



PROVISIONAL INSTITUTIONS OF SELF GOVERNMENT

KUVENDI I KOSOVËS
СКУПШТИНА КОСОВА
ASSEMBLY OF KOSOVO

Law No. 02/L-118

ON PERSONAL NAMES

The Kosovo Assembly,

Pursuant to Chapter 5.1 and 9.1.26 (a) of the Constitutional Framework on Provisional Self-Government in Kosovo (UNMIK Regulation Nr. 2001/9 of 15 May 2001),

For the purpose of establishing legal provisions on Personal Names,

Hereby adopts:

THE LAW ON PERSONAL NAMES

Chapter I
GENERAL PROVISIONS

Article 1
Purpose

This Law shall regulate the meaning, composition, procedure and manner for determining and using the (personal) name, as well as conditions for changing and correcting citizens' names in Kosovo (hereinafter: citizens).

Article 2
Definitions

Personal name – shall mean the name and surname of a Kosovo citizen.

Citizen – shall mean a permanent resident of Kosovo.

Legal communication – shall mean entirety of legal norms which regulate the correspondence between administrative body and governmental authorities with citizens, including here every other action which has legal outcomes.

Civil Registry – shall mean the book in where data on the civil status of persons are kept, that deal concerning records of all births, marriages, deaths and other data that result from them.

Article 3
Personal name

- 3.1. A personal name shall guarantee and protect citizen's identity, personality and dignity.
- 3.2. The name is citizen's right and shall be used for identification and distinction of persons.
- 3.3. The citizen shall be obliged to use his/her personal name in legal communication.
- 3.4. The right of assigning a personal name may be restricted, if that is deemed necessary to protect the moral, rights and freedoms of other persons or the person himself.

Article 4
Composition of personal name

- 4.1 The personal name shall consist of the name and surname.
- 4.2 Either the name or surname may consist of more than one word which makes up the entirety of the name.
- 4.3 A person under Paragraph 2 of this Article shall be obliged to use his/her complete name in legal communication.

Article 5
Acquisition of the personal name

The personal name shall be acquired by registering it in the relevant civil registry of the given place of birth.

Article 6
Use of language for the personal name

- 6.1 A citizen's personal name shall be registered in the relevant civil registry in his/her native language, except cases when he/she decides chooses any other official language in Kosovo.
- 6.2. The citizen's name and surname shall be written in the Latin alphabet in the relevant civil registry.
- 6.3 For cases under Paragraph 1 of this Article, the writing used in the official language shall not modify the form of the personal name used in the original language.

Article 7
Designation of a child's personal name

- 7.1 It is the parents who shall name the child or authorized persons, in accordance with the Family Law.
- 7.2 A of child shall be named by common consent of parents.

7.3 If one of the parents is unknown, is not alive, or is not capable of fulfilling parental rights, the child shall be named by the other parent.

7.4 The child's surname shall be regulated in accordance with the Family Law.

7.5 If parents of a child are not alive, or are not capable of fulfilling parental obligations, the personal name, such a child shall be named by the person who has guardianship over the child, by mutual consent of the competent social welfare authority.

7.6 In the case of an abandoned child, the competent legal guardian shall name the child.

Article 8

Assigning the name of a child whose parents have not reached agreement

8.1 If parents have not named a child within the time set down in Article 9, Paragraph 2 this Law, because they have not reached an agreement, the guardianship authority shall assist them to reach an agreement to name the child.

8.2 If parents cannot reach an agreement about the name of the child, then the guardianship authority shall name the child.

Article 9

Registration of personal names

9.1 A personal name shall be registered in the relevant civil registry of the competent authority at the place of birth.

9.2 Registration at the competent authority shall be done within thirty ((30) days time limit upon the child's birth.

9.3 Parents or legal persons authorized by this law are obliged to make a request within 15 days time limit upon the birth to register the child's name.

9.4 The personal name in the relevant civil registry and other public documents shall be written in letters and signs determined by the law which regulates registration in the relevant civil registry.

Chapter II

CORRECTION AND CHANGE OF THE PERSONAL NAME

Article 10

Citizens are entitled to correct and change their personal names.

Article 11

Modes for correcting personal names

11.1 In cases when mistakes have been made in civil registries while registering the personal name, the citizen is entitled to correct the name at his/her birth place where the civil registry is kept.

11.2 A juvenile citizen may correct his/her personal name in accordance with the request made by the legal representative or by the authorized representative.

11.3 Correction may not change the meaning and content of the personal name.

Article 12

Modes for changing personal names

A citizen of legal age may change the personal name upon his/her request.

Article 13

The change of the personal name during the adoption process shall be done pursuant to provisions of the Family Law.

Article 14

The change of surname during matrimonial ceremony shall be done in accordance with provisions of the Family Law.

Article 15

Surname in the marriage ceremony involving a foreigner

If a citizen of Kosovo, who has been approved permanent residence in the foreign country, solemnizes his/her marriage before authorities of that country with a citizen such a country, then he/she shall use that surname in Kosovo in the way and manner as used in the spouse's country, in harmony with applicable rules of that country and Article 4.3 of this Law.

Article 16

Alteration of surname after the divorce

16.1 After the divorce, the separated partners may keep the surname chosen at the marriage ceremony.

16.2 The spouse who has changed the surname during the marriage ceremony, upon the dissolution of marriage may take again his/her previous surname.

Article 17

Procedure for alteration of personal names based on a request

17.1. The person who files a request to change his/her personal name shall attach a certificate proving that no investigation is conducted against him/her.

17.2. Requests for changing personal names shall be decided by the competent authority of the place of residence where the request is made.

17.3. The decision for changing the personal name shall be forwarded to the Civil Registry Office, where the birth was registered, namely where marital parties have concluded their marriage.

Article 18

Obstacles for changing personal names

18.1. A citizen against whom a legal proceedings is carried out for any criminal act, because of which he/she is officially prosecuted or has been sentenced for a criminal act while the sentence was not yet executed, or while legal consequences of such a sentence are still present, or the person who is confirmed to have filed a request to avoid liabilities set down by the law, shall not be allowed to change his/her personal name.

18.2. If a citizen's personal name has been changed, against whom a criminal proceeding is being conducted for any criminal act, the Civil Registry Office shall, within three days time limit upon the approval of such change, notify the court where the criminal proceeding is being conducted.

18.3 The Civil Registration Office may request the Court and the Prosecutor's Office to verify authenticity of the data submitted by the applicant with respect to the documents under Article 17 of this Law.

18.4. If at the request of a party, the personal name has been changed through an administrative procedure of a civil registry authority, by the same procedure the party shall not be allowed, for the next 5 years, to change again his/her personal name by that civil registry authority.

Article 19

Change of a juvenile's personal name based on a request

19.1 A juvenile may change his/her personal name upon the request of his/her legal representative. If the change of the name is asked by the guardianship body, then the competent social welfare institution shall also give the approval, whereby the child's interest must highly be observed.

19.2 The personal name of a juvenile over the age of ten (10) may only be made by his approval, except cases when the child is mentally retarded.

19.3. In cases when parents are separated, the parent who the child lives with may ask to change the child's name, namely the parent to whom the child has been entrusted guardianship and education, if the other parent agrees about this.

19.4. If the other parent does not agree about the change of the child's name, the social welfare institution shall help them to reach an agreement concerning the change of the name.

19.5 Approval of the other parent shall not be required if his/her place of residence is unknown or the parent has been deprived of such action or has lost the right of parenthood.

Article 20

Validity and registration of the change of name

20.1 Change of the name, due to the change of legal relations in the family is valid from the date when the statement has been given, respectively the date when the decision by the competent authority was made.

20.2 Change of personal name shall be registered in the relevant civil registry within five (5) days from the moment when approval for the change was announced.

Article 21

Supervision

The Ministry of Internal Affairs Supervision shall supervise implementation of provisions that come out of this Law.

Article 22

Punitive Provisions

The citizen who uses his/her personal name contrary to the rules of Article 3, Paragraph 2 of this law, shall pay a fine of 200 Euros.

Article 23

Every parent that does not notify the personal name of the child within the time set in Paragraph 2 of Article 9 of this law shall pay a fine of 100 Euros.

Article 24

All incomes accrued by such penalties shall be deposited in the Kosovo Consolidated Budget.

Chapter III

TRANSITIONAL AND FINAL PROVISIONS

Article 25

This law shall not apply to personal names of citizens, who were named in accordance with applicable laws of the time when they were named.

Article 26

Upon the entry of this Law into force, it shall supersede any other provision which is inconsistent with it.

Entry into Force
Article 27

This law shall enter into force upon the approval by the Kosovo Assembly and its promulgation by the Special Representative of Secretary General.

Law no. 02/ L-118
13 April 2007

President of Kosovo Assembly,

Kolë Berisha