



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

---

**Law No. 03/L-081**

**AMENDING UNMIK REGULATION NO. 2005/2 ON THE ESTABLISHMENT  
OF THE INDEPENDENT COMMISSION FOR MINES AND MINERALS**

The Assembly of Republic of Kosovo,

In view of UNMIK Regulation 2005/2 on the Establishment of the Independent Commission for Mines and Minerals ("Regulation"),

Considering the need to amend the Regulation in order to reflect the Constitution of the Republic of Kosovo and other relevant instruments,

Hereby adopts:

**LAW AMENDING UNMIK REGULATION NO. 2005/2 ON THE  
ESTABLISHMENT OF THE INDEPENDENT COMMISSION FOR MINES AND  
MINERALS**

**Article 1**

Each reference in the Regulation to "Regulation" shall be replaced by "Law."

**Article 2**

The text of entire introductory section of the Regulation shall be replaced by the following:

"The Assembly of Republic of Kosovo,

On the basis of its authority under article 65, 119.5, 122 and 142 of the Constitution of the Republic of Kosovo;

Recognizing the need to establish an independent regulatory authority for the mining and minerals sector to ensure an optimal and environmentally sound excavation with a view to the related special interests of the Republic of Kosovo,

Hereby adopts:

**LAW ON THE ESTABLISHMENT OF  
THE INDEPENDENT COMMISSION FOR MINES AND MINERALS"**

**Article 3**

Articles 1.1 and 1.2 of the Regulation shall be replaced in their entirety by the following Articles 1.1 and 1.2:

1.1 The Independent Commission for Mines and Minerals (hereinafter the "Commission") is an independent body pursuant to article 119.5 of the Constitution with its headquarters in Pristina.

1.2 The Commission shall consist of:

- a) the Governing Board (the "Board") with five members including a Chairman;
- b) a Director and a Deputy Director; and
- c) other professional and clerical staff as set out in the present Law.

**Article 4**

Article 2.3 of the Regulation shall be replaced in its entirety by the following Article 2.3:

2.3 The Commission shall issue regular reports to the Assembly on all activities of the Commission, including its staffing and organizational and administration matter.

**Article 5**

In Section 2, a new Article 2.4 shall be inserted into the Regulation:

2.4 Decisions of the Commission shall be subject to judicial review in accordance with the applicable law.

## **Article 6**

Articles 3.2, 3.3, 3.4 and 3.5 of the Regulation shall be replaced in their entirety by the following Article 3.2:

3.2 Board members including the Chairman shall be appointed by the Assembly upon proposals by the Government for renewable terms of four (4) years.

## **Article 7**

Articles 3.6 and 3.7 of the Regulation shall be renumbered appropriately.

## **Article 8**

Article 5.1 of the Regulation shall be replaced in its entirety by the following Article 5.1:

5.1 The Director and the Deputy Director shall be appointed by and accountable to the Board in accordance with the applicable law. Sections 3.3 and 3.4 of the present Law shall apply accordingly to the Director and the Deputy Director.

## **Article 9**

Articles 7.1 and 7.2 of the Regulation shall be replaced in their entirety by the following:

The Board collectively shall be accountable to the Assembly for compliance of the Commission at any time with the provisions of the present Law and other law applicable in Kosovo.

## **Article 10**

In Article 8.2 of the Regulation, the phrase "and subsequent regulations, administrative directions" shall be deleted.

## **Article 11**

Sections 9, 10 and 11 of the Regulation shall be replaced in their entirety with the following Sections 9 and 10:

## **Article 9 Applicable Law**

This Law shall supersede any provision in the applicable law that is inconsistent with it.

## **Article 12**

This Law shall enter into force on the day of publication in the Official Gazette of the Republic of Kosovo.

**Law No. 03/L-081**  
**13 June 2008**

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

---

**Jakup Krasniqi**