



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

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**Law Nr. 03/L-040**

**ON LOCAL SELF GOVERNMENT**

The Assembly of Republic of Kosova,

Pursuant to Article 65(1) of the Constitution of the Republic of Kosova, recognizing the need to bring the decision-making closer to the citizens to promote sustainable governance and living conditions for all citizens of Republic of Kosova, paying due regard particularly the specific needs and concerns of the non-majority communities in Republic of Kosova,

Having in mind the principles of local self-government enshrined in the European Charter of Local Self Government and its Protocols,

Taking into account the Framework Convention for the Protection of National Minorities and the European Charter for Regional or Minority Languages and the European Outline Convention on the on Transfrontier Co-operation between Territorial Communities or Authorities and its Protocols,

Aiming at establishing a sustainable system of local self-government and improving the efficiency of the public service throughout Republic of Kosova,

Hereby adopts

**LAW ON LOCAL SELF-GOVERNMENT**

**CHAPTER I**  
**GENERAL PROVISIONS**

**Article 1**  
**Purpose**

This law establishes the legal basis for a sustainable local self-government system in Kosova.

## **Article 2**

### **Scope**

2.1. This law defines the legal status of municipalities, their competencies and general principles of municipal finances, organization and functioning of the municipal bodies, the intra-municipal arrangements and the inter-municipal cooperation including the cross border cooperation and the relationship between municipalities and central government.

2.2. The City of Pristina, as the capital city of Republic of Kosova, shall be regulated by a separate Law on the City of Prishtinë/Priština. The Law on Local Self-Government shall apply to the City of Prishtinë/Priština except as may be provided for otherwise in the Law on the City of Prishtinë/Pristina.

2.3 Separate legislation may be adopted to grant a special status and competencies to other cities.

## **Article 3**

### **Definitions**

Whenever used in the present law, the following terms shall have the meaning indicated below, unless the context within which such term appears clearly intends another meaning:

-**“Charter,”**- shall mean the European Charter of Local Self-Government, as adopted by the Council of Europe on the 15<sup>th</sup> of October 1985.

-**“Community,”**- shall mean a group of communities belonging to the same ethnic, religious, or linguistic group.

- **“Government,”**- means the Government of Republic of Kosova;

-**“Citizen”**- shall have the meaning ascribed to it in [Article 10 of the present Law on Statehood].

-**“Local Self-government”**- shall mean the right and ability of local authorities as established by this law and within the limits thereof, to regulate and manage a substantial share of public affairs under their own responsibility and in the interest of the local population;

-**“Municipality,”**- shall mean the basic unit of local self-government in Republic of Kosova, made up of citizens of communities of a specified territory defined by law as stipulated to in the Law on the Number, Names and Municipal Boundaries No. \_\_\_\_\_/2007;

-**“Municipal Assembly”**- is the highest representative body of the municipality consisting of all its elected members;

-**“Mayor”**- is the highest executive body of the municipality elected through direct elections;

-**“Principle of Subsidiary”**- means that the public affairs shall be dealt with as closely as possible to the citizens of the municipality by the lowest level of government that is able to provide public services efficiently;

-**“Own competencies”**- shall mean competencies vested upon the municipalities by the Constitution or laws for which they are fully responsible in insofar as they concern the local interest and in accordance with the law;

-**“Delegated Competencies”**- shall mean competencies of the central government and other central institutions the execution of which is temporarily assigned by law to municipalities;

-**“Enhanced competencies”**- shall mean competencies vested upon a municipality or a number of municipalities by law;

- “Administrative Review”**- is the right and ability of central government institutions to review the legality of the activity of the local authorities in the area of own and enhanced competencies and the legality and expediency of their activity in the area of delegated competencies.
- “Supervisory authority”**- shall mean the ministry responsible for the local government and/or other institutions of the Government of Republic of Kosova in their respective areas of responsibility;
- “Review of legality”**- shall mean the review conducted by the supervisory authority to ensure that municipal acts have been issued in conformity with applicable legal provisions and that the issuing body has not acted in excess of its legally recognized mandate;
- “Review of expediency”**- shall mean the review conducted by the supervisory authority to ensure that delegated competencies have been executed in compliance with the rules, criteria and standards determined by the central government and if the measures taken by municipality were appropriate to achieve the results determined by the Government of Republic of Kosova.
- “Majority vote”**- shall mean a vote that requires the assent of more than one half of the members present and voting at the meeting at which the proposal is considered. This is the default mechanism by which decisions of Municipal Assembly shall be brought.
- “Two thirds (2/3) majority”**- shall mean a vote that requires the assent of 2/3 of all the members of the Municipal Assembly;
- “Ministry”**- shall mean the ministry responsible for local government unless the context clearly refers otherwise;
- “Statute of the Municipality,”**- shall mean the highest act adopted by the Municipal Assembly in accordance with the Constitutions and the laws regulating the internal organization of the municipality;
- “Rule of Procedure”**- shall mean an act adopted by the Municipal Assembly providing the rules of order and conduct;
- “Municipal regulation”**- shall mean an act adopted by the required number of the Municipal Assembly regulating a certain area of the municipal competencies;
- “UNMIK,”**- shall refer to the United Nations Mission in Kosova.

## **CHAPTER II MUNICIPALITY**

### **Article 4 General**

4.1. The Municipality is the basic unit of local self-government in Republic of Kosova, made up of community of citizens of a specific territory defined by law and shall exercise all powers which are not explicitly reserved for the central institutions.

4.2. All municipal organs shall ensure that the citizens of the municipality enjoy all rights and freedoms without distinction of any kind, such as race, ethnicity, color, sex, language, religion, political or other opinion, national or social origin, property, birth, or other status, and that they have fair and equal opportunities in municipality service at all levels.

4.3. Municipalities shall implement their policies and practices to promote coexistence and peace between their citizens and to create appropriate conditions enabling all communities to express, preserve, and develop their national, ethnic, cultural, religious, and linguistic identities.

4.4. All municipal authorities shall be answerable to the citizens of the Municipality in the forms set by law.

4.5. Citizens of the municipality shall have the right to participate in the activities of the municipality, as prescribed by law.

4.6. Municipalities shall be entitled to enter into agreements with villages, quarter or settlements within their territory to offer services closer to citizens in accordance with Article 35 and their statutes.

## **Article 5 Legal Status of the Municipality**

Municipality shall be legal person. As a legal person, each municipality shall have the legal capacity to, *inter alia*:

- a) sue and be sued in the courts;
- b) own and manage property;
- c) be owner or co-owner of any company that is of interest to municipality in relation to citizens;
- d) enter into contracts;
- e) engage staff; *and*
- f) engage in other activities that are necessary for discharging its responsibilities.

## **Article 6 Names and Boundaries**

Municipalities shall have their names and boundaries as described in the Law on Administrative Boundaries of Municipalities and may only be changed in accordance with that law.

## **Article 7 Symbols**

7.1. Municipalities shall have their own symbols including the coats of arms, seals, emblems, and municipal flags.

7.2 Municipalities shall use a seal that includes the sign and name of the Municipality.

7.3. The symbols of a Municipality shall be approved and changed by the municipal assembly pursuant to the constitutional and legal provisions of Republic of Kosovo and shall not resemble to symbols of other states or municipalities within or outside Republic of Kosovo.

7.4. The symbols of a municipality may be approved or changed by two thirds (2/3) majority vote of the Municipal Assembly after extensive public consultation has taken place.

**Article 8**  
**Citizens of Republic of Kosova**

A citizen of the Municipality is any person who is a habitual citizen of Republic of Kosova, living in the respective Municipality.

**Article 9**  
**Languages**

9.1. The use of languages in the Municipality shall be regulated in accordance with the applicable law on the use of languages.

9.2. The Municipal Assembly shall adopt detailed municipal regulations on the use of languages within its territory as set out in the applicable law on the use of languages.

**Article 10**  
**Municipal Bodies**

The organs of a municipality are the Municipal Assembly and the Mayor:

**Article 11**  
**Acts of the Municipal Organs**

Municipal Assembly and Mayor shall have the right to enact acts and take any implementation measure within their areas of competence. All municipal acts shall comply with the constitutional and legal system of Republic of Kosova.

**Article 12**  
**Acts of the Municipal Assembly**

12.1. The Municipal Assembly may adopt acts within their areas of its competences.

12.2. Acts of the Municipal Assembly shall be effective in the territory of the Municipality enacting the act. These acts shall include:

- a) Statute of the Municipality;
- b) Rules of Procedure;
- c) Municipal regulations; *and*
- d) any other acts necessary or proper for efficient operation of the Municipality.

12.3. The Statute of the Municipality shall be adopted and may be amended by at least a two-thirds vote of the Municipal Assembly.

12.4. The Rules of Procedure shall be adopted and may be amended, when necessary, by a majority vote of the Municipal Assembly.

**Article 13**  
**Acts of the Municipal Mayor**

The Municipal Mayor shall have the right to issue instructions and decisions within his areas of competence.

**Article 14**  
**Property of the Municipality**

14.1. Municipalities shall have the right to own and manage immovable and movable properties.

14.2. Municipalities shall have the right to sell and lease the immovable and movable property according to law, with the exception of the sale of the land that will be regulated by a special law.

14.3 Municipalities shall keep and maintain the Register of all movable and immovable property owned or occupied by the municipality.

**CHAPTER III**  
**MUNICIPAL COMPETENCES**

**Article 15**  
**Principle of Subsidiary**

The municipalities shall exercise its competences in accordance with the principle of subsidiary.

**Article 16**  
**Municipal Competencies**

Municipalities shall exercise own, delegated and enhanced competencies in accordance with the law.

**Article 17**  
**Own Competencies**

17.1 Municipalities shall have full and exclusive powers, insofar as they concern the local interest, while respecting the standards set forth in the applicable legislation in the following areas:

- a) local economic development;
- b) urban and rural planning;
- c) land use and development;
- d) implementation of building regulations and building control standards;
- e) local environmental protection;
- f) provision and maintenance of public services and utilities, including water supply, sewers and drains, sewage treatment, waste management, local roads, local transport, and local heating schemes;
- g) local emergency response;

- h) provision of public pre-primary, primary and secondary education, including registration and licensing of educational institutions, recruitment, payment of salaries and training of education instructors and administrators;
- i) promotion and protection of human rights;
- j) provision of public primary health care;
- k) provision of family and other social welfare services, such as care for the vulnerable, foster care, child care, elderly care, including registration and licensing of these care centres, recruitment, payment of salaries and training of social welfare professionals;
- l) public housing;
- m) public health;
- n) licensing of local services and facilities, including those related to entertainment, cultural and leisure activities, food, lodging, markets, street vendors, local public transportation and taxis;
- o) naming of roads, streets and other public places;
- p) provision and maintenance of public parks and spaces;
- q) tourism;
- r) cultural and leisure activities;
- s) any matter which is not explicitly excluded from their competence nor assigned to any other authority.

## **Article 18 Delegated Competencies**

18.1 Central authorities in Republic of Kosova shall delegate responsibility over the following competencies to municipalities, in accordance with the law:

- a) cadastral records;
- b) civil registries;
- c) voter registration;
- d) business registration and licensing;
- e) distribution of social assistance payments (excluding pensions); and
- f) forestry protection on the municipal territory within the authority delegated by the central authority, including the granting of licenses for the felling of trees on the basis of rules adopted by the Government;

18.2. Central authorities in Republic of Kosova may delegate other competencies to municipalities, as appropriate, in accordance with the law.

18.3. Delegated competencies must in all cases be accompanied by the necessary funding in compliance with objectives, standards and requests determined by the Government of Kosova.

## **Article 19 Enhanced Municipal Competencies**

19.1. Certain municipalities explained below shall have their own competencies enhanced in the areas of health, education and cultural affairs and shall have participatory right in selecting local station police commanders as set forth in the subsequent articles.

19.2. Central authorities of Republic of Kosova shall monitor the exercise of enhanced competencies, in accordance with the central legislation providing for equal access to public

services; minimum quality and quantity standards in the provision of public services; minimum qualifications of personnel and training facilities; general principles on licensing and accreditation of public service providers.

19.3. Municipalities exercising enhanced municipal competencies may cooperate with any other municipality in providing services.

#### **Article 20** **Enhanced Competencies in Secondary Health Care**

The municipalities of Mitrovicë/Mitrovica North, Graçanicë/Gracanica, Shtërpcë / Štrpce shall have the competence for provision of secondary health care, including registration and licensing of health care institutions, recruitment, payment of salaries and training of health care personnel and administrators;

#### **Article 21** **Enhanced Competencies in the University Education**

21.1. The municipality of Mitrovicë/ Mitrovica North shall have competence for the provision of higher education, including registration and licensing of educational institutions, recruitment, payment of salaries and training of education instructors and administrators.

#### **Article 22** **Enhanced Competencies in the Area of Culture**

22.1 All municipalities in which the Kosova Serb Community is in the majority shall have authority to exercise responsibility for cultural affairs, including, protection and promotion of Serbian and other religious and cultural heritage within the municipal territory as well as support for local religious communities in accordance with the applicable law.

22.2. Municipalities may cooperate with any other municipality in cultural affairs.

#### **Article 23** **Enhanced Participatory Rights in Selection of the Local Police Station Commanders**

Municipalities in which Kosova Serb community is in a majority shall exercise enhanced participatory rights in the selection of the local station police commanders in accordance with law on police.

### **CHAPTER IV** **MUNICIPAL FINANCES**

#### **Article 24** **Basic Principles of Municipal Finances**

24.1. Municipalities shall have their own budgets and finances to finance their competencies.



24.2. The municipal budget shall consist of own source revenues; grants from the Government of Republic of Kosova; donations and other revenues.

24.3. Municipal budget and finance shall be regulated by a law on local finance.

24.4. Basic public financial management and accountability requirements set out in the central legislation shall apply to all municipalities.

#### **Article 25**

##### **Public Utilities Provided by Municipal Enterprises**

25.1. Where local public utilities are provided by municipal enterprises the enterprises shall submit their budgets to the Municipal Assembly for approval. The budget proposals shall include a proposed tariff structure for the provision of services and shall be submitted before 15 November in the year before the next fiscal year.

25.2. Where an enterprise provides local public utilities for more than one municipality, arrangements shall be made by the municipalities to establish a joint management Board and the manner of the oversight of the Board.

#### **Article 26**

##### **Internal Audit**

26.1. Municipalities shall have the legal obligation to perform an internal audit at least once a year.

26.2. Municipalities shall have the right to establish an autonomous in-house audit service or ensure internal auditing by an audit firm accredited in accordance with the applicable legislation of Republic of Kosova.

#### **Article 27**

##### **External Audit**

27.1. A central autonomous authority shall perform external audits of each municipality on annual basis in accordance with the applicable law on the Auditor General of Republic of Kosova.

27.2. Each auditor's report and the replies of municipal authorities shall be made public.

### **CHAPTER V**

#### **INTER-MUNICIPAL COOPERATION AND INTRA-MUNICIPAL ARRANGMENTS**

#### **Article 28**

##### **Cooperation between Municipalities of Republic of Kosova**

Municipalities shall have the right to cooperate and form partnerships with other Republic of Kosova municipalities within their areas of competence to carry out functions of mutual interest,

based upon the principles of European Chart for Local Self-Government and in accordance with the law.

## **Article 29 Municipal Partnerships**

29.1. Municipal responsibilities in the areas of their own and enhanced competencies with the exception of those listed under paragraph 2 Article 40 of this law may be exercised through municipal partnerships.

29.2. The activities of the partnerships shall also be funded through the municipal budgets of the participating municipalities.

29.3. Such partnerships may take all actions necessary to implement and exercise their functional cooperation through *inter alia*, the establishment of a decision making body comprised of representatives appointed by the assemblies of the participating municipalities, the hiring and dismissal of administrative and advisory personnel, and decisions on funding and other operational needs of the partnership.

29.4. Municipal decisions on the activities of the partnerships shall be subject to the mandatory review of legality in accordance with the provisions of Article 79 of this law.

## **Article 30 Cross-Border Cooperation of Municipalities**

30.1. Municipalities shall have the right to enter into cooperative agreements with foreign local self-government bodies in all areas of own municipal competencies and enhanced competencies with the exception those listed in paragraph 2 Article 40 of this law.

30.2. Municipalities shall be entitled to cooperate, within the areas of their own competencies, with municipalities and institutions, including government agencies, in the Republic of Serbia. Such cooperation may take the form of the provision by Serbian institutions of financial and technical assistance, including expert personnel and equipment, in the implementation of municipal competencies.

30.3. Municipalities shall notify the ministry responsible for the local government in advance of any intention to engage in cross-border cooperation. The notification shall include the draft cooperation agreement between the municipalities and proposed counterparts.

30.4. The draft cooperation agreement shall set out the following elements:

- a) names of parties intending to enter into agreement;
- b) intended effective date of the agreement;
- c) envisaged areas and objectives of cooperation; and
- d) modalities for the provision of staff and equipment, the level of funding and the funding processing mechanism and procedural arrangement, in accordance with public financial management requirements applicable to all municipalities.

30.5. Following the review of the draft agreement, the ministry responsible for local government may enjoin amendments to the draft cooperation agreement, or, if it considers that a breach of the law cannot be remedied otherwise, the ministry may suspend the intended cooperation.

30.6. The municipality may challenge such action of the ministry in the District Court competent for the territory of the municipality.

30.7. Partnerships between Republic of Kosova municipalities shall be entitled to direct relations with institutions in the Republic of Serbia only to the extent necessary to implement practical activities of the partnership.

### **Article 31** **Right of Municipalities to Associate**

For the protection and promotion of their common interests, municipalities may form and belong to associations that operate in conformity with the law.

### **Article 32** **Associations of Municipalities of Republic of Kosova**

32.1. Individual municipalities may join representative associations of local self-government bodies of Republic of Kosova.

32.2. The incorporating acts and financial documents of such associations shall be made public. Participating municipalities shall make public the information about the activity of such associations and their budgetary contributions to the associations.

32.3. Such associations may offer to its members a number of services, including training, capacity building, technical assistance as well as research on municipal competencies and policy recommendation in accordance with law.

### **Article 33** **International Associations of Local Government**

Associations of Republic of Kosova municipalities may cooperate with international associations of local authorities.

### **Article 34** **Villages, Settlements and Urban Quarters**

34.1. Each municipality may make arrangements with villages, settlements and urban quarters within its territory to ensure that the services are offered closer to all citizens of the municipality.

34.2. With the approval of the municipality, villages, settlements and urban quarters, singly or in combination, may carry out activities that are within the responsibilities and powers of the municipality. In this event, municipalities shall provide sufficient resources to the villages, settlements and urban quarters.

34.3. The ministry responsible for the local government shall issue instructions on the arrangements between the municipality and villages, settlements and urban quarters.

34.4. The Statute and local municipal regulations shall stipulate the form of co-operation between the municipality and villages, settlements and urban quarters and the scope of work and organization of villages, settlements and urban quarters. All villages, settlements and urban quarters shall comply with the applicable law when carrying out activities by arrangement with the municipality.

## **CHAPTER VI MUNICIPAL ASSEMBLY**

### **Article 35 Municipal Assembly**

35.1. Municipal Assembly is the highest representative body of the municipality and shall be directly elected by the citizens in accordance with the Law on Local Elections.

35.2. All citizens of the Municipality may stand for in the Municipal Assembly provided they meet the requirements as set forth in the Law on Local Elections.

35.3. The mandate of the each members of the Municipal Assembly shall be verified by a commission on verification of mandates established by the Municipal Assembly before the signing of the mandate by each member.

35.4. All members of the Municipal Assembly shall subscribe to the following solemn oath or declaration of office:

“I swear (or solemnly declare) that I will perform my duties and exercise my powers as a member of the Municipal Assembly of \_\_\_\_\_ municipality honorably, faithfully, impartially, conscientiously and according to law, so as to ensure conditions for a peaceful life for all citizens”.

35.5. Members of the Municipal Assembly who fail to subscribe to the oath or the signing of the mandate in accordance with paragraphs 3 and 4 of this Article within one month of the certification of the election results shall cease to be a member.

### **Article 36 Number and Election of Assembly Members**

36.1. The number of members in the Municipal Assembly of a Municipality shall be proportional, dependant upon the number of citizens in the Municipality.

- a) if a Municipality has up to *10.000 citizens*, the Assembly for that Municipality shall consist of *15 members*;
- b) if a Municipality has from *10.001 to 20.000 citizens*, the Assembly for that Municipality shall consist of *19 members*;
- c) if a Municipality has from *20.001 to 30.000 citizens*, the Assembly for that Municipality shall consist of *21 members*;

- d) if a Municipality has from *30.001 to 50.000 citizens*, the Assembly for that Municipality shall consist of *27 members*;
- e) if a Municipality has from *50.001 to 70.000 citizens*, the Assembly for that Municipality shall consist of *31 members*;
- f) if a Municipality has from *70.001 to 100.000 citizens*, the Assembly for that Municipality shall consist of *35 members*;
- g) if a Municipality has more than *100.000 citizens*, the Assembly for that Municipality shall consist of *41 members*.

36.2. The municipal assembly of the Prishtinë/Pristina shall consist of 51 members.

### **Article 37 Term of Office**

37.1. The term of office of members of the Municipal Assembly shall be four years.

37.2. A member of the Municipal Assembly shall cease to be a member:

- a) at the expiration of the member's term of office;
- b) at the change of the municipality of the residence where he is elected;
- c) upon the submission of a written resignation of his post to the Mayor of the Municipality;
- d) if a member is convicted of a criminal offence by a final court decision;
- e) if he/she misses Municipal Assembly meetings for three (3) consecutive months without valid excuse; or,
- f) if this law, or other laws applicable to the member, disqualifies or deems ineligible the member.

37.3. A member of a municipal assembly may not simultaneously hold a position of a member of the Assembly of Republic of Kosova.

### **Article 38 Conflicts of Interest**

38.1. A member of the Municipal Assembly or of a committee shall be excluded from the decision-making and administrative procedures relating to any matter in which he or she, or an immediate family member of his or hers, has a personal or financial interest.

38.2. Each member is required to disclose all conflicts of interest immediately as they arise at any meeting at which the member is present. Any member may supply information about the interests of another member.

38.3. Before the first meeting of the Municipal Assembly, members of the Assembly shall record a full and open statement of their financial interests in a public register to be kept by an authorized officer of the municipality. Members shall record any change in their financial interests as they occur.

38.4. The Statute and Rules of Procedure shall set out the measures to be taken to exclude members from the decision-making and administrative procedures where they have a conflict of interest.

### **Article 39** **Rights and Duties of Municipal Assembly Members**

39.1. All members of the Municipal Assembly shall have fair and equal rights and opportunities to participate fully in the proceedings of the Assembly. The Municipal Assembly shall ensure that these rights and opportunities are provided in its Statute and Rules of Procedure.

39.2. A member of the Municipal Assembly may request information concerning municipal matters from the Mayor, or the chairperson of a committee. The request shall be dealt with in accordance with procedures to be set out in the Statute and Rules of Procedure.

39.3. A member of the Municipal Assembly may submit remarks in writing, which shall be attached to the minutes.

39.4. A member of the Municipal Assembly may address, but not vote at meetings of any committee of the Municipal Assembly of which he or she is not a member. He or she may propose to the chairperson of the committee that any matter which is the responsibility of the committee should be discussed.

39.5. A member of the Municipal Assembly may request from the Mayor information necessary for his work as a member. If he or she is dissatisfied with the response he or she may raise the issue with the Municipal Assembly.

39.6. A member of the Municipal Assembly shall be allowed to be absent from their workplace for such periods as are reasonably necessary for Assembly business.

39.7. The Municipal Assembly shall, in accordance with the Statute of the Municipality and guidelines issued by the central government, compensate members of the Municipal Assembly.

39.8. It is the duty of the members of the Municipal Assembly to attend all validly called meetings of the Municipal Assembly and any committees in which they are members, unless justifiable reasons for their absence exist.

### **Article 40** **Operation of Municipal Assembly**

40.1. The municipal assembly operates on the basis of this law, the Statute and other sub-legal acts.

40.2. The Municipal Assembly may not delegate its responsibility for decisions concerning:

- a) statute or the Rules of Procedure, municipal regulations and the adoption, amendment or repeal thereof;
- b) the approval of the budget and investment plans;
- c) the approval of other financial matters that are reserved to the Assembly by the Statute or the Rules of Procedure;

- d) the annual work plan and annual report;
- e) the establishment of the committees required by the present Law;
- f) the election of the Chairperson and Deputy Chairperson of the Municipal Assembly;
- g) the level of fees and charges;
- h) the creation and use, in accordance with applicable legislation, of municipal symbols, decorations and honorary titles;
- i) the naming and renaming of roads, streets and other public places;
- j) the making of inter-municipal and intra-municipal agreements;
- k) the making of decisions to join representative associations of municipalities of Republic of Kosovo; and
- l) other responsibilities that are required by law.

40.3. The Municipal Assembly may delegate the power to make other decisions to a committee of the Municipal Assembly or to the Mayor of the municipality. The Municipal Assembly may withdraw the delegation at any time.

### **Article 41**

#### **The Chairperson of the Municipal Assembly**

41.1. The Municipal Assembly shall elect the Chairperson of the Municipal Assembly from among the members.

41.2. The Chairperson of the Municipal Assembly shall be elected for the same term of office as the Assembly members.

41.3. Voting for the Chairperson of the Municipal Assembly shall be by secret ballot.

41.4. To be elected on the first ballot, a candidate must receive the vote of the more than half of the total number of elected members.

41.5. If no candidate has received the required majority on the first ballot, then two candidates with the majority of votes will go to a second ballot. Candidate who receives more than half of the votes of the total number of elected members shall be elected the Chairperson of the Municipal Assembly.

### **Article 42**

#### **Inaugural Session**

42.1. The Municipal Assembly shall hold its inaugural meeting within fifteen (15) days from the day of the election results certification.

42.2. The inaugural meeting of the Municipal Assembly shall be called by the Mayor (where elected) within fifteen (15) days from day that the election results are certified.

42.3. If the Mayor fails to call a meeting as per his/her duty in paragraph 2 of this Article, the inaugural meeting of the Municipal Assembly may be called by the oldest elected member of the Municipal Assembly within fifteen (15) days of the Mayor's failure to call the inaugural meeting of the Municipal Assembly.

42.4. If the oldest member of the Assembly fails to call a meeting as per his duty in paragraph 3 of this Article, the inaugural meeting of the Municipal Assembly may be constituted upon the initiative of the majority of the elected members of the Municipal Assembly.

42.5. Meetings of the Municipal Assembly held before the election of the Chairperson of the Municipal Assembly shall be chaired by the oldest elected member of the Municipal Assembly present in the meeting.

### **Article 43** **Meetings of Municipal Assembly**

43.1. The Chairperson of the Municipal Assembly shall call and chair the meetings of the Municipal Assembly.

43.2. The Municipal Assembly shall hold at least ten sessions per year five of which should take place during the first six months of year, as specified by the Rules of Procedure.

43.3. All the members of the Municipal Assembly shall be given written notice, as required, at least seven (7) working days prior to the meeting. Such notice shall include:

- a) the date of the meeting;
- b) the time of the meeting;
- c) the place of the meeting;
- d) the agenda for the meeting; *and*
- e) materials of the meeting.
- f) other data as may be determined by the statute or rule of procedure.

43.4. The notice and the meeting materials shall respect the Law on Languages. The same notice shall be announced to the public.

43.5. The notice from paragraphs 3 and 4 of this Article shall also be sent to ministry responsible for the local government.

### **Article 44** **Extraordinary Meetings of Municipal Assembly**

44.1. An extraordinary meeting of the Municipal Assembly shall be called by the Chairperson or upon a written request of at least one third of the total number of members of the Municipal Assembly or of the Mayor.

44.2. The right to call an extraordinary meeting shall also include the right set the agenda for the meeting called.

44.3. The items of the agenda for the extraordinarily called meetings may not be changed at such a meeting.

44.4. An extraordinary meeting of the Municipal Assembly shall not be held unless all members of the Municipal Assembly and the public are given written notice, as required in the rules of procedure, at least three (3) working days prior to the date of the meeting.



44.5. The same procedural requirements for the notice and other issues applicable to the regular meetings shall also apply to extraordinary meetings.

44.6. The procedures set out above shall not apply to meetings called because of urgent circumstances.

#### **Article 45 Open Meetings**

45.1. Meetings of the Municipal Assembly and all its committees are open to the public. Members of the public are permitted to follow and participate in meetings of the Municipal Assembly in the manner specified in the Rules of Procedure.

45.2. A notice of the meeting of the Municipal Assembly shall be made public.

45.3. The Municipal Assembly or the committee may by a majority vote decide to exclude the public from the whole or a part of a meeting when an open meeting:

- a) might lead to public disorder or violence;
- b) would threaten to disclose information [and documents] to the disclosure of which is restricted in accordance with the Law on Access to Official Documents,
- c) would threaten to disclose personally or commercially sensitive information; *or*
- d) would threaten to disclose information about actual or imminent court proceedings.

45.4. In such event, a notice shall be given by the Municipal Assembly as to the decisions taken.

45.5. Municipal Assembly may regulate by the Statute establish the rules the procedures for the holding of closed sessions.

#### **Article 46 Quorum**

46.1. The quorum for all meetings of the Municipal Assembly and its committees shall be at least one-half of all the members of Municipal Assembly or of its committees.

46.2. The quorum shall be verified before any decision is taken.

#### **Article 47 Agenda**

47.1. The agenda for a meeting of the Municipal Assembly shall be set by the Chairperson of the Municipal Assembly upon the agreement of the Mayor of Municipality.

47.2. A member of the Municipal Assembly may request to add an item to the agenda during a regular session of the Municipal Assembly if the matter sought to be included in the agenda is an urgent matter of public importance.

47.3. Such a request shall be approved or rejected by a majority vote.

47.4. The Rules of Procedure of the Municipal Assembly shall set out further provisions for the preparation, approval, and amendments to the agenda.

### **Article 48**

#### **Voting**

48.1. At all meetings of the Municipal Assembly and its committees, each member including the chairperson shall have one vote, but the chairperson shall have an additional casting vote if an equal number of votes are cast for and against a proposal.

48.2. Unless otherwise explicitly provided for in this law, decisions of the Municipal Assembly or of a committee shall be adopted by the majority of the members present and voting.

48.3. Abstentions shall be noted for the purpose of establishing the quorum, but shall not otherwise be taken into account for the voting results.

### **Article 49**

#### **Minutes**

Minutes shall be taken of all meetings of the Municipal Assembly and its committees and shall be approved at the next meeting in accordance with the Law on the Use of Languages.

### **Article 50**

#### **Dissolving a Non-Functioning Municipal Assembly**

50.1. If a municipal assembly fails to perform a mandatory function up to the standards set by law or becomes non-functioning, thus jeopardising the exercise of basic rights of the citizens, the ministry responsible for the local government shall notify the failure to perform to the municipality and request that appropriate measures be taken in order to ensure the smooth performance of the challenged function.

50.2. A municipality is considered as non-functioning if it:

- a) fails to elect a Chairperson thirty (30) days after it is duly constituted;
- b) fails to adopt its statute within sixty (60) days from the day it is duly constituted;
- c) fails to adopt the budget within the time limit determined by the law; or
- d) fails to hold a meeting for a period of more than six (6) months

50.3. The ministry responsible for the local government shall notify the Government of Republic of Kosovo on the non-functioning of municipality. The Government of Republic of Kosovo may dissolve a non-functioning Municipal Assembly.

50.4. New elections will be held for the Municipal Assembly in accordance with the law on local election.

**Article 51**  
**Permanent Committees**

51.1. The Municipal Assemblies shall establish and maintain the Committee on Policy and Finance and the Committee on Communities as permanent committees. .

51.2. The Municipal Assembly shall establish such committees as it deems necessary and appropriate to carry out its responsibilities.

51.3. Unless specified otherwise in this law, committees shall reflect the composition of the Municipal Assembly.

**Article 52**  
**Policy and Finance Committee**

52.1. The Policy and Finance Committee shall be chaired by the Chairperson of the Municipal Assembly and its composition shall reflect the representation of the political entities in the Municipal Assembly.

52.2. The Policy and Finance Committee shall be responsible to review all the policy, fiscal and financial documents, plans, and initiatives including strategic planning documents, the annual Medium Term Budget Framework, the annual procurement plan, the annual regulation on taxes, fees and charges, the annual internal audit work plan, the annual medium term budget and any changes to the budget during a fiscal year as well as reports from the Mayor and submit recommendations for action to the Municipal Assembly.

**Article 53**  
**Communities Committee**

53.1. The membership of the Communities Committee shall include the members of the Municipal Assembly and community representatives. Any community living in the municipality shall be represented by at least one representative in the Communities Committee. The representatives of communities shall comprise the majority of the Communities Committee.

53.2. The Communities Committee shall be responsible to review compliance of the municipal authorities with the applicable law and review all municipal policies, practices and activities related with the aim to ensure that rights and interests of the Communities are fully respected and shall recommend to the Municipal Assembly measures it considers appropriate to ensure the implementation of provisions related to the need of communities to promote, express, preserve and develop their ethnic, cultural, religious and linguistic identities, as well as to ensure adequate protection of the rights of communities within the municipality.

**Article 54**  
**Deputy Chairperson for Communities**

54.1. In municipalities where at least ten per cent (10%) of the citizens belong to Communities not in the majority in those municipalities, a post of the Chairperson of the Municipal Assembly for Communities shall be reserved for a representative of these communities.

54.2. The post of the Deputy Chairperson of the Municipal Assembly for Communities shall be held by the non-majority community's candidate who received the most votes on the open list of candidates for election to the Municipal Assembly.

**Article 55**  
**Duties of the Deputy Chairperson of a Municipality for Communities**

55.1. The Deputy Chairperson of a Municipality for Communities shall promote inter- community dialogue and serve as formal focal point for addressing non-majority communities' concerns and interests in meetings of the Assembly and its work.

55.2. The Deputy Chairperson of a Municipality for Communities shall be responsible for reviewing claims by communities or their members that the acts or decisions of the municipal assembly violate their constitutionally guaranteed rights.

55.3. The Deputy Chairperson of a Municipality for Communities shall refer such matters to the Municipal Assembly for its reconsideration of the act or decision.

55.4. In the event the Municipal Assembly chooses not to reconsider its act or decision, or the Deputy Chairperson of a Municipality for Communities deems that even upon reconsideration the act or decision presents a violation of a constitutionally guaranteed right, the Deputy Chairperson of a Municipality for Communities may submit the matter directly to the Constitutional Court, which may decide whether to accept the matter for review.

**CHAPTER VII**  
**MUNICIPAL LEADERSHIP/EXECUTIVE**

**Article 56**  
**Election of the Mayor of the Municipality**

56.1. The Mayor of the Municipality shall be elected by a direct election in accordance with the law on local elections.

56.2. The Mayor of the Municipality shall be elected for a term of four years.

56.3. The term of office of the Mayor of the Municipality shall end upon:

- a) the completion of his mandate;
- b) his death;
- c) his resignation;
- d) his change of residence to another municipality;
- e) his failure to report on duty for more than 1 months without a valid reason

- f) his removal from office in accordance with this law;
- g) a final court decision depriving the Mayor of legal capacity to act; or
- h) his conviction of a criminal offence with an order for imprisonment for six (6) months or more.

### **Article 57 Oath of Office**

57.1. Upon election, the Municipal Mayor shall subscribe to a solemn oath or declaration of office before the members of the Municipal Assembly. The form of the oath of office shall be as follows:

“I swear (or solemnly declare) that I will perform my duties and exercise my powers as Mayor of ... municipality honorably, faithfully, impartially, conscientiously and according to law, so as to ensure conditions for a peaceful and prosperous life for all.”

57.2. The Mayor who fails to subscribe to the oath within one (1) month of the certification of the election results shall forfeit his term.

### **Article 58 Responsibilities of the Mayor**

The Mayor shall execute the following responsibilities:

- a) represents and acts on behalf of the Municipality;
- b) leads the municipal government and its administration and conducts the financial administration of the municipality;
- c) exercises all competencies not explicitly assigned to the Municipal Assembly or its committees.
- d) executes the Municipal Assembly acts;
- e) appoints and dismisses his deputies;
- f) appoints and dismiss his advisors who assist him in discharging his duties;
- g) organizes the work and directs the policy of the municipality;
- h) proposes municipal regulations and other acts for the approval of Municipal Assembly;
- i) proposes municipal development, regulatory and investments plans; proposes the annual budget for the approval of the Municipal Assembly and executes the budget adopted;
- j) reports before the Municipal Assembly on the economic-financial situation and the implementation of the investment plans of the Municipality at least once every six months or as often as required by the Municipal Assembly; and
- k) may request the Municipal Assembly only once to review a municipal act when he deems the act to violate the applicable legislation and/or the interests of communities.
- l) shall consult the Deputy Mayor for Communities about the matters related to non-majority communities; and
- m) other activities assigned to him/her by the statute.

**Article 59**  
**Conflicts of Interest**

59.1. As soon as possible following his/her election, the Mayor shall terminate any contract or association that may call into question her/his ability to carry out his/her responsibilities fairly and impartially.

59.2. The Mayor shall be excluded from decision-making and administrative procedures relating to any matter in which he/she, or an immediate family member of his or hers, has a personal or financial interest.

59.3. The Mayor shall be required to disclose all conflicts of interest immediately as they arise.

59.4. The Mayor may voluntarily exclude himself/herself from decision-making and administrative procedures if he/she considers that they may have a conflict of interest. The Municipal Mayor shall record any change in their financial interests as soon as it occurs.

59.5. The Statute shall set out the measures to be taken to exclude the Municipal Mayor from the decision-making and administrative procedures where they have a conflict of interest.

**Article 60**  
**Deputy Mayor of a Municipality**

60.1. In each municipality, the Mayor shall have one Deputy Mayor.

60.2. The Deputy Mayor of Municipality shall be appointed by the Mayor for the same term of office as the Mayor and may be dismissed from office by the Mayor.

60.3. Upon Mayor's request, the Deputy Mayor shall assist the Mayor in discharging his daily executive functions and shall act on behalf of the Mayor in her/his absence.

60.4. When the post of the Deputy Mayor becomes vacant, the Mayor shall appoint a new one no later than thirty days after the vacancy arises.

60.5. The Article 60 on the conflict on interest of the Mayor shall apply *mutatis mutandis* to the Deputy Mayor.

**Article 61**  
**Deputy Mayor for Communities**

61.1. There shall be a Deputy Mayor for Communities in those municipalities where at least 10% of the citizens belong to non-majority communities.

61.2. The Deputy Mayor for Communities shall be elected for the same term of office as the Mayor.

61.3. The appointment and dismissal of the Deputy Mayor for Communities shall be proposed by the Mayor and shall get approval of the majority of the municipal assembly members present and voting and the majority of the municipal assembly members present and voting belonging to the non-majority communities.

61.4. The deputy mayor for communities shall assist the Mayor and provide him/her advice and guidance to the Mayor on issues related to the non-majority communities.

61.5. When the post of the Deputy Mayor becomes vacant, the Mayor shall appoint a new one no later than thirty days after the vacancy arises according to the procedures of paragraph 3 of this Article.

61.6 The Article 59 on the conflict on interest of the Mayor shall apply *mutatis mutandis* to the Deputy Mayor for Communities.

## **Article 62 Municipal Directors**

62.1. The municipal administration shall be organized into directorates.

62.2 Each municipal directorate shall be managed by a director who is employed and dismissed by the Mayor.

62.3 The directors shall manage their directorates in accordance with the strategic and political strategies of Mayor and in accordance with Laws and municipal applicable regulations.

62.4 Directors shall regularly report to the Mayor for the matters that are under their responsibility and shall provide him/her all necessary information and reports for the decision-making process.

## **Article 63 Conflicts of Interest for Directors**

63.1. Directors shall be excluded from the decision-making and administrative procedures relating to any matter in which he or she, or an immediate family member of his or hers, has a personal or financial interest.

63.2. Directors are required to present in written any conflict of interest immediately after such conflict arises.

63.3. The statute and rule of procedure includes the measures that should be taken to exclude directors from the decision-making and administrative procedures where they have a conflict of interest.

## **Article 64 Removal from the Office**

64.1. Municipal Mayor may be suspended from the office by a decision of the Government of Republic of Kosova within thirty (30) days, if it considers that the Mayor has violated the Constitution and the applicable laws.

64.2. If the ministry responsible for local government considers that the conditions for the suspension of the Municipal Mayor are met, it shall recommend the suspension of such Mayor to

the Government of Republic of Kosova. The Government of Republic of Kosova may suspend the Municipal Mayor (for up to 30 day) by a decision and submit the case to the Constitutional Court.

64.3 If the Constitutional Court upholds the decision; the Government shall remove the Mayor from the office.

## **CHAPTER VIII MUNICIPAL ADMINISTRATION**

### **Article 65 Municipal Civil Service**

65.1. The municipal civil service shall consist of all the persons employed by a municipal authority whose salary is paid by the Budget of Republic of Kosova except:

- a) mayor, deputy mayor/s and municipal directors;
- b) chairperson, deputy chairperson/s and all the members of Municipal Assembly;

65.2. Municipal directors, directors of institutions and enterprises under the authority of the municipality and the civil servants of the administration of the municipality shall not be members of the Assembly of Republic of Kosova or of the municipal assembly of the municipality where they work.

65.3. Elections for a Municipal Assembly shall not constitute a cause for reconsidering appointments of civil servants.

### **Article 66 Municipal Administration and the Head of Personnel**

66.1. The municipal administration shall be organized into directorates. Each municipal directorate shall be managed by a director. Municipal Directors shall be employed and dismissed by the Mayor.

66.2. The municipal administration shall have a Head of Personnel.

66.3. The Mayor shall announce the post, recruitment and dismissal of the Head of Personnel in accordance with the applicable law on civil service.

66.4. If the position of the Head of Personnel becomes vacant, the Mayor shall appoint in an acting capacity a senior member of the municipal civil service.

66.5. Within sixty (60) days, the Mayor shall recruit a new Head in accordance with 65.2 above.



**Article 67**  
**Conflicts of Interest**

A municipal administration employee shall be excluded from the decision-making and administrative procedures relating to any matter in which he or she, or an immediate family member of his or hers, has a personal or financial interest.

**CHAPTER IX**  
**DIRECT DEMOCRACY AND CITIZEN PARTICIPATION MECHANISMS**

**Article 68**  
**Public Information and Consultation**

68.1. Each municipality shall hold periodically, at least twice a year, a public meeting at which any person or organization with an interest in the municipality may participate. The date and place of the meeting shall be publicized at least two weeks in advance. One of the meetings shall be held during the first six months of the year.

68.2. At the meeting municipal representatives shall inform participants about the activities of the municipality and participants may ask questions and make proposals to the elected representatives of the municipality.

68.3. In addition to the public meetings noted above, Municipalities are obliged to inform the citizens of the Municipality of any important plans or programs of public interest, which shall be regulated by the Municipal Statute.

68.4. The Municipal Assembly shall adopt municipal regulation promoting the transparency of the legislative, executive and administrative bodies of the municipalities, enhancing the public participation in the decision making at the local level, and facilitating the public access to official documents of the municipalities. The ministry responsible for local government may issue administrative instructions on municipal transparency.

68.5. Any person may inspect any document held by the Municipality, unless such disclosure is restricted in accordance with the Law on Access to Official Documents.

**Article 69**  
**Right of Petition**

Any person or organization with an interest in the municipality shall have the right to present a petition to the Municipal Assembly about any matter relating to the responsibilities and powers of the municipality. The Municipal Assembly shall consider the petition in accordance with its Statute and Rules of Procedure.

**Article 70**  
**Citizens' Initiative**

70.1. The citizens may take initiative to propose regulations, within the competencies of the municipality, for adoption by assembly or by a vote of the citizens in accordance with the applicable law.

70.2. The proponents shall submit a draft of the proposed regulation to the Chairperson of the Municipal Assembly.

70.3. The draft regulation proposed shall be signed by 15% of the registered voters for consideration by the Municipal Assembly.

70.4. The Municipal Assembly is obliged to consider the proposed the regulation and take action upon it within 60 days of the receipt.

**Article 71**  
**Referendum**

71.1. The citizens of a municipality may request that a regulation of the Municipal Assembly adopted by the Municipal Assembly, be submitted to a referendum by the citizens.

71.2. The request must be submitted to the Chairperson of the Municipal Assembly within 30 days from the date of adoption of the regulation and must be signed by 10% of the registered voters.

71.3. The Municipal Assembly shall consider and act upon the request within the thirty days after the receipt of a valid petition in accordance with applicable law.

**Article 72**  
**Recall of the Mayor**

72.1. The citizens of a municipality may take the initiative to remove a mayor from the office

72.2. A request to this effect shall be signed by twenty (20) percent of the registered voters and shall be submitted to the Chairperson of Municipal Assembly who shall refer the matter to the appropriate institution for the administration of voting.

72.3. If the majority of the registered voters vote in favor of the Mayor's removal, new mayoral elections shall take place in accordance with the law on elections.

**Article 73**  
**Consultative Committees**

73.1. The Municipal Assembly shall establish consultative committees within sectors for the purpose of enabling citizen participation in the decision making process.

73.2. The membership of the committees shall include citizens and representatives of nongovernmental organizations.

73.3. The consultative committees may submit proposals, conduct research and provide opinions on municipal assembly initiatives in accordance with the Municipal Statute.

## **CHAPTER X**

### **RELATIONSHIPS BETWEEN CENTRAL AND LOCAL GOVERNMENT**

#### **Article 74**

##### **Objectives of the Administrative Review**

The administrative review of the municipalities has the following objectives:

- a) to strengthen the ability of the local self-government bodies to fulfill their responsibilities through advice, support, and assistance;
- b) to ensure the lawfulness of the activities of local self-government bodies; *and*
- c) to ensure that the rights and interest of citizens are respected.

#### **Article 75**

##### **Basic Principles of the Administrative Review**

75.1. The administrative review of municipalities shall only be exercised in accordance with Constitution and law.

75.2. No prior review can be exercised unless otherwise provided by this law.

75.3. Administrative review shall have as minimal as possible impact on the interests of local self-government and may not limit the right of local authorities to manage the affairs falling in the scope of their powers in accordance with the law.

75.4. The intervention of the supervisory authority shall be proportional to the importance of the interests which it intends to protect.

#### **Article 76**

##### **Supervisory Authorities**

76.1. The ministry responsible for the local government is the supervisory authority unless; the responsibility for the review of municipalities is assigned by law to the responsible ministry or institution with respect to a specific field.

76.2. The review of the delegated competencies is exercised by the body of central government which has delegated them.

#### **Article 77**

##### **Mutual Responsibilities in the Process of Administrative Review**

77.1. Municipal and supervisory authorities are obliged to cooperate with each other in the process of administrative review.

77.2. All measures of review shall be taken by review authorities through the relevant legal acts. Such acts shall state the legal basis and explain the reasons for the application of a certain review measure.

### **Article 78** **Rights of Supervisory Authorities to be informed**

78.1. The supervisory authority has the right to receive and obtain full information on all matters concerned, including the right to visit the municipal offices and municipal facilities and to request access to municipal documents. The Mayor shall be responsible for making this information available to the supervisory body.

78.2. During such visits, the representatives of the supervisory body shall not give direct instructions to the staff of the local self-government bodies. Any request for documents shall be addressed to the local government body and the transmission of the documents shall be ensured by the Mayor in accordance with paragraph 1 of Article 77 of this Law.

78.3. The ministry responsible for the local government has the right to be regularly informed by the municipalities on the areas of which the ministry it is not the supervisory authority.

### **Article 79** **Types of Review**

79.1. Review over the operation of municipalities in the area of own and enhanced competencies shall be limited to review of the legality.

79.2. The administrative review over the operation of municipalities in the area of delegated competences shall include review of the legality and expediency of actions.

### **Article 80** **Regular Review of Legality**

80.1. The Mayor of a municipality shall forward to the supervisory authority by the 10<sup>th</sup> of each month, a list of all acts adopted by the Mayor and the Assembly in the previous month.

80.2. The supervisory authority shall have the right to supervise any act, which had not been controlled under the procedure of mandatory review, within 30 days upon the receipt of the list mentioned in paragraph 1 of this Article.

### **Article 81** **Mandatory Review of Legality**

81.1. The following acts shall be subject to the procedure of mandatory review of legality;

- a) general acts adopted by the municipal assemblies;
- b) decisions related to the joining and activities of the cooperative partnerships;

c) acts adopted within the framework of the implementation delegated competencies;

81.2. All municipalities are obliged to submit to the supervisory body all aforementioned acts within 7 days from the day of issuance.

81.3. The acknowledgement of receipt by the supervisory body on the submitted act of the local government body is certified through its registration in the protocol office of the supervisory body.

81.4. Supervisory body is obliged to give its opinion on the legality of any registered act within 15 days from its receipt in accordance with the aforementioned procedures.

## **Article 82**

### **The Procedure for the Review of Legality**

82.1. If the supervisory authority considers a decision or other act of a municipality to be inconsistent with the Constitution and laws, it may request that the municipality reexamine such decision or act. The request shall state the grounds of the alleged violation of the Constitution or law and shall not suspend the execution of the municipal decision or other act at issue.

82.2. The municipal body shall respond to request for re-examination within 30 days of notification of receipt of such request.

82.3. If the municipal body accepts the request for re-examination, it may suspend the execution of the contested decision or act pending the deliberation by the municipal authorities.

82.4. If the municipal body fails to respond within the deadline or rejects the request or upholds the contested decision or act, the supervisory authority may challenge the act in question in the District Court competent for the territory of the municipality within 30 days following the failure to respond, notification of the rejection or the upholding of the contested decision or act.

82.5. The District Court may order, by interim measure the suspension of the application of the contested decision or act or other temporary acts in accordance with the applicable law.

## **Article 83**

### **Request for Preliminary Consultation**

83.1. Prior to the issuance of an act, a municipal body may request consultation with a supervisory body.

83.2. The request for preliminary consultations shall contain a draft of the act intended to be issued and the specific issue for which the advice of the supervisory body is requested with respect to the legality and/or reasonability of the act in question.

83.3. Supervisory authority is obliged to respond in writing within 30 days after the receipt of the request.

**Article 84**  
**Review of Expediency**

84.1. The supervisory authority responsible for exercising review over the delegated competencies shall have the right to request, within 30 days of reception of a copy of the act, that the municipal body modify or repeal the contested act on the basis of expediency considerations.

84.2. If the municipal body fails to act accordingly, the supervisory body responsible for exercising review over the expediency may modify, replace the act or suspend the execution of a municipal decision or other act.

84.3. The supervising authority shall inform the municipal body of such decision within five (5) days of adoption of the decision.

**Article 85**  
**Complaints of citizens**

The complaints of citizens against an administrative act of the municipal organs shall be reviewed in accordance with Law on Administrative Procedure.

**Article 86**  
**Publicity of the Administrative Review**

86.1. The ministry responsible or local government shall submit to the Government and to the Assembly of Republic of Kosova, by the end of March of each year, an annual report about its activities relating to the review of municipalities carried out in the previous year up to the end of March each year.

86.2. The report shall be made available to the public.

**CHAPTER XI**  
**TRANSITIONAL AND FINAL PROVISIONS**

**Article 87**  
**Repeal of Previous Legislation**

Upon the entry into force of this law all prior legislation governing the Law on Local Self-Government shall be abrogated.

**Article 88**  
**Approximation of Legislation**

No later than six (6) months after the entry into force of this law, all prior legislation and rules shall be harmonized with the provisions of this law.

**Article 89**  
**Sub-legal Acts**

All the sub-legal acts required by this law shall be issued no later than six (6) months after the entry into force of this law,

**Article 90**  
**Entry into Force**

The present Law shall enter into force upon adoption by the Assembly of Republic of Kosova and its publication in the Official Gazette.

**Law Nr. 03/L-040**  
**20 February 2008**

**President of the Assembly of Republic of Kosova**

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**Jakup KRASNIQI**