



PROVISIONAL INSTITUTIONS OF SELF GOVERNMENT

**KUVENDI I KOSOVËS**  
**СКУПШТИНА КОСОВА**  
**ASSEMBLY OF KOSOVO**

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**Law No. 02/L-103**

**ON PRESSURE EQUIPMENT**

The Assembly of Kosovo,

Pursuant to Chapter 5.1 (d) of the Constitutional Framework for Provisional Self-Government in Kosovo (UNMIK Regulation No.2001/9, dated May 15, 2001),

With the aim of guaranteeing protection and safety of people life, equipment and environment from the leakages and explosions of pressure equipment,

Hereby adopts the following:

**LAW ON PRESSURE EQUIPMENT**

CHAPTER I  
GENERAL PROVISIONS

Article 1

Subject of regulation and scope of implementation

1.1. This law regulates the protection and safety of life, health, material values and environmental protection against hazards of leakages and explosions caused by: simple pressure vessels, pressure equipment and transportable pressure equipment.

1.2. This Law is applies to the design, manufacture and conformity assessment of pressure equipment with a maximum allowable pressure greater than 0,5 bar or smaller than - 0.5 bar.

Article 2  
Definitions

For the purposes of this Law, these terms shall mean:

“**The Ministry**” means the Ministry of Energy and Mining;

“**The Minister**” means the Minister of Energy and Mining;

“**Person**” means a legal or natural person;

“**Vessels**” means housing designed and built to contain fluids under pressure including its direct attachments up to the coupling point connecting it to other equipment. A vessel may be composed of more than one chamber;

“**Simple pressure vessels**” means any welded vessel subjected to an internal gauge pressure greater than 0, 5 bar which is intended to contain air or nitrogen and which is not intended to be fired;

“**Piping**” means piping components intended for the transport of fluids, when connected together for integration into a pressure system. Piping includes in particular a pipe or system of pipes, tubing, fittings, expansion joints, hoses, or other pressure-bearing components as appropriate. Heat exchangers consisting of pipes for the purpose of cooling or heating air shall be considered as piping;

“**Fluids**” means gases, liquid gases, and vapors in pure phases as well as mixtures thereof;

“**Pressure equipment**” means vessels, piping, safety accessories and pressure accessories, including elements attached to pressurized parts, such as flanges, nozzles, couplings, supports, etc;

“**Transportable Pressure Equipment**” means: all receptacles (cylinders, tubes, pressure drums, cryogenic receptacles, bundles of cylinders), all tanks, including demountable tanks, tank containers (mobile tanks), tanks of tank wagons, tanks or receptacles of battery vehicles or battery wagons, tanks of tank vehicles used for the transport of certain dangerous substances, including their valves and other accessories used for transport;

“**Safety accessories**” means devices designed to protect pressure equipment against the allowable limits being exceeded;

“**Pressure**” means pressure relative to atmospheric pressure, i.e. gauge pressure. As a consequence, vacuum is designated by a negative value;

“**Probational pressure**” means pressure to which equipment is subject for probation purposes;

“**Maximum allowable pressure**” means the maximum manometer pressure, which can be exercised in normal conditions of use, for which equipment is designed, as specified by the manufacturer;

“**Hot water**” means water at temperatures greater than 110 oC degrees;

“**Inspector**” is an authorized person for the inspectorate supervision of the implementation of this Law and provisions issued for its implementation;

“**IOPE**” means Inspection of Pressure Equipment;

“**Certificate**” means a document for the certification of pressure equipment safety requirements;

“**Volume**” means the internal volume of a chamber, including the volume of nozzles to the first connection or weld and excluding the volume of permanent internal parts;

“**Maximum - minimum allowable temperature TS**” means the maximum / minimum temperatures for which the equipment is designed, as specified for safety reasons;

“**Inspection entity**” means a natural or legal person registered and authorized to provide services of review and technical control.

CHAPTER II  
ESSENTIAL SAFETY REQUIREMENTS FOR THE PRESSURE EQUIPMENT

Article 3

3.1. Pressure equipment must observe the essential safety requirements provided on by this Law and other acts for designing, manufacturing, conformity assessment, use and technical checking for any group of pressure equipment.

3.2. Essential safety requirements relative to Pressure Equipment foreseen in paragraph 3.1 of this article than deals with design, manufacturing and transportation of pressure equipment shall be regulated with a specific secondary legislation act issued by the Ministry.

Article 4  
Market surveillance

4.1. Pressure equipment is allowed to enter market and be provided for use only if they do not pose danger for the human safety, domestic animals and material values.

4.2. Before entering market, the manufacturer, its authorized representative, importer or end-trader of equipment is bound to possess a certificate issued by the IOPE on every pressure equipment, by which certificate it shall be deemed that equipment meets essential safety requirements.

4.3. Pressure equipment shall be equipped with a statement of conformity by the manufacturer, its authorized representative or importer, and the statement shall be validated by an affixation of marking to the product, and be associated with adequate user guidelines, and possess a table expressing all essential data on the pressure equipment.

4.4. Utilization of used pressure equipment is allowed for equipment not older than 15 years.

4.5. Refill of cylinders with fluid gas of oil in retail fuel sale and fluid oil gas selling points is prohibited.

Article 5  
Technical checking of pressure equipment

5.1. Following installation, pressure equipment is subject to technical control by the IOPE for employing and registering equipment. If equipment meets requirements and if installation conditions guarantee safety of pressure equipment, the IOPE shall issue a permit for utilization. In case of re-installing equipment to another place or position, pressure equipment shall be subject to technical checking, obtaining permit for utilization by the IOPE.

5.2. Persons using pressure equipment shall undertake all measures to pass periodical calibration of equipment measurement means and periodical checking of each pressure equipment by types, timelines and pressure values of examination designated at the permit for utilization provided by the IOPE, which shall be extended following each periodical technical checking.

5.3. Pressure equipment shall be subject to specific technical checking by the IOPE, any time when specific circumstances occur, relative to endangering equipment, such as modification works, damages, accidents or extended periods of under-utilization, to ensure that safety conditions have been maintained and to detect and avoid damages in a proper time.

5.4. In cases when pressure equipment shall be used by another entity, it will be associated with physical evidence on the last technical checking and submission of ownership transfer for the IOPE.

5.5. Technical controls and surveillance, is undertaken by the IOPE, while reviews as part of technical control is undertaken by an inspection entity as a third party, or an internal controller, always in due information with the IOPE.

### CHAPTER III USE OF PRESSURE EQUIPMENT

#### Article 6 Obligations of employers

6.1. The employer shall undertake proper measures for the pressure equipment, made available to employed, to be suitable for work, and guarantee safety and health of employed in their use.

6.2. The Employer shall use and maintain pressure equipment at the level meeting requirements of the Article 3.1 of this Law.

6.3. The employer is bound to offer all data and instructions necessary to the employed in relation to utilization of pressure equipment available.

6.4. Data and instructions on utilization of pressure equipment shall contain at least safety and health indicators in relation to:

- a) conditions of using pressure equipment;
- b) foreseeable emergency situations;
- c) provision of first aid in case of accidents.

6.5. The employer shall undertake necessary measures for:

- a) The employed involved in using pressure equipment shall be competently informed on danger this utilization poses;
- b) The employed involved in repairing, modification or maintenance shall have proper qualification and be specifically trained to undertake these duties.

Article 7  
Inspection of damage

7.1. In any case of damaged pressure equipment or an accident caused by pressure equipment, the employer or its representative must forthwith notify the IOPE to inspect the damage.

7.2. It is prohibited to repair or relocate damaged pressure equipment before completion of inspection, except in cases when human lives, environment and damage of equipment are endangered.

7.3. The employer or its representative is bound to provide the IOPE with any data related to inspection.

7.4. Following the inspection of damage, the Inspector shall draft the Process Report, in which the Inspector shall conclude on the extent and cause of damage.

Article 8  
Complaints by an affected party

If the legal or natural person engages in violating provisions of this Law or secondary legislation acts issued in accordance with this Law, by which lives, health, material goods are endangered or causes considerable material damage, the affected party is entitled to seek from the Competent Court:

- a) damage indemnification;
- b) halting activity undertaking.

CHAPTER IV  
PRESSURE EQUIPMENT INSPECTION

Article 9

9.1. The Inspection of Pressure Equipment works within the Energy Inspectorate at the Ministry of Energy and Mining.

9.2. Inspection activities in accordance with this Law and secondary legislation acts issued for its implementation shall be undertaken by the Ministry, through Pressure Equipment Inspectors.

9.3 For Pressure Equipment Inspector should be elected the graduated machinery engineer with at least 5 years of professional experience.

Article 10  
Rights and duties of Inspectors

10.1. The IOPE undertakes supervision of implementation of provisions of this law, secondary legislation acts issued for its implementation, and ascertains:

- a) fulfillment of pressure equipment safety requirements for their utilization;
- b) fulfillment of implementation of technical rules on manufacturing and utilization of vapor and water furnaces, steam vessels, vapor super heaters and water heaters;
- c) conformity of stable and transportable pressure equipment in circulation for the transportation of dangerous matters;
- d) implementation of provisions on safety of citizens and assets in public and private ownership, by the entity undertaking works with pressure equipment.

10.2. The Inspector of Pressure Equipment is authorized:

- a) to order the elimination of failures and weaknesses within a deadline set by the Inspector;
- b) to order prohibition of use of pressure equipment until elimination of failures and weaknesses identified;
- c) to cancel the permit for use of pressure equipment, for a certain time;
- d) to enter at any times in premises where pressure equipment are used;
- e) to take administrative measures or fines for violation in accordance with this law and also to initiate penal procedure if the consequences to people's life are high.

10.3. In cases when violations of this Law are concluded, the Pressure Equipment Inspector may exercise fees in accordance with provisions of Article 12 of this Law.

10.4. Entity ordered to eliminate failures and irregularities in accordance with Paragraph 10.2, is bound to notify the Inspector of Pressure Equipment after elimination of failures and irregularities within the deadline set by Inspector, which cannot be longer than 8 days.

10.5. The Pressure Equipment Inspector is bound to:

- a) keep evidence on technical conditions, damages and registration of pressure equipment;
- b) draft process reports in relation to undertaking inspection supervision;
- c) keep as officially confident all notes on which the Inspector is informed in undertaking inspection works, which by business acts are identified as business secret.

10.6. The Inspector may seek the KPS assistance in cases when:

- a) obstructed in undertaking its official duty;
- b) the order of inspector provided on by paragraph 10.2 is not executed;
- c) disallowed to enter premises where pressure equipment exist.

10.7. The IOPE cooperates with persons or relevant public or private services to undertake expertise, on establishment of working groups and for undertaking specific checking.

10.8. The IOPE authorizes the business entity for examination of Pressure Equipment and for refill of cylinders of fluid oil gas and technical gas.

#### Article 11 Independence and impartiality

11.1. The controlling inspector or the representative of equipment under pressures can not be the designer, manufacturer, supplier, assemblers or user.

11.2. Pressure Equipment Inspectors may not intervene directly or indirectly in designing, manufacturing, installation, trading or maintenance of pressure equipment, and nor represent parties involved in these activities. This does not exclude the opportunity of exchanging technical data, between manufacturer, assembler and user of pressure equipment and IOPE.

11.3. Inspectors of pressure equipment must undertake assessment actions in full professional skill and full technical responsibility, and must be free from any incentive, especially those of financial nature, which can affect their fair judgment or checking results, especially if these incentives come from persons or groups of persons relevant to verification results.

11.4. Inspectors must be impartial in their duty.

11.5. Inspectors of pressure equipment must have access to technical competency, qualified personnel and other facilities to achieve the highest possible professionalism level in their duties.

### CHAPTER V ADMINISTRATIVE SANCTIONS

#### Article 12

12.1. By fine from 500 to 15.000 Euros, the legal or natural person should be fined if:

- a) violates articles 3, 4, 5 of this Law, which endanger safety of people, domestic animals and material assets;
- b) do not provide necessary conditions for work, do not provide data requested, offer and prepare in an inaccurate and incomplete manner data or materials requested;
- c) repeat violations registered with the process report drafted by the pressure equipment inspector;
- d) do not observe the deadline set by the Inspector for eliminating violations.

12.2. For a violation with the article 12.1 of this Article, the responsible person for technical surveillance shall be fined too, from 200 to 1.000 Euros.

12.3. The manner of fine calculation shall be regulated by a specific secondary legislative act issued by the Ministry.

12.4. The fine shall be paid by the violator within a deadline of 8 days after the receive of decision, and for each day of delay a fee will be charged at the amount of 2% monthly.

12.5. Incomes generated in accordance with this Law shall be transferred to the Kosovo Consolidated Budget.

12.6. In case of failure to pay the fine assigned by the IOPE, the IOPE shall be entitled to initiate a process with the Competent Court to realize the fine as a minor offense fine.

### Article 13 Appeal

13.1. The affected party may submit an appeal to the Ministry against the decision by the Pressure Equipment Inspector, within a deadline of eight days, and the Ministry shall decide according to the appeal within a deadline of 30 days. The appeal submitted against the decision of the Inspector shall not prevent the execution of this decision.

13.2. Against the decision according to the appeal of the Ministry, the affected party is entitled to press charges for an administrative dispute in accordance with applicable laws on the general administrative procedure.

## CHAPTER VI PROVISIONAL AND FINAL PROVISIONS

### Article 14

14.1. Within 112 month after entering into force this law, the Ministry shall issue and approve secondary legislative acts.

14.2. Until the issuance of secondary legislation deriving from this Law, the respective provisions shall apply.

14.3. Following the entry into force, this Law shall supersede all provisions of the Administrative Instruction No.2005/1, which applies on Pressure Equipment Inspections.

### Article 15 Entry into force

The present law shall enter into force after adoption by the Assembly of Kosova on the date of its promulgation by the Special Representative of the Secretary-General.

**Law No. 02/L-103  
18 December 2006**

**President of the Assembly**

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**Kolë Berisha**