



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

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**Law No. 05/L -009**

**ON AMENDING AND SUPPLEMENTING THE LAW No. 03/L-087 ON  
PUBLICLY-OWNED ENTERPRISES AMENDED AND SUPPLEMENTED  
BY THE LAW No.04/L-111**

**Assembly of the Republic of Kosovo**

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

Approves:

**LAW ON AMENDING AND SUPPLEMENTING THE LAW No. 03/L-087  
ON PUBLICLY-OWNED ENTERPRISES AMENDED AND  
SUPPLEMENTED BY THE LAW No.04/L-111**

**Article 1**  
**Purpose**

The purpose of this Law is to amend and supplement Law No. 03/L-087 on Publicly-Owned Enterprises, published in the Official Gazette of the Republic of Kosovo No. 31,15 June 2008.

## **Article 2**

Article 3 of the basic Law paragraph 4 shall be deleted in entirety.

## **Article 3**

1. Article 7 of the basic Law, paragraph 2 shall be amended as following:

7.2. The Shareholder(s) shall require the Board of Directors to prepare and submit a detailed report to the Shareholder(s) in case that: i. The Performance of a POE deviates from the targets set in the business plan adopted by the Board of Directors for the relevant financial year; ii. The value of POE assets is decreased; iii. The level of consumers' satisfaction is decreased regarding the quality of services. In these cases the Shareholder(s) shall take into consideration any appropriate remedial actions.

2. Article 7 of the basic Law, paragraph 3, in the first line the phrase "to meet its performance targets" shall be replaced with the phrase „, in the meaning of paragraph 7.2 of this Article“.

## **Article 4**

Article 11 of the basic Law, after paragraph 11.2 there are added paragraphs 11.3 and 11.4 with the following text:

11.3. At the Government's proposal, the Assembly of Kosovo may issue a decision to remove from the competencies of Kosovo Privatization Agency any socially-owned enterprise, or certain organizational units of a socially-owned enterprise, including their assets, and to authorize the Government to register this socially-owned enterprise, respectively certain organizational units of a socially-owned enterprise as publicly-owned enterprises.

11.4. Upon registration as a publicly-owned enterprise, said enterprise shall be subject to laws applied for publicly-owned enterprises, and the assets belonging to the socially-owned enterprise, respectively to the certain organizational unit of the socially-owned enterprise, shall be considered part of the Publicly-Owned Enterprise.

## **Article 5**

Article 13 of the basic Law, paragraph 1 shall be amended and replaced with the following text:

13.1. publicly-owned enterprises shall be subject to all normative acts regulating business organizations, unless otherwise regulated in the legislation on publicly-owned enterprises. Reorganization, bankruptcy and liquidation of publicly-owned enterprises shall be regulated by a special legal act.

## **Article 6**

Article 17 of the basic Law, after paragraph 17.4 there shall be added a new paragraph 17.4a. with the following text:

17.4a. The composition of the Boards of Directors of POE should be in compliance with the Law on Gender Equality.

## **Article 7**

Article 29 of the basic Law, amended with the Law No.04/L-111, shall be reworded as following:

The Boards of POEs shall once a year measure the satisfaction of the customers based on the respective procedures through credible independent organizations. This report shall be submitted to (i) the POE Policy and Monitoring Unit, latest by 31 March for the preceding year, which shall publish that report on its web-site and (ii) as appropriate, the Government or the concerned Municipal Shareholder Committee(s).

## **Article 8**

In Chapter VI, after Article 37 of the basic Law, there shall be added Article 37.A with the following text:

### **Article 37.A**

Taking into consideration the special interest and importance of its status, organization and structuring of socially-owned enterprise registered in court registries under the name Mining – Metallurgical and Chemical Combine Trepça, which currently based on business certificate is identified with the name: "Trepça under KPA Administration" shall be regulated with a specific Strategy and Law. Until these acts are approved, this enterprise will continue to do business in accordance with the current conditions, including the moratorium in accordance to the Law on reorganization of certain enterprises and their assets.

**Article 9**  
**Entry into force**

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

**Law No.05/L-009**  
**7 April 2015**

**Kadri VESELI**

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**President of the Assembly of the Republic of Kosovo**