



Republika e Kosovës
Republika Kosova-Republic of Kosovo
Kuvendi - Skupština - Assembly

Law No. 03/L-086

**AMENDING UNMIK REGULATION 2004/49 ON THE ACTIVITIES OF
WATER, WASTEWATER
AND WASTE SERVICES PROVIDERS**

The Assembly of Republic of Kosovo,

In view of UNMIK Regulation 2004/49 on the Activities of Water, Wastewater, and Waste Services Providers ("Regulation"),

Considering the need to amend the Regulation in order to reflect the Constitution of the Republic of Kosovo and other relevant instruments,

Hereby adopts

**LAW AMENDING UNMIK REGULATION 2004/49 ON THE ACTIVITIES OF
WATER, WASTEWATER
AND WASTE SERVICES PROVIDERS**

Article 1

Each reference in the Regulation to "Regulation" shall be replaced by "Law" After each reference in the Regulation to "KTA," the words "successor institution" shall be added.

Article 2

The text of entire introductory section of the Regulation shall be replaced by the following:

"The Assembly of Republic of Kosovo,

On the basis of the authority granted to it under article 65, 119.5 and 142 of the Constitution,

Recognizing the need to improve the water, wastewater and waste services sectors in Kosovo by establishing an independent regulator responsible for regulating said sectors in Kosovo,

Hereby adopts the following:

LAW ON THE ACTIVITIES OF WATER, WASTEWATER AND WASTE SERVICES PROVIDERS"

Article 3

Article 1.2 of the Regulation shall be replaced in its entirety by the following Articles 1.2 and 1.3:

1.2 The Water and Waste Regulatory Office (hereinafter the “Regulator”) is hereby established as an independent body pursuant to article 119.5 and 142 of the Constitution.

1.3 The Regulator shall have a Director, a Deputy Director, and professional and clerical staff. The Director and the Deputy Director shall be appointed by the Assembly of Kosovo upon recommendation of the Government, each for a term of five (5) years.

The Director and the Deputy Director shall have adequate professional qualification and the highest integrity.

Each of the Director and the Deputy Director may propose the Assembly to remove the other from office on the ground of professional incompetence or misconduct. Specific grounds for removal or mandatory resignation of either one shall include, but not be limited to:

- a) death;
- b) mental or physical incapacity;
- c) disqualification under the provisions of the present Law;
- d) declaration of bankruptcy or insolvency;
- e) unexcused absence from three consecutive official and ordinary meetings of the Regulator;
- f) conviction of a criminal offense;
- g) personal, spousal or direct family interest in a license awarded under the provisions of this Law; or
- h) beneficial financial gains obtained from any business regulated by the present Law.

1.4 Each of the Director and the Deputy Director may resign from the Regulator observing at least three (3) months’ written notice.

Article 4

Article 1.3 of the Regulation shall be replaced in its entirety by the following Article 1.4:

1.4 The Regulator is responsible for regulating the activities of the Publicly- and Socially-owned providers of water, wastewater and waste services in Kosovo. The Regulator shall exercise its independent judgment in carrying out the responsibilities under the present Law and shall be accountable to the Assembly for compliance at any time with the provisions of the present Law, any other regulation or applicable law, and any administrative direction, administrative instruction or determination issued there under.

Article 5

In Section 2 of the Regulation, the paragraph entitled "Municipality" shall be replaced in its entirety by the following:

“Municipality” means the same as defined in the Law on Local Self-Government

Article 6

Article 8.4 of the Regulation shall be replaced in its entirety by the following Article 8.4:

8.4 The Regulator, after consultations with the Assembly and the Ministry of Finance and Economy, shall issue Administrative Instructions specifying the amount of fees payable pursuant to this Section or the method of calculating such fees.

Article 7

In Article 21.4 (ii) of the Regulation, the phrase "regional representatives of UNMIK Pillar II, KTA and the" shall be deleted.

Article 8

In Article 34.2 of the Regulation, the phrase "Deputy Special Representative of the Secretary General for Economic Reconstruction and Development shall be replaced by the word "Assembly"

Article 9

Section 40 of the Regulation shall be replaced in its entirety with the following Section 40:

"This Law shall enter into force after its publication in the Official Gazette of the Republic of Kosovo.

Jakup Krasniqi,

President of the Assembly of the Republic of Kosovo

Article 10

This Law shall enter into force on the day of publication in the Official Gazette of the Republic of Kosovo.

Law No. 03/L-086
13 June 2008

President of the Assembly of the Republic of Kosovo

Jakup Krasniqi