



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

Law No. 04/L-184

ON OFFICE WORK ADMINISTRATION

Assembly of Republic of Kosovo,

Based on Article 65 (1) of the Constitution of the Republic of Kosovo;

Approves

LAW ON OFFICE WORK ADMINISTRATION

Article 1
Purpose and scope

The purpose of this Law is to administer office work and official documents from the initial recording to their final processing, within the institutions of the Republic of Kosovo and the Public Owned Enterprises.

Article 2
Definitions

1. Terms used in this Law shall have the following meanings:

1.1. **Administration of official documents** - a supporting activity that contributes and supports institutional bodies in performing their primary official duties in a proper and effective manner.

1.2. **Office** - a setting for individual or collective activities, in which one or more employees perform various administrative, managerial or organizational tasks.

1.3. **Act (letter)** - any written drafting, by which there is compiled, supplemented, amended, terminated or concluded any official activity of an institution or an internal organizational unit. Act (letter) depicts an activity of the institution and it confirms that a certain action was carried out officially.

1.4. **Document** - material evidence of any act, fact, event, subject file, letter, file, supporting evidence and business books, phenomenon of objective human and mental activities expressed in writing, graphics, drawing, photograph, tonic material or any other respective material means (papyrus, parchment, paper, film tape, floppy disk, database, sound documents, microform, including also electronic supporting programs and means).

1.5. **Annex** - written compilation (document, graphics, table, drawing or other means, which is attached to an act-letter) with the aim of supplementation, evidence or explanation of its content. A part of a written deed, which comprises of additional and explanatory content for the basic part and it is attached to the act (letter).

1.6. **Subject file** - a collection of all acts or letters and annexes, related to one matter, task or problem that has been produced by the same proceedings and presents a separate entirety; an entirety of facts or data, which serve as support for a study and that it provides cognitive value.

1.7. **File** - a collection of all subject files related to the same material or to the same natural or legal person.

1.8. **Fascicle** - a bunch of submissions, subject files or files, which after the conclusion of proceedings are stored as arranged in covers or boxes.

1.9. **Registrar** - a stereotyped box with an attachment, in which the letters or subject files are maintained in a certain order by means of the mechanism.

1.10. **Plan of classification signs** - a hierarchical logic system, which enables registration, arrangement and quick finding of certain documents or of the entire documents. Such a plan of classification signs should be comprehensive and express the demand of the respective institution.

1.11. **Recording material** shall be composed of letters or subject files, recordings, photographs, phonographic, electronics and letters and documents compiled in another way, books, database with evidence of these letters, texts of documents, as well as their microfilms received and compiled within the work of the institution.

1.12. **Basic evidences** - notes or information to reflect the different acts registration, guided by protocol system or electronic system, by applying classification signs or without them.

1.13. **Document Administration Unit** - an organizational unit, in which all activities for administration of official documents are performed, such as: receiving of documents, receiving of the mail, opening and checking the mail, registering and adding together the letters, sealing the letters and subject files, managing work deadlines, forwarding acts (letters) and subject files for further proceedings, delivery

of mail, distribution of mail (letters) and subject files, including electronic mail, filing them to the Registry Storage, as well as keeping all square and circle seals.

1.14. **Archive** - a constituent part of the document administration unit or a special organizational unit, in which finalized subject files are stored, registers (evidences) on acts (letters) and subject files, as well as other material as registered documents until it is delivered to the competent archive. The archive can also be organized electronically, but it shall definitely have identification elements.

1.15. **Registry Storage** - includes physical and electronic storage of official documentation into the location where recording material of entire organizational structures of the respective institution is systemized and put in order.

Article 3 **Document Administration Unit**

1. Each institution of the Republic of Kosovo is obliged to have the Document Administration Unit.
2. All official documents should go through the Document Administration Unit, except in those cases where it is regulated otherwise by a special law.
3. The Document Administration Unit shall perform professional-technical services such as: information on administrative procedures, reception, registration, distribution of documents to the relevant institutions, classification and their maintenance. All these actions shall also be performed electronically.
4. The Document Administration Unit shall open the received documents, stamp the seal of protocol, the date, register to the basic or supporting evidence, forward them to specific units and after having it finalized within the institution, the subject file shall be returned to the Document Administration Unit.
5. Within the Document Administration Unit, the finalized subject files shall be stored until they are submitted to archive, as well as subject files with legal deadline until they are completed and distributed.
6. The completed documents shall be proceeded to the archive storage with the aim of further storage according to timeline of validity of documents.
7. Handover of registered material shall be carried out among the archivists and employees of the Document Administration Unit with the act of handover.
8. Act and subject files shall be evidenced according to protocol system, internal books and unique classification signs in accordance with the content of the act (letter), as well as in electronic registers, based on the unique number of protocol.
9. Subject files and acts (letters) shall be classified according to the content, in main groups, starting from zero (0). Within such a classification there will be a division into groups and subgroups.

10. The Ministry responsible for public administration shall issue a regulation on unique signs of classification of documents and the content of main groups as well as the list with timelines for storing documents.

Article 4
Responsibilities of the Unit for the administration of documents

1. The unit for document administration functions within every institution and has responsibilities as described below:

- 1.1. receiving, controlling, classifying and registering;
- 1.2. the technical-administrative processing of acts and subject files;
- 1.3. sending acts (letters), particularly subject files for further processing;
- 1.4. receiving and sending the mail, distributing the subject files and acts;
- 1.5. saving official documents, separating unnecessary material from the file and delivering archive subject file from the registry archive to the responsible archive.

Article 5
Keeping protocol evidence on acts

1. Received and separated acts shall be protocolled in the basic register with the number of protocol at the same day they are received, with the exception when:

- 1.1. certain acts for which an answer is required in a short period of time should be protocolled before other acts and immediately sent to respective Units.
- 1.2. if due to the huge number of acts received or for other rational reasons it is not possible to register them in the protocol the same day they are received, then these acts shall be protocolled latest on the next day before new acts are received.

2. The act and its content are protocolled in the register of evidence in a way that it can be clearly seen what is the subject or topic of that subject file.

3. During the registration of the act in the protocol the following data should be registered:

- 3.1. the title of the institution or internal organizational unit that has created the registry material, the year of the subject file, the date and time of receiving it, the unique code in the register that is generated based on the previous number, the classification sign and the number of the subject file;
- 3.2. when the subject file is personal and deals with private or legal person, or it is made according to the sender, the name, family name, residence and the content of the administrative act should be registered;

- 3.3. whereas, when the subject file deals with many people, all people should be registered, but if that is not possible then only the first person is registered.
4. The evidence is filed in according to the ordinal number system labeling the subject of each received act and protocolled based on the number in the protocol book.
5. All official documents are registered in basic evidence book which contain the data as below:
 - 5.1. the unique classification code of acts and subject files according to the content;
 - 5.2. basic data of the sender and of the person receiving it;
 - 5.3. the information where is the subject file during the processing time until it is sent to the archive;
 - 5.4. proceeding subject files for administrative procedure;
 - 5.5. informing for the answer in the legal timeframe, approval or refusal.
6. The Ministry responsible for public administration issues a sub-legal act for basic evidence books.

Article 6 Protocol Book

1. In the protocol book all received letters according to the unique basic number of the protocol are registered.
2. Within each institution a short protocol book and big protocol book (main book) for registering of acts and subject files in basic books of evidence are kept.
3. Big protocol book should exist in electronic version as well, which is made available through the electronic system.
4. The exception from the paragraph 2 of this article is done for the acts and subject files that by nature are state secret and are kept in special protocol books. (The use and storage of these files is done based on law No. 03/L-178 for classification of information and security verification.
5. The protocol book shall be closed at the end of each calendar year:
 - 5.1. during the closure of the protocol book the first and the last number of the protocol for that calendar year shall be verified, and is signed by the person responsible for the Unit for document administration.

5.2. when the protocol book is filled before the end of the calendar year, it is verified based on sub-paragraph 5.1 of this paragraph, and the number of the protocol in the new book continues from the last number of the old completed book.

5.3. in cases when the protocol book has enough space, it can be used for the next year, but the number of the protocol starts from the number one (1).

5.4. the closed protocol book shall be delivered to the archive of the institution at the beginning of the next year.

Article 7

Archiving and destroying official documents

1. All finished subject files and other material from the register shall be stored in archives, in the relevant units of register (fascicle, box, and registrator) and are put in drawers and shelves, and provided appropriate premises so that archive subject files is not damaged.

2. Every archived subject file is protected by law regardless of time, place and way how it is created, who owns it and where it is, and it should be stored according to the time limits defined in the actual legislation for the archived subject file.

3. Archived subject file in the archive is irrevocable, the ownership cannot be changed and it cannot be destroyed or misused.

4. The person in charge of archive should keep the confidentiality of the official documents that he/she has received and is responsible in cases of theft, loss or its misuse.

5. Relevant institutions shall establish commission for the destruction of the documents which according to the legislation into force are considered old. Destruction of these documents shall be done by burning them in the presence of the commission in charge of destroying such documents.

6. All subject files that are archived should be in original copies.

Article 8

Archive book

1. All the material of the register, together with evidence books, is registered in the archive book according to the years and classifying signs. The archive book should be kept as a general evidence of the inventory of the general archive material that is created from the previous year.

2. Archive subject files are saved in the archive based on category lists of registered material, according to classifying signs, time frame of the saving and other types of register material.

3. Institutions are obliged to make the selection and separation, based on the category list of the registered material. This is regulated in more detail through the Law No. 04/L-088 on

State Archives and the way of receipt and delivery between the registry and the competent archive.

4. Registration of letters, subject files, files and acts and all other registered material is put to the archive book when the archive subject file is regulated.

5. Registration in the archive book shall be done according to the classifying signs.

Article 9 **Proceeding of the archive subject file**

1. For all subject files, before they are archived, person processing the subject file is obliged to write the sign of archiving the material that is defined according to the list of categories of the registered material and the time frame of storing it.

2. For each classification signs of the letter in the archive there should be a fascicle where the subject files will be stored according to the classification sign.

3. In one fascicle there can be used more subject files, but the fascicle should have its organization unit separated.

4. In each fascicle the following data should be written:

4.1. name of the organization unit;

4.2. calendar year;

4.3. classification sign;

4.4. the number of the subject file from the initial number; and

4.5. the ordinal number according to which the fascicle is registered in the archive book.

5. For each institution, it is defined what documents are need to be stored and which of them have historic, scientific and judicial value.

6. As for official documents representing a state secret, the archive personnel are obliged to keep the state secret during the whole process and after the expiry of their employment contract in the archive.

7. The Ministry responsible for public administration shall issue sub-legal act regarding the adjustment of the contents of archive files, management procedures, access to archive and the job description of archivist.

Article 10
Physical and electronic storage of archive material

1. All archive material shall be stored in a physical and electronic form. Physical storage means putting archive material in archive storages, while electronic storage shall be done in a respective server.
2. The archive storage is a special room where archive material is stored. Holders of archive subject file are obliged to ensure optimal conditions for storing and protection of archive subject file, by fulfilling the following conditions:
 - 2.1. professional staff;
 - 2.2. premises and equipment which fulfill the standards for storing archive subject file; and
 - 2.3. climatic, chemical-biological and physical conditions.
3. Storing archive material through server or other electronic equipment shall be carried out through the application of electronic systems. These systems shall ensure protection from possible cybercrime risks through a high security system.
4. All archive material, which is stored electronically, shall have a back-up which is kept physically separated from the data base, in accordance with the standards of information technology for storing data.
5. In the frame of storing and protecting archive material, activities related to adjustment, giving out for use, evaluation, classification and keeping a record of archive material, as well as submitting it to a competent archive shall be carried out.

Article 11
Official communication

1. All documents, which are for official communication, shall contain these data: the name of an institution, the seat of the institution, the unit, the unique base number of protocol, the reference number, the classification sign, (topic-subject), the name of the institution to which the letter is addressed to, the text of the act (letter), the number of pages, the number of annexes attached to the subject, the date of the letter, confirmation containing an official stamp, the signature of the official person and the proof on the receipt and delivery of the document.
2. Official communication can be:
 - 2.1. external official communication, which includes communication between one institution with other national and international institutions, as well as, with other parties during the execution of their rights and duties.

2.2. internal official communication, which includes communication among the internal units of the same institution during the execution of their rights and duties linked to the mandate of the institution.

3. Official communication for the receipt and delivery of letters can be done through postal delivery or electronic system.

Article 12

Official communication through postal service

1. Postal delivery is carried out through the postal system or through the officer in charge of mail in an institution.

2. All mail received until 12:00 o'clock during a working day shall be delivered during the same working day, while mail received after 12:00 o'clock shall be delivered the next day, except internal official communication and documents of particular importance.

3. Subject files should be put in an envelope, and if there are more acts to be delivered at the same time to the same address, or other material which cannot fit in an envelope, they shall be delivered according to postal provisions in force.

4. The envelope in which the letter is being delivered shall contain, in the upper left corner, the shortened title of the letter and the detailed address of the sender, whereas the name of the envelope receiver shall be written in the center of the envelope with capital and readable letters.

5. Documents, subject files and other acts, which are marked as state secret, shall be delivered through the authorized official and shall be delivered in a speedy way in a sealed envelope.

6. Envelopes, which are treated as state secret, shall be secured, put in envelopes protected with a white sheet of paper, while on the other side of the envelope, in the central part, the dry stamp shall be put over the melted wax, and after sealing off the envelope, each corner of the envelope shall be stamped according to the legislation in force.

Article 13

Official communication through electronic system

1. Official communication through electronic system is carried out through electronic mail.

2. Inter-institutional official communication is carried out through official electronic mail, while other parties can use private electronic mails to fulfill their rights of communication with the institutions of the Republic of Kosovo.

3. The Ministry responsible for public administration shall issue regulations setting out the rules and standards for official electronic communication.

Article 14
The use of stamps and forms

1. The manner in which the received documents are stamped and the use of stamps shall be done according to the Law No. 03/L-054 on Stamps in the Institutions of the Republic of Kosovo, and they shall be used according to the rules in force.
2. The unit for the administration of documents shall have the forms, which shall be adapted to the specificities and needs of a respective institution, and shall be designed in line with standards for communication, and shall contain: paper format, letter font and margins, distance of tabulators, horizontal and vertical visualization. Electronic forms shall also contain all these elements.

Article 15
Final provisions

1. All institutions of the Republic of Kosovo are obliged to establish units for the administration of documents according to the provisions of this law within a time period of six (6) months from the entry into force of this law.
2. The Ministry responsible for public administration shall ensure the implementation of this Law, and shall undertake all measures to support institutions in its implementation.
3. With the entry into force of this law all legal provisions which have regulated this issue until now shall be nullified.

Article 16
Entry into force

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

Law No. 04/L-184
25 April 2013

President of the Assembly of the Republic of Kosovo

Jakup KRASNIQI