



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

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**Law No. 03/L-005**

**ON CIVIL USE OF EXPLOSIVES**

**The Assembly of Republic of Kosovo,**

Pursuant to Article 65 (1) of the Constitution of Republic of Kosovo, with purpose of establishing legal rules on Civil Use of Explosives,

Approves:

**LAW ON CIVIL USE OF EXPLOSIVES**

**CHAPTER I**  
**GENERAL PROVISIONS**

**Article 1**  
**Purpose of the law**

This law regulates conditions and criteria of production, trade, import, export, transit, transfer, depositing, use and destruction of explosives, and also the conditions for supervision and application of this law with purpose of protection of human health and life, property and environment.

**Article 2**  
**Definitions**

Expressions used in this law have the following meaning:

**“Civil use of explosives”** – means use of explosives by legal persons and other institutions except ones determined in article 5 of this law.

“**Commercial explosive**” – are considered materials which are used for destruction or change of the form of objects and materials by energy released from chemical reaction of the explosive dismantler.

“**Explosive initiators**” – are considered all types of capsules, inflamators and sticks (cables) and also pyrotechnical means which are used during the ignition of explosives, regardless of manner of activation before mining.

“**Tinder**” – is explosive which is burnt through means of thermal transmission and is mainly used as propeller of bullets.

“**Products filled with explosives**” – means products which contain or are filled in with explosives, in which is based their efficiency.

“**Pyrotechnical substances**” – substances or pyrotechnical mixtures which release heat, light, gas, fog or smoke, or their combination, which are as consequences of non-detonation self-consistent reactions and exothermic chemical reactions.

“**Explosive substances**”- are hard or liquid substances or their mixture, ready for chemical reaction, which release gases, temperatures and pressure and which may destruct the environment.

“**Ministry**” – means the Ministry of Internal Affairs

“**Trade**”- means legal and physical circulation of explosives

“**Production**”- means production, elaboration and modification of explosives

“**Supplier**”- means the legal person who puts the explosives in the market

“**Use of explosives**”- means direct treatment or activation of explosives

“**Treatment**”- means packing, loading, dis-loading, transfer and destruction of explosives

“**Depositing**”- means placing of explosives in the objects designed in special manner or closed spaces.

“**Import**”- means every act of bringing of explosives in the territory of Kosovo.

“**Export**”- means every act of sending out the explosives, from the territory of Kosovo.

“**Transit**”- means every transfer of explosives through Kosovo customs under supervision of customs officers.

“**Transfer**”- means every act of physical move of explosives within the Kosovo territory, except moving the explosives only within one town or small city

“**KB number**” – means identification number and scale of danger of dangerous materials, easy flammable and exploding, enumerated in the table of European Agreement on International Transportation of Dangerous Goods.

**Article 3**  
**Explosives**

Explosive materials in the sense of this law are:

- i. Commercial explosives
- ii. Initiators of explosives
- iii. Tinder
- iv. Products filled with explosive
- v. Pyrotechnical substances and
- vi. Rough material with explosive character

**Article 4**  
**Procedures of attestation of adaptability**

By the provisions of this law are determined the procedures of attestation of adaptability and criteria for personnel who uses explosives.

**Article 5**  
**Excluding provisions**

The provisions of this law are not valid for:

- i. military and police authorities which use explosives for their own needs,
- ii. foreign military troops, who are legally present in the Kosovo territory,
- iii. transportation of explosives

**Article 6**  
**Ministry**

Ministry issues licences for production, import, export, transit, trade and transfer, and also leads administrative procedures for determination of the locations for loading, dis-loading and destruction of explosives outside of the buildings of legal person.

**CHAPTER II**  
**SECURITY MEASURES, TECHNICAL CRITERIA FOR EXPLOSIVES AND**  
**PROCEDURES OF ASSESMENT OF ADAPTIBILITY**

**Article 7**  
**Security measures**

7.1. According to the provisions of this law, all measures for protection of human health and life, property and environment should be applied, when the explosive is used

7.2. Legal person who is involved in the activity of production, trade, use, depositing and destruction of explosives, should guarantee the security of persons and property and should undertake all measures determined by the law for security at work, for protection of health of the employees and working environment, and in the law for protection of environment.

7.3. Measures from paragraph 2 of this article should be defined in respective documentation foreseen in article 19 of this law.

7.4. Legal persons should prepare a plan of measures for cases of accidents or other emergent cases such as: explosion, fire and breach.

7.5. Legal persons should inform all persons involved in any kind of activity with explosives about the security measures submitted in its general documents, and in its plan of measures, and to ensure to them training to deal with accidents and other emergent acts.

7.6. Buildings planned for production, trade and depositing of explosives should be physically and technically secure and should be outside of urban zones.

7.7. Legal person involved in the activity of use of explosives in any way, organises and supervises the execution of measures and described conditions.

7.8. Legal person who is involved in the activity of production, trade and use of explosives, is obliged to inform immediately the nearest police station for type and quantity of any lost or stolen explosive.

## **Article 8**

### **Initial use**

8.1. The explosive may be put in the market and in use, after the producer or supplier to have been issued with the permission before hand and with the instructions for use and secure destruction, by the Ministry.

8.2. Producer or supplier should have handed over a document on adaptability to the competent body.

8.3. Instructions from paragraph 1 of this article are drafted in Albanian, Serbian and English language, in a clear and understandable manner.

## **Article 9**

### **Technical criteria**

9.1. The explosives may be put in the market and in use only if:

i. they are in accordance with the technical criteria of legislation in force and international standards,

ii. it is concluded their adaptability in accordance with the prescribed procedure in the legislation in force and international standards

iii. are marked in official languages of Kosovo in adequate way and pursuant to international standards.

9.2. Explosives which fulfil the criteria from paragraph 1 of this article are placed in the list of explosives by the Ministry. The list is published in the Official Gazette.

9.3. Ministry takes samples of explosives in the market in order to perform regular and irregular examinations to conclude their adaptability.

9.4. Ministry may take samples of explosives to assess their adaptability with the prescribed technical criteria. In case that further use of an explosive represent risk for life of people and environment, the Ministry temporarily may prohibit the trade of explosives until the assessment on adaptability is done.

9.5. If taken samples are not in accordance with the prescribed technical criteria, the Ministry may prohibit trade of such explosives.

9.6. The producer or supplier covers expenses of examination.

#### **Article 10**

#### **Validity of foreign documents on adaptability**

10.1. Documents and foreign adaptability marks are valid in the territory of Kosovo, if issued in the basis of technical regulations and procedures of issuance in the agencies which conducts the adaptability and if these are in accordance with the ones in use in the Kosovo territory.

10.2. Ministry determines the technical criteria for explosives and procedures of assessment of adaptability enlisted in Article 9 of this law, and also procedure and criteria for admission of foreign documents on adaptability.

### **CHAPTER III**

#### **GENERAL CRITERIA**

#### **Article 11**

#### **General criteria**

11.1. Every person who uses explosives should fulfil following criteria:

i. to be at least 21 years of age

ii. to not have limitations on ability to act

iii. there is no criminal procedure conducted, which is prosecuted ex officio

iv. is not evidenced as user of narcotic and psychotropic substances

v. is professionally qualified

11.2. When the criminal procedure for any of the criminal offences foreseen in subparagraph iii of paragraph 1 of this article is ongoing, the decision regarding the fulfilment of criteria is adjourned until the decision of criminal procedure becomes final.

## **Article 12**

### **Professional qualification**

12.1. Professional qualification, in accordance with paragraph 2 of article 34 of this law is necessary for the persons who are engaged in the activities of trade and use of explosives.

12.2. Persons who does not have professional qualification may carry, load or dis-load explosives, only under supervision of the person professionally qualified who is obliged to previously inform them on possible risks and safe manner of work.

## **CHAPTER IV**

### **SPECIAL CRITERIA**

#### **SUBCHAPTER 1**

#### **Production of explosives**

### **Article 13**

#### **Criteria**

13.1. Legal persons who have employed personnel professionally qualified and who fulfils criteria determined by this law may produce explosives.

13.2. Legal persons may produce only explosives which has undergone adaptability assessment and which fulfils prescribed technical criteria.

### **Article 14**

#### **Licence for Production of Explosives**

14.1. Legal person may start production of explosives, after it is issued with the licence for production of explosives by the Ministry.

14.2. Licence for production of explosives is valid 10 years from the date of issuance, be in limited timeframe and be subjected to other limitations in order to ensure protection of health and life of people, protection of property and environment.

14.3. The request for licence for production of explosives contains:

i. name and address of the legal person,

- ii. personal data on responsible persons of the legal person,
- iii. working permission for use of building,
- iv. evidence on fulfilment of criteria from article 9 paragraphs 1, 2, 3, 4 5 and 6 of this law,
- v. data about the type of explosives which are planned to be produced,
- vi. data about the process and technology of production.

14.4 In the frame of issued production licence, produced explosive is subjected to testing after 6 months in the first year and continues for every 12 months.

### **Article 15 Revocation of Licence for Production**

15.1. Licence for production of explosives will be revoked if legal person:

- i. does not stick to the to criteria determined by this law,
- ii. does not exercise the activity of production of explosives within a year from the issuance of licence for production of explosives, or interrupts activity for more than two years.

15.2. All evidence, which are kept in the basis of provisions of this law, are sent to the Ministry by the legal person, not latter than 8 days after the decision on revocation becomes final.

### **Article 16 Production of explosives in the Work-Place**

16.1. Legal person may produce and use explosives in the work-place if it has in the disposal needed specialised equipment and if it is issued licence for production of explosives by the Ministry.

16.2. Except data from subparagraph i and ii of paragraph 3 of article 14 of this law, the request for production of explosives in the work-place should contain:

- i. types of explosives which are planned to be produced in the work-place,
- ii. technical specifics and documents regarding the security features of explosives
- iii. technological production process,
- iv. certificates of professional qualifications of personnel,
- v. technical specifics of equipment,
- vi. description of the system of management of quality.

**Article 17**  
**Researches for production of explosives**

Researches for production of new types of explosives are undertaken by the producers of explosives and research institutions, when technical and security measures are ensured for protection of health and life of people, protection of property and environment.

**Article 18**  
**Information**

18.1. Possessors of the licence for production of explosives are obliged to inform the Ministry for every start or interruption of the process of production of explosives.

18.2. Possessors of the licence from paragraph 1 of this article are obliged to inform the Ministry for every change in the process of production of explosives.

**Article 19**  
**Documentation for explosives**

19.1. For each type of explosive, the producer keeps:

- i. adaptability statement,
- ii. technical specifics,
- iii. instructions for use, depositing and destruction,
- iv. mark of the class of explosive-pyrotechnical products,
- v. table of data on security.

19.2. Explosives are put in the market, in their original package, which are tested and marked in accordance with the law on transportation of dangerous goods.

19.3. Except data determined in the law on transportation of dangerous goods, each packed unit should contain information as bellow:

- i. date of production and expiry date,
- ii. instructions for use,
- iii. special remarks.

**SUB CHAPTER 2**

**Trade**

**Article 20**  
**Licence for Selling Explosives**



20.1. Legal person starts the activity of selling of explosives after it is issued the licence for trade of explosives by the Ministry.

20.2. Licence for Selling of Explosives is valid 2 years from the date of issuance.

20.3. Request for licence for selling the explosives includes explosives includes:

i. name and address of legal person,

ii. personal data of responsible persons of legal person,

iii. evidence of fulfilment of criteria from article 9 paragraphs 1, 2, 3, 4, 5 and 6 of this law

iv. evidence on adaptability of building and business point dedicated for selling of explosives.

20.4. Licence for Selling of Explosives is revoked if legal person:

i. does not obey to the criteria determined by this law,

ii. interrupts engagement in the activity of selling explosives in accordance with this law.

20.5. All evidence which should be kept according to the provisions of this law, are delivered to the Ministry not later than 8 days after the decision on revocation of licence for trade becomes final.

## **Article 21** **Licence for Buying Explosives**

21.1. Licence for buying explosives may be taken by a legal person who has licence for trade of explosives.

21.2. Licence for purchasing explosives is valid 1 year from the date of issuance.

21.3. Request for licence for purchasing explosives includes the data as bellow:

i. name and address of legal person,

ii. name and address of seller,

iii. name, producer and type of explosive,

iv. reason for buying explosive,

v. time, place and manner of use of explosives,

vi. thorough project of an expert for planned works and amount of needed explosives

vii. other data which are necessary for safe use of explosives.

21.4. In case licence for purchasing and use is required with purpose of using explosives in the mines or destruction of buildings; it is needed previous consent by responsible bodies.

21.5. In application of this Law, the competent Ministry for Mines with a sub-legal act regulates the conditions and manner of use of explosives in the Mines.

**Article 22**  
**Use of explosives**

Legal persons may use explosives only in locations and for purposes assigned in the licence for purchasing of explosives.

**SUBCHAPTER 3**  
**Import, Export and Transit of Explosives**

**Article 23**  
**Licence for Import, Export and Transit of Explosives**

Import, export and transit of explosives may be conducted only by legal persons who have licence for trade by the Ministry.

**Article 24**  
**Request for Licence for Import, Export and Transit**

24.1. Request for licence for import, export and transit contain:

- i. name and address of legal person,
- ii. name of explosive and identification number (number of KB),
- iii. name of producer,
- iv. name and address of seller or deliverer of explosive and name and address of buyer or receiver of the explosive,
- v. name and address of the driver of vehicle, type of vehicle and number plates of vehicle,
- vi. quantity of explosives,
- vii. table of security data,
- viii. identification information of ammunition,
- ix. date and time of import, export and transit,
- x. time and place of expected stopping,
- xi. entry and exit border crossing and route of transport,
- xii. licence of import or transit of the place in which the explosives are exported or through which is conducted the transit of explosives and
- xiii. adequate conditions for transport in accordance with international norms.

24.2. Legal person may import or export explosives only under criteria determined by this law.

24.3. Ministry determines special security measures for import, export or transit through territory of Kosovo.

24.4. Persons who transport explosives are obliged to have with themselves Licence for Import, Export and Transit and to present it upon the request of the police.

## **SUBCHAPTER 4**

### **Transfer**

#### **Article 25**

#### **Transfer of Explosives**

25.1. Licence for transfer is given upon approval of the request by the Ministry.

25.2. Person equipped with the licence from paragraph 1 of this article should have licence for trade.

25.3. Request for licence for transfer should include data as bellow:

- i. name and address of legal person;
- ii. name of explosive and identification number (number of KB);
- iii. name of producer;
- iv. name and address of seller or deliverer of explosive and name and address of buyer or receiver of the explosive;
- v. name and address of the driver of vehicle, type and number plates of vehicle;
- vi. quantity of explosives;
- vii. identification information of ammunition;
- viii. date and time of transfer;
- ix. time and place of expected stopping,
- x. itinerary of transport

25.4. Special security measures which are in force in the place through which is conducted the transfer, should be pointed out in the licence for transfer.

25.5. Persons who are transferring explosives are obliged to have with themselves the licence for transfer and to present it on the request of police.

25.6. Licence for transfer may be revoked for security reasons by the body which has issued it.

**Article 26**  
**Limitations on Transfer of Explosives**

26.1. In case of risk for public security, and in order to prevent illegal use of explosives, the Ministry may limit or prohibit the transfer of explosives.

26.2. Ministry temporarily may limit or prohibit transfer of explosives in the entire territory or in a part of territory of Kosovo, with purpose of protection of public security.

**SUBCHAPTER 5**  
**Use and destruction of explosives**

**Article 27**  
**Possession of explosives**

Legal person has the right to possess explosives if it has licence determined by this law.

**Article 28**  
**Special measures for use, return and destruction of explosives**

28.1. Legal person, if it uses explosives in the vicinity of the roads, railways, airports, oil-supply, gas-supply, water supply, electric lines, telephone lines, or similar infrastructure, should obtain the permission of the Ministry and to inform manager of the respective infrastructure in written at least 7 days before the planned use and to ensure the protection of health and life of people, protection of property and environment.

28.2. Exceptionally from paragraph 1 of this article, in special cases the Ministry may decide otherwise.

28.3. Explosives may be destroyed only in the locations where it is permitted the destruction of explosives in an amount which does not exceed 50 kg, in accordance with the instructions of producer.

28.4. Explosives are destroyed only by personnel professionally qualified, after obtaining of consent by the Ministry.

28.5. Ministry and municipality are informed about the manner, quantity and place of destruction of explosives, at least 7 days before planned destruction.

28.6. Un-used explosives in the work-place should be returned again in the ware-house.

**SUBCHAPTER 6**  
**Buildings for production and depositing**

**Article 29**  
**Criteria of objects for production and depositing**

29.1. Buildings for production and depositing should be built and equipped that way so to ensure the protection of health and life of people, property and environment.

29.2. Explosives are deposited in the static or mobile objects dedicated for depositing.

29.3. Buildings for production and depositing should be secure against unauthorised access.

29.4. In detailed manner, with subsidiary legal acts are determined criteria for objects for production and depositing and criteria for locations for loading and unloading of explosives.

#### **Article 30**

#### **Locations for loading and unloading of explosives**

Locations for loading and unloading of explosives outside of the objects of producer or supplier are determined by the Ministry in agreement with municipality.

### **CHAPTER V**

#### **V. PYROTECHNICAL SUBSTANCES**

#### **Article 31**

Production, depositing, trade and transportation of pyrotechnic substances shall be done in the manner as it is acted with explosive, as foreseen in the Chapter IV of this law.

#### **Article 32**

Buildings in which will be deposited and sold pyrotechnic substances should fulfil special technical and security criteria, which are determined by the Inspector for prevention of fire as precondition for issuance of licence by the competent body for initiation of the functioning of building.

#### **Article 33**

Ministry will issue subsidiary legal act in which will be determined the manner of production, trade and transport of pyrotechnical substances.

### **CHAPTER VI**

#### **RESPONSIBLE PERSONS**

#### **Article 34**

#### **Duties of the responsible persons**

34.1. Responsible persons, within their competencies and prescribed responsibilities ensures production, trade, use, treatment and safe destruction of explosives in accordance with legal acts on explosives, to secure the protection of health and life of people, property and environment.

34.2. Trade and use of explosives is permitted only to professionally qualified persons. The qualification is proved by a certificate of qualification which is valid 3 years.

34.3. Education, criteria for professional qualification and programs of professional training are prescribed in subsidiary legal acts by the Ministry.

## **CHAPTER VII CONFISCATION OF EXPLOSIVES**

### **Article 35 Confiscation of explosives**

Police official in accordance with the criminal legislation in force temporarily confiscates explosives without written order, if:

- i. person in possession does not show valid licence,
- ii. person is using explosives without licence,
- iii. person is using explosives in contradiction with the licence.

## **CHAPTER VIII VIII. EVIDENCE**

### **Article 36 Keeping of evidence**

36.1. **Ministry** with purpose of possession of data keeps:

- i. evidence for licences issued for production, trade, import, export, transit, transfer and use
- ii. evidence for revoked licences for production, trade, import, export, transit, transfer, and use
- iii. evidence for taken samples of explosives,
- iv. evidence of explosives with instructions for use, for which is given permission by the Ministry.

36.2. Legal person who is producer of explosives keeps the evidence for the types and amount of produced, sold and destroyed explosives.

36.3. Legal person which is engaged in the activity of trade, import, export, transit, transfer and use of explosives should necessarily keep evidence for the types and amount of purchased, sold, destroyed and returned explosives.

36.4. Evidence from paragraph 1 and 2 of this article are kept for 10 years, while evidence from paragraph 3 of this article is kept for 5 years.

36.5. Manner of keeping the evidence, format and content of data are prescribed in a subsidiary legal act by the Ministry.

### **Article 37** **Manner of collection of data**

37.1. If not regulated otherwise by this law, for the manner of collection of data are applied the provisions of the law on protection of personal data..

37.2. Ministry collects the data directly from legal persons and competent officials. These data may be gathered also from other persons.

37.3. Ministry uses collected data for accomplishment of duties defined by this law.

37.4. Mal-users of data from this article are responsible in accordance with the criminal legislation in force.

## **CHAPTER IX** **DUTIES OF SUPERVISORY BODIES**

### **Article 38** **Competence**

Ministry is responsible for:

- i. giving of instructions and consent for use of explosives
- ii. keeping f updated list of explosives,
- iii. leading of administrative procedures and issuance of licences for production of explosives, import, export, transit, trade and use
- iv. cooperation for preparation of professional knowledge and standard capabilities of personnel, who are required to be professionally qualified according to this law,
- v. keeping of evidence of data about explosives and offering of them to competent bodies,
- vi. collection, elaboration, preservation, offering and use of data in accordance with this law,
- vii. cooperation with bodies and international organisations in activities interconnected with explosives,

- viii. seeking of information regarding the violations of this law by supervisory bodies,
- ix. prohibition of production, import, export, transit, trade and use of explosives in contradiction with this law.

### **Article 39** **Inspection by the Ministry**

39.1. Inspection for execution of this law is conducted by the authorised inspectors of the Ministry.

39.2. Content and manner of exam for certification for inspector is determined by the Ministry.

39.3. For use and depositing of the explosives for the needs of the Ministry of Mines, the inspection is conducted by the Inspector of Mines and in case of violation of the provisions of this law by the responsible persons of the legal person, he proposes to the Ministry penalty measures in accordance with this law.

### **Article 40** **Inspecting measures**

Inspector of the Ministry, except authorisations defined in paragraph 1 of article 40 and other general authorisations determined by this law, has the right and duty to

- i. assign a time limit for elimination of irregularities and to temporary stop the production, circulation, loading, unloading and use of explosives in that time period,
- ii. propose to competent bodies revocation of licences for production and trade,
- iii. require written clarification regarding the subject of inspection from responsible persons or other persons,
- iv. submit criminal allegation before competent authorities for minor offence or criminal offence.

### **Article 41**

41.1. The appeal against temporary prohibition from subparagraph i of article 40 does not stop the execution of the decision

41.2. The appeal is reviewed by the Ministry within 15 days from the day of reception.

### **Article 42** **Police competencies**

Police performs supervision of trade, import, export, transit, transfer and use of explosives.



**Article 43**  
**Competencies of inspecting bodies**

43.1. Inspecting officials from paragraph 1 of article 39 in accordance with their competencies has the responsibility to:

- i. examine documentation linked with the explosives, to enter, control and examine buildings, work-places in which the explosives are produced, deposited, traded, transferred used and destroyed,
- ii. order elimination of irregularities,
- iii. examine documents which proves professional qualification of personnel,
- iv. to temporarily stop the activities regarding the production, trade and use of explosives, if the prescribed criteria by this law are not fulfilled
- v. to stop production, trade and use of explosives, if are revealed the irregularities of security measures
- vi. to stop the use of explosives, if prescribed criteria by this law are not fulfilled
- vii. to stop the use of depositing buildings which does not fulfil the conditions for deposit of explosives
- viii. to stop the production and trade of explosives if inappropriate package is used,
- ix. to stop the use of buildings for deposit and buildings for load and disload if criteria prescribed by this law are not fulfilled,
- x. order other necessary measures for protection of life and health of people, protection of property and environment.

43.2. Appeal against any measure from paragraph 1 of this article does not stop its execution.

**CHAPTER X**  
**SANCTIONARY PROVISIONS**

**Article 44**

44.1. Legal person, for minor offence, is fined with an amount of 1000 € to 7000 € if it:

- i. does not inform the nearest police station about the stolen or lost explosives, according to paragraph 8 of article 7 of this law
- ii. does not deliver evidence to the Ministry in the foreseen time limit, paragraph 2 of article 15 of this law
- iii. does not inform Ministry for start or interruption of production, according to the paragraph 1 of article 18 of this law
- iv. does not deliver evidence to the Ministry, paragraph 4 article 20 of this law

v. does not show the licence on request of police officer, paragraph 4 article 24 and paragraph 5 article 25 of this law;

vi. does not keep evidence, according to the paragraph 2 and 3 of article 37 of this law

44.2. Legal person for minor offence will be fined in an amount of 5,000 € to 15,000 € if:

i. puts explosives in the market or starts to use explosives before the Ministry have given consent and instructions for use, according to the paragraph 1 of article 8 of this law

ii. produces explosives after the expiry of the timeframe of licence, in contradiction with paragraph 2 of article 14 of this law

iii. conducts researches of explosives in contradiction with article 17 of this law

iv. does not possess documentation determined in paragraph 1 of article 19 of this law

v. sell explosives in contradiction with paragraph 1 of article 20 of this law

vi. sell explosives to a person without licence, in contradiction with paragraph 1 of article 21 and paragraph 1 of article 23 of this law is deleted.

vii. transfers explosives in contradiction with paragraph 1 of article 25 of this law

viii. is in possession of explosives in contradiction with article 27 of this law

44.3. Legal person will be fined for minor offence in an amount of 10,000 € to 35,000 € if:

i. does not ensure protection of life and health of people, property and environment according to paragraphs 1, 2 article 7, of this law.

ii. does not guarantee physically and technically secure objects for the production, trade and depositing of explosives, according to the paragraph 6 of article 7 of this law

iii. puts explosives in the market or starts to use explosives, in contradiction with paragraph 1 of article 9 of this law

iv. permits use of explosives from un-qualified personnel, in contradiction with article 12 of this law

v. produces explosives in contradiction with article 13 and article 14 paragraph 1 of this law

vi. produces explosives in the work-place in contradiction with paragraph 1 of article 16 of this law

vii. uses explosives in contradiction with article 22 of this law

viii. exports explosives in contradiction with article 23 of this law

ix. imports explosives, in contradiction with paragraph 2 article 24 of this law

x. transfers explosives in contradiction with limitations, paragraph 2 article 26 of this law

- xi. does not ensure the protection of life and health of people in accordance with paragraph 1 article 28 of this law
  - xii. does not return un-used explosives, paragraph 6 article 28 of this law
  - xiii. destroys explosives in contradiction with paragraph 3 article 28 of this law
  - xiv. destroys explosives in contradiction with paragraph 4 article 28 of this law
  - xv. deposits explosives in contradiction with paragraph 2 article 29 of this law
  - xvi. allows that explosives be used by un-qualified personnel, in contradiction with paragraph 2 article 34 of this law
- 44.4. Confiscation of explosive products should be ordered as a secondary punishment for small minor offences from sub-paragraphs v and viii of paragraph 2 and subparagraph vii of paragraph 3 of this article.

#### **Article 45**

45.1. Responsible person of the legal person, for minor offences is punished by fine in amount of 100 € to 500 € if he or she:

- i. produces explosives in contradiction with article 13 of this law
- ii. sells explosives in contradiction with paragraph 1 of article 20 of this law
- iii. misuse the tinder and igniters as initials of ammunition for personal use, according to paragraph 1 article 23 of this law is deleted;
- iv. is in possession of explosives in contradiction with article 27 of this law

45.2. Police official in accordance with criminal legislation confiscates temporarily products from sub-paragraph iv of paragraph 1 of this article in the place of occurrence of minor offence.

45.3. Confiscation of explosive products may be ordered as secondary sanction for minor offence from this article.

#### **Article 46**

Physical person will be punished with fine in amount of 100 € at the place of the commission of minor offence if he does not present licence on the request of police officer, according to subparagraph i of article 36 of this law.

#### **Article 47**

Punishments by fine determined by articles 45 and 46 of this law do not exclude the offender from criminal responsibility and other responsibilities.

**CHAPTER XI  
TRANSITIONAL AND FINAL PROVISIONS**

**Article 48**

The Ministry will issue special subsidiary legal acts which regulates the special professional areas according to this law.

**Article 49**

Within e timeframe of one year from the day of entrance into force of this law, the possessors of the licences should start their activities for keeping of evidence in compliance with provisions of this law.

**Article 50**

All means realised in the basis of this law are directed to the Kosovo Consolidated Budget.

**Article 51  
Supervision**

Supervision for application of this law is conducted by the Ministry, police, customs and other supervisory and inspection bodies, each of them in accordance with their competencies

**Article 52**

With entrance into force of this law are repealed all legal provisions which are inconsistent with this law.

**Article 53**

This law shall enter into force fifteen days (15) after its publication in the Official Gazette of the Republic of Kosovo

**Law No. 03/L-005  
16 May 2008**

**President of the Assembly of the Republic of Kosovo**

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**Jakup KRASNIQI**