



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

Law no. 03/L-056

**ON THE NATIONAL-STATE SONG AND DANCE ENSEMBLE
“SHOTA” AND OTHER ENSEMBLES**

The Assembly of Republic of Kosovo,

Pursuant to Article 65.1 of the Constitution of the Republic of Kosovo,

For purposes of establishment of infrastructure and legal regulatory concerning operation, activities and institutional functioning of the National Song and Dance Ensemble “Shota” and other ensembles,

Adopts:

**LAW ON THE NATIONAL-STATE SONG AND DANCE ENSEMBLE
“SHOTA” AND OTHER ENSEMBLES**

CHAPTER I

GENERAL AND BASIC PROVISIONS

**Article 1
Scope of the Law**

1. Hereby, this Law shall regulate functioning of activity of the National-State Song and Dance Ensemble “Shota” (further in the text: the Ensemble “Shota“) and other cultural and artistic ensembles, establishment, direction, management and their financing, position of the artists and other important issues for this activity.

Article 2 Terms and Definitions

In order to implement this law the terms used below have the following meaning:

“Ensemble Shota” is the National-State Song and Dance (further in the text: the Ensemble “Shota“)

“Cultural-Artistic activity of song and dance” according to this Law, it is defined the preparation and public appearance of scenic actions of the national artistic songs and dance

“Ensembles” are cultural artistic associations public or private, and their activity aims the realization of cultural activities expressed in songs, dances or choreography (further in the text: and other the Ensembles)

“Artistic Committee” is a collegial professional, advisory and decision-making body in the artistic professional field.

“Artistic Manager” is responsible professional person for the Ensemble in the artistic field.

“Sections” are organizational units within the Ensemble that determine artistic and managing operating structure of the Ensemble.

“Project” is considered any idea developed and fulfilled up to the understandable explanation level, including all necessary elements for realization of the activities.

“Application” is considered the ensemble’s “Shota” request and other ensembles for finance from public funds for realization of one or more projects.

“Financial support” is considered the measure of finance for ensemble “Shota” and other ensembles from public funds.

CHAPTER II

ENSEMBLE INSTITUTIONS AND THEIR ORGANIZATION

Article 3

The Ensemble “Shota” and other ensembles, will conduct cultural and artistic activities of special interest.

Article 4
Institutional Character and Nature of Ensembles

1. Cultural and artistic activities of song and dance have a right to conduct all natural and legal persons, regardless of the ethnicity, race and gender.

Article 5
Activity of the Ensemble “Shota”

Activity of the Ensembles is of special interests for the public, therefore the investments in this field and utilization of public funds is a legitimate right. Utilization of public funds excludes the possibility of interference to artistic freedom.

Article 6

1. The activity of ensembles of song and dance is developed in the following levels:

- 1.1. The National-State Song and Dance “Shota”
- 1.2. Professional ensembles of the cities
- 1.3. Private Ensembles
- 1.4. Dancers groups

Article 7

National-State Song and Dance “Shota” and other Ensembles shall perform their activity according to this Law.

Article 8

The Ensembles may be private or public proprietary.

Article 9

1. In public proprietary are:

- 1.1. National-State Song and Dance “Shota”, which is established by the Assembly of Republic of Kosovo,

- 1.2. Professional ensembles of the cities, which are established by Municipal Assemblies in cooperation of MCYS

Article 10

Public ensembles shall be established if the material conditions, professional's technical conditions and other conditions determined by this law are fulfilled.

Article 11

Decision for establishment of public ensembles is taken by the Ministry of Culture and other municipal competent bodies.

Article 12

Private ensembles and dancer's groups can be in propriety of natural and legal entities.

CHAPTER III

THE NATIONAL-STATE SONG AND DANCE ENSEMBLE "SHOTA"

Article 13

National-State Song and Dance Ensemble "Shota" is a public artistic institution of Kosovo situated in Prishtina.

Article 14

The Ensemble "Shota" has its own identifying symbols, institutional and artistic ones, such as: emblem and seal.

Article 15

1. The activity of ensemble "Shota" includes:

- 1.1. preparation;

1.2. organizing and

1.3. public show of concerts and other scene-musical forms.

Article 16

1. The Ensemble “Shota” shall encourage, develop, advance, publish and promote national art and other arts through:

1.1. compilation of policymaking and proposing measures for enhancing of professional quality in the field of scenic and musical art;

1.2. public showing in scenic-musical concerts;

1.3. audio and video recording as well as other promoting materials of national artistic programs and others;

1.4. cooperation with other national and international ensembles.

Article 17

The Ensemble “Shota” is obliged to keep its seal, documentation, work tools, props, instruments and costumes and other assets of the Ensemble.

Article 18

Documentation of the Ensemble “Shota” shall be kept in relevant places, furniture and equipments, in full compliance with the Law on Preservation of Archive Materials and in compliance with international standards.

Article 19

1. The Ensemble “Shota” shall operate its work and activities in sections:

1.1. Dancers’ Section and singers;

1.2. Orchestra Section;

1.3. Vocal Soloists and Chorus Section;

1.4. Professional Technical Section;

1.5. Artistic Staff Section.

Article 20
Steering Committee of the Ensemble “Shota”

The Steering Committee is an independent body that oversees the work of management and administration of the Ensemble “Shota”.

Article 21

1. The Steering Committee of the Ensemble is selected by the Minister of MCYS and is composed of seven (7) members with four years mandate and the same may be re-elected.

The Steering Committee has the following composition:

- 1.1. one (1) member from the Ministry of Culture;
- 1.2. one (1) member from Prishtina Municipal Directorate of Culture;
- 1.3. one (1) member from Civil Society, upon proposal by the Artistic Committee, distinguished artistic workers-creators – employees, etc;
- 1.4. one (1) member from communities;
- 1.5. three (3) members, full time professional employees from the ranks of the Ensemble Institution, represented from each section.

Article 22

The Steering Committee shall elect its Head from its ranks with four years mandate and he/she may be re-elected.

Article 23

The Steering Committee of the Ensemble “Shota” shall have as a duty to:

- 1.1. adopt Statutes of the Ensemble;
- 1.2. issue and adopt various regulations and normative acts that regulate certain relations from the activity of the Ensemble;
- 1.3. adopt working program of the Ensemble;

- 1.4. approve financial plan and final accounts of the Ensemble;
- 1.5. select and nominate Director of the Ensemble;
- 1.6. select the Artistic Director of the Ensemble;
- 1.7. select full time employees and externally hired associates;
- 1.8. perform other duties as set out by the present Law and Statutes of the Ensemble.

Article 24

Chairperson of the Steering Committee shall convoke and chair meetings of the Steering Committee. Meetings of the Steering Committee are convened with the request of 2/3 of the members from the Steering Committee.

Article 25

The Steering Committee of the Ensemble may work and decide whether there is 2/3 of members from the Steering Committee present at its meetings.

Article 26

Way of work, competences and authorizations of the Steering Committee shall be regulated with a relevant sub- legal act.

Article 27

The Artistic Committee of the Ensemble “Shota”

1. The Artistic Committee has nine (9) members and is composed of:
 - 1.1. director;
 - 1.2. artistic Manager of the Ensemble;
 - 1.3. three (3) Section Heads;
 - 1.4. two (2) Ensemble staff members;
 - 1.5. two (2) experts from the ranks of Civil Society.

Article 28

The Artistic Committee shall elect its Head from the ranks of the Committee with four years mandate and he/she may be re-elected.

Article 29

Two full time members, employees of the Artistic Committee of the Ensemble shall be elected directly by the staff of the Ensemble.

Article 30

External members of the Artistic Committee of the Ensemble shall be delegated by relevant institutions or Civil Society within criteria and procedures as set out by the Law and general acts of the institution or structure that delegates a member to the Artistic Committee of the Ensemble.

DUTIES AND RESPONSIBILITIES OF THE ARTISTIC COMMITTEE

Article 31

1. The Artistic Committee of the Ensemble „Shota“ shall have as a duty to:
 - 1.1. draft, review and propose an annual artistic programme of the Ensemble;
 - 1.2. propose to the Steering Committee general orientation of repertoire policies;
 - 1.3. make an artistic evaluation of concerts and other cultural activities, and provide suggestions regarding concept of programme of the Ensemble.

Article 32

Artistic Head of the Ensemble

Artistic Council will propose, Leading Artistic council will select artistic head.

Article 33

Artistic Head of the Ensemble is professional person in Ensemble, with Faculty degree in the field of scenic – music arts, with at least five years working experience in the field of arts and culture.

Article 34

Artistic Head of the Ensemble response first to Director of the Ensemble and in the second hand to Artistic council and Leading council.

Article 35 **Monitoring and Oversight of Work of the Ensemble**

The Ministry of Culture shall conduct regular monitoring and oversight of work of the National-State Ensemble “Shota”, whereas regarding ensembles at municipal level, it is the respective municipal directorates of culture, in cooperation with MCYS respectively the founder.

Article 36 **Director of the Ensemble**

Director of the Ensemble “Shota” is a manager and its executive body.

Article 37 **Authorizations, Duties and Responsibilities**

1. In the capacity of the Ensemble manager, the Director performs the following tasks:
 - 1.1. manages work of the Ensemble;
 - 1.2. represents and is responsible for material-financial activity and legality of the Ensemble;
 - 1.3. approves annual program of work with prior consent of the Steering Committee;
 - 1.4. implements decisions of the Steering Committee and the Artistic Committee;
 - 1.5. proposes and issues act on organization and systematization of job positions and act on distribution of salaries, according to the law, as approved by the Steering Committee
 - 1.6. in case of non-selection of an artistic manager, upon a proposal by the Steering Committee, he/she may appoint acting artistic manager for a six (6) month period;
 - 1.7. upon proposal from an artistic manager and from the Artistic Committee, he/she will oversee work and artistic activities and permanent and temporary advisory activities to artistic troops in compliance with the Law;

- 1.8. participates in proceedings of the Steering Committee and other committees without the right of vote.

Article 38

Director shall be selected based on a public vacancy notice announced by the Steering Committee and upon a proposal by the Artistic Committee.

Article 39

As Director of the Ensemble shall be selected a person with university background with at least five (5) years experience in the field of art and culture.

Article 40

Requirements regarding selection or appointment of a Director of the Ensemble “Shota” shall be set and implemented in accordance with the Law, with the act of establishment and the Ensemble’s Statutes.

Article 41

1. Director of the Ensemble “Shota” shall be appointed for a four (4) years mandate with possibility for reelection.
2. Director of the Ensemble “Shota” shall be appointed and/or dismissed by the Steering Committees according to conditions and criteria set out by the Law in power.

Article 42

Termination of Work and Cessation of Operation

Work and operation of the Ensemble “Shota” shall be terminated or cease, respectively, in compliance with the law on power, whereas the Assembly of Republic of Kosovo, based on a proposal made by the Minister of Culture, shall make a final decision on termination of work.

Article 43

Professional public ensembles of the municipalities

Professional public ensembles may be established if there are fulfilled the conditions foreseen by the law. Municipalities may establish professional public ensembles based on the needs and interests of the communities.

Article 44

Provisions of this law for administering the ensemble “Shota” shall be applied in organizing and fictionalization of the professional ensembles of municipalities too.

Article 45

Professional ensembles of municipalities are responsibility of the municipalities. MCYS can support financially project-programs up to 50% of the funds.

Article 46

Private Ensembles and Dance Groups

Private ensemble can establish any natural or legal entity.

Article 47

In order to establish the private ensemble it is necessary to be registered as legal subject to the competent bodies.

Article 48

Private ensembles can be established if the foreseen conditions of employees by the law are being fulfilled by the founder of the ensemble.

Article 49

Private ensembles are established with its own means of natural or legal entities.

Article 50

Private ensembles are free to contact project service in the market conditions.

Article 51

Projects of the private ensembles can be supported financially by the budget of MCYS where it operates.

CHAPTER IV

FINANCING

Article 52

1. The Ensemble “Shota” and other ensembles are budgetary or half-budgetary institutions, which are established or transformed in compliance with legislation in power and are implemented by this law.

Article 53

1. Means for work of public ensembles are provided by:

- 1.1. budget of MCYS;
- 1.2. municipality budget;
- 1.3. own revenues realized from artistic activity;
- 1.4. sponsors, donators, gifts and other revenues.

Article 54

Means for work of public ensembles are provided by:

- 1.1. owner of the ensembles;
- 1.2. own revenues realized from theatre activity;
- 1.3. sponsors, donators, gifts and other revenues.

Article 55

Based on the requests of annual projects of public ensembles, MCYS complies calendar criteria every year for financial support of this activity.

Article 56

MCYS is obliged to publish applying procedures for financial support.

Article 57

Audit and financial supervision of the work and activity of the ensemble is conducted by the founder and legal authority, authorized at least once a year.

CHAPTER V

TRANSITIONAL AND FINAL PROVISIONS

Article 58

Founders, or the Ministry of Culture, respectively shall give its consent regarding implementation of sub-legal acts of the Ensemble.

Article 59

1. Following adoption of this law, the Ensemble “Shota”, is obliged that within six (6) months to harmonize all relevant acts under this law.
2. Other institutions dealing with the same activity are obliged to be established, registered and licensed according to this law.

Article 60

Ministry of Culture is obliged that within ninety (90) days from entry into force of this law to issue all sub-legal acts foreseen by this law.

Article 61

Managing bodies of the Ensemble shall perform their functions until election and appointment of new bodies in compliance with provisions of this law.

Article 62

The day this law enters into force, all legal and sub-legal provisions that regulate this issue, will cease to exist.

Article 63

This law enters into force fifteen (15) days after publication in the Official Gazette of the Republic of Kosovo.

Law no. 03/L-056
6 November 2008

President of the Assembly of Republic of Kosovo
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Jakup KRASNIQI