



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

Law No. 03/L-001

ON BENEFITS TO FORMER HIGH OFFICIALS

The Assembly of Republic of Kosovo,

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

With the aim of creating the legal base that regulates the benefits of former High Official,

Hereby adopts:

LAW ON BENEFITS TO FORMER HIGH OFFICIALS

Article 1
Purpose of the Law

By this law are defined the criteria according to which is specified who are the persons considered as former High Official in Kosovo, what rights they have based on previous performed function and procedure in realizing these rights.

Article 2
Definitions

When used in this law, the following words and phrases shall have the following meaning:

“**Benefit**” means monetary payments due to the benefit of, a former High Official from the Consolidated Kosovo Budget;

“**A Former High Official**” according to this law High Officials of Republic of Kosovo are considered: a former President of the Assembly, a former Prime Minister and a former President of the Supreme Court.

“Responsible Institution” means the Office of the Prime Minister of Kosovo, the Assembly of Kosovo, or the Supreme Court of Kosovo.

Article 3

Monetary Allowance, Support Staff, and Office Premises

3.1 Former High Officials who have performed for at least six months one of the functions defined in Article 2, point 3 of this Law, shall be entitled the status of the former High Official to receive a monthly payment in amount of 70% of the actual salary of respective function.

3.2 Former High Officials are not entitled to a benefit defined by this law if while performing his/her function was declared guilty by a final verdict of the court for criminal offence convicted with imprisonment over six months.

3.3 Such allowance shall not be paid if such former High Official performs any function for which he gets paid by Kosovo Consolidated Budget and for which is attached a rate of equal payment or higher than the one he/she has received while holding office in the Responsible Institution.

3.4 Notwithstanding laws on civil service, the Responsible Institution shall provide for former High Official a senior assistant, driver and a body guard.

3.5 Persons employed under paragraph 3.4 shall be selected by the former High Official and shall be responsible only to him for performance of their duties.

3.6 The staff of former High Official shall be paid according to the rules of civil service in force.

3.7 A Responsible Institution shall make available to each former High Official suitable office space appropriately furnished and equipped. The communication cost (e.g: telephone and internet) shall not exceed 1200 €per month.

3.8 The widow or widower and children under the age of 18 of each former High Official shall be entitled to receive a monetary allowance at a rate of 60% per annum of the allowance specified in paragraph 1 of this Article payable monthly by a Responsible Institution during the period specified in this paragraph 1 of this Article 3. The monetary allowance of such widow or widower or children under the age of 18:

- a) commences on the day after the former High Official dies;
- b) terminates on the last day of the month before such widow or widower or children under the age of 18:
 - i) dies; or
 - ii) remarries.

Article 4 Security

Former High Official shall be entitled for 1 (one) calendar year, after leaving office, to request security protection in compliance with this law.

Article 5 Procedure for Receiving Benefits

5.1 Procedure for realizing the right conform Articles 3.1, 3.4, 3.6 and Article 4 of this law for former High Official is developed by respective institution in such a way that former High Official from the first day of leaving office as High Official, should be able to start using these rights.

5.2 Failure to submit a written request within 60 (sixty) calendar days of leaving office shall be deemed forfeiture of any of the benefits provided under the present law.

5.3 The Responsible Institution shall send the former High Official or qualifying widow/widower or children under the age of 18 a decision within 30 (thirty) calendar days after receiving the written request.

Article 6 Complaint

6.1 If a former High Official or qualifying widow/widower or their children under the age of 18, do not agree with the decision of the Respective Institution related to the rights of Article 3 and 4 of this law, have a right to file a complaint to the Respective Institution in terms of 30 (thirty) days from the day of receiving the decision.

6.2 The Respective Institution is obliged to decide according to the complaint and to submit the decision to the complainer in term of 30 days.

6.3 Against such a decision former High Official, qualifying widow/widower and children under the age of 18, may initiate procedure to a Competent Court.

6.4 Any benefit made available under this law shall not be paid if the former High Official, by a final decision, is found guilty by any court of a criminal offence committed during his/her time in the Responsible Institution, or during the period of receiving benefits under this law.

Article 7 Taxation

Former High Officials are invited to state solemnities and manifestation according to the defined regulations.

Article 8

In case of a death of former High Official, his/her obsequial is done by a state ceremony and burial expenditures are carried by respective institution, if there is no other request by the deceased or other request by his/her family.

Article 9

Any benefit provided under this law to a former High Official or a qualifying widow or widower or children under the age of 18 shall be considered taxable personal income in accordance with applicable law.

Article 10 **Entry into Force**

10.1 Upon entry into force of this law, all other acts regulating this filed shall cease to have legal validity.

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

Law No. 03/L-001
19 June 2008

President of the Assembly of the Republic of Kosovo

Jakup KRASNIQI