



Pursuant to Article 12, paragraph 9 of Law No. 08/I-017 on Agency for the Prevention of Corruption, (Official Gazette No. 19, dated 21.07.2022) as well as in compliance with Law No. 08/L-108 on Declaration, Origin and Control of Assets and Gifts (Official Gazette, No. 22, 10 August 2022), the Director of the Agency for the Prevention of Corruption, on 13 February 2024, approved the following:

REGULATION NO. 05/2024

ON RECEIPT AND REGISTRATION OF GIFTS BY OFFICIAL PERSONS

Article 1

Purpose

1. Regulation on receipt and registration of gifts by official persons (hereinafter referred to as the Regulation) shall regulate:
 - 1.1. conditions of receiving gifts by official persons;
 - 1.2. content of notice forms for gifts received and gift data;
 - 1.3. registration method, and the gift data register; and
 - 1.4. keeping and maintaining the Gift Catalogue;
2. All terms used in this regulation are gender neutral.

Article 2

Definitions

The terms used in this Regulation shall have the following meaning:

Agency – Agency for the Prevention of Corruption;

Family members - spouse, extramarital spouse, parents and children;

Protocol gift - a gift given by a representative of another country or international organization, during a visit or other occasion;

Occasional gift – a gift received in any special occasion that is not related to the exercise of the official function;

Function - any public function on the basis of a temporary or permanent appointment or employment, paid or not, performed by any natural person on behalf of the state or in the service to the state or its institutions;

Gift catalogue - the register kept by the Agency drawn up on the basis of the reported copies of the Gift Registers kept by public institutions and enterprises submitted to the Agency by March 1 of each year for the previous calendar year.

Notice of received gift - is a notice that the public official submits in a specific form to the public authority in which he performs his public function;

Official person - official persons as defined in the Criminal Code;

Gift register - is a unique list kept by public institutions and enterprises, based on the chronological order of receipt of gifts. This form for the register of gifts is prepared by the Agency and maintained by the public institution or enterprise.

Contact Official – an official appointed by a public institution or enterprise, who records gifts received by official persons in the institutional Gift Register, which he saves and provides the Agency access to it.

Article 3

Limitations regarding the receipt of gifts by official persons

1. The official person shall not have the right to request or accept, neither for himself nor for family members, gifts or other favours related to the exercise of official duties, which influence or may have a perceived influence on the exercise of official duties.
2. The official person shall have the right to accept protocol or occasional gifts, as long as they do not conflict with the provisions of this regulation regarding the receipt of occasional and protocol gifts.
3. The official person within the meaning of paragraph 2 of this Article, is obliged to inform the public institution or enterprise where the official person exercises the public function, within ten (10) days, from the day of receiving the gift, according to the form defined in Article 7 of this regulation.

Article 4

Receipt of occasional gifts

1. The official person shall not accept occasional gifts, the value of which exceeds the amount of fifty Euros (€50), or the total amount of occasional gifts exceeding the amount of two hundred and fifty Euros (€250) within one (1) year.
2. The official person shall not accept more than one occasional gift per year from the same person or institution.

3. The official person shall not accept a gift that is considered to cause a conflict of personal or official interest, or may be interpreted as such.
4. The official person shall not accept monetary securities and precious metals, regardless of their value.
5. Occasional gifts include but are not limited to:
 - 5.1. Tickets for sports matches;
 - 5.2. Invitations from private persons or companies to events, conferences, tables, fairs, etc., where participation is paid, except for invitations from international institutions/organizations or diplomatic missions;
 - 5.3. Flight tickets or other means of transport;
 - 5.4. Payment of tourist arrangements;
 - 5.5. Other food and similar gifts; and
 - 5.6. Different accessories;

Article 5

Receipt of protocol gifts

1. The official person may accept the following protocol gifts while exercising a public function:
 - 1.1. State symbols;
 - 1.2. Medals; and
 - 1.3. Other protocol signs.

Article 6

Receipt of occasional gifts of a personal character

1. The official person may receive occasional gifts of a personal character while exercising a public function, such as the following:
 - 1.1. Different pens;
 - 1.2. Notebooks, portfolio notebooks or similar;
 - 1.3. Cups or glasses;
 - 1.4. Scarves, ties or similar;
 - 1.5. Other clothing; and
 - 1.6. Other promotional materials.

Article 7

Notice of receiving, keeping or exposing gifts

1. Upon receiving a gift, the official person shall immediately present the gift for registration at the contact official of the relevant institution.
2. The official person shall inform his supervisor in writing, according to Annex 1 of this Regulation, if he has been offered or given a gift without prior notice. In cases when the official person is a manager of an institution, he shall inform the Agency.
3. If the occasional gift is not of a personal character, the gift becomes property of the institution where the official person exercises the duty.
4. The protocol gift becomes property of the institution, where the official person exercises the official duty.
5. The protocol gift may be used by the official person during the exercise of the official duties.
6. Every institution shall expose the received gifts in a separate corner accessible to the parties and public.

Article 8

Registration of gifts

1. The gift register designed and approved by the Agency shall be maintained and updated by the public institution or enterprise where the official person exercises their duties.
2. The gift register shall contain the following information:
 - 2.1. Personal data of the official person such as: name, surname, personal number;
 - 2.2. Public function they exercise;
 - 2.3. Name and address of the gift giver or name and seat of a legal person or institution if the gift was given on their behalf;
 - 2.4. Gift description;
 - 2.5. Date of gift receipt;
 - 2.6. Reason of gift giving;
 - 2.7. Gift value (or information if the valuation is ongoing);
 - 2.8. Information if the gift was received by a family member such as name, surname, family member status;
 - 2.9. Information whether it is a protocol or an occasional gift;
 - 2.10. Information whether the gift has become personal property of the official person or has remained public property.

3. Gift registration form is a constituent part of this regulation and shall be maintained by the Contact Official.
4. Relevant institutions are obliged to provide public access to such registers, in accordance with the procedures provided for in the Law on Access to Public Documents.
5. The Agency has the right to check the gift registers at any time, and in the event of a deviation, it shall request the institutions to undertake measures for the full implementation of this law.
6. Institutions have a legal obligation to maintain gift registers for ten (10) years.

Article 9

Receipt of other gifts

1. At the request of the official person receiving the gift, the Agency shall make a decision on allowing the receipt of gift if there are no convincing reasons to believe that the gift was given for personal purposes and does not nor should influence the exercise of the official duty.
2. If an official person receives a gift by mail or any other indirect way, he should record this fact in the registration form of the received gift, according to paragraph 3 Article 3 of this Regulation.

Article 10

Reporting to the Agency

1. The Contact Official is obliged to submit a copy of gift registers maintained by public institutions or enterprises for the previous calendar year to the Agency by March 1, every year.
2. The Contact Officials shall submit the Gift Register to the Agency, in the predefined form, scanned, online and/or via the online platform.
3. Gift Registers that have not been submitted in the predefined form and in the method defined by the Agency will be considered not submitted.
4. Gift Registers received by the Agency shall be entered into an online register from which the Gift Catalogue is produced.
5. If the gift registration form notes that the gift valuation is ongoing, the public institution or enterprise shall inform the Agency about the market value of the gift expressed in EURO no later than April 30 of the current year.

Article 11

Gift catalogue

1. The data in the gift registered submitted to the Agency until March 1 of the current year for the preceding year shall be public and published through the Gift Catalogue by June 1 of the current year.
2. Personal protected data of official persons and data of family members shall not become public.
3. The gift catalogue shall be kept online and in writing.

4. The online form of the Gift Catalogue is an applicative software application where data is entered from the gift registration form submitted in line with Article 8 of this regulation.
5. The Gift Catalogue shall be published on the website of the Agency.
6. The written form of the Gift Catalogue shall be stored in the archive of the Agency.

Article 12

Gift exposure and inspection

1. Every public institution or enterprise shall ensure a Gift Corner in the institution where gifts received from the official persons of the institution are exposed.
2. The gift corner shall be accessible to the parties and public.
3. The Agency shall, through the relevant unit, inspect and audit the gift register and data storage.

Article 13

Punitive measures and their publication

1. Any official person who does not inform his institution about the receipt of gift shall be punished with a fine of up to ten per cent (10%) of his monthly net salary, but this amount shall not in any case exceed the threshold of five hundred Euro (500€).
2. Any official person who does not submit the gift for exposure in the gift corner shall be punished with a fine of up to ten per cent (10%) of his monthly net salary, but this amount shall not in any case exceed the threshold of five hundred Euro (500€).
3. The contact official who does not update the gift register or fails to inform the Agency about the registration of gifts shall be punished with a fine of up to ten per cent (10%) of his monthly net salary, but this amount shall not in any case exceed the threshold of five hundred Euro (500€).
4. The relevant gift inspection and audit unit of the Agency shall prepare for the Director of the Agency a recommendation for the imposition of fines.
5. The Agency shall publish all fines imposed against the declaring entity and/or relevant official of the institution.
6. The publication of final fines shall be done not later than thirty (30) days from the day of imposition.
7. The imposed fine shall remain public for three (3) years from the date of publication.

Article 14

Transitional provisions

All chief administrative officials and contact officials of public institutions and enterprises are obliged to undertake all the actions of designating the Gift Corner in accordance with this regulation not later than six (6) months after its entry into force.

Article 15

Annexes

The following annexes are part of this Regulation:

Annex I: Notice of gift receipt;

Annex II: Gift Registration Form; and

Annex III: Gift Catalogue Form.

Article 16

Entry into force

This Regulation shall enter into force on the date of signature.

YII BULESHKAJ

Director of the Agency for the Prevention of Corruption

NOTICE OF GIFT RECEIPT**Data on the official person**

Name		Surname	
Personal Number			
Public function title			

Data on the gift received

Gift giver			
Name		Surname	
Giver's address			
Name of legal person (if the gift was given on behalf of a legal person)		Seat of legal person	
Date of gift receipt			
Gift giving occasion			
Gift description			
Gift value in Euro			<input type="checkbox"/> Valuation ongoing

Gift was received by a family member (put if applicable)

Name		Surname	
Family member (spouse, extramarital spouse, parents, children)			

Gift: occasional protocol **Gift ownership:** personal public (put where applicable)

In _____,
(Place) (Date)

(signature of public official)

Annex II: Gift Registration Form



REPUBLIKA E KOSOVËS
 REPUBLIKA KOSOVA | REPUBLIC OF KOSOVO
AGJENCIA PËR PARANDALIMIN E KORRUPSIONIT
 AGENCIJA ZA SPREČAVANJE KORUPCIJE
 AGENCY FOR PREVENTION OF CORRUPTION



GIFT REGISTER

Name of institution	
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No	DATA ON THE OFFICIAL PERSON/FAMILY MEMBER					DATA ON THE GIFT						
	Name	Surname	Personal No.	Function	Gift was received by a family member	Date of receipt	Reason of gift giving	Description	Value in EURO	Valuation ongoing	Type of gift	Gift ownership
					<input type="checkbox"/> (put ✓ where applicable)						<input type="checkbox"/> occasional <input type="checkbox"/> protocol (put ✓ where applicable)	<input type="checkbox"/> personal <input type="checkbox"/> public (put ✓ where applicable)
	Name	Surname	Not applicable	Family member (spouse, extramarital spouse, parents and children)								

In _____, _____
 (Place) (Date)

 (signature of contact official)

Annex III: Gift Catalogue Form



GIFT CATALOGUE

No	DATA ON INSTITUTION/POSITION			DATA ON THE GIFT					
	Name of institution	Function of the official receiving the gift	Gift was received by a family member (put ✓ if applicable)	Date of receipt	Reason of gift giving	Description	Value in EURO	Type of gift (put ✓ where applicable)	Gift ownership (put ✓ where applicable)
			<input type="checkbox"/>					<input type="checkbox"/> occasional <input type="checkbox"/> protocol	<input type="checkbox"/> personal <input type="checkbox"/> public
			<input type="checkbox"/>					<input type="checkbox"/> occasional <input type="checkbox"/> protocol	<input type="checkbox"/> personal <input type="checkbox"/> public
			<input type="checkbox"/>					<input type="checkbox"/> occasional <input type="checkbox"/> protocol	<input type="checkbox"/> personal <input type="checkbox"/> public
			<input type="checkbox"/>					<input type="checkbox"/> occasional <input type="checkbox"/> protocol	<input type="checkbox"/> personal <input type="checkbox"/> public
			<input type="checkbox"/>					<input type="checkbox"/> occasional <input type="checkbox"/> protocol	<input type="checkbox"/> personal <input type="checkbox"/> public
			<input type="checkbox"/>					<input type="checkbox"/> occasional <input type="checkbox"/> protocol	<input type="checkbox"/> personal <input type="checkbox"/> public