

**LAW NO. 08/L-108**

**ON DECLARATION, ORIGIN AND CONTROL OF ASSETS AND  
GIFTS**

**Assembly of the Republic of Kosovo;**

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

Adopts:

**LAW ON DECLARATION, ORIGIN AND CONTROL OF ASSETS AND GIFTS**

**CHAPTER I  
GENERAL PROVISIONS**

**Article 1  
Purpose**

This Law aims to define the system of declaration of assets, including the ways and procedures of declaration of assets and gifts, the origin and control of declared assets and gifts, as well as declaring entities, in order to prevent corruption, conflict of interest and to strengthen the integrity of public institutions, including sanctioning.

**Article 2  
Scope**

This Law shall apply by the Agency for Prevention of Corruption and by the relevant institutions as well as it is mandatory to the entities that are obliged to declare their assets under this Law.

**Article 3  
Definitions**

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

- 1.1. **Agency**- the Agency for Prevention of Corruption;
- 1.2. **Family members** – spouse, extramarital spouse, parents and children;
- 1.3. **Protocol gift** - a gift given by a representative of another country or international organization, during a visit or other occasion;
- 1.4. **Occasional gifts** – a gift received in any special occasion that is not related to the exercise of the official function;
- 1.5. **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;
- 1.6. **Private function** - any engagement in the private sector, being temporary or permanent, paid or not, performed by a public official alongside the public function;
- 1.7. **Asset** - all income, assets and liabilities, whether material or non-material, immovable and movable asset of the declaring entity and his family member;

1.8. **Immovable assets** - all properties owned by the declaring entity and his family member, including immovable assets that is in use through lease agreements, decisions on allocation for use or any other type of agreement, contract, decision regulating the use and/or the possession of the immovable asset, as documented by ownership documents;

1.9. **Movable asset** - vehicles, jewellery, works of art, collections of weapons, animals, interior, clothing or household goods, and any other movable item the value of which exceeds three thousand (3,000) Euro as documented by a contract, invoice or similar document in possession of the declaring entity and his/her family member;

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

1.11. **Origin of assets** - the history of acquisition of assets by the declaring entity the authenticity of which is verified through evidence provided by the declaring entity or that the Agency obtains from other sources;

1.12. **Beneficial owner** - as defined by the Law on Prevention of Money Laundering and Combating the Financing of Terrorism;

1.13. **Declaring entity** - the official who according to this Law is obliged to declare his assets;

1.14. **Value of assets** - the value specified on sales contract, invoice or proof of transaction. In cases where the contract, invoice or proof of transaction is missing, or in cases where the immovable property was inherited, donated, given or purchased long time ago, the value is declared according to the assessment by the relevant institutions. For immovable property, the evaluation established for the purposes of the property taxes will be used;

1.15. **Senior official** - all officials as defined in Article 4 of this Law;

1.16. **Public official** - all officials as defined in Article 5 of this Law;

1.17. **Contact Official** - the designated official who will serve as contact point between the Agency and the institution and/or the declaring entity;

1.18. **CAO** - the Chief Administrative Officer according to the relevant legislation on public financial management and accountability.

#### **Article 4** **Senior officials**

1. For the purposes of this Law, the list of Senior Officials is as follows:

1.1. President of the Republic of Kosovo;

1.2. President of the Assembly;

1.3. Members of the Assembly;

1.4. Prime Minister and Ministers of the Government of Kosovo;

1.5. President of the Constitutional Court, Deputy President of the Constitutional Court, and Judges of the Constitutional Court;

1.6. Chair of the Kosovo Judicial Council and all Presidents of the Courts;

1.7. Chair of the Kosovo Prosecutorial Council, Chief State Prosecutor and all other Chief

Prosecutors;

1.8. Chair of the Central Election Commission;

1.9. Commander of the Kosovo Security Force;

1.10. Director of the Kosovo Intelligence Agency;

1.11. General Director of Kosovo Police;

1.12. Ombudsperson;

1.13. Governor and Board Members of the Central Bank of Kosovo;

1.14. Chair and Board Members of the Kosovo Pension Savings Trust, and Managing Director;

1.15. Chairpersons and board members and general directors of public enterprises,

1.16. General Auditor;

1.17. General Director of Customs,

1.18. General Director of Tax Administration,

1.19. Mayors of Municipalities

1.20. Deputy Prime Ministers and Deputy Ministers of the Government of Kosovo;

1.21. Members of the Judicial Council and members of the Prosecutorial Council, Judges and Prosecutors;

1.22. Deputy Commander of the Kosovo Security Force;

1.23. Deputy Ombudspersons;

1.24. Ambassadors and Consuls;

1.25. Heads of independent agencies and executive agencies, or equivalent positions established by law or by other sub-legal act, and their deputies;

1.26. All officials exercising CAO responsibilities, including: Secretary General of the Assembly, Secretary General of the Office of the President, Secretary General of the Office of the Prime Minister and Secretary Generals of the Ministries, Secretary of the Constitutional Court, Director of the Secretariat of the Judicial Council, Director of the Secretariat of the Prosecutorial Council;

1.27. Advisers to the President of the Republic of Kosovo, Advisers to the President of the Assembly of the Republic of Kosovo, Advisers to the Prime Minister of the Republic of Kosovo and Advisers to the Ministers of the Government of Kosovo, including external political advisers;

1.28. Deputy Directors of the Kosovo Police, Directors of Divisions, Directors of Departments, Directors of Directorates, Regional Directors of the Kosovo Police and Commanders of Kosovo Police Stations;

1.29. Deputy Director of the Kosovo Intelligence Agency, Inspector General of the Kosovo Intelligence Agency, and public positions of the Kosovo Intelligence Agency as defined

by special Law;

1.30. Head of the Secretariat and members of the Central Election Commission;

1.31. Deputy Governors of the Central Bank of Kosovo;

1.32. Chief Executive Officer, Chair, deputy Chairs and members of the Independent Media Commission;

1.33. Members of collegial bodies of Independent Agencies, Public Enterprises at central and local level, Chief Executive Officers of Public Enterprises at central and local level, Secretaries of Public Enterprises at central and local level, members of Regulatory Authorities, members of Commissions or other Agencies established by law or other sub-legal act;

1.34. Deputy Mayors, Chairs, Deputy Chairs, Directors of Municipal Directorates;

1.35. Rector and Vice-Rectors of Public Universities, Members of Steering Councils of Public Universities, Deans and Vice-Deans, as Secretaries of Public Universities and Academic Units;

1.36. Heads of all Departments, Directorates, Auditing Units and equivalent units, Finance, Budget Heads in all public institutions at local and central level and public enterprises at local and central level;

1.37. Public Procurement Heads and responsible persons.

1.38. Deputy Directors, Regional Directors and Managers of Customs and Tax Administration of Kosovo.

2. Appointees by the President, the Assembly, the Government Cabinet, the Prime Minister and the Ministers, means all the appointees in equivalent positions to the positions specified in paragraph 1 of this Article.

3. All officials who exercise acting duties in the positions mentioned in paragraph 1 of this Article, and who have been in office for more than three (3) months, are obliged to declare their assets no later than thirty (30) days from the day when the three (3) month period is exceeded.

4. Senior officials appointed by a decision and who do not hold the citizenship of the Republic of Kosovo are not obliged to declare their assets.

## **Article 5** **Public officials**

1. For the purposes of this Law, public officials who are obliged to declare their assets under this law are as follows:

1.1. licensed physicians operating in public institutions at the secondary and tertiary level;

1.2. professors at Public Universities, including assistant professors, associate professors and regular professors;

1.3. forensic doctors and forensic psychiatry experts;

1.4. internal auditors and auditors in the National Audit Office;

1.5. police inspectors;

- 1.6. central and local level inspectors from the Office of the Prime Minister, ministries, judicial and prosecutorial system, executive agencies, independent agencies, commissions, inspectors in municipalities and various regulators established by the Law;
  - 1.7. Public Procurement officials in all public institutions of local and central level and in public enterprises of local and central level,
  - 1.8. Procurement Review Body Experts;
  - 1.9. managerial positions in Courts and Prosecution Offices;
  - 1.10. customs officials, tax inspectors, as well as police investigators; and
  - 1.11. heads of units and officials performing investigative, inspection, licensing, verification or certification tasks in the Office of the Prime Minister, ministries, judicial and prosecutorial system, executive agencies, independent agencies, commissions, inspectors in municipalities and various regulators established by the Law.
2. The Agency shall determine and regularly update the list of positions from which the declaration of assets is required under this Article, through a sub-legal act adopted by the Director of the Agency. The Agency shall ensure that the list is made public and accessible, and that holders of those positions are notified by contact officers.
3. Public officials appointed by a decision and who do not hold the citizenship of the Republic of Kosovo are not obliged to declare their assets.

## **CHAPTER II DECLARATION OF ASSETS, INCOME, MATERIAL BENEFITS AND FINANCIAL OBLIGATIONS**

### **Article 6 Declaration of assets**

1. The declaration of assets includes:
- 1.1. name and surname of the declaring subject, date of birth, personal number, civil status, name of one parent and the fiscal number if any;
  - 1.2. name and surname of the family members of the declaring entity, date of birth, personal number, civil status and connection with the declaring entity;
  - 1.3. address of the permanent residence and the addresses of the possible temporary residencies;
  - 1.4. current declaring position and other functions exercised in the public and private sector, including the time period of exercising the function;
  - 1.5. data on ownership, co-ownership or shares, managerial positions or other rights in any company, private institution, or any other private activity with a description of the activity, declaration of businesses regardless of their status in the Agency responsible for business registration, and a description of the registered name or name of the organization;
  - 1.6. data on ownership, co-ownership or shares and the rights that the businesses and other subjects mentioned in the sub-paragraph 1.5 of this Article have in another company, institute or private activity with the description of the registered name or name of the organization;

- 1.7. the beneficial ownership together with the ownership or co-ownership, as well as the savings of the family members;
  - 1.8. net personal income for the year, from the salary or participation in boards, commissions or any other activity that contributes to net personal income, including payments for trips abroad, divided by travel, as well as other detailed payments or allowances for participation in commissions and other similar groups. The income for each engagement is declared separately;
  - 1.9. real estate and real rights over them, including information on the surface area in square meters or hectares, as the case may be, plot number, origin and/or method of purchase or acquisition, year and price of purchase, and previous owner from which the property has been acquired.
  - 1.10. movable assets, including any particular part of the movable asset including information on the origin and/or method of purchase or acquisition, year of purchase and purchase price, and the previous owner from whom the property has been acquired;
  - 1.11. cash, cash deposited in current and savings accounts, as well as savings and interest earned on deposits at home and abroad, including in foreign currency, non-resident bank accounts, dividends, savings from participation in pension schemes in trusts or other savings for themselves and other family members, the total value of which exceeds the amount of three thousand (3,000) Euro;
  - 1.12. data on ownership, co-ownership or shares and the rights that declaring subjects and their family members have in another company, institute or private activity, with the description of the registered name or name of the organization, as well as investments in these shares;
  - 1.13. types and values of securities and stocks, including securities issued by a foreign government or corporation bonds if at the time of declaration of assets their total value exceeds the amount of three thousand (3,000) Euro;
  - 1.14. debts, liabilities or guarantees received, credit and loans, with which the declarer is burdened or has terminated the right of ownership, possession or use of real estate or movable asset with value exceeding the amount of three thousand (3,000) Euro;
  - 1.15. expenses, donations and all transactions realized during the reporting period, the value of which exceeds the amount of three thousand (3,000) Euro;
  - 1.16. donations made to any political entity, regardless of the type and value of that donation;
  - 1.17. rights and revenues realized from intellectual property rights if during the declaration period their total value exceeds three thousand (3,000) Euro;
  - 1.18. types and values of digital currencies, if at any time within the declaration period their total value has exceeded three thousand (3,000) Euro.
2. In declaring the assets, the declaring entity shall include data on the origin of the asset and the revenues used for the purchase of movable and immovable assets, which the declaring entity is obliged to declare according to this Law. Data on inherited assets shall include data on the type and value of the inheritance, including from whom it was inherited.
3. All asset values must be declared according to the amounts set in the contracts or invoices, stating also the year of acquisition. If it is not possible to determine the value of the asset, due to it resulting from the process of inheritance, donation, or similar, it should be reported with a detailed description, including the year of acquisition and the manner of acquisition.

4. For all the data presented in the asset declaration form, declaring entities are obliged to provide the relevant evidence for the origin of the asset at the request of the Agency.

5. The Agency may request any data referred to in paragraph 1 of this Article, from official data to verify their accuracy, including the bank statements that the declaring entity shall submit to the Agency upon request, for all accounts in local and international banking and financial institutions for themselves and their family members. Bank statements are issued only for the purpose of full audit according to this Law, for the purpose of verifying the data included in the declaration of assets of the declaring entity, and shall cover only the time of exercise of the function for which the entity files declaration of assets in accordance with this Law.

### **CHAPTER III TYPES OF ASSET DECLARATION**

#### **Article 7 Occasions of Declaration of Assets**

1. The declaration of assets by the declaring entities shall be made on the occasion as follows:

- 1.1. declaration when taking office;
- 1.2. regular annual declaration;
- 1.3. declaration after termination or dismissal from public office.

2. In cases when the declaring entity moves from a declaring position to another declaring position, he/she is not obliged to make the declaration upon taking the post. The same shall only make the regular annual declaration as foreseen by this Law.

#### **Article 8 Declaration on the occasion of taking office as a declaring entity**

1. Upon assuming a public office, the declaring entity declares the current state of assets and their origin within thirty (30) days from taking office.
2. Exceptionally from paragraph 1 of this Article, the declaring entity shall not declare their assets on the occasion of taking office, if the declaring entity does not exercise the function for more than thirty (30) days.

#### **Article 9 Regular annual declaration of declaring subjects**

1. The regular annual declaration of assets shall be made during the exercise of public office, from March 1 to March 31 of each calendar year for the previous year for the January 1 to December 31 period.-
2. Exceptionally from paragraph 1 of this Article, in cases when in the previous year the declaration was made according to Article 8 of this Law, the regular annual declaration covers only the period from the day of appointment of the declaring entity until December 31 of the reporting period.

#### **Article 10 Declaration upon termination of the function**

1. Upon termination of the function, the declaring entity shall submit within thirty (30) days the declaration of assets for the remaining undeclared period from the last regular annual declaration.

2. The declaration of assets is made based on the current situation on the day of electronic submission of the form.

3. Exemption provided by Article 8 paragraph 2 of this Law is also applicable to the declaration foreseen in this Article.

### **Article 11**

#### **Electronic Declaration**

1. Declaring entities are obliged to declare the assets electronically using the system of the Agency for electronic declaration.

2. The declaration of assets shall be monitored and controlled by the Agency. The Agency shall have access to the data of all declarations of assets of the declaring entities.

3. Each declaring entity shall have secure and individual access to the electronic asset declaration system and shall have unlimited and full access to his/her declaration.

4. The platform shall enable easy access to the data of the declaration of the declaring entities with the purpose of analysis of required data in relation to individual, sectoral analyses or other analyses of public interest.

5. All data included in the declaration of assets by the declaring entities shall be stored in electronic form.

6. The Information Society Agency shall undertake appropriate technical and organizational measures to ensure data protection and shall conduct the audit in terms of information technology of the online platform.

7. The electronic method of declaration regarding the status and origin of assets is determined by the Agency through a sub-legal act issued by the Director of the Agency.

### **Article 12**

#### **Publication of the declaration of assets of the declaring entities**

1. The declaration of assets of the declaring entities shall be published through the online platform no later than thirty (30) days from the day of expiration of the deadline for declaration.

2. Notwithstanding paragraph 1 of this Article, the following data shall not be published:

- 2.1. date of birth;
- 2.2. personal number;
- 2.3. address; and
- 2.4. name of family members.

3. Declaring entities from the ranks of the Kosovo Intelligence Agency or the Security Forces or their family members who hold confidential positions shall be obliged to declare their assets under this Law, but their declarations shall not be publicly available.

4. The data of the declaring entities that are published on the online platform will remain published for another three (3) years after the end of the legal obligation to declare and then must be removed from the online platform.

### **Article 13**

#### **Completion and Correction of the Declaration**

1. Declaring entities, no later than thirty (30) days after the publication of the asset declaration,

can file a request with the Agency for the necessary completion or corrections of the declaration submitted within the legal deadline, if during the filling of the data inadvertent omissions or errors were made.

2. The completion or correction of the declaration shall not be allowed after the publication of the lottery or if in the meantime the Agency has started the audit of the assets of the declaring entity.

#### **Article 14** **Family members of the Public Official**

1. Declaring subjects are obliged to declare the assets of the family members with whom he lives in a family community.

2. The family members for whom the declaring entity declares the assets, are as follows:

- 2.1. spouse;
- 2.2. extramarital spouse;
- 2.3. parents; and
- 2.4. children.

### **CHAPTER IV** **REGISTRATION, AUDIT AND MAINTENANCE OF ASSET DECLARATIONS**

#### **Article 15** **Register of Declarations**

1. The data of the declaration of assets of the reporting entity include all the information required according to paragraph 1 of Article 6 of this Law. The declaration of assets has the date when it is submitted to the Agency, respectively in the relevant institution.

2. The processing of personal data found in the register is done in accordance with the Law on Personal Data Protection.

3. The archiving of the data of the declaring subjects is done in accordance with the relevant legislation in force for the archives.

#### **Article 16** **Admissibility of Asset Declaration Data in other Proceedings**

1. The declaration of assets, including the electronic declaration, shall constitute an official document.

2. All information contained in the declaration form or documents and other data supporting the declaration of assets, shall be considered official and may be used in administrative, criminal or other proceedings.

#### **Article 17** **Control Authorization**

1. The declaring entity must, upon the filing of the form for declaration of the assets, sign even the authorization which is part of the declaration form.

2. The Agency shall have the right to verify the data of the declaring entity inside and outside the country.

## **Article 18**

### **Full control of Declared Data**

1. The Agency shall perform the full control of the declarations of assets of the declaring subjects and their family members.
2. The full control is done to verify the authenticity and accuracy of the data included in the declaration form, to compare the data with the previous forms, as well as to check for data required in the declaration that have not been submitted. The full control shall include matters relating to the origin of the assets and shall cover the period from the last full control, if such a control has been performed. On the contrary, the full control shall be performed from the first declaration made on the basis of the appointment.
3. The Agency shall perform the full control of assets by undertaking administrative investigative actions, for the purpose of verifying the origin of assets by processing data made available from various sources, including state institutions and other holders of public authority, but also data/information that the Agency obtains in other ways. The data and information requested and made available by institutions or other persons, shall only relate to the information included in the declaration of assets.
4. Anyone can submit to the Agency information related to the declaration made by the declaring subjects, in order to verify whether that declaration is correct or not.
5. If a full control reveals that the declaration is not truthful and accurate, or that the declared source of assets cannot be identified and does not cover the declared assets, the Agency shall require from the declaring entity to provide relevant explanations and arguments, which are submitted in writing within fifteen (15) days.
6. If the declaring entity does not provide evidence or provides evidence that is not convincing, the Agency forwards the case to the competent prosecution.
7. The Agency shall perform, annually, the full control of the asset declarations of all senior officials as listed in sub-paragraphs 1.1 to 1.18 of Article 4 of this Law, in order to verify their accuracy and the origin of the assets each year.
8. Each year, at least one third (1/3) of senior officials from the list of senior officials as listed in sub-paragraphs 1.19 to 1.38 of Article 4 of this Law, are regularly subjected to full control. The selection of declarations that are subject to full control is done through a lot. The list of senior officials subject to full control is not public.
9. No more than five hundred (500) public officials, who are selected by lot, shall be subjected to full control each year.
10. The Agency shall determine, by sub-legal act, the automated manner of drawing by lot from the list of declaring subjects that are subject to full control as listed in paragraphs 8 and 9 of this Article.
11. Senior officials as listed in sub-paragraphs 1.1 to 1.18 of Article 4 of this Law, who have been subject to full control for the previous year according to paragraph 7 of this Article, are not subject to full control by the Agency except in cases when in the declaration of the assets there are discrepancies in the data of the assets from the previous years.
12. Senior officials as listed in sub-paragraphs 1.19 to 1.38 of Article 4 of this Law, who have been subject to full control for the previous year according to paragraph 8 of this Article, are excluded from full control by lot for the following two (2) years.
13. Public officials subject to full control under paragraph 9 of this Article shall not be excluded from the selection process for full control by lot for the following year.

14. In case of suspicion that any declaring entity is concealing his assets or their origin, the Agency may perform the full control of the declaration on the declaring entity or members of his family, ex- officio or according to the information received.

15. Declarations of assets of the declaring entities and data which are not published in accordance with paragraph 3 of Article 12 of this Law may be used and further processed only for the purpose of investigating and preventing corruption or controlling possible conflicts of interest of the senior public official person in relation to the exercise of public functions.

#### **Article 19** **Obligation to Provide Data**

1. The Agency shall request, during the audit of the declaring entity, data and information about the declaration of assets and the sources of their creation, and checks the accuracy of these declarations.

2. In case of full audit of assets, the declaring entity is obliged to submit, within fifteen (15) days from the filing of the request of the Agency, relevant evidence on the required data, including bank reports for all bank accounts declared under Article 6 of this Law.

3. Failure to provide the clarifications and data provided for in paragraph 2 of this Article, shall be considered a circumstance for initiating the relevant procedures provided by this Law.

4. Central and local bodies, public sector institutions, holders of public authorizations and other public or private legal entities must submit to the Agency, free of charge, within eight (8) days after such request, all data, including personal data and documents required for the performance of the duties of the Agency, in accordance with the provisions of other laws.

#### **Article 20** **Competent Authority**

The Corruption Prevention Agency is the central institution for the implementation of the provisions of this Law.

#### **Article 21** **Duties of the Contact Officer**

1. Each institution shall appoint a contact officer who should be from the ranks of officials dealing with personnel matters or similar matters, no later than fifteen (15) days after receipt of the request by the Agency.

2. The Contact Officer has the following duties:

2.1. informs the declaring entity on his/her obligation to make the declaration of assets, within thirty (30) days from the entry into force of the decision of his/her appointment, in accordance with the provisions of this Law;

2.2. forwards the list with the names of declaring subjects and notifies the Agency of changes in the list within five (5) days. These lists include the following information: name and last name, personal number, institution, position, address of permanent residence, date of appointment or dismissal from the office or position;

2.3. records gifts received from officials in the institution's register;

2.4. keeps and maintains the register of gifts of the institution and enables the Agency to access it; and

2.5. arranges for an area in the institution where gifts received by the official persons of the institution are exhibited.

3. The contact officer is obliged to provide the Agency with a report on the receipt of gifts.

4. The Agency shall provide ongoing training and advice to the contact officers and declaring subjects. Attendance of trainings is mandatory for contact officers.

## **CHAPTER V ACCEPTANCE, RECORDING AND AUDITING OF THE GIFT REGISTER**

### **Article 22 Prohibition of Accepting and Seeking Gifts**

The official person shall not request or accept, either for themselves or for family members, gifts or other favours related to the performance of official duties, and which affect or may have a perceived impact on the performance of official duties, other than protocol gifts or occasional gifts.

### **Article 23 Acceptance of Occasional Gifts**

1. The official person shall not accept an occasional gift, the value of which exceeds the amount of fifty (50) Euros, or when the totality of the occasional gifts exceeds the amount of two hundred and fifty (250) Euros within a year.

2. The official persons shall accept no more than one occasional gift per year from the same person or institution.

3. The official person shall not accept monetary securities and precious metals, regardless of their value.

### **Article 24 Notice of Receipt and Retention of the Gift**

1. The official person, upon receiving the gift, shall immediately presents the gift for registration to the contact officer of the relevant institution.

2. The official person informs his/her supervisor in writing if he/she has been offered or given any gift without prior notice. In cases where the official person is the head of an institution, he/she must inform the Agency.

3. If the occasional gift is not of a personal nature, the gift becomes the property of the institution in which the public official exercises his/her duty.

4. The protocol gift is the property of the institution.

5. Protocol gifts, which include state symbols, medals, and protocol marks, may be used by the official person in the performance of official duties.

6. Each institution shall exhibit the gifts received in a special corner, accessible to the parties and the public.

### **Article 25 Registration of Gifts**

1. All gifts received and their respective value, as well as the names of the persons or institutions

giving the gifts, must be registered by the official person in the register of gifts designed by the Agency and kept by the institution in which the official persons exercise their duties. The register is maintained by the Contact Official.

2. At the request of the official who received the gift, the Agency decides to allow the gift to be accepted if there are compelling reasons to believe that the gift was given for personal purposes and does not affect or appear to have any effect on the exercise of official duty.

3. Relevant institutions are obliged to provide public access to such registers, in accordance with the procedures set out in the Law on Access to Public Documents.

4. Public institutions maintain special registers of gifts. The Agency, within sixty (60) days from the entry into force of this law, shall draft a standard form for the maintenance of registers and shall forward it to public institutions.

5. The Agency has the right to check the registers of gifts and in case of any deviation it shall require from the institutions to take measures for the full implementation of this aw.

6. Institutions have a legal obligation to store gift registers for ten (10) years.

7. All official persons make the declaration of gifts by completing the gift catalogue and shall be submitted to the institution where the official exercises the function.

#### **Article 26**

#### **Oversight on Gifts**

The Agency shall have the right to inspect and audit the gift register and the storage of this data at any time.

### **CHAPTER VI**

### **EXTRAORDINARY CIRCUMSTANCES**

#### **Article 27**

#### **Suspension of deadlines**

Due to objective circumstances, which have led to non-fulfilment of obligations to the agency, the expiration of the deadlines set by this law may be suspended until the cessation of the existence of objective circumstances that have affected the non-fulfilment of obligations by the declaring entity.

### **CHAPTER VII**

### **PUNITIVE PROVISIONS**

#### **Article 28**

#### **Punitive measures against declaring entities**

1. The Agency is competent to impose punitive measure against the declaring entities in the following cases:

1.1. failure to file the regular annual declaration of assets upon appointment under Article 8 of this Law;

1.2. failure to file the regular annual declaration of assets under Article 9 of this Law;

1.3. failure to file the regular annual declaration of assets upon termination of the mandate under Article 10 of this Law;

- 1.4. failure to comply with the request of the Agency for providing information or other supporting documents, under Article 19 of this Law.
2. The Agency shall impose, after the expiration of the term, a fine on each declaring entity who fails to fulfil their duties under sub-paragraphs 1.1 to 1.4 of this Article.
3. The fine imposed pursuant to paragraph 2 of this Article shall be imposed in the rate of up to thirty percent (30%) of the net monthly salary of the declaring entity, but in no case shall this amount exceed the threshold of five hundred (500) Euro.
4. In case the declaring entity does not fulfil the obligation, even after the imposition of the fine, but not later than fifteen (15) calendar days from the day when they had to fulfil the obligation under paragraphs 1.1 to 1.4 of this Article, then the Agency shall file a criminal report with the relevant prosecution office.
5. The court, in case of sanctioning the declaring entity in criminal proceedings, shall take into consideration the fine imposed by the Agency.
6. The list of the declaring entities that have not fulfilled the obligation under sub-paragraphs 1.1 to 1.4 of this Article shall be made public by the Agency.

#### **Article 29** **Punitive measures against the responsible officials of the institutions**

1. The Contact Point is punished with a fine in case he/she does not implement the duties provided by this law. The fine imposed pursuant to this paragraph shall be imposed in the amount of up to ten percent (10%) of the net monthly salary of the Contact Point, but in no case shall this amount exceed the threshold of five hundred (5000) Euro.
2. In addition to paragraph 1 of this Article, the Agency shall also inform the Chief Administrative Officer or equivalent position, at which the Contact Point is designated, of the failure to fulfil the obligations duties under Article 21 of this Law, and it may request the initiation of disciplinary procedures against the Contact Point.
3. The Chief Administrative Officer or equivalent position shall be sanctioned with a fine in case he/she does not designate the Contact Point by a written decision or does not initiate the disciplinary proceedings according to paragraph 2 of this Article. The fine imposed pursuant to this paragraph shall be imposed in the rate of up to ten percent (10%) of the net monthly salary of the Chief Administrative Officer or equivalent position, but in no case shall this amount exceed the threshold of five hundred (500) Euro.
4. Each Chief Administrative Officer or equivalent position shall be punished with a fine if he/she does not comply with the requirements of the Agency for providing information or documents related to the declaration of assets of the declaring subjects. The fine imposed pursuant to this paragraph shall be imposed in the rate of up to twenty percent (20%) of the net monthly salary of the Chief Administrative Officer or equivalent position, but in no case shall this amount exceed the threshold of five hundred (500) Euro.
5. Any official who does not execute the decision through which the fine was imposed, to withhold the amount of the fine from the salary of the fined official, is sanctioned with a fine. The fine imposed pursuant to this paragraph shall be imposed in the amount of up to ten percent (10%) of the net monthly salary of the Official, but in no case shall this amount exceed the threshold of five hundred (500) Euro.
6. In case it is proven that there was interference in the online system of declaration of assets or in the hard copies of the declarations of declaring entities, the Agency shall send the case to the competent prosecution office.

### **Article 30**

#### **Sanctions in relation to gifts**

1. Any official person who does not notify his/her institution of receiving a gift, shall be punished with a fine of up to ten percent (10%) of his/her net monthly salary, but in no case shall this amount exceed the threshold of five hundred (500) Euro.
2. Any official person who does not submit the gift to be exposed in the gifts' corner, shall be punished with a fine of up to ten percent (10%) of his/her net monthly salary, but in no case shall this amount exceed the threshold of five hundred (500) Euro.
3. The contact officer who does not update the gift register or fails to notify the Agency for the gift register, shall be punished with a fine of up to ten percent (10%) of his/her net monthly salary, but in no case shall this amount exceed the threshold of five hundred (500) Euro.

### **Article 31**

#### **Publication of Punitive Measures**

1. The Agency publishes all fines imposed on the declaring subject and / or the responsible official of the institution.
2. The publication of the final fines is done no later than thirty (30) days from the day of imposition.
3. The fine imposed from paragraph 1 of this Article, will remain published three (3) years from the date of publication.

### **Article 32**

#### **Procedure and execution of fines**

1. The Agency is competent to conduct the minor offences procedure and to impose fines in accordance with the legislation into force. The Agency may impose fines up to five hundred (500) Euro, based on the percentages provided by this Law.
2. The Agency shall establish a Unit that will be responsible for handling fines and objections submitted based on the legislation into force. The objection process takes place for any of the measures imposed by the Agency, provided in Articles 28 to 30 of this Law.
3. In cases where the fined official does not pay the fine voluntarily, the imposed fines are executed through the relevant institution that administers the payroll or the relevant enterprise, by withholding the amount of the fine from the salary of the official on whom the fine was imposed. If the official is no longer on the payroll or is not employed by the relevant public enterprise, the execution of the fine is carried out through private enforcement agents.

## **CHAPTER VIII**

### **TRANSITIONAL AND FINAL PROVISIONS**

### **Article 33**

#### **Transitional Provisions**

1. All proceedings which have been initiated under Law No. 03/L-159 on the Anti-Corruption Agency until the date of entry into force of this law, are resolved according to the provisions of the law that was in force at the time of initiating the relevant procedures.
2. Declaring entities who before the entry into force of this Law were not obliged to declare assets, are obliged to declare assets, within three (3) months from the entry into force of this Law.
3. The Agency is obliged to notify the officials from paragraph 2 of this Article about their obligation for declaration, within forty-five (45) days from the entry into force of this Law.

4. All references to the Law on Declaration, Origin and Control of Assets and Gifts of Senior Public Officials in any law or sub-legal act into force, mean a reference to the provisions of this Law.

5. Obligations for the category of senior public officials, for purposes of asset declaration, in any law or sub-legal act into force, mean the category of officials defined in Articles 4 and 5 of this Law.

6. No later than six (6) months from the entry into force of this Law, the Agency shall establish the unit responsible to treat the fines and the submitted objections, based on the legislation into force according to Article 32 paragraph 2 of this Law.

7. The Agency shall, no later than six (6) months from the entry into force of this law, provide training on the use of the online platform to all contact officers.

#### **Article 34** **Issuance of sub-legal acts**

1. The sub-legal acts defined in this Law will be issued within six (6) months after the entry into force of this Law.

2. During the drafting process of the bylaws defined in this law, the Agency shall consult the relevant and public institutions.

3. The Agency shall develop the electronic form for the declaration of assets, according to Article 11 of this Law, no later than three (3) months after the entry into force of this law.

4. Until the issuance of sub-legal acts defined by this Law, all sub-legal acts issued by the Agency continue to be applied provided that they are not contrary to the provisions of this Law.

#### **Article 35** **Abolishing provisions**

1. Upon the entry into force of this Law, the following shall be repealed:

1.1. Law No. 04/L-050 on the Declaration, Origin and Control of Assets of Senior Public Officials and the Declaration, Origin and Control of Gifts for all Official Persons;

1.2. Law No. 04/L-228 on Amending and Supplementing Law No. 04/L-050 on the Declaration, Origin and Control of Assets of Senior Public Officials and the Declaration, Origin and Control of Gifts for all Official Persons.

#### **Article 36** **Entry into force**

1. This law shall enter into force six (6) months after its publication in the Official Gazette of the Republic of Kosovo.

2. The enforcement of obligations for public officials listed in sub-paragraphs 1.1 and 1.2 of Article 5 of this Law, and of the relevant institutions, shall begin one (1) year from the entry into force of this Law.

**Law No. 08/L-108**  
**14 July 2022**

**Promulgated by Decree No. DL-250/2022 dated 01.08.2022 President of the Republic of Kosovo Vjosa Osmani-Sadriu**