



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

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**Law No.04/L-106**

**ON THEATERS**

**Assembly of Republic of Kosovo,**

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

Approves

**LAW ON THEATERS**

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

**Article 1**  
**Purpose**

This law guarantees the right for all to create free artistic form expressions and stages, also regulates the establishment, organization, operation, direction, finance management of theaters, the position of theater artists and other issues that are important to the theaters.

**Article 2**  
**Scope**

Scope of this Law includes theater activities, training and public performance of dramatic works and various stage performances.

### **Article 3**

#### **Definitions**

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

1.1. **Theater** - a public or private cultural institution that deals with preparation, organization and execution of theater and other stage performances.

1.2. **Object Theater** - a building or space that owns the theater for the performance of theatrical activity

1.3. **Theatrical event** - the preparation for public performance of plays, musical stage works, works of puppets stage and other stage works..

1.4. **Theatrical Show** - a stage act which is displayed directly to the public.

1.5. **Theater Artists** - Actors, Directors, playwrights, scene, composers, costumeographers choreographers, painters, dancers, singers, musicians, lighting designers, sound designers and sound effects, makeup artists, stylists, creators, animators and all those who contribute creatively to create theater.

1.6. **Theater troupe** - the artistic ensemble, i.e. the group of artist who create drama, which promotes and displays to the public as a piece of art – scenic.

1.7. **Theatre Company** - a local or international legal person who deals with the creation, presentation and promotion of theatrical activity.

1.8. **Association Theatre** – non-governmental organization which deals with the promotion of theatrical activity.

1.9. **Ministry** - the Ministry of Culture.

1.10. **Minister** - the Minister of Culture.

1.11. **Law** - Law on Theaters.

1.12. **Founder** - the institution, legal entity or natural person who establishes the theater.

### **Article 4**

#### **Establishment of Theaters**

1. Theatres in the Republic of Kosovo shall be established by natural persons and legal entities and have public or private status.

2. National theatres shall be established by decision of the Assembly of Republic of Kosovo under proposal of the Government.
3. City theaters shall be established by decision of the municipal assembly. The municipality can not establish more than one City Theater by public status.
4. Criteria for establishing national theaters and city theaters shall be determined with sub-legal act issued by relevant Ministry for Culture.
5. Private theaters, theater troupes, theater companies and theater associations may be established by local natural persons and legal entities or foreign nationals in accordance with this law and legislation in force.
6. Establishment of theater prices shall be done with a sub-legal act issued by the relevant Minister for Culture.

#### **Article 5 Public Theaters**

1. Theatres with public status are:
  - 1.1. National Theatres;
  - 1.2. City Theatre;
  - 1.3. Students` Theatre of the Faculty of Arts of the University of Pristina.

#### **Article 6 Kosovo's National Theater**

1. Kosovo's National Theater is the highest theatrical institution in Kosovo and is headquartered in Pristina.
2. National Theater has its statue, stamp and logo.
3. Kosovo's National Theater has its special budgetary code and manages its own budget.
4. National Theater realizes at least five (5) premieres during the year.

**Article 7**  
**Organization and functioning of the public theaters**

1. Public Theater`s organization and functioning is regulated by statute and other sub-legal acts in accordance with this Law.
2. The governance structure of any public theater is consisted of:
  - 2.1. Directing Council;
  - 2.2. General Director;
  - 2.3 Artistic Leader;
3. Public theaters have administrative and technical staff.
4. National Theatres must have a resident ensemble of at least thirty (30) actors.
5. City Theatre can have resident ensemble of at least ten (10) and twenty (20) actors at most.
6. Public theaters may establish specific scenes in the context of their activity.
7. Public theaters have the logo, seal, bank account and their headquarters, which are defined by statute.
8. Statute of the National Theatre shall be designed by the Directing Council and shall be approved by the Minister.
9. Statute of the city's theater shall be designed by the Directing Council on proposal of the Mayor of municipality and shall be approved by the municipal assembly.

**Article 8**  
**Extinguishment of Public Theater**

Extinguishment of public theater shall be carried out in accordance with applicable law.

**Article 9**  
**Private Theaters and Theater Associations**

1. Establishment, organization and functioning of private theaters, theater companies, theater troupes and theater associations shall be carried out in compliance with their statute.
3. Statute and other sub-legal acts shall be adopted in accordance with this law and legislation in force.

**Article 10**  
**Governing Council of Public Theaters**

1. Governing Council of Public Theatres is an independent body which:
  - 1.1. supervises the work of theater;
  - 1.2. approves long-term policies and policy development of theater arts;
  - 1.3. with the proposal of the General Director, approves the annual budget for the theater;
  - 1.4. with the proposal of the Artistic leaders and in accordance with the annual budget, we approve the annual artistic program of theater;
  - 1.5. reviews and approves the financial annual report for the theater;
  - 1.6. designs and proposes statutes, regulations and other legal acts of theater, which is approved by Minister of Culture, Youth and Sports for the National Theaters and the Municipality assembly for the city theatre;
  - 1.7. interviews candidates and elects the General Director and Head of artistic creativity;
  - 1.8. initiates the proceedings and dismisses the General Director and the Artistic Leader;
  - 1.9. the Governing Council shall take decisions by absolute majority vote of all members.

**Article 11**  
**Composition and mandate of the Board of Public Theatres**

1. The Governing Council of National Theatres consists of seven (7) members, four (4) year term.
2. One (1) of the seven (7) members of the Governing Council of National Theatres should be representative of the respective Ministry of Culture.
3. Theatre Board of the City consists from five (5) members, with a four (4) year term.
4. One (1) of the five (5) members of the Governing Council of the City Theatre should be representative of the municipality.
5. Members of the Theatre Board of Directors must be credible persons, authoritative and with a professional background in theater.

6. Governing Council of National Theatres appoints and dismisses the Minister, while that of the City Theatre appoints and dismisses the Mayor.
7. The minister makes the Constitution of the National theaters leading Council, while the city theater constitutes the Mayor.
8. The first meeting calls and leads the senior member of the Council.
9. The President of the Council elects at the absolute majority of votes of all members at the first meeting.
10. The Governing Council of National Theatres presents to the Ministry at least once a year the report of theater work.
11. The Governing Council of the City Theatre presents to the Mayor at least once a year the report of the theater work.

## **Article 12**

### **Liability and compensation of the Board**

1. Members of the Governing Council of National Theatres have to respond to their work and report to the Minister.
2. Members of the Governing Council of the City Theatre for their work have to report and respond to the Municipality Mayor.
3. Board members are compensated for their work. The form and amount of payment determined under applicable law.

## **Article 13**

### **Leaders of the Public Theaters**

1. Public theaters have two (2) leaders:
  - 1.1. General Director;
  - 1.2. Artistic leader.
2. Theater leaders are elected through a public theater competition, which shall be declared by the governing council for national theaters and municipality for the city theater.
3. The mandate of four (4) leaders of the theater is eligible for reappointment for another term.
4. General Director of Theater should be from a theater area or other fields related to culture.

5. Artistic leader should be from a theater field.
6. Competition for selection of theater leaders announces a month before the expiration of incumbent leaders.
7. Appointment of the General Director and Artistic Leader makes the Theatre Board.
8. Discharge of the General Director and Artistic leaders makes the Theatre Board.

**Article 14**  
**General Director of the Public Theater**

1. General Director of the Public Theater has the following responsibilities:
  - 1.1. makes financial management, administrative, technical and theater promoter;
  - 1.2. implements decisions of the Board of Theatre;
  - 1.3. proposes internal organization of the theater to the Board;
  - 1.4. represents theater within and abroad domestic;
  - 1.5. proposes the annual budget in front of the Board of Directors;
  - 1.6. requires, apply and negotiate for making donations;
  - 1.7. follows the budget revenues and expenditures and donations.
  - 1.8. negotiates and signs contracts and agreements with independent artists and other parties.
  - 1.9. manages the maintenance and security of the theater building.
  - 1.10. manages cooperation in national and international level.
  - 1.11. for his work responses and reports to the Governing Council.
  - 1.12. performs other duties prescribed by law and statute.

**Article 15**  
**Public Theater Artistic Director**

1. Artistic director of theater has the following responsibilities:

- 1.1. proposes artistic policies of the theater and after the approval by the governing council implements them;
- 1.2. in consultation with the General Director the proposal for the annual artistic repertoire is made in front of the Theater Board;
- 1.3. expanded repertoire of two (2) to one ratio presented for approval to the Directors of Theater Board, creating space for the promotion of national creativity;
- 1.4. leads the creative work of resident ensemble;
- 1.5. for every action makes review stage prior to the annual repertory theater;
- 1.6. it is responsible for executing the annual repertory theater;
- 1.7. assigns directors and assists the General Director in selection of the artistic team performances;
- 1.8. it proposes to General Director for collaboration with artists and artistic institutions, local and international theater;
- 1.9. together with the General Director keeps responsibilities for any public display of theater;
- 1.10. for his work shall notify the General Director while shall respond and reports to the theater's governing council.

**Article 16**  
**Public Theater Actors**

1. National theaters have artistic ensembles including actors from all generations.
2. Actors engaged in public theaters should have adequate academic education.
3. The resident artistic ensemble selects the Professional Commission which consists of five (5) members.
4. The commission members are selected by the Professional Steering Committee Theatre from the list of at least eight (8) candidates proposed by Artistic leader.



5. Artistic leader leads the Commission or the General Director where there is not functional the Artistic leaders position.

6. Members of this Committee should be reputable artists and professional in the theater area.

7. The selection of players for the resident ensemble is through an audition procedure of public competition.

8. The organization, function, categorization and duration of involvement in resident artistic ensemble shall be regulated by sub-legal act.

9. Public theaters may hire the artists and other personnel on the special services contract.

### **Article 17** **Other public theater workers**

1. Public theater have administrative and technical staff.

2. Responsibilities, duties, rights and numbers of employees determined by regulations.

### **Article 18** **Students Theatre Faculty of Arts in the University of Pristina**

1. Students Theater Faculty of Arts in Pristina University works as an institution established within the University of Pristina.

2. Establishment and operation shall be determined with by-laws by the University of Pristina.

### **Article 19** **Funds to finance the work of theaters and theater associations**

1. Operation devices for theaters and theater associations means tools for program, cost material, wages and fee, investment funds and capital investment for maintenance, which are provided in accordance with the law on the proposal to accept the program and financial plan .

2. Funds for the public theater work are provided by the Government of the Republic of Kosovo.

3. Tools for the national public theater performance are provided by the Ministry, while the financial means for the city theater work are provided by the relevant municipality.

4 Funds for the theater work and theater associations can also be provided from their own revenues, donations sponsored and other sources in accordance with this Law.

5. Ministry each year shall announce public advertisement for financing the theater projects.
6. Ministry engages at least once annually an auditor to audit the financial statements for the national public theaters.
7. Municipality engages at least once annually an auditor to audit the financial statements for the city theaters.

**Article 20**  
**Avoidance of conflicts of interest in public theaters**

1. General Director and Artistic Leader, during the continuation of their mandate, may do so artistic and develop their artistic work outside the theater where they work only with the consent and written approval of the Theater Board, which in any case must contain conditions to perform such works.
2. General Director, Artistic Leader and members of the Theatre Board are not eligible to deal with creative work during their terms contracted in the theater where they work.
3. Exception of paragraph 2. of this Article can be made if the Board makes the members appointed by the resident troops of the theater.
4. Submission of other forms of conflict of interest are selected on the basis of laws that regulate this area.

**Article 21**  
**Archive Material**

1. Public theaters should keep all documentation in their records in accordance with the Law on State Archives.
2. If the public theaters cease functioning, documentation and archive material, in accordance with provisions of the Law on State Archives shall be submitted to State Agency for Kosovo Archives.

**Article 22**  
**Fundus (Holding)**

1. Public theaters have their own holding which is required to maintain the costumes, scenography elements, show props as well as other materials.
2. If the public theaters cease functioning costumes, scenography elements, show props and other materials shall become property of the relevant Ministry of Culture for national theaters and for the city theaters.

**CHAPTER II**  
**TRANSITIONAL AND FINAL PROVISIONS**

**Article 23**

Surveillance of operation and management of national theaters shall be made by the respective Ministry of Culture and for city theaters by respective Municipality.

**Article 24**  
**Building, facilities and infrastructure of public theaters**

1. Buildings, facilities and infrastructure of public theaters can not be alienated and destined again for non-artistic activities.
2. Public theater spaces can be given to use for various temporary activities only when they are not impeding the theater program.

**Article 25**  
**Sub-legal Acts**

1. Respective Ministry of Culture within six (6) months after entry into force of this law, shall issue sub-legal acts.
2. Within six (6) months after entry into force of this Law, public theaters are obliged to make statutory harmonization and other sub-legal acts in accordance with the provisions of this Law.

**Article 26**  
**Repeal**

With the entry into force of this Law, the Law on Theater no.02/L-12 will be repealed.

**Article 27**  
**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-106**  
**24 May 2012**

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

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**Jakup KRASNIQI**