

**LAW No. 04/L-175 ON THE INSPECTORATE OF ENVIRONMENT, WATERS, NATURE, SPATIAL
PLANNING AND CONSTRUCTION**

Assembly of Republic of Kosovo,

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

Adopts

**LAW ON THE INSPECTORATE OF ENVIRONMENT, WATERS, NATURE, SPATIAL
PLANNING AND CONSTRUCTION**

**CHAPTER I
GENERAL PROVISIONS**

**Article 1
Purpose**

This Law regulates the principles, organization and inspection supervision, coordination of surveillance inspection, rights, duties, powers of inspectors, rights, obligations and supervision entities, the procedure for performing inspection and other important issues dealing with inspection supervision.

**Article 2
Scope**

The scope of this Law deals with the duties and powers of inspectors under the supervision of environmental fields, water, nature, urban planning and construction within the bodies of local and central level.

**Article 3
Definitions**

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

1.1. **Inspection supervision** - the control and supervision of implementation of the law and sub-legal acts, implementation of administrative measures and other measures of work and works of individuals and entities in the central and local level with aim to prevent, reduce and eliminate irregularities in law implementation and other legal provisions in force;

1.2. **Administrative supervision** – control and supervision for the implementation of the Law and other acts with the purpose of preventing, reducing and avoiding the irregularities in implementation of the Law and other legal provisions into force;

1.3. **Inspection procedures** – preparation, visit at the location, ascertainment and taking the measures;

1.4. **Inspection Control** - the direct supervision of natural and legal persons, entities;

1.5. **Inspectorate** - the state body in the central and local level which shall perform the duties and responsibilities of the inspection supervision in the field of environmental protection, nature, water, urban planning and construction;

1.6. **Inspector** - an official person with special authority and responsibility under this law and other legal provisions in force;

1.7. **Supervision subject** - natural persons and legal entities against whom is performed the inspection supervision and control;

1.8. **Controlled installations** - all industrial installations, enterprises or other facilities, whose activity such as emission in the air, discharges into water storage and the waste management subjugate to the conditions and environmental relevant permits, environmental approval, environmental permit and license on waste, based on environmental and waste legislation in force;

1.9. **Operator of controlled installations** - a natural or legal person that manages the work or supervises the operation of the controlled installations;

1.10. **Inspection measures** - administrative measures foreseen by this law and other legal provisions, which are issued by inspectors during the inspection procedures for removing the ascertained irregularities;

1.11. **Environmental Inspection** - inspection control and supervision, in order to respect the norms, standards and implementation of environmental legislation;

1.12. **Spatial and urban planning inspection** - control and inspection supervision, in the field of spatial and urban planning;

1.13. **Building Inspection**- checks and supervision in the field of building inspection;

1.14. **Inspection of water**- control and Supervision of inspection, in order to respect the norms, utilization and protection of water resources and implementation of legislation in the field of water;

1.15. **Inspection of nature** - the control and supervision of inspection, the purpose of protecting and preserving the general nature, its values and implementation of legislation in the field of nature;

1.16. **Respective fields** - the inspection supervision and control of environmental field, water, nature, spatial planning and construction regulated by specific laws;

1.17. **Competent body** - the organ in the central and local level that issues the document of the relevant fields;

1.18. **Inspectorate of the Ministry** - Inspectorate of Environment Protection, Inspectorate of Nature Protection, Water Inspectorate, Inspectorate of Construction and Inspectorate of spatial and urban planning;

1.19. **Ministry** - Ministry of Environment and Spatial Planning.

CHAPTER II ORGANIZATIONAL STRUCTURE OF THE MINISTRY INSPECTORATE

Article 4

1. The Inspectorate of the Ministry is an executive body under the Ministry, which consists of:
 - 1.1. Inspectorate of environmental protection;
 - 1.2. Inspectorate of nature protection;
 - 1.3. Water inspectorate;
 - 1.4. Inspectorate of spatial and urban Planning;
 - 1.5. Inspectorate of construction.
2. Inspectorate of the Ministry shall be headed by the chief inspector who for his work and functioning of the inspectorate shall respond to the Secretary General and to the Minister.
3. Inspectors of respective fields respond to the inspectors Chief.
4. The Ministry Inspectorate has the round stamp seal and the dry stamp.

Article 5 Internal organization and systematization

The Ministry by a sub-legal act regulates the organization and internal systematization of Ministry and number of employees of the Inspectorate of the Ministry.

Article 6 The organization of the inspectorate at the local level

1. For exercising supervision and control duties, municipal inspectorate is organized within the municipal departments in respective fields:
 - 1.1. Municipal Inspectorate of environmental Protection, and
 - 1.2. Municipal Inspectorate of construction.
2. Determining the number of inspectors under surveillance areas at local level is regulated by the body of local government.
3. Municipal Inspector shall perform the duties and responsibilities under the relevant fields.
4. Inspection units of local government conduct the surveillance records of inspection and are required to report to the Inspectorate of the Ministry through the annual reports in relevant areas.
5. In special cases and based on the Inspectorate requirements of the Ministry, inspection units of local government are obliged to report.

CHAPTER III DUTIES AND RESPONSIBILITIES

Article 7 Chief Inspector

1. The Chief Inspector during the exercise of duties and responsibilities performs the following tasks:
 - 1.1. ensures the implementation of the provisions of this law and laws in force in according to the respective fields;

- 1.2. coordinates the work of inspectorates according to the respective fields;
- 1.3. provides information for supervision inspections that are implemented by the inspectorates;
- 1.4. cooperates in regional and international level according to the respective fields;
- 1.5. cooperates and coordinates activities with relevant institutions of central and local level in the respective fields of supervision;
- 1.6. ensures the progress of work and professional capacity building of inspectors;
- 1.7. prepares periodic and annual plans and reports on the performance of Inspectorate;

Article 8 Head of the Unit

1. Head of the Unit during the exercise of duties and responsibilities performs the following tasks:
 - 1.1. heads, organizes, coordinates and supervises the work according to the respective field of the inspectorate;
 - 1.2. for his work shall report to the Chief Inspector of the Inspectorate;
 - 1.3. through annual working program defines the structure and manner of performing the inspection supervision;
 - 1.4. follows the way of performing the inspection supervision for the implementation of this Law and other applicable laws;
 - 1.5. defines the form, content, manner of leading and the inspection supervisions records;
 - 1.6. prepares plans, periodic and annual reports on the performance of the inspectorates according to the respective fields.

Article 9 Inspector

1. The inspector shall perform the duties and responsibilities of supervision and inspection under the provisions of this Law and other applicable laws.
2. Inspector for his work shall respond to the head of the unit.

CHAPTER IV SCOPE OF THE INSPECTORATE OF THE MINISTRY

Article 10 Inspectorate of Environment Protection

1. Inspectorate of Environment protection performs inspection supervision and control through environmental inspection by implementing this law and laws related to the field of environment protection.

2. Inspectorate for Environment Protection performs its duties and responsibilities in protecting the environment, by harmonizing its activity with the Recommendations of the European Parliament and the Council on "Minimum Criteria for Environmental Inspections in Member States" (RMCEI 2001/331/EC).

Article 11
Inspectorate of Nature Protection

1. Inspectorate of Nature Protection carries out inspection supervision and control through inspection in the nature by implementing this law and laws and sub-legal acts related to the protection of nature.

2. Inspectorate for nature protection carries out its duties and responsibilities in protecting nature, by harmonizing its activity with the requirements of the European Union for "NATURE - 2000" network.

Article 12
Water Inspectorate

Water Inspectorate carried out inspection supervision and control through water inspection by implementing this law and sub-legal acts related to water protection.

Article 13
Inspectorate of spatial and urban planning

Inspectorate of spatial and urban planning performs the inspection supervision and control through urban inspection by implementing this law and other laws related to the field of urbanization and spatial planning

Article 14
Construction Inspectorate

Construction Inspectorate performs the inspection supervision and control through construction inspection by implementing this law and laws related to the field of construction.

CHAPTER V
SCOPE OF MUNICIPAL INSPECTORATES

Article 15
Municipal Inspectorates

1. To exercise supervision and control duties, municipal inspectorate shall be organized within the municipal departments in respective fields:

- 1.1. Municipal Inspectorate of environmental protection, and
- 1.2. Municipal Inspectorate of construction.

Article 16
Municipal Inspectorate of Environmental Protection

1. Municipal Inspectorate of Environmental Protection shall perform the duties and responsibilities through audit and inspection supervision in law implementation in the field of environmental protection, water and nature.

2. Municipal Inspectorate shall exercise supervision of environmental protection in implementing measures and conditions established by municipal environmental permits, water and nature permits issued by municipalities.

Article 17
Municipal Inspectorate of Construction

1. Municipal Construction Inspectorate performs duties and responsibilities through the supervision and inspection by law implementation in the field of construction and spatial planning.

2. Municipal Construction Inspectorate exercises supervision in the implementation of measures and conditions set out terms of construction and construction permits issued by municipalities.

CHAPTER VI
SELECTION AND DISMISSAL OF INSPECTORS

Article 18
Criteria for selection

1. In the job position Chief Inspector and inspector of the Inspectorate of the Ministry there may be appointed a graduated engineer of profiles of the relevant fields and in harmony with other laws into force that regulate the field of state administration and civil servants.

2. Chief Inspector and Inspector shall be selected by public competition in accordance with the relevant provisions of the Law on Civil Service.

Article 19
Dismissal of the Inspector

1. The Inspector would be dismissed if:

1.1. with its desire require his discharge;

1.2. if found to have misused, abused and by the official duty;

1.3. if found outside of procedures has led to legal requirements;

1.4. if the competent authority has verified that permanently lost the ability to perform inspection supervision;

1.5. confirmed that it did not meet the criteria under Article 18 of this Law, to be appointed inspector;

1.6. without responsibility and in unprofessional manner carries out the inspection supervision and other work tasks, and;

1.7. in other cases for which the law provides for termination of service.

Article 20
Working conditions for performing the duties of the Inspector

1. The Ministry is obliged to provide the inspectorate with seasonal clothing, car and other working tools for the exercise of its duty.

2. To perform the job duties of inspection, the inspector have right on training and professional development through training.

3. Due to the specifications of the job nature, complexity and risk to life, the inspector in the exercise of powers and legal authorizations shall be compensated according to the Law on Salaries of Civil Servants.

CHAPTER VII BUDGET OF THE INSPECTORATE

Article 21 Budget

1. Inspectorate shall have its own budget, which is within the Ministry.
2. Chief Inspector shall prepare and submit annual budget plan of the Inspectorate for further proceedings.
3. Chief Inspector shall have the responsibility for the management, use and expenditure of the budget of the Inspectorate.
4. Chief Inspector shall, according to the needs, propose to the Minister an additional budget for the needs of the Inspectorate.
5. Income from the fines shall be deposited in the Budget of the Republic of Kosovo.

CHAPTER VIII RIGHTS, DUTIES AND POWERS OF THE INSPECTOR

Article 22 Powers and duties of inspector

1. The inspector in the exercise of duties and responsibilities is authorized to:
 - 1.1. control working documents, which allows access to monitor the performance of the subject relating to law implementation;
 - 1.2. control the competent authority, at central and local level, which has an obligation and responsibility for providing documentation as: consent, permit, license, authorization, certificate, conclusion etc.
 - 1.3. control the municipal inspection in the implementation of legal provisions in the relevant fields;
 - 1.4. propose to the respective municipal body's disciplinary measures against the leaders of the Inspectorate, inspectors and officials for acting and not acting according to responsibilities defined by this law and other applicable laws;
 - 1.5. enter and to control the business premises and working spaces, installations and equipment, work tools, transport vehicles, etc;
 - 1.6. to require the identification document of persons in order to verify identity during inspection procedures;
 - 1.7. ask from the subject of supervision or persons responsible, explanations, written reports regarding the inspection supervision issues;

- 1.8. provide samples without compensation for analysis or examination for verification in cases provided by law;
- 1.9. notice the real situation through visual sight, audio and video recording which can be used in the inspection procedure;
- 1.10. ask from the supervision subject during the control, to enable access to any space, equipment, enclosed facilities, car or tools;
- 1.11. pronounce the penalty on money in the scene - mandatory penalties - under this law or the relevant laws in force;
- 1.12. initiate proceedings of criminal offense because violation of applicable legal provisions to natural and legal persons;
- 1.13. undertake other measures for which he is authorized by this law and other applicable laws.

Article 23 Obligations of the inspector

1. Inspector during performance of the inspection and supervision inspection is required to:
 - 1.1. fulfill his duties independently and professionally, in accordance with this law and other laws into force;
 - 1.2. according to the requirements for irregularities, inform the applicant within the shortest period regarding the course of the inspection procedure;
 - 1.3. notify the responsible supervisory entity for initiation of the inspection procedure, except when such notification would have an impact on the efficiency of inspection procedures;
 - 1.4. legitimate himself in front of the supervision subject and to inform them for the legal basis of exercising control and supervision of inspection;
 - 1.5. prepare report for the control and supervision of inspection performed;
 - 1.6. act according to the law and in accordance with the ethical code of civil servants.

Article 24 The rights and obligations of the inspector for irregularities correction

1. For elimination of the irregularities found, the inspector has the right and obligation to the subject of supervision:
 - 1.1. to notify for the irregularities found and determine a deadline for their removal;
 - 1.2. to order undertaking measures and activities within a period which will determine the inspector;
 - 1.3. temporarily to halt operations, for eliminating the irregularities found;
 - 1.4. to confiscate equipment, work tools with which was caused a criminal offence or delinquency, in accordance with law;
 - 1.5. to initiate judicial proceedings for violation, criminal offence or other relevant procedure.

2. The inspector shall exercise other rights and obligations in accordance with applicable laws.

Article 25
Notice of Suspension

1. Inspectorate, in case that he has the opinion that the performance of an activity or construction could cause a potential risk to the population and the environment, sends a notice of suspension to the supervisor subject. A copy of the notice of suspension shall be sent to the competent authority, who has given permission to conduct the activity, or construction activity.

2. Notice of suspension shall be in writing in which there is:

- 2.1. determined the potential risk related to construction or performance of the activity;
- 2.2. determined steps taken to avoid that risk;
- 2.3. determined period within which these steps are taken;
- 2.4. declared that the relevant permit or its separate parts are not valid until such notice is removed.

Article 26
Notification of the competent body

If during the inspection supervision, the inspector finds irregularities, for the avoidance of which is not competent, by the report notify the competent authority.

CHAPTER IX
RIGHTS AND OBLIGATIONS OF THE SUBJECT OF SUPERVISION

Article 27
Obligations of the subject of supervision

1. The subject of supervision is required to:

- 1.1. act accordingly to requirement, respectively the deadline by order of the inspector;
- 1.2. enable the inspector performing the inspection without hampering proceedings;
- 1.3. offer to inspector the documents and records which are necessary for conducting the inspection;
- 1.4. provide inspector the necessary conditions for performing the work without interferences and evaluating facts;
- 1.5. allow inspectors access to working areas, documents and equipment that are subject to inspection;
- 1.6. at the request of the inspector, stop the work during the inspection, where inspectors can not conduct surveillance and to assess the actual situation;
- 1.7. perform any activity in the inspection procedure to assess the actual situation;
- 1.8. according to the request of the inspector, within limited period, deliver or prepare data, reports, documents and other materials necessary to conduct the inspection.

Article 28
Rights of the Subject of Supervision

1. Subject of supervision has the right to:
 - 1.1. during the inspection to give written comments and objections on the record;
 - 1.2. refuse to sign the record, if not agree with the findings presented in the record, that the refusal do not interdict the performing the procedure of inspection procedure.

Article 29
Persons responsible in the supervision procedure

1. The subject of supervision and responsible person of the subject of supervision shall be responsible for uninterrupted performance of inspection and implementing ordered measures.
2. The subject of supervision, respectively the responsible person of the subject of supervision is obliged that within three (3) days after the deadline for implementation of the ordered measures, to inform the inspector in writing whether the proposed measures are implemented.
3. Exception of paragraph 2 of this Article, the deadline may be extended only in special cases.

Article 30
Obligations of other persons

1. When the inspector during the inspection finds that the person who does not belong to the supervision entity, but there is suspicion that in his premises and facilities there are carried out activities or there are tools and equipment that are related to inspection, the person in question is obliged to enable the exercise of oversight inspection.
2. If the person referred to in paragraph 1 of this Article does not allow carrying out the inspection control, then it will apply to him the authorizations that the inspector has as to the subject of supervision.

CHAPTER X
INSPECTION SUPERVISION PROCEDURES

Article 31
Types of inspection supervision

1. Type of inspection supervision are:
 - 1.1. regular supervision and inspection noticed and non-noticed which is performed according to plan for the inspection work;
 - 1.2. extraordinary inspection supervision unannounced conducted on the basis of reports from government bodies, natural or legal persons, and in case of suspicion of the inspector;
 - 1.3. control Inspection is performed after the deadline set by the inspector.

Article 32
Supervision without supervisory entity

1. If the inspector on the day of inspection finds no responsible person of the subject of supervision, the supervising inspector at the location of supervision will give the invitation that in certain time to be present for conducting the inspection.
2. Damage, destruction or subsequent removal of invitation does not affect the validity of delivery.
3. If the person referred to in paragraph 1 of this Article does not respond, the inspector will carry out inspection in the presence of an official person or other person.

Article 33
Cooperation with state administration bodies

1. Inspectorate of the Ministry shall cooperate with the relevant state administration bodies, local authorities, police, judiciary, prosecution office, customs, inspectorates of relevant fields and relevant institutions.
2. Inspectorate - the inspector shall require the immediate intervention of order authorities when:
 - 2.1. obstructed or threatened while performing the official duty;
 - 2.2. the inspector's order does not apply to the intermission of work, forfeiture of means, demolition of the building and similar;
 - 2.3. decision does not apply in extraordinary and emergency cases;
 - 2.4. in cooperation with the police bodies, inspection supervision shall be exercised when necessary and in every time.

Article 34
Cooperation with other professional institutions

The inspector may require the inspection procedure within the opinion and cooperation of relevant institutions, whether it is necessary for fair evaluation of the factual situation.

Article 35
Minutes

1. To perform the inspection supervision, the inspector compiles minutes.
2. Inspector and subject of supervision will sign the record of inspection and a copy of the report remains to the subject of supervision.
3. With the exception of paragraph 1 of this Article, where due to the volume and complexity of the inspection, its nature and circumstances, the record can be prepared on official premises inspection service within three (3) days of supervision, with the explanation and the reasons for this.
4. A copy of the minutes from paragraph 3 of this Article is submitted for signature to the supervision subject.
5. If the subject of supervision from paragraph 3 of this Article within eight (8) days of receipt of the record, do not pronounce about the record submitted, or does not return it back to the inspector with his signature, it will be considered that the subject of supervision is agreed with the record of the inspection supervision.

6. If the subject refuses to sign the minutes of supervision, the inspector will state the reasons for rejection.

7. In the record will be noticed the name of the body that performs inspection supervision, the place, day and time when it starts and performed supervision, case of supervision, the names of inspectors, the persons present and their representatives and the attorney.

8. Minutes must be drafted clearly and understandable.

9. The record must include coverage for the actual situation, remarks, statements and other relevant circumstances and facts found during surveillance inspection.

10. Binding elements and form of the content of the records for inspection supervision shall be determined by the Ministry.

Article 36 Inspection supervision of unknown subjects

1. In cases where the inspector can not identify which is subject to oversight, the inspector leaves the invitation of the unknown entity in the scene by informing the inspection that particular day to be present for inspection.

2. If unknown entity does not respond to supervision from paragraph 1 of this Article, surveillance inspection carried out without the presence of the responsible person subject to supervision.

CHAPTER XI CONCLUSION AND DECISION-RULING ON INSPECTIVE PROCEDURE

Article 37

During the monitoring procedure, the environmental inspector issues a conclusion and decision.

Article 38 Conclusion

1. With the conclusion of the procedure it's decided for issues that arise during the procedure of inspection supervision.

2. Written conclusion will be draw only in cases when in the conclusion complains is allowed.

Article 39 Decision

1. If the inspector finds irregularities during the inspection procedure and the same law determines the irregularity of the record, then the decision shall specify the time of removal of irregularities.

2. Inspector based on facts found in the inspection procedure, shall issue a decision within fifteen (15) days.

3. During the inspection procedure, the inspector determines the direct risk to life and health of people and the same risk notice in the inspection records, the inspector shall enounce a measure of verbal decision.

4. In the case of paragraph 3 of this Article, the inspector is obliged that within three (3) days of the oral pronouncement of the decision, to issue a written decision.

Article 40 Complaints

1. Against the decision of the inspector of Ministry under Article 39 of this Law, may be appealed within eight (8) days of receipt of the decision.

2. Appeal against decision of inspector at the local level, will be reviewed by the Committee of complaints in municipality, within fifteen (15) days of receipt of decision.

3. Against the decision of the Committee of complaints in municipality, may be appealed complaint to the Minister, within eight (8) days of receipt of the decision.

4. An appeal against the decision of the inspector of Ministry within eight (8) days shall be reviewed by the Committee of complaints of the Ministry.

5. Against the decision of the Ministry, administrative dispute may be initiated administrative dispute by indictment competent court within fifteen (15) days of receipt of this decision.

Article 41 Official Authorization

1. Inspector of the Ministry has the official legitimacy, sign and the appropriate equipment.

2. The form and content of the legitimacy shall be determined by the Ministry by sub-legal act.

3. The form and content of the legitimacy of the municipal inspector shall be determined by the local competent authority.

CHAPTER XII SPECIAL OPERATIONS IN INSPECTING PROCEDURE

Article 42 Sampling

1. The inspector may take the sample, if the inspection procedure is necessary to verify the composition of matter in accordance with this law and laws in force.

2. Manner and procedure of sampling shall be determined by the Ministry by sub-legal act.

Article 43 Confiscation

1. If the inspector during the inspection finds irregularities, temporarily seize documents, materials, machines and other work that can be used as evidence in relevant proceedings.

2. Method and procedures of confiscation shall be determined by the Ministry by sub-legal act.

Article 44
Temporary interruption of activity

1. If during the inspection and surveillance inspection, the inspector finds irregularities that threaten life, health, environment and other cases stipulated by law, will temporarily cease conducting business with the sealing-bar, setting the bar areas, facilities, construction sites, equipment, labor tools and other means, for removing the irregularities.

2. In cases from paragraph 1 of this Article, the inspector orders the cooperation with competent legal entities that perform public services, water supply, electricity and related services to quit the service to the supervision subject.

3. A legal person referred to in paragraph 2 of this Article, is obliged to act under the direction of the inspector.

4. If the subject of surveillance continues activity after the seal-bar, the inspector applies the cessation of work order with the help of police and implements punitive measures.

5. Continuing operations by the supervised subject after marking / bar setting, it is considered a criminal offense.

6. The order to stop activity of the supervised entity will be abolished after the written decision of the inspector.

Article 45
Mandatory fines

1. During the supervision, inspection control and in cases when meet the illegitimate actions or activities, the inspector shall enounce the fines in accordance with applicable law.

2. The form and content of the mandatory fine form shall be determined by the Ministry while for the local administration units, the municipal authority.

CHAPTER XIII
INSPECTING PROCEDURE COSTS

Article 46
Costs of proceedings

1. Costs of inspection procedure which is performed without imposing the inspection measure will be covered by the inspection, unless otherwise specified by law.

2. Costs of inspection procedure which is performed by imposing inspection measure is carried by the subject of supervision, unless otherwise specified by law.

3. For the costs of proceedings which are known at the time of adoption of the decision, is decided by that decision.

**CHAPTER XIV
JOINT SURVEILLANCE OF INSPECTING**

**Article 47
Supervision inspection by many inspection bodies**

1. Inspection can be performed simultaneously, from more inspection bodies.
2. Joint supervision of the inspection necessarily will perform, if:
 - 2.1. it is necessary to avoid imminent danger to life and health, environmental disturbances or property of significant value;
 - 2.2. it is necessary due to the complexity of supervision or the importance of eliminating the deficiencies;
 - 2.3. it is necessary to control the objects of particular importance for tourism, trade, hotels, and other traffic, for sampling, the control of which is in competence of more inspection bodies;
 - 2.4. it is estimated that oversight in this manner is performed so quickly, with less cost and it's efficiently;

**Article 48
Cooperation with other inspection bodies**

1. In the case of conducting joint supervision, inspection bodies are required to:
 - 1.1. to harmonize work plans and programs and to plan joint inspections;
 - 1.2. to exchange experiences and to harmonize their positions on the manner and methods of work;
 - 1.3. to hold meetings, consultations, joint counseling and other forms of cooperation.
2. If during the inspection supervision inspection authorities find surveillance inspection irregularities, which are the competence of other relevant body, inform the competent authority.

**CHAPTER XV
PENALTY PROVISIONS**

**Article 49
Delinquency**

1. A fine in the amount from one thousand (1,000) up to five thousand (5000) Euro shall be imposed to the legal person for offence, while a fine from five hundred (500) to one thousand (1000) Euro shall be imposed to the responsible person of the legal person if:
 - 1.1. does not act accordingly with request, respectively deadline by order of the inspector, Article 27, paragraph 1. sub-paragraph 1.1. of this Law;
 - 1.2. does not allow the inspector unimpeded performance of inspection surveillance, Article 27 paragraph 1. sub-paragraph 1.2. of this Law;

1.3. does not provide to the inspector the documentation and data necessary for the inspection procedure, Article 27 paragraph 1. sub-paragraph 1.3 of this Law;

1.4. does not provide necessary conditions for conducting the inspection procedure, Article 27 paragraph 1. sub-paragraph 1.4. of this Law;

1.5. does not allow the inspector to access to working space and equipment to perform inspection, Article 27 paragraph 1. sub-paragraph 1.5. of this Law;

1.6. performs no action required during the inspection procedure to assess the real situation, Article 27 paragraph 1. sub-paragraph 1.7. of this Law;

1.7. in due course, not the deliver or prepare the data, reports, materials and documents other necessary procedures inspection oversight, Article 27 paragraph 1. sub-paragraph 1.8. of this Law;;

1.8. within the limited period due course does not implement the measures proposed by the inspector, respectively, did not inform him in writing for performance and implementation of those measures ordered, Article 29 paragraph 2. of this Law;

1.9. based on the inspector allegations for any suspected activities that may be subject to inspection, the inspector is not allowed to conduct the audit and inspection supervision, Article 30 of this Law;

1.10. supervisory entity does not implement the requirements and within time specified in the notice of suspension of activity of the inspectorate, Article 25 of this Law.

2. A fine in an amount from five thousand (5000) to ten thousand (10000) Euro shall be imposed to the legal person for offence, while a fine from five hundred (500) to one thousand (1000) Euro shall be imposed to the responsible person of the legal person in the competent body at the local and central level, according to Article 22, sub-paragraph 1.2. of this Law.

3. A fine in an amount from five thousand (5000) to ten thousand (10000) Euro shall be imposed to the legal person for offence, while a fine from five hundred (500) to one thousand (1000) Euro shall be imposed to the responsible person at the local level, according to Article 22, sub-paragraph 1.3. of this Law.

CHAPTER XVI TRANSITIONAL AND FINAL PROVISIONS

Article 50 Supervision

1. Administrative supervision for the implementation of the provisions of this Law and sub-legal acts issued by this law shall be carried out by the Ministry.

2. Inspection supervision in the implementation of the provisions of this law and sub-legal acts shall be carried out by the Inspectorate of the Ministry.

Article 51 Law Implementation for started procedures

Inspection procedures started before the entry into force of this Law shall be conducted under the rules which were valid before the entry into force of this law.

Article 52
Approval of sub-legal acts

The Ministry issues sub-legal acts foreseen in this Law, within six (6) months from the date of entry into force of this Law.

Article 53
Entry into force

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

Law No. 04/L- 175
2 October 2013

Promulgated by Decree No.DL-053-2013, dated 21.10.2013, President of the Republic of Kosovo Atifete Jahjaga