



PROVISIONAL INSTITUTIONS OF SELF GOVERNMENT

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

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**Law No. 02/L-43**

**ON ACCREDITATION**

Assembly of Kosovo,

Based on Regulation 2001/9 of 15 May 2001 of the Constitutional Framework for Provisional Self-Government in Kosova, Chapters 5.1. (d), 9.1.1 and 9.1.26 (a);

For the purpose of regulating, establishing, and functioning of the body, which provides Accreditation services in Kosova; for determining the scope where the accreditation will be executed and the accreditation role in procedures of conformity assessment with standards and technical rules in compliance with European Union standards,

Hereby adopts the following:

**LAW ON ACCREDITATION**

**GENERAL PROVISIONS**

Article 1

This law regulates the scope of activities of the Accreditation Unit, which functions within the Kosovo Standardization Agency, sets the scope in which the accreditation may be performed and the role of accreditation in the conformity assessment procedures with the technical rules and standards.

Article 2

Definitions which are used in the provisions of this law have the following meaning:

“**Accreditation**” means the procedure of receiving official acknowledgment from an authorized body with respect to the competence of a body, which shall perform conformity evaluation with the standards and technical rules for the purpose of carrying out such duties such as testing, calibration, certification and inspection.

“**Authorization**” means the issuance, from ministries and other respective central institutions, of the right to perform conformity assessment with standards and technical rules of products, processes, services of the obligatory sphere, of public or private bodies, domestic or foreign, operating in the territory of Kosova.

“**Conformity Assessment**” means any activity which is used to directly or indirectly assess whether set requirements are met.

“**Certification**” means an activity performed by a third and independent party which verifies whether the process, service or the concerning product, meets the special requirements of corresponding standards, technical rules or the applicable normative acts.

“**Certificate of Accreditation**” means a document which ascertains the authority for performing certain duties in the field of standards and technical rules conformity assessment.

“**Inspection**” means the activity performed to assess the project phases of a product, process and service in accordance with concrete requirements, based on professional judgment or main criteria.

“**Calibration**” means the entire activities, which determine, under special conditions, the relationship between the displayed values in a measuring device or system, or the generated values from a measured material with the known, corresponding values of the measured device.

“**Conformity Assessment Body**” means the body, the activities of which include testing, calibration or certification of products, personnel and systems including systems of environment management.

“**Obligatory sphere**” means the sphere, such as life safety, health and environment protection, which are subject to standards and technical rules conformity assessment, obligatory for products, processes and services.

“**Testing**” means the technical activity, which determines one or more characteristics of a product, material, equipment, organization, physical phenomenon, process or service provided according to a special procedure.

## II. ACCREDITATION UNIT

### Article 3

3.1. All accreditation matters shall be under the competency of the Accreditation Unit, within the Kosovo Standardization Agency.

3.2. The structure and functions of the Accreditation Unit shall be regulated by the Rules of Procedure of the Kosovo Standardization Agency.

## ACCREDITATION UNIT IS A BUDGET ORGANIZATION WITHIN MTI

### Article 4

The Accreditation Unit shall perform the following tasks:

- i. Accreditation of laboratories for testing;
- ii. Accreditation of laboratories for calibration;
- iii. Accreditation of certification bodies;
- iv. Accreditation of inspection bodies;
- v. Supervision of accredited bodies;

- vi. Suspension and revocation of accreditation;
- vii. Representation of Kosovo in international accreditation organizations.
- viii. Cooperation with national Accreditation Bodies in other countries in order to achieve an agreement of mutual regional and international acknowledgment, or for achieving bilateral agreements.
- ix. Providing advice for the public administration regarding matters relating to accreditation and other assessments of technical competence in performing the procedures for conformity assessment with the standards and technical rules.
- x. Maintain, update and issue information on the accreditation status of accredited bodies.
- xi. Cooperation with other institutions of quality infrastructure, corresponding ministries and associations interested in accreditation issues.

### III. SCOPE OF ACCREDITATION

#### Article 5

In the accreditation procedure, the competence of legal and natural persons for carrying out of tasks for which the accreditation is being granted, is verified with regard to requirements set from technical regulations, relevant European and international standards, or equivalent national standards, as well as documents issued by European and international accreditation organization.

#### Article 6

6.1. The accreditation procedures, performed by the Accreditation Unit, shall be prescribed in the Statute and other sub-normative acts issued by the Ministry of Trade and Industry. The accreditation procedures shall be based on European and international standards, or equivalent national standards, as well as documents issued by European and international accreditation organization.

6.2. Accreditation is made based on the request of a legal or natural person.

6.3. The Accreditation Unit and the legal or natural person regulate their mutual rights and obligations related to issuance of certificate for accreditation and accreditation maintenance under the agreement.

6.4. The Accreditation Unit is obliged to conclude a contract with a legal or natural person applying for accreditation. When concluding the contract, the Accreditation Unit has to inform the legal or natural person in an unambiguous and transparent way about the requirements for obtaining accreditation and the accreditation procedure. The contract regulates the rights and obligations of the signatories and the carrying out of the accreditation procedure in accordance with the standards and documents referred to in Article 5 of this Law.

6.5. If the Accreditation Unit determines that a legal or natural person complies with the requirements set by standards or documents referred to in Article 5 of this Law, it shall

grant the accreditation certificate to the legal or natural person, which shall be signed by the Chief of the Accreditation Unit.

6.6. The validity of an accreditation is limited to five years. The accredited Unit must continuously comply with the accreditation requirements over the period in which the accreditation is valid.

6.7. The Accreditation Unit shall pass a decision on the withdrawal of accreditation if it determines that the accredited body does not comply with some of the accreditation requirements.

6.8. Against the decision referred to in the previous paragraph a complaint can be filed with the body determined by the Statute of the Accreditation Unit and the procedures for accreditation.

#### Article 7

Accreditation is based on principles of impartiality, transparency and professional responsibility. The Accreditation Unit is independent from any body of conformity assessment of standards and technical rules and is not involved in these activities.

#### Article 8

Accreditation for conformity assessment bodies of standards and technical rules can be performed by foreign accreditation bodies, which are members of the mutual recognition agreement, regional or international, where the Accreditation Unit is a member or with which a bilateral agreement has been concluded.

### IV. ACCREDITATION RELATED TO PROVISIONS OF CONFORMITY ASSESSMENT

#### Article 9

9.1. Conformity assessment regulations may determine the manner in which the Accreditation Unit is to participate in the process of designating conformity assessment bodies.

9.2. Conformity assessment regulations may determine that based on the accreditation certificate a body is presumed competent to perform conformity assessment.

9.3. The competence of the body referred to in the previous paragraph may also be proved in other ways.

#### Article 10

10.1. Fees for performing all services are proposed by the Accreditation Unit and approved by the Ministry of Finance. These fees are same for domestic entities and for the foreign ones, which conduct their activities in Kosova.

10.2. Income generated from those services are deposited into the Kosova Consolidated Budget.

#### Article 11

Use of the accreditation emblem from non-accredited subjects or from those which accreditation term has expired, is considered an administrative violation and are fined from 1.000 to 3.000 Euro. The fine is executed by the authorized person of the Accreditation Unit.

#### Article 12

12.1. An appeal against the decision for administrative monetary penalty can be submitted to the Accreditation Unit within 15 days. The Accreditation Unit must reply within 30 days from the date the complaint has been filed.

12.2. The competent body within the Kosovo Standardization Agency decides on appeals against decisions of the Accreditation Unit.

12.3. Appeals against the decision of the Kosovo Standardization Agency, or in cases when the Kosovo Standardization Agency does not reply within a period of 60 days, parties may file a case of administrative conflict at the court of competent jurisdiction, in a period of 30 days after the decision of Kosovo Standardization Agency has been issued, or the deadline to reply has passed.

### V. FINAL AND TRANSITIONAL PROVISIONS

#### Article 13

Upon entry into force of this law, all previous provisions related to accreditation shall ceased to be in effect.

#### Article 14

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-43**  
**21 November 2005**

**President of the Assembly**

**Academic Nexhat Daci**