



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

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**Law No. 03/L-085**

**DRAFT LAW AMENDING UNMIK REGULATION NO. 2003/16 ON THE  
PROMULGATION OF A LAW ADOPTED BY THE ASSEMBLY OF KOSOVO  
ON TELECOMMUNICATIONS**

The Assembly of Republic of Kosovo,

In view of UNMIK Regulation 2003/16 on the Promulgation of a Law Adopted by the Assembly of Kosovo on Telecommunications (“Law”),

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 THE LAW ADOPTED BY THE ASSEMBLY OF KOSOVO  
ON TELECOMMUNICATIONS**

**Article 1**

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

"The Assembly of Kosovo,

On the basis of the authority granted to it under article 65, 119.5 and 142 of the Constitution,

Recognizing the need to improve the Telecommunications Sector in Kosovo by: establishing an independent regulatory agency responsible for licensing, regulating and supervising the providers of telecommunication services in Kosovo; encouraging the

private sector participation and competition in the provision of services; setting standards for all service providers in Kosovo, and, establishing provisions for consumer protection:

Hereby adopts

## **LAW ON TELECOMMUNICATIONS**

### **Article 2**

In Section 2 of the Law, the paragraph entitled "Assembly" shall be replaced in its entirety by the following:

“Assembly” - The Assembly of the Republic of Kosovo.

### **Article 3**

In Section 2 of the Law, the paragraph entitled "KTA" shall be replaced in its entirety by the following:

“KTA” – The Kosovo Trust Agency successor institution as established pursuant to the Law on Kosovo Privatization Agency.

### **Article 4**

In Section 2 of the Law, the paragraph entitled "Ministry" shall be replaced in its entirety by the following:

"Ministry" - Ministry of Transport and Communications.

### **Article 5**

In Section 2 of the Law, the paragraph entitled "PISG" shall be deleted in its entirety.

### **Article 6**

Section 3.1 (a) of the Law shall be replaced in its entirety by the following Section 3.1 (a)

a) the Ministry shall develop policies for the telecommunication sector, including the development of legislation,

#### **Article 7**

Section 3.1 (b) of the Law shall be replaced in its entirety by the following Section 3.1 (b):

b) the TRA, established as an independent regulatory body by this Law, shall implement the policies of the Government and the Ministry pursuant to this Law, and all other implementing legislation enacted pursuant thereto.

#### **Article 8**

Section 3.1 ( c) of the Law shall be deleted in its entirety.

#### **Article 9**

In Section 3.2 of the Law, the phrase "Temporary Media Commissioner" shall be replaced by the phrase "Independent Media Commission."

#### **Article 10**

Section 3.3 of the Law shall be replaced in its entirety by the following Section 3.3:

(3) The TRA shall assign to service provider and users spectrum resources in accordance with the provisions of the present law and any other applicable law.

#### **Article 11**

Section 3.5 of the Law shall be deleted in its entirety.

## **Article 12**

Section 4.1 of the Law shall be replaced in its entirety by the following

Section 4.1:

(1) The Telecommunications Regulatory Authority (the “TRA”) is hereby established as an independent regulatory body and shall implement the policies of the Government and the Ministry pursuant to this Law, and all other implementing legislation enacted pursuant thereto.

## **Article 13**

Section 19 of the Law shall be deleted.

## **Article 14**

In Section 22.2 of the Law, the word "SRSG" shall be replaced by the word "Assembly."

## **Article 15**

In Section 26.4 of the Law, item (a) shall be deleted.

## **Article 16**

Section 26. 7 of the Law, item (e) shall be deleted.

## **Article 17**

Sections 28.1 and 28.2 of the Law shall be replaced in their entirety by the following  
Section 28.1:

(1) Service providers seeking to use radio frequencies shall obtain a grant of right to use such frequencies from the TRA prior to the provision of such services. The TRA shall grant the right to use radio frequencies pursuant to this Law and other relevant legislation.

## **Article 18**

Section 36 of the Law shall be deleted.

## **Article 19**

In Section 37.1 of the Law, the number "66" shall be replaced the number "68."

#### **Article 20**

In Section 40.3 of the Law, the phrase "or the relevant successive legislation" shall be added at the end of the section.

#### **Article 21**

In Sections 42 and 46 of the Law, the phrase "UNMIK regulations" shall be deleted.

#### **Article 22**

Section 58.6 (c) of the Law shall be replaced in its entirety by the following Section 58.6 (c):

c) "radio and terminal equipment that is covered by Kosovo laws;"?

#### **Article 23**

Section 63.1 of the Law shall be replaced in its entirety by the following Article 63.1:

(1) The radio frequency spectrum is a limited natural resource. The TRA shall allocate it to service providers only in accordance with the provisions of the present law.

#### **Article 24**

Section 63.3 of the Law shall be replaced in its entirety by the following Article 63.3:

(3) The TRA's spectrum resource plan shall become effective after Assembly review and approval in writing.

#### **Article 25**

In Sections 64.2, 64.3 and 66.1 of the Law, the word "SRSG" shall be replaced by the word "Assembly."

### **Article 26**

In Sections 64.2 and 75.2 of the Law, the phrase "and UNMIK regulations" shall be deleted.

### **Article 27**

Section 80 of the Law shall be replaced in its entirety by the following Section 80:

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

**Law No. 03/L-085**  
**13 June 2008**

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

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**Jakup Krasniqi**