issues in accordance with the authorities and competences as set out by the Law and Statute.

#### **Article 30**

##### **RTK Board activity and the manner of work**

1. The oldest member of new RTK Board convenes the first meeting of RTK Board as soon as possible, no more than fifteen (15) days after the day that the members of the Board are appointed.
2. The RTK board shall be considered as constituted if in the first meeting are present two thirds of the members of the Board.
3. The Chair convenes regular meetings of RTK Board on monthly basis. Board meetings may be convened also on request of no less than five (5) members of the board. The Chair may convene additional meetings as needed.
4. Quorum of the meetings of RTK Board is six (6) members.
5. Meetings of the Board shall be conducted by the Chairperson in accordance with the RTK Statute and Rules of Procedure.
6. In absence of the Chairperson, the meetings are leaded by the Vice Chairperson.
7. During the process of decision taking within the RTK Board, voting is open.
8. The RTK Board under this law shall report on its work to the founder, in regular and extraordinary fashion.
9. Regular reporting of the board on its work is done periodically - once every quarter and at the end of each year. Extraordinary reporting shall be done upon request from the founder, in certain emergency situations.
10. Other procedures regarding the work of the Board determine the work regulation of the Board.
11. In the first meeting the RTK Board, with simple majority vote, shall elect the Chairperson and Vice Chairperson, from among the members of the Board, if in the first meeting are present at least two- thirds of Board member.
12. Voting for the election of the Chairperson of the Board, is done by secret votes.
13. No more than twice, members of the Board, can propose and vote the same candidate for Chairperson and/ or Vice Chairperson of the Board.
14. Conditions, criteria and procedures for the work of the Board shall further regulated by the statute of RTK and Rules of Procedure of the Board.
15. The General Director may attend meetings of the RTK Board as a non-voting member.

#### **Article 31**

##### **Conditions for Appointment and Dismissal of RTK Management**

1. No person may become a member of senior management, including the General Director, Deputy General Director, the Directors of the Radios and Television if he/ she:
  - 1.1. holds a publicly-elected post (public officials);

- 1.2. has been a member of assembly, a minister, a senior official of central or local level or member of steering forums of political entities during the last three (3) years;
  - 1.3. has direct or indirect financial interests in a media or advertising business; or
  - 1.4. has been convicted, after due process of a criminal act over six (6) months imprisonment;
2. A member of RTK senior management under the paragraph 1. of the present article, may be dismissed if:
- 2.1. becomes ineligible under the paragraph 1. of the present Article;
  - 2.2. fails to perform his or her duties effectively; and
  - 2.3. acts in a manner inconsistent with the present Law, or with the Laws on labor relations.

### **Article 32**

#### **Conditions for Appointment and Dismissal of the General Director**

1. The Director General of RTK shall be appointed by the RTK Board on the basis of the law and certain procedures foreseen by the competition advertisement.
2. The Director-General shall be a citizen of the Republic of Kosovo and hold experience in media management or other relevant areas.
3. The Director General of RTK shall be appointed or dismissed by a 2/3 two-thirds vote of the whole Board. His/her mandate shall be for three (3) years, and allow a re-selected on a competitive basis, for one more mandate only.

### **Article 33**

#### **Competencies, duties and responsibilities of the Director General**

1. Following are the authorities and duties of the RTK Director-General:
  - 1.1. manages RTK activities in compliance with the present Law and the Statute of RTK and the Code of Ethics of RTK;
  - 1.2. selects and dismisses staff of RTK, in accordance with laws on labor relations, the present Law and the RTK Statute;
  - 1.3. makes decisions about organizational issues, finances and salaries, based on criteria set by the RTK Board;
  - 1.4. represents RTK at inland and abroad;
  - 1.5. coordinates the work of the administrative units of the RTK system and solves, within its competencies, disagreements among them; General Director of RTK reports to the Board at least once per month;
  - 1.6. Prepares and presents to the Board an annual program plan that is consistent with international law and standards and the mandate of RTK as set out in this law;
  - 1.7. takes remedial action upon a determination by the RTK Board or the IMC that a violation has occurred of standards or of applicable regulation or law;

1.8. Perform other duties determined by the RTK Statute.

**Article 34**  
**General Deputy Director of RTK**

1. Deputy General Director(s) shall be elected by the RTK Board following public job vacancy advertisement and based on the recommendation of the General Director. Deputy General Directors shall assist and replace the General Director in the management of RTK.

2. On proposal of the General Director, the Board shall decide on the number of the Deputy General Director; no less than one and no more than two;

3. Deputy General Director(s) shall perform other duties set out by the RTK Statute.

**Article 35**  
**Appointment of RTK Management**

1. The RTK Board shall elect the Director of the Television Channel in the Albanian Language, the Director of Radio and the Head of Joint Services based on professional qualifications following an open and transparent recruitment process, and taking into consideration the recommendation of the General Director of RTK.

1.1. the RTK Board shall elect the Director of the Serbian Language Television Channel based on professional qualifications following an open and transparent recruitment process, upon the recommendation of the Working Group for the Selection of the Director of the Serbian Language Television Channel.

1.2. for the purpose of recruiting the Director of the Serbian Language Television Channel, the RTK Board shall establish a Working Group which shall be composed of:

1.2.1. seven (7) members, all of which must be politically independent and either representatives of civil society or experts in media;

1.2.2. four (4) shall be members of the Serbian community;

1.2.3. two (2) shall be members of the Albanian community; and

1.2.4. one (1) shall be a member of a non-majority community other than the Serbian.

1.3. The Working Group for the Selection of the Director of the Serbian Language Channel shall propose at least two (2) candidates for Director of the Serbian Language Channel who fulfill all minimum professional requirements as set forth in a regulation. The Working Group may rank the candidates in order of preference. The RTK Board may then appoint one candidate from the list within fifteen (15) days of its receipt. In the event that none of the candidates are acceptable to the RTK Board, the Chair of the Board shall send a written request to the Working Group for a second list of additional eligible candidates. The Working Group shall then provide to the RTK within thirty (30) days a second list of at least two (2) candidates who were not on the first list and who fulfill all minimum professional requirements. The RTK Board shall then appoint one of the candidates from the second list within fifteen (15) days of receipt.

1.3.1. if the Working Group does not forward a second list of candidates within thirty (30) days of receiving the written request from the RTK Board, the RTK

Board may appoint a Director of the Serbian Language Channel from a list of eligible candidates fulfilling all minimum professional requirements.

2. The Director of the TV channel in Albanian language and the director of the TV channel in Serbian language as well as the director of the radio and the head of joint services shall be accountable to the General Director and Deputy General Directors for their work.

3. Program Directors from the above-mentioned paragraph shall not be at the same time Head of Joint Services.

4. The Director of the TV channel in Albanian language and the director of the TV channel in Serbian language as well as the director of the radio shall conduct the professional part of the program of the institution and harmonize the work of the Chief Editor.

5. Each Chief Editor shall be appointed by the RTK General Director following public job advertisement based on the recommendation of the Director of the TV channel in Albanian language and the director of the TV channel in Serbian language as well as the director of the radio. Chief Editor should not have served in the last three (3) years in senior political positions.

6. The RTK Chief Editor shall be dismissed by the RTK General Director in accordance with the procedures set forth in the Statute.

7. RTK General Director shall report to the Board in detail with regards to the procedures and the form of appointment of the editor – in – chief.

8. Upon recommendation of the Editor-in-Chief, the Responsible Editor and editor of relevant program unit shall be selected and discharged by the Director of the TV channel in Albanian language and the director of the TV channel in Serbian language as well as the director of the radio with the consent of the General Director and in compliance with procedures provided for by the present law and RTK statute.

9. The mandate of the Director of the TV channel in Albanian language and the director of the TV channel in Serbian language as well as the director of the radio and the head of joint services shall be three (3) years with the possibility of extension.

### **Article 36 Public Advisory Group**

1. The RTK Board shall appoint a Public Advisory Group.

2. Composition of the Public Advisory Group shall be regulated by the RTK Statute.

3. The Advisory Group shall review:

3.1. comments and suggestions from viewers and listeners;

3.2. provide advice to the RTK Board for reviews of specific issues related to RTK programs; and

3.3. performs other duties as set out in the Statute.

4. Procedures of appointment or change of membership of the Advisory Group will be determined in the Statute of RTK.

**Article 37**  
**Monitoring the Functioning of RTK**

1. Supervision of RTK activities shall be carried out by authorized bodies for such a thing from the law and the Status.
2. An auditor body shall be responsible for supervision of regularities and consistency of actions and audit of acts for actions and acts for planed RTK actions within the framework of competencies exercised on entities that perform public activities.
3. Except authorized persons who require responsibility on behalf of members of the managing and monitoring bodies set out by the law, the Assembly of Kosovo is also authorized to require such responsibility.
4. RTK Board receives an audit report from an independent auditing expert for each year till 1 of June. Auditing expert cannot be a person who, two (2) years prior to accepting the duty by the General Director or by the RTK Board, has cooperated in any way commercially with RTK or with entities related to it. RTK and entities related to it can not cooperate commercially with selected auditing expert for two (2) years after submission of the audit report.

**Article 38**  
**Public Character of Activity**

1. The activity of RTK shall be public. Annual Report shall be published in the way set under the Statute. Annual report should make a division of spending for providing services, content and channels from individual groups or program contents and from the report of RTK Board.
2. Annual report should be published on the RTK website.
3. Once a year, RTK shall organize a public debate regarding the content of the annual report and shall draft a report on the debate, which will be submitted to the RTK Board.
4. RTK shall submit the annual public, debate report and the opinion of the RTK Board on the public debate report for orientation purposes to the Assembly of Republic of Kosovo.

**CHAPTER VI**  
**TRANSITIONAL AND FINAL PROVISIONS**

**Article 39**  
**The Statute of RTK**

1. The following activities are defined by the RTK statute: organization of this public institution, its bodies and their authorities and responsibilities; criteria and procedures for appointing and discharging management and staff of RTK; procedures of financial management; as well as all other issues relevant to conducting its activity and business.
2. RTK has also other juridical acts.
3. Statute of the RTK enters into force on the day of its promulgation, while the other acts at the time and manner specified by the Statute of RTK.

**Article 40**

### **Continuity of RTK**

1. Upon entry into force of the Law, RTK continues to act with authorizations set forth in the law.
2. Upon the beginning of implementation of the present Law, the current Board and current RTK management will continue to perform duties set forth under this law until the nomination of new members according to the present law.
3. RTK programs shall come into full compliance with provisions of the present law as soon as possible, but in no case longer than six (6) months from the day the present law enters into force
4. The RTK Statute shall be approved pursuant to the provisions of the present law within ninety (90) days from its entry into force.

### **Article 41 Repeal**

Upon the entry into force of this Law, shall abolish the Law no. 02/L-47 on RTK published in the Official Gazette No. 34 (01.08.2008) and abolishes all legal provisions that are contrary to it.

### **Article 42 Entry into Force**

The present law shall enter into force fifteen (15) days after being published in the Official Gazette of the Republic of Kosovo.

**Law No. 04/L-046  
29 March 2012**

**Promulgated by Decree No.DL-012-2012, dated 12.04.2012, President of the Republic of Kosovo Atifete Jahjaga.**