



PROVISIONAL INSTITUTIONS OF SELF GOVERNMENT

KUVENDI I KOSOVËS
СКУПШТИНА КОСОВА
ASSEMBLY OF KOSOVO

Law No. 2003/24

LAW ON SPORT

The Assembly of Kosovo,

Pursuant to the Regulation No.2001\9, dated 15 May 2001 of the Constitutional Framework for Provisional Self-Government in Kosovo, especially Chapter 5.1 (h), 5.7, 9.1.1, 9.1.26 (a) 9.3.2, 9.3.3 ,

Based on the right and duties of all institutions on physical education and sports that do comply with the legal framework relating their activity and behavior;
On the rights of all citizens for the development of physical-educative and sportive activities that are supported by the constitutional framework,

approved this:

I.GENERAL PROVISIONS

Article 1

1.1.This law regularizes the organization, terms and rules of physical-sports activities, rights, duties and responsibilities of those organizing it, and other relevant issues relating physical-sports activities, in particular establishment as well as its management, registration of the sports organizations.

Article 2

2.1.All persons regardless of their age, gender, nationality, political affiliation, religion, physical abilities, and the social and economic level have the right of participating in the physical-sportive activities.

Article 3

3.1.Sports organizations and other physical and other juridical and physical persons are eligible on developing physical-sportive activities.

3.2.According to this law, juridical and physical persons are all registered persons, as such, for development of the physical-sportive activities.

Article 4

4.1. Political and religious activities are prohibited in the organizations that develop physical-sportive activities.

II. BASIC DEFINITIONS

Article 5

5.1. According to this law, sports are considered includes sports education and the sports activities aiming achievement of results in the sports competitions and the following:

- Physical activities on body development and games of all group ages;
- Sports recreation;
- Therapeutical sports
- Activities of professional persons who prepare athletes for sports events;
- Activities of persons who take part in the organization and the management of sport competition and other sports events.

Article 6

According to this Law:

6.1. Sports activities are considered to be activities aiming to achieve sports results in the competitions of all levels and group ages to strengthen physical and psychological abilities of all persons that participate in these activities.

6.2. Physical education is considered physical preparedness of pupils, students and the other citizens as well to become healthy and ready for the life in the society.

6.3. Sport activities based on a voluntary principle should be considered as amateur sport.

6.4. Activities of athletes who have signed a contract with sports clubs and who receive financial subsidies from their club are considered to be professional sport.

6.5. Any organism, which does organize sports activities, is a sport organization.

6.6. A Sport Club is a sport organization, which aims to develop sports activities within the administrative territory of Kosovo.

6.7. A Sport Federation is a sport organization whose objective is to organize, develop and expand sports competitions of particular sports discipline and this, throughout the administrative territory of Kosovo.

Article 7

7.1. Physical-sports activity shall be led by the physical and juridical persons and supported by the bodies in charge of development of physical education and sports through the subventions and fiscal relieves.

7.2. Determined details on fiscal relieves shall be defined based on legal acts and in compliance with the respective laws.

Article 8

- 8.1. The relevant Ministry determines the general policy on development of sports in Kosovo in compliance with its priorities, establishes the infrastructure, financial and staffing conditions on increase of participation and the quality of sports.
- 8.2. The relevant Ministry shall authorize the institute on physical culture or another professional organ on determining development criteria on physical-sports activity and supervises the implementation of policies on physical education and sport.
- 8.3. In case of non-compliance with the rights and obligations and the normative acts of this law, sports organizations and all other sports organs will be responsible to the legal organs.

III. PUBLIC INTEREST IN PHYSICAL-SPORTIVE ACTIVITIES AND THE SUPPORT OF THE INSTITUTIONS

Article 9

- 9.1. Every Citizen of Kosovo is eligible on participating in the physical-sportive activities.

Article 10

- 10.1. Sport activity is a field of public and national interest and shall be developed on a voluntary or professional basis.

Article 11

- 11.1. Bodies in charge of sports are mandated to be involved in the development of sports activities as it is a sphere of public and national interest.
- 11.2. The Public and National Interest on Physical-Sportive Activity shall be fulfilled based on insured Means for the programs on the level of the country, planning, construction and maintenance of the sports facilities and the definition and implementation of the incentive policies on development and improvement of the physical-sports activities.

Article 12

- 12.1. The physical-sports activities include activities of a general and local interest of all physical-sports branches and the program for their fulfillment.

Article 13

- 13.1. Public institutions of all levels, in particular those that based on this law are declared competent, shall maintain the training, maintenance and the financial support of the physical education and sports.

Article 14

14.1. Sport and physical education are independent, autonomous in their planning and in their development.

Article 15

15.1. The duty of sports organizations is to determine projects concerning the efficiency of the structures for the development of physical education and sports for all, comprising different genders and ethnic groups, as of development of massive activities up to the highest sports level.

Article 16

16.1. Physical education and sport for all convey particular values as well as national values and as such, shall have continuous attention from the public institutions of all levels, in particular those institutions that in accordance and compliance with this law are declared competent.

Article 17

17.1. It is a duty of sports organizations that, on basis of the Strategy on Development of Sports in Kosovo, they shall offer their contribution to health protection, development of its social values as such tolerance, friendship, cooperation and other principles of the Olympic Chart and the European Chart on Sports.

Article 18

18.1. It is the duty of sports organizations to focus on emergent problems on sports and are obligated to undertake necessary (adequate) measures in solving them, in particular referring to the advices of the specialized staff and while expanding the field of institutional management of sports.

Article 19

19.1. For the implementation of the duties of the public and national on physical education and sports, the relevant Ministry shall compile a program on development of sports and physical education within period of four years.

19.2. Such program shall particularly define:

- Needs of physical education and priorities in the development of physical education and sports
- Professional qualification of the staff,
- Promotion of new talents,
- Ensure the projects of investments in the sports facilities,
- Required means in the fulfillment of public and national interest in physical education and sports.

19.3. In particular, the program shall define the needs of the disabled persons relating physical education and sports.

IV. OBJECTIVES AND AIMS OF SPORTS

Article 20

20.1. Objectives and aims of sports are as follows:

- Encouragement and development sport for all;
- Continuous increase of quality of professional sport,
- Structure of sport bodies aiming to define the public and national function of sports,
- Institutionalization of sport in accordance to the European experience and abroad,
- Construction of sports infrastructures in regard of the social aspect of sport,
- Acknowledgement and development of the best modern experiences aiming at the internationalization of the Kosovo sports to the European and world sports,
- Adjustment to the best and modern managing practice of sports, etc.

V. OLYMPIC COMMITTEE OF KOSOVO

Article 21

21.1. The Olympic Committee of Kosovo (OCK) is the highest sport institutions, and its establishment and function is based on the Olympic Charter and its Statute.

Article 22

22.1. The Olympic Committee of Kosovo is organized in compliance with the interests on participation development of the Kosovo athletes to the Olympic Games.

Article 23

23.1. The OCK organizes, leads, coordinates and develops Olympic sport movement, all this in cooperation with other sports organizations and public all the own decisions.

Article 24

24.1. Kosovo has only one OCK.

24.2. No other sports organization is entitled on using the name of OCK.

Article 25

25.1. The Government (Ministry) will support the activities of the Olympic Committee of Kosovo within the budget limits.

Article 26

26.1. In the structure frame of OCK functions the Comity of Sports Arbitrating (CSA) in compliance with relevant acts of international CSA.

VI.SPORTS FEDERATIONS

Article 27

27.1. Sports Federations shall be established and function in compliance with the terms of this Law and their interim statutes and regulations, that are compiled in compliance with this law and its implementation, and as well in compliance with the statute of the international federations on respective sports.

Article 28

28.1. Sports Federations must include both genders all ethnic groups and minorities in all their management structures.

Article 29

29.1. The sports federations, perform its activities based on the politics and in congruence with their work programme.

29.2. The relevant Ministry shall supervise the implementation of the sports policies of Kosovo by the sports federations.

Article 30

30.1. Sports federations are obliged to make public their decisions.

30.2. Sports federations are eligible on undertaking the disciplinary measures toward their members.

30.3. Sports federations shall maintain the control on implementation of the internal norms of this law and as well the international norms based in the general principles of rights.

30.4. In case the decision of the sports federations will be in conflict with the Law, representing organs and the responsible persons of the respective sports federations shall be responsible toward the competent legal organs that can dismiss (discharge) implementation of decisions and initiate other procedures for those responsible in the respective sports federations.

Article 31

31.1. Approval of sport federations shall be used as an authorization of getting and using a name and functioning as sport federation.

31.2. Professional organs authorized by the relevant Ministry shall determine the required criteria and procedures in the issuance of the license for the functioning of sports federations.

Article 32

- 32.1. One federation is established in regard with the respective sport branch activity in the whole territory of Kosovo.
- 32.2. Pupils, students and disabled persons can establish their federations regarding particular sport branch.

Article 33

- 33.1. Sports Federations function on amateur basis.
- 33.2. Sports federations can pay professionals in accordance with their normative acts.
- 33.3. Sports federations are eligible on receiving assistance from the relevant Ministry, donors and sponsors.
- 33.4. Sports federations are eligible, within the rules approved by their organs, to award with their own fund the top athletes for their good results.

VII. SPORTS CLUBS

Article 34

- 34.1. Sport clubs shall be established and shall function in compliance with this law and according to the acts of the respective sports federations.

Article 35

- 35.1. Sports clubs can be public or private. Public clubs should be registered as non governmental organizations and private clubs should be registered under the relevant applicable laws in Kosovo.

Article 36

- 36.1. Activities of public clubs shall be funded by subventions of financial or local budget, as well as by donations of physical and juridical persons.

Article 37

- 37.1. According to this law private sports clubs shall be established by the free initiative of its members and shall be registered by the respective sports federations.
- 37.2. More complete determinations shall be defined based on act rulings of the special laws.

VIII. PARTICIPANTS IN THE SPORTS ACTIVITIES

Article 38

38.1. According to this law, participants of the sports activities are:

- Athletes of all group ages who participate in sports activities;
- All the athletes of sports activities;
- All the other participants of sports activities
- Sport fans, as spectators

Article 39

39.1. Sports Activities are developed on amateur and professional basis.

39.2. Concerning professional athletes, their respective club, which employs them, shall respect their rights and duties, in compliance with the Law on Work and the collective agreement and the individual contract.

Article 40

40.1. Ministry authorizes professional panel to make the categorization of athletes according to international standards.

40.2. There can be three categories of professional athletes: athletes of the world category, athletes of the international category and athletes of the national category.

40.3. The relevant Ministry, based on the proposals of the professional group, can approve the two first categories while the third category (national athletes category) shall be approved by the respective sport federation.

40.4. Sports results make the basic criteria on categorization of sports and athletes.

40.5. The relevant Ministry shall take the material and professional responsibility of care of top athletes.

Article 41

41.1. Concerning amateur athletes, their sports club have the obligation to provide material compensation.

41.2. Amateur athletes receive also other rewards for their achievements in sports, in compliance with the conditions and acts of the sports club.

Article 42

42.1. Athletes who have a contract with a sports club are not allowed to sign a contract with another sports club at the same time.

42.2. Any violation of this term can be sanctioned in accordance with rules of this law.

Article 43

43.1.Movement of professional and amateur athletes shall be defined by the regulations of the respective sports federations in compliance with the norms of the international federations.

Article 44

44.1.Conflicts in regards with the contracts between the sports clubs , if they can not be solved out through relevant federations , shall be solved in the competent courts on this regard.

IX.SPORTS RELATIONS WITH ABROAD

Article 45

45.1.Only one sports federation, operating throughout Kosovo, of a respective sport can become a member of the international sports associations.

Article 46

46.1.Sports clubs can establish contacts and sign agreements for the participation to competitions abroad in compliance with the approval of the respective federations.

Article 47

47.1.Athletes selected in the representation team can train together for international official competition of all levels.

Article 48

48.1.Athletes of the representation team in regard with all sports shall wear sports clothes of the same combined colors and emblem.

48.2.The representative team will have the selector who is chosen by the relevant federation.

X.REPORT OF THE ORGANS IN CHARGE OF SPORT AND SPORT ORGANIZATIONS

Article 49

49.1.Sport organization can develop sport activities in case it complies with the conditions defined by this law, the relevant Ministry and responsible respective organs at the municipal level shall publicize those conditions.

49.2.Sports organizations can initiate sports activities when the responsible body for sports will certify that the terms are fulfilled and in such case will be officially recognized.

49.3. The responsible body for sports, according to official duty can abrogate the former approval for exercising of sports activity, if it has been noticed that the terms are not fulfilled for sports activities.

Article 50

50.1. The relevant Ministry shall in particular supervise as follows:

- fulfillment of the conditions on accomplishment of duties of public and national interest;
- use of public means;
- management and use of the public sports facilities;
- fulfillment of standards and principles on accomplishment of the programs at the national level;
- fulfillment of conditions on organizing the international sports competitions after its prior approval;
- fulfillment of the standards on interim and periodical medical check;
- the abuse and violation of the rights of athletes and the sport clubs;
- regularity of the work of the sports federations;

50.2. The supervision shall be done by a respective professional commission that shall be appointed by the relevant Ministry.

50.3. The supervising organ is eligible on prohibiting the sports organization or the individual on development of the sports activities or undertakes other measures in compliance with this law.

50.4. Against the reviewed decisions it may be submitted a complaint to the Comity of Sports Arbitrating of OCK within 15 days. The parties which are not content with the decisions of CSA may submit a complaint to the International Comity of Sports Arbitrating.

XI.SPORTS AND PHYSICAL EDUCATION IN SCHOOLS AND UNIVERSITY

Article 51

51.1. School pupils and Students are eligible on participating in Sports and Physical Education during their studies in school and the University.

Article 52

52.1. Sports and physical education in schools and university are aiming to:

- Develop activities on physical education and sports aiming to improve health and physical conditions as well psycho-motor abilities.
- Strengthen resistance against passivity and apathy of pupils and students of intellectual, emotional, motor abilities and social aspect.
- Orientate pupils and students according to their abilities
- Forbid smoking, alcohol, drugs, and forbidding the increasing of conflicts in macro and microenvironment.
- Coordinate a cooperation of physical education and sports activity in schools and university.

- Encourage desires, liabilities and talented pupils and students for certain sports and
 - Increase the number of different school and university teams according to sport disciplines, which are approved according to the schools and university rules.
- 52.2. The relevant Ministry in cooperation with the Ministry of Education, Science and Technology will take care over the development and physical education of sports in schools and universities.

XII. PROFESSIONAL STAFF

Article 53

53.1. As a professional staff has to be at least graduated in higher sport education, respectively persons that in specialized form have achieved the required professional qualification.

Article 54

54.1. International professional staff can be engaged in leading sports training and sports games inside the country, if it fulfills conditions of the article 53 of this law.

XIII. SPORTS FACILITIES AND SPORT FIELDS

Article 55

55.1. Sports facilities and sport fields can be:

- Public and
- Private

Article 56

56.1. Belongings and property of sports facilities and sport fields will be specified by the decision made by the responsible sports body.

Article 57

57.1. Sports facilities and sport fields are private when built by private persons.

Article 58

58.1. The objects and sport environment in public ownership will be managed by the respective competent body of sports. While the other objects and sport environment will be managed by their own legal owners.

Article 59

59.1. It is forbidden to change the original object of the use of sports facilities and areas.

XIV. HEALTH CARE AND USE OF SUBSTANCES AND STIMULANT DOPING IN SPORTS

Article 60

60.1. Athletes are obliged to take a medical clearance.

60.2. A medical clearance shall include a medical visit before the starting season, as well as regular medical follow-ups during the sports season.

60.3. The number of the systematic medical follow-ups will be specified by each sports federation, and completed at least once in a year.

Article 61

61.1. Medical controls should be done by medical practitioner specialist in sport medicine in a dispensary specialized in sports medicine.

Article 62

62.1. Any person who practices sport in a club will get a medical certificate.

Article 63

63.1. The use of the substances and forbidden methods of stimulating doping, or the incitation to consume those substances will be punished according to international norms accepted by the respective federation and its own normative act.

Article 64

64.1. Kosovo has its competent specialized commissions dealing with education, propaganda, fight and control of anti doping in Kosova sports.

XV. FINANCING

Article 65

65.1. Financial basis on sports and its national public needs contain financial means ensured from the Kosovo budget.

65.2. The municipalities will form their own resources for financing the sports.

65.3. The Government of Kosovo shall approve, based on the proposal of the relevant Ministry, the program on public and national requirements on sports.

65.4. The rest of the financial requirements on sports shall be fulfilled by the incomes of the juridical and physical persons involved in the sport activities. All this through the membership fees, luck games and other sources that assist the activity of the regular sport organizations.

65.5. Additional financial means on sports can be provided through advertisement and the sponsorship.

XVI. ADVERTISING AND SPONSORSHIP

Article 66

66.1. Sports organizations, institutions and clubs may have the right to deal with trade associations with regard to advertisement and sponsorship.

Article 67

67.1. The relations between them will be specified in a contract.

67.2. Trade associations, in the name of sponsorship, will benefit of fiscal relieves in compliance with the legal acts of the respective laws.

XVII. BROADCASTING RIGHTS

Article 68

68.1. A physical or legal person who organizes sport activity shall be the owner of broadcasting rights wherefore it will be made a contract.

XVIII. INFORMING

Article 69

69.1. Within the relevant Ministry exists a special service in charge of collection and saving the regular and clear data record with regard to the situation in the Kosova sports.

69.2. Such service maintains the record (register) of athletes, other participants in the sports events, of international and national competitions, record on sport facilities and other data relevant to the needed documentation.

XIX. AGAINST VIOLENCE IN SPORTS

Article 70

70.1. Any form of violence in its physical or moral (insults) appearance will be punished according to the disciplinary provisions of sport federations, the Law on Minor Offences and the Penal Code of Kosova.

Article 71

71.1. It is forbidden to hold or to use firecrackers or any kind of weapons in sports facilities and areas.

Article 72

72.1. It is forbidden to trade and use alcoholic beverage in sports facilities and areas.

Article 73

73.1. It is forbidden to smoke in indoor sports facilities and sport fields.

73.2. Any person violating this rule will have to leave the indoor sport facility.

Article 74

74.1. An individual who attends the sport activity as an official (referee, monitor etc) shall benefit of full immunity.

74.2. Any kind of violence, or violent intention against an official person will be considered as an act of violence or a violent intention against an official and it will be considered as a criminal case.

Article 75

75.1. Public order in sports facilities and sport fields shall be under the responsibility of the police competences.

75.2. Any organizer of a sport event is obliged to inform the police authorities about the venue of this event, three days before its starting date.

XX. PENALTY TERMS

Article 76

76.1. Any sports organizations will be fined up to an amount of 1000-5000 Euros:

- If it holds sports events without a prior approval of the responsible body
- If it spreads politics and religion in activity.
- If a sport event is organized in improper sports facilities and with unspecialized professional staff.

76.2. Any violation of this Law from the above-mentioned article, can lead, not only to fine penalties but also to other measures, which may result with the a temporary suspension of their sports activities from 6 month up to 3 years.

Article 77

77.1. A person that forces the athlete on training or participating in a match at the time when he is ill or injured can become subject of a fine of 1000-5000

77.2. Any violation of this Law from the above-mentioned article, can lead, not only to fine penalties but also to other measures, which may result with a temporary cessation of his professional activity from a period of 6 month up to 3 years. .

Article 78

78.1. Any person who incites or takes any stimulating preparation forbidden or harmful for the health will be punished with a penalty of an amount of 1000-10000 Euros.

78.2. Any violation of this Law from the above-mentioned article, may also lead to a temporary cessation of his sport activity for the period of 1 year up to five years.

Article 79

79.1. Any organizer of games or sports events who does not ensure the First Aid assistance during the game or sports event will be punished with a penalty of an amount of 1000-2500 Euros.

79.2. Any violation of this Law from the above-mentioned article, may also lead to a temporary cessation of his sport activity for the period of 3 months up to 1 year.

Article 80

80.1. In case of the repeat of the violation by the same subject or individual, penalty measures can be doubled.

80.2. There can be submitted a complaint against the decision on fining or the temporary prohibition on activities.

XXI. FINAL PROVISIONS

Article 81

81.1. The approval of this Law will obliterate all other former terms concerning sport in Kosovo.

Article 82

82.1. Sport organizations and other organs are obliged to amend their normative acts with this Law in a period of time not longer then 6 months.

Article 83

83.1. The relevant Ministry shall define the sub-legal acts with regard to the implementation of this law in the period no longer than 6 months.

Article 84

84.1. This law enters into force on the day of its approval.

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20 November 2003