



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

Law No. 05/L –134

**ON LEGALISATION AND SURRENDER OF WEAPONS, AMMUNITION
AND EXPLOSIVE DEVICES**

Assembly of Republic of Kosovo,

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

Adopts:

**LAW ON LEGALISATION AND SURRENDER OF WEAPONS,
AMMUNITION AND EXPLOSIVE DEVICES**

**CHAPTER I
GENERAL PROVISIONS**

**Article 1
Purpose**

This Law determines the right for natural and legal persons for legalization of weapons or voluntary surrender of weapons, ammunition and explosive devices, which have been in illegal possession during the timeframe of legalization and surrender determined according to the provisions of this law, with the aim of creating a safer environment for all citizens.

Article 2

Scope

The provisions of this Law are binding for all institutions and their relevant units in the Republic of Kosovo that will be involved in activities during legalization of weapons and surrender of weapons, ammunition and explosive devices, as well as for all natural and legal persons that participate in this process.

Article 3

Definitions

1. For the purpose of this Law, terms, expressions and abbreviations used shall have the following meaning:

1.1. **Competent body** – Ministry of Internal Affairs;

1.2. **Minister** - Minister of Internal Affairs;

1.3. **Card** - the document which is provided to the person who has declared unlawful possession of a weapon and has initiated the legalization procedure. This card will be used even as an authorization to transport the weapon from residence to the licensed legal person and vice versa;

1.4. **Request for legalization** - the form that is filled out containing the data of the natural person or legal person and the weapon for the purpose of legalization;

1.5. **State Coordination Centre (SCC)** - a temporary body established by the Minister who is responsible for implementation of the activities of voluntary surrender of weapons, ammunition and explosive devices;

1.6. **Licensed legal person** - a legal person licensed to trade, repair, deactivate and produce weapons according to the Law on Weapons.

2. The terms, abbreviations and other expressions used in this Law shall have the same meaning as defined in Law on Weapons.

Article 4

Timeframe for legalization and voluntary surrender

1. Timeframe for legalization of weapon will be up to six (6) months within one (1) year after entry into force of this Law which will be determined with decision of the competent body.

2. Timeframe for voluntary surrender of weapons, ammunition and explosive devices will be up to three (3) months within two (2) years after entry into force of the Law which will be determined with decision of the competent body.
3. Timeframes according to paragraphs 1 and 2 of this Article can be extended or renewed based on the needs and effects that the process of legalization and surrender of weapons, ammunition and explosive devices can have, with decision of the Government upon the proposal of the Minister of Ministry of Internal Affairs.
4. For legalization and voluntary surrender of weapons, ammunition and explosive devices, the competent body will make information and awareness raising campaigns for the public.
5. For the implementation of this Article, the competent body will issue sub-legal acts on determining the timeframes and operational modalities.

Article 5

Legalization of weapons

1. During the period of legalization, natural person and responsible person of the legal person should appear at the nearest police station of his residence or temporary residence and declare possession of weapon which has not been previously registered, where in this case the same shall be provided with the card and request for legalization of the weapon.
2. Natural person of paragraph 1 of this Article should be twenty one (21) years old and present evidence that he is not a danger to public order and safety as determined in the Law on Weapons.
3. Legal person should fulfil the criteria defined in Article 13 of the Law on Weapons.
4. The weapon should belong to category B, C or D in accordance to the Law on Weapons or weapon of category A, with the purpose of deactivation of it.
5. A natural person or responsible person of the legal person according to paragraph 1 of this Article shall be issued the card and is obliged within fifteen (15) days to send the weapon to the licensed legal person.
6. Licensed legal person is obliged to store the weapon and is responsible for verifying that the weapon is not a danger for public safety, to make test firing and verify if the weapon is marked according to Article 56 of the Law on Weapons. If any of these conditions are not met, the weapon and the card are delivered to the competent body and the weapon should be treated according to the Law on Weapons.
7. Legal person from paragraph 6 of this Article is obliged to fill in and stamp his part in the card for legalization and report to the competent body within two (2) days.

8. The natural person or responsible person of the legal person should prove to the police station the actions conducted from paragraphs 5 and 6 of this Article and continue to supplement the request with additional data.
9. Competent body shall verify that the weapon does not belong to somebody else according to the Law on Weapons.
10. In case the licensed legal person verifies that conditions from paragraph 6 are fulfilled, the competent body will approve the application, the applicant will receive from the police station consent that legalization is finalized and the same one can take the weapon that will be marked as legalized weapon in accordance with Article 56 of Law on Weapons.
11. Licensed legal person shall inform the competent body of the surrender of weapon within two (2) days.
12. Natural person or responsible person of the legal person, at the moment the consent is given, within one (1) year should fulfil all criteria in accordance to the Law on Weapons, for the issuance of relevant permit.
13. During the transitional period according to paragraph 12 of this Article, the weapon cannot be used, transported, sold or for the same to be purchased the ammunition.
14. For the implementation of this Article the competent body shall issue sub-legal act.

Article 6

Conditions of the agreement of compliance

1. In accordance to Article 5 of this Law, the applicant should, before receiving the consent from the competent body regarding legalization, sign agreement of compliance.
2. The conditions for signing the agreement of compliance are as following:
 - 2.1. during the period of one (1) year the applicant should fulfil all criteria according to the Law on Weapons in order to get relevant permit;
 - 2.2. during the period of one (1) year, the weapon shall be verified in relevant forensic data bases and if identified that the weapon is in contradiction with provisions of this Law, the owner will be informed by the competent body regarding surrender of the weapon;
 - 2.3. the weapon described in paragraph 2, sub-paragraph 2.2 of this Article shall be treated in accordance with the Law on Weapons and consent is revoked.

Article 7
Review of request and right to appeal

The review of request for legalization and the right to appeal is done according to the provisions of the Law on Weapons.

Article 8
Surrender of weapons, ammunition and explosive devices

1. During the voluntary surrender period, natural persons can voluntarily surrender the weapons, ammunition and explosive devices and personal data of the same shall not be taken.
2. Surrender of explosive devices from paragraph 1 of this Article should be reported and treated by the competent body.
3. Treatment of weapons, ammunition and explosive devices, surrendered according to paragraph 1 of this Article, with special historical and artistic value shall be regulated by special procedures.
4. For the implementation of this Article, competent body shall issue sub-legal act.

Article 9

During the period of legalization of weapons and voluntary surrender of weapons, ammunition and explosive devices, for the period specified with a decision according to Article 4, paragraphs 1 and 2 of this Law, there will be suspended the implementation of Article 374 of the Criminal Code of the Republic of Kosovo.

Article 10
State Coordination Centre

1. The competent body shall, with decision of the Minister, establish the SCC for coordination of activities for voluntary surrender of weapons, ammunition and explosive devices.
2. Management, storage and record keeping of weapons, ammunition and explosive devices is a shared responsibility of the SCC and competent body.
3. The competent body shall issue a sub-legal act for the implementation of this Article.

Article 11
Penalty provisions

1. There shall be punished with a fine of five hundred (500) Euro the natural person or responsible person of the legal person in case:

1.1. does not bring the weapon to the licensed legal person within fifteen (15) days upon request for legalization in accordance with Article 5 paragraph 5 of this Law;

1.2. does not report to the police station in accordance with Article 5 paragraph 8 of this Law;

1.3. does transport the weapon without card or does not use the shortest way from residence or temporary residence to the licensed legal person.

2. There shall be punished with a fine of one thousand (1000) Euro the natural person or responsible person of the legal person in case:

2.1. does not comply with the agreement according to Article 6;

2.2. does not fulfil criteria of the Law on Weapons within the transitional period in accordance to Article 5 paragraph 12.

3. There shall be punished with a fine of five hundred (500) Euro the legal person in cases when:

3.1. does not store the weapons as defined by the Law on Weapons;

3.2. does not fill in, seal the application or inform the competent body in accordance to Article 5 paragraph 7 of this Law.

4. Natural person or responsible person of the legal person who transports, uses, sells the weapon, purchase ammunition for the weapon or does not store the weapon adequately during the transition period in accordance with Article 5 paragraph 12 of this Law, shall be punished in accordance to relevant provisions of the Criminal Code of Kosovo and other legislation in force.

CHAPTER II
FINAL PROVISIONS

Article 12
Issuance of sub-legal acts

1. For the implementation of this Law, the competent body within six (6) months from the date of entry into force of this Law shall issue sub-legal acts on:

1.1. determining the timeframes and operational modalities according to Article 4 of this Law;

1.2. card, request and consent for legalization of weapons and procedures that must be followed by the licensed legal person according to Article 5 of this Law;

1.3. transporting of weapons, ammunition and explosive devices during the voluntary surrender and treatment procedures of weapons, ammunition and explosive devices with special historical and artistic value according to Article 8 of this Law;

1.4. composition, duties and responsibilities of SCC for the management, storage and record keeping of weapons, ammunition and explosive devices according to Article 10 of this Law.

2. For the implementation of this Law, the competent body may also issue other sub-legal acts.

Article 13 Entry into force

This Law shall enter into force after fifteen (15) days after the publication in the Official Gazette of the Republic of Kosovo.

**Law No.05/L - 134
31 March 2017**

President of the Assembly of the Republic of Kosovo

Kadri VESELI