



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

Law No. 05/L-015

ON IDENTITY CARDS

The Assembly of the Republic of Kosovo,

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

Approves

LAW ON IDENTITY CARDS

CHAPTER I
GENERAL PROVISIONS

Article 1
Purpose

This law determines conditions, procedures and competent body for issuance and use of identity cards by the citizens of the Republic of Kosovo.

Article 2
Definitions

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

1.1. **Identity card** - the identification document that contains personal data in the physical and electronic form that is issued to a citizen of the Republic of Kosovo as a proof of identity and citizenship of the document bearer;

1.2. **Citizen of the Republic Kosovo** - a person who has a citizenship of the Republic of Kosovo, in accordance with the Law on Citizenship;

- 1.3. **Competent body** – Ministry of Internal Affairs;
- 1.4. **Minister** – the Minister of the Ministry of Internal Affairs;
- 1.5. **Biometric data** - unique data that present unique characteristics of a person and are used to determine the identity through the appearance of the face (portrait), finger prints, eye colour and electronic signature;
- 1.6. **Dwelling** - the place in which the citizen is settled with intention to live there permanently;
- 1.7. **Chip** - electronic device incorporated in the card, in which the data of Identity Card bearer are electronically set;
- 1.8. **Electronic certificate** - the electronic authentication that connects the controlling data of signature with a person and confirms the identity of that person;
- 1.9. **Electronic signature** - the data in electronic form which are attached or accompany logically the data message and which may be used for identifying the signatory in relation to data message;
- 1.10. **Certifying Authority** - the authority within the Ministry that issues electronic certificate located in the chip of identity card;
- 1.11. **Electronic service provider** - the public or private company/institution that provides electronic services by using their identity card;
- 1.12. **Certificate of authorization** - an electronic certificate which is issued to service providers to enable in a safe way electronic access to electronic records in identity card;

Article 3

Equipment with identity card and possession of identity card

1. Each citizen of Republic of Kosovo from the age of sixteen (16) is obliged to be equipped with the identity card.
2. The citizen can not possess more than one valid identity card issued in the Republic of Kosovo.

Article 4
Use of identity card and obligations of a citizen

1. The citizen is obliged to keep the identity card with himself, and on the request of an official person authorised by law, is obliged to provide the identity card for identification.
2. A citizen does not have the right to give his identity card to another person for use or to use the identity card of another person as his/her own.
3. Identity card of another citizen is not allowed to be used in order to gain a benefit or a right, for himself or for another natural or legal person.
4. The identity card may serve as a travel document for crossing the state border, if such arrangements have been regulated with agreement between states.
5. Identity card can be used by the citizen to carry out electronic services.

CHAPTER II
COMPETENCE FOR ISSUING IDENTITY CARDS

Article 5
Competent body for issuance of identity cards

1. The identity card is a property of the Republic of Kosovo.
2. Issuance, processing, personalization and distribution of identity card shall be done by the competent body.
3. Citizens of the Republic of Kosovo can be equipped with identity card in diplomatic and consular missions of the Republic of Kosovo.
4. Electronic certificates located in the chip of identity cards and authorization certificates for electronic service providers shall be issued by the respective authority within the Ministry.
5. Matters relating to the certification authority and authorization of the service providers shall be regulated with sub-legal acts by the Minister.

Article 6
Electronic Signature

Electronic signature on the identity card is regulated by the Law on Information Society Services.

Article 7
The use of electronic data from identity card

1. Electronic data in identity card may be used only by:
 - 1.1. designated authority for verification of identity, and
 - 1.2. electronic service providers who are equipped with certificates of authorization.
2. Public/private companies/institutions can use electronic data only for identity verification.
3. Data from paragraph 1. and 2. of this Article shall be used in accordance with the Law on the Protection of Personal Data.

Article 8
The form and methods for production of identity card

The form and methods for production of identity card shall be determined in a sub-legal act by the Minister.

Article 9
Content of the identity card

1. The identity card shall contain the following data:
 - 1.1. The emblem of the Republic of Kosovo;
 - 1.2. Name of the state;
 - 1.3. Name of the document;
 - 1.4. The symbol of the electronic (biometric) document;
 - 1.5. Surname;
 - 1.6. Name;
 - 1.7. Date of birth;
 - 1.8. Gender;
 - 1.9. Citizenship;

- 1.10. Expiration date;
 - 1.11. Place of birth;
 - 1.12. Photo;
 - 1.13. Signature;
 - 1.14. Card Access Number (CAN);
 - 1.15. Date of issuance;
 - 1.16. Issuing authority;
 - 1.17. Personal number;
 - 1.18. ID card number;
 - 1.19. Dwelling (Residence);
 - 1.20. Machine readable zone (MRZ).
2. The identity card shall contain an electronic chip where in addition to data from paragraph 1. of this Article are stored:
- 2.1. Fingerprints;
 - 2.2. Address of residence; and
 - 2.3. Electronic certificates.

Article 10

Printing of forms and identity cards

1. The forms and the identity cards shall be printed in accordance with the Law on Use of Languages.
2. The forms and identity cards for members of non majority community shall be printed also in their languages that are used in local level.

CHAPTER III VALIDITY OF THE IDENTITY CARD

Article 11 Validity period of identity card

1. The identity card is given in validity period of ten (10) years.
2. To persons aged sixteen (16) to twenty-six (26) years the identity card is issued with validity period of five (5) years.

Article 12 Invalidity of the identity card

1. Notwithstanding Article 11 of this law identity card is invalid in the following cases:
 - 1.1. with death of the person;
 - 1.2. with loss of citizenship of the Republic of Kosovo;
 - 1.3. if the citizen does the change of data;
 - 1.4. in case of loss, theft or damage;
 - 1.5. with the expiry of validity period.

CHAPTER IV PROCEDURE FOR OBTAINING THE IDENTITY CARD

Article 13 Application for identity card

1. The citizen personally submits the request for equipment with identity card in the competent body.
2. Citizen from paragraph 1. of Article 3 of this law, as well as the citizen whom the validity period of identity card has expired, should submit an application for equipment with identity card within fifteen (15) days.
3. Citizens younger than eighteen (18) years, and citizens who are not capable to act, must at the time of application be accompanied by a legal representative.

4. Citizens younger than eighteen (18) years who have won a legal capacity of action can personally file the request to be equipped with the identity card in the competent body.
5. Competent body issues to the submitter of the request a proof on reception of the request.
6. The procedures for equipment with identity cards shall be determined with sub-legal act by the Minister.

Article14 **Issuing the identity card**

1. Competent body is obliged to issue the identity card, within than fifteen (15) days from the day of submission of the request.
2. The identity card shall be handed over to the citizen from the competent body together with the confidential data to use the electronic form of identitycard.
3. If the citizen does with draw the identity card within six (6) months, the identity card shall be returned to the competent body.
4. Notwithstanding from paragraph 3. of this Article in reasonable cases the term for withdrawing the identity card may be extended for a reasonable time, but not later than twelve (12) months.

Article15 **Damage, loss or theft of identity card**

1. Damage of the identity card, should be reported by the citizen to the competent body within eight (8) days, describing the circumstances of damage of identity card.
- 2 Damage of the identity card outside the country, the citizen within eight (8) days after entering the Republic of Kosovo, should report it to the competent body in a manner determined in paragraph 1. of this Article.
3. Upon loss or theft of Identity Card, citizen should inform the nearest police station within eight (8) days, describing the circumstances of the loss or theft of identity card.
4. Upon the loss or theft of identity card abroad, the citizen should within eight (8) days after the entry in the Republic of Kosovo, inform the nearest police station, as determined in paragraph 3. of this Article.

Article 16
Changing the identity card

1. The citizen would within fifteen (15) days make an application for changing the identity card if:
 - 1.1. there are changes in the personal data from paragraph 1. of Article 9 of this law;
 - 1.2. photography does no longer present the actual image of the person;
 - 1.3. the identity card is damaged;
 - 1.4. identity card contains inaccurate data.

CHAPTER V
EVIDENCES

Article 17
Records on the received applications and issued identity cards

1. Evidence on the received requests and issued identity cards, shall be kept in physical and electronic form by the competent body.
2. Evidence from paragraph 1. of this Article contains:
 - 2.1. Data from paragraph 1. Article 9 of this law;
 - 2.2. Date of the issuance of identity card;
 - 2.3. Validity period of identity card;
 - 2.4. Serial number of registration of the identity card;
 - 2.5. Data on damaged Identity Cards, lost, stolen and declared invalid;
 - 2.6. Data from paragraph 1. of Article 21 of this law.
3. Data in the records are kept by the Ministry five (5) years after the identity card ceases to be valid and thereafter are handled in accordance with the Law on State Archives.
4. Data on prohibition of using the identity card for border crossing, ministry destroys it after five (5) years, when the reason for prohibition expires.

Article 18
Use of data from records

State institutions depending on authorization granted by the law, may use data from records on the issued identity cards in accordance with the Law on the Protection of Personal Data

CHAPTER VI
SUPERVISION

Article 19
Supervision

The Ministry shall supervise the implementation of the provisions in this law.

CHAPTER VII
PENALTY PROVISIONS

Article 20
Sanctions

1. To the citizen who within five (5) years has lost, damaged or was stolen the Identity Card more than twice, identification card is issued for a period of validity of one year.
2. Provision from paragraph 1. of this Article is not applied, if the citizen, whose identity card is stolen, provides evidence that the theft has been reported as a criminal offence.

Article 21
Ban on using the identity card

1. The person who is prohibited to leave the country cannot use the identity card for this purpose during the prohibition time.
2. About this prohibition shall decide only the court which informs the Ministry.
3. The appeal against the decision from paragraph 2. of this Article does not stop its execution.
4. After the reasons for prohibition of use of Identity Card for state crossing border have ceased to exist, court from paragraph 1. of this Article, should immediately inform the Ministry.

Article 22
Fines

1. With fine in the amount of twenty (20) € shall be punished the citizen:
 - 1.1. who does not submit application for equipment with identity card prescribed in paragraph 2. of Article 13 of this law;
 - 1.2. who does not hand over the Identity Card to the competent body in the timeframe determined by paragraph 1. of Article 16 of this law;
 - 1.3. who in the timeframe determined by law and in a regular manner does not inform competent body for the loss or finding of identity card, paragraph 3. and 4. of Article 15 of this law.
2. A fine from twenty (20) € to one hundred (100) € will be punished citizen for the following offences to the citizen:
 - 2.1. who does not have valid identity cards;
 - 2.2. who upon the request of the officer authorized by law, does not possess the Identification Card with himself/herself, or does not want to submit it for identification according to paragraph 1. of Article 4 of this law;
 - 2.3. who gives or borrows his identity card to other person, or uses someone else's identity card as his own, paragraph 2. and 3. of Article 4 of this law;
 - 2.4. who uses the identity card in contrary to paragraph 1. of Article 21 of this law;
 - 2.5. who has more than one valid identity card, Article 11 of this law;

CHAPTER VIII
TRANSITIONAL AND FINAL PROVISIONS

Article 23
Revenue collected from this law

All revenues collected from the implementation of this law shall be deposited in the Budget of Republic of Kosovo.

Article 24
Issuance of sub-legal acts

1. For implementation of this law the following sublegal acts will be issued on the timeline within six (6) months from the entry into force of this law.
2. The Minister issues sublegal acts on:
 - 2.1. procedures for obtaining Identity Cards;
 - 2.2. the form and method of making the Identity Card.
 - 2.3. issues dealing with certification authority and authorization of service providers;
3. For implementation of this law, the Minister may also issue other sublegal acts.

Article 25
Repeal

With the entry into force of this Law, the Law No. 03/L-099 on Identity Cards and the Law No.04/L-126 on Amending and Supplementing to the Law No. 03/L-099 on Identity Cards shall be repealed.

Article 26
Entry into Force

This law shall enter into force fifteen (15) days after its promulgation in the Official Gazette of the Republic of Kosovo.

Law No. 05/L-015
30 November 2015

President of the Assembly of the Republic of Kosovo

Kadri VESELI