

**REGULATION No. 09/2011
OF RULES AND PROCEDURE OF THE GOVERNMENT OF THE REPUBLIC OF KOSOVO**

The Government of the Republic of Kosovo

Pursuant to article 93 (4) and article 99 of the Constitution of the Republic of Kosovo,

Approves:

**REGULATION NO. 09/2011
OF RULES AND PROCEDURE OF THE GOVERNMENT OF THE REPUBLIC OF KOSOVO**

I GENERAL PROVISIONS

**Article 1
Purpose**

1. This regulation shall regulate:

- 1.1 the conduct of the work and the decision making procedures of the Government of the Republic of Kosovo;
- 1.2 the rules and procedures on the drafting of legislation and policy recommendations by the Government and ministries, and
- 1.3 the organization of the meetings of the Government and the work of Ministerial Committees.

**Article 2
Scope**

1. The following shall be subject to the provisions of this regulation:

- 1.1. Highest State Administration Authorities;
- 1.2. Highest State Administration Bodies;
- 1.3. Central State Administration Bodies;
- 1.4. Government bodies and ministerial committees;
- 1.5. Public Officials;
- 1.6. Civil Servants;
- 1.7. External Consultants of the Government;

2. Any issues that relate to the work of the Government and that have not been specifically covered in this Regulation shall be regulated by a decision or other act of the Government in accordance with the Constitution of the Republic of Kosovo, the law and this Regulation.

Article 3 Definitions

1. For the purposes of this regulation, the following terms shall have the indicated meaning:

1.1 “**Government**” means the Government of the Republic of Kosovo;

1.2 “**Highest State Administration Authorities**” means the Government as a whole, the Prime Minister, Deputy Prime Ministers and Ministers;

1.3 “**Highest State Administration Bodies**” means the Office of the Prime Minister and Ministries through which the Highest State Administration Authorities exercise their governmental and administrative responsibilities;

1.4 “**Central State Administration Bodies**” means the subordinate bodies of the state administration that perform non ministerial tasks or other administrative tasks;

1.5 “**Independent State Administration Bodies**” means legal entities that perform activities of state administration which require, in the public interest, a high degree of independence.

1.6 “**Government Bodies**” means Executive Commissions, Special Commissions and Expert Councils established by the Government for the purpose of reviewing or deciding on issues for which the government authorizes the concerned body. The Government shall set out the composition and remit of a government body in the decision on its establishment.

1.7 “**Legislative Drafting**” means all activities relating to the transformation of Government policies into obligatory legal acts of general applicability, and legal acts that relate to the internal organization and functioning of the public administration.

1.8 “**Secretary**” means the General Secretary of the Office of the Prime Minister;

1.9 “**Council of General Secretaries**” means the council composed of the Secretary and the General Secretaries of all ministries, the Directors of the Legal Office, the Secretariat and the Strategic Planning Office;

1.10 “**Civil Servant**” means a person employed to exercise public administrative authority based on ability and capacity, who participates in the development and implementation of policies, monitoring the implementation of administrative rules and procedures, ensuring their execution and provision of overall administrative support for their implementation;

1.11 “**Public Official**” means officers elected to elected positions in the institutions of the public administration and officers elected to specific positions. Public Officials are not civil servants;

1.12 “**Secretariat (GCS)**” means the Government Coordination Secretariat in the Office of the Prime Minister that provides administrative and analytical support to the Government meetings and Government Committees and coordinates the work of ministries concerning the preparation and planning of the work of the Government and the implementation of its decisions, reviews proposals to ensure procedural compliance, ensures that all information

required have been submitted and consulted between all the relevant ministries, controls the general quality of information and arguments and identifies any remaining contentious issue between the ministries;

1.13 “**Legal Office**” (**LO**) means the Office of Legal Support Services in the Office of the Prime Minister that is responsible for coordinating the work of the ministries on legislative drafting as well as ensures the consistency of the constitutional/legal framework and the quality of legislative drafting.

1.14 “**Communication Office**” (**CO**) means the Office of Public Communication in the Office of the Prime Minister that is responsible for planning and coordinating government communication through the harmonization of the communication plans with the annual work plan of ministries and for preparing the calendar of forthcoming events. The CO also informs the public of the work and decisions of the Government through developing media relations and organizing press conferences, issuing statements and interviews.

1.15 “**Strategic Planning Office**” – (**SPO**) means the Strategic Planning Office in the Office of the Prime Minister which is responsible for identifying the Government priorities, coordinating the strategic planning process and reviewing strategic documents to ensure their compliance with the strategic priorities of the Government.

1.16 “**Originating Body**” means the Body that has prepared the material for review by the Government meeting and that is responsible for drafting the initial draft in accordance with the principles and standards of legislative drafting established by the Government and the OPM.

II. METHODS OF THE WORK OF THE GOVERNMENT

Article 4 Government Meeting

1. The Government conducts its work and decides in its meetings.
2. Meetings of the Government shall be convened by the Prime Minister, as a rule on a fixed day of the week.
3. Ministers are obligated to participate in the meetings of the Government and Ministerial Committees.
4. A meeting of the Government shall be presided over by the Prime Minister, in his absence the meeting shall be presided by a Deputy Prime Minister nominated by the Prime Minister. In the absence of the Deputy Prime Ministers, the meeting shall be presided by a Minister nominated by the Prime Minister.

Article 5 Electronic Meetings of the Government

If the necessary technical infrastructure exists, the Government may decide to hold its meetings electronically.

Article 6 Preparation of Documents of the Government Meeting

1. Only the materials that deal with issues in respect of which the Government must take measures, stimulate or initiate activities or adopt a position shall be submitted to the Government for deliberation.
2. Materials not requiring deliberation by the Government but which are important for the monitoring of a situation or for the information of the members of the Government shall be sent to the members of the Government by the Secretariat on the authority of the Secretary.

Article 7 Prior Consultation

1. Before the originating body or a government body submits a concept document, explanatory memorandum, draft law or sub-legal act, strategic plan of a ministry or sectorial strategy for deliberation by the Government, the body preparing the material (*the 'originating body'*) is responsible for ensuring that all the highest bodies of the state administration, central bodies of the state administration, independent bodies of the state administration and other relevant bodies which the Government is obligated to consult in accordance with the Constitution or whose work might be affected by the concerned proposal (draft law, sub-legal act or policy) have the opportunity to comment upon it. In particular, the originating body must consult:

1.1 The Ministry responsible for Finance, to ensure adequate consideration of any direct or indirect impact of the proposal on public expenditure or on the economy

1.2 The Ministry responsible for European Integration to ensure that the proposed policy is in harmony with EU integration priorities and that it complies with EU requirements and the *acquis communautaire*.

1.3 The Secretariat, to ensure that the proposal is in accordance with the Government Annual Work Program of the Government, that the procedures required by this Regulation are being complied with, and that the material is clear and comprehensive enough to answer the questions that ministers may ask;

1.4 The Strategic Planning Office, to ensure that the proposal is consistent with the Government priorities;

1.5 The Legal office to ensure that the recommendation is consistent with the Constitution and with the existing legal framework, and to ensure that any primary or secondary legislation required for the implementation of the concerned policy has been clearly identified in the proposal and to control the quality and compliance with the legislative drafting standards.

1.6 The Government Spokesperson and the Public Communication Office, for discussion of whether the decision needs to be announced to the public and, if so, in what manner and ensures that there is a communication plan and that it is incorporated in the Government long term communication calendar.

1.7 The Ministry responsible for Justice to ensure that the proposal contains recommendations to create or alter criminal/penalty provisions.

1.8 The Ministry responsible for public administration if the recommendation would affect the size, compensation or management of the civil service and the organization of the state administration.

1.9 The Ministry responsible for local self-governance, if the proposal would affect local government and the territorial organization of municipalities as specified in Chapter X of the Constitution.

- 1.10 The Consultative Council for Communities as specified in Article 60, paragraph 3, point 2 of the Constitution.
2. In identifying which other bodies should be consulted, attention should also be paid to the need to consult the Ombudsperson, the Ministry responsible for Communities and Returns, the Gender Equality Agency, and the Office of Good Governance, on the compliance of draft laws, sub-legal acts, policies and programs with internationally recognized standards of human rights and with other relevant parties on matters affecting their respective competencies.
3. The originating body shall send the documentation relating to the proposal to all such bodies, and they shall have 15 working days to comment on the proposal. However:
- 3.1 The originating body may set a longer deadline if the nature of the material justifies it
- 3.2. If a body to be consulted believes that it will not be able to meet such deadline, it shall submit an explanatory letter to the Secretary, who may set a different deadline.
- 1.3 If the originating body, for reasons of genuine urgency outside its control, needs to set a shorter deadline it shall submit an explanatory letter to the Secretary, who may set a different deadline.
4. The originating body shall submit with its concept document or explanatory memorandum, a table listing the comments received from other bodies together with an indication of whether such comments were incorporated in the proposal and if not, why not.
5. The conditions specified in the paragraphs above of this article shall be complied with during the setting of deadlines in the Annual Work Plan of the Government. In case of any conflict between such deadlines and the requirements of paragraph 3 of this article, the review of the concerned materials by the Government shall be postponed.
6. The deadlines specified in paragraph 3 above may be shorter only in cases of genuine urgency which the originating body could not have foreseen. The Secretary in agreement with the Prime Minister or the Chairman of the relevant body shall decide on shortening the deadline after the submission of an explanatory letter in writing by the originating body.

Article 8 **Resolution of contentions issues**

1. Upon a proposal from the originating body, the government body or the Secretary, the Prime Minister may, before the deliberation of the material at the Government session, invite the responsible or interested Ministers to a discussion in order to resolve the issues of contention.
2. The Secretary, in consultation with the Prime Minister or the chairman of the relevant government body, may defer the discussion of an issue to permit consultation and discussions under article 7 or article 32 of this regulation.

Article 9 **Review of Materials in the Government**

1. The review of materials in the Government may be proposed or postponed by the Prime Minister, Deputy Prime Minister, Minister or the Secretary.
2. Subject to the procedures set out in this Regulation, the members of the Government shall have the right to demand:

- 2.1 a debate and resolution on individual issues within the competency of the Government,
 - 2.2 to lodge initiatives for the preparation of strategies;
 - 2.3 to lodge initiatives for the drafting of legislation;
 - 2.4 to report to the Government on problems in the area for which they are responsible,
 - 2.5 to propose to the Government to set out guidelines for the work of the ministries, and to participate in the debate and decision-making on all issues deliberated by the Government.
3. A recommendation for the deliberation of material within the Government shall be signed by the Minister or in his absence by the Deputy Minister.

Article 10
Submission of Materials for Deliberation in the Government Meeting

1. All material for consideration by the Government meeting shall, after undergoing the consultation procedures required by article 7 of this regulation, be submitted to the Secretariat 15 working days before the meeting at which it is to be discussed, to permit review of the materials in accordance with this regulation.
2. After receiving the material in accordance with paragraph 1 of this article and after consulting the Secretary, the Secretariat shall send the material to the relevant offices in the Office of the Prime Minister, to the Council of General Secretaries and the bodies and organizations specified in article 12 in this Regulation.
3. The documents shall be circulated to the highest state administration authorities and other relevant units no later than three (3) days before the date of the Government meeting at which they are scheduled to be reviewed.
4. The material which is not proposed by ministries shall be sent by the Secretary, before the deliberation within the Government, to the responsible ministries. The ministries shall prepare a recommendation for submission to the Government based on their opinion on the materials.
5. If material which is sent to the Government is prepared in accordance with the provisions of this Regulation, the Secretary shall send such material to the relevant government body or shall submit it for review by the Government meeting.
6. If the material is not prepared in accordance with this Regulation, the Secretariat, acting under the authority of the Secretary, shall return it to the proposer stipulating by when and how the material should be supplemented or corrected.

Article 11
Agenda of the Government Meeting

1. The Secretariat shall maintain a schedule of items that it is anticipated shall be submitted to the Government meeting in the coming four weeks, and the probable date of the meeting at which each shall be discussed. This schedule shall be circulated regularly to all ministries and to the Council of General Secretaries.
2. The proposed agenda of a government meeting shall be determined by the Prime Minister after consultation with the Secretary.

3. The proposed agenda shall include material which has already been deliberated by a Government body and / or the Council of General Secretaries and which has been prepared in accordance with the decisions of Ministerial Committees.

Article 12

Invitations for the Government Meeting

1. In the invitation to participate in the Government meeting, the Secretary shall inform the members of the Government of the date, place and time of the meeting and the proposed agenda and materials for the meeting.

2. The invitation to attend in the Government meeting together with the relevant materials shall be sent to the members of the Government no later than three (3) days before the day on which the Government meeting is to be held.

3. Whenever the Government must debate or decide an issue that cannot be delayed, the Prime Minister may convene a meeting of the Government at shorter notice than that stipulated in paragraph 2 of this Article.

4. The invitation to attend in a meeting of the Government and the relevant materials shall also be sent to the Spokesperson of the Prime Minister, Director of the Secretariat, the Director of the Legal Office, the Director of the Communication Office in the Office of the Prime Minister and the Director of the Strategic Planning Office. In the absence of the abovementioned directors, senior officers from these offices assigned by the directors shall participate in the Government meeting.

5. The Secretary, with the consent of the Prime Minister, may decide to send the invitation to attend in the Government meeting along with the relevant materials to other bodies and organizations.

6. If the necessary technical infrastructure exists and with the consent of the Prime Minister, the invitation to attend in the Government meeting along with the relevant materials may be sent electronically.

Article 13

Attendance of Ministers in the Government Meeting

1. Members of the Government and deputy ministers are obligated to attend in meetings of the Government and the Ministerial Committees and Special Commissions established by the Government.

2. When deputy ministers participate in a meeting of the Government, in Ministerial Committees and Special Committees established by the Government, they shall have the right to vote and shall vote on behalf of the concerned minister.

Article 14

Participation of Officials and Experts in the Government Meeting

1. Upon a recommendation from a Minister and with the approval of the Secretary, after consultation with the Prime Minister, the Director or an officer of a body within a ministry responsible for preparing the material may participate in the Government meeting together with the minister or deputy minister but only for issues where their participation is necessary.

2. Ministers planning to invite other persons must inform the Secretary at least one day prior to the Government meeting.

3. Upon a recommendation from the proposer of the material and with the approval of the Secretary after consultation with the Prime Minister, representatives of other bodies and organizations and external scientific and expert workers may also participate during the review of specific point of the agenda of the Governmental meeting.

4. The Secretary shall stipulate which officials of the Office of the Prime Minister who perform certain tasks in connection with the work of the Government shall also attend meetings of the Government.

Article 15 **Quorum for the Government Meeting**

1. The Government shall have a quorum if a majority of the members of the Government are present at a meeting, and if the Government has an even number of members then the Government shall have a quorum if half of the members of the Government are present provided the Prime Minister is also present, respectively the Deputy Prime Minister in cases where the Prime Minister is absent.

2. Any member of the Government may demand that the quorum of the Government be established.

Article 16 **Beginning of the Government Meeting**

1. A meeting of the Government shall begin with the establishment of the agenda.

2. The basis for debate on the agenda shall be the proposed agenda.

3. If there is no representative of the proposer of an individual matter on the proposed agenda at the meeting, such matter shall be deferred unless the Government decides to debate the material nevertheless.

4. After the consideration of all points of the agenda, the invitation for the next meeting of the Government is reviewed and any remaining issues from the work program of the Government.

Article 17 **Correspondence Meetings**

1. In urgent cases when it is not possible to convene a meeting of the Government, at the proposal of the Prime Minister, the Government may decide an individual matter without meeting in session (at a correspondence meeting).

2. The Secretariat shall send the material for a correspondence meeting to all members of the Government, stating to whom and by when they should submit their comments or approval.

3. The time within which comments or approval should be submitted under Paragraph 2 may not be less than four (4) hours; the replies shall be sent to the Secretariat, the Legal Office, the Strategic Planning Office, the Government Spokesperson and the Communication Office in the Office of the Prime Minister.

4. Material shall be deemed adopted at a correspondence meeting of the Government if the members of the Government have not raised any objections on the material within the set time.

5. If the material is not adopted at the correspondence meeting, the proposer may request that the Government debate the material at its next meeting.

III. DECISION MAKING PROCEDURES OF THE GOVERNMENT

Article 18 Decision Making by the Government

1. At its meetings the Government may review, discuss and decide on the following matters, issues and recommendations, if they have been prepared and placed on the Government agenda in strict compliance with this Regulation:

- 1.1. Concept documents prepared in accordance with this Regulation;
- 1.2. Draft laws and draft amendments to existing laws that the Government proposes to the Assembly for approval;
- 1.3. Other draft legislation or draft secondary legislation;
- 1.4. Draft laws prepared by the Assembly, which the Government has not proposed itself;
- 1.5. The Government's response to draft amendments proposed by the Assembly to laws or draft laws;
- 1.6. All questions and initiatives related to cooperation and relations with international organizations, participation in integration processes and regional and international cooperation, as well as recommendations for conclusion of agreements in these areas;
- 1.7. Documents relating to issues within its own competency, which it proposes that the Assembly take a position on them
- 1.8 its position on initiatives and proposals made by the Assembly or Members of the Assembly concerning issues within its competence;
- 1.9. Ministry strategic plans or sector strategies prepared in accordance with this Regulation;
- 1.10. Strategic documents including the annual statement of Government priorities, the European Partnership and the European Partnership Action Plan, the Medium Term Expenditure Framework, the Annual Work Plan of the Government, the annual budget and other guidelines for the work of the Government and the ministries
- 1.11. An annual report on its work and periodic reports on the implementation of policies, laws, other regulations and general acts which it proposes to the Assembly;
- 1.12. Other administrative matters within its competency, including appointments and dismissals.

2. In exceptional circumstances, the Government shall debate on matter of vital importance, when it is impossible to convene the Assembly. In such cases the Government shall report the results of its debates to the Assembly as soon as possible.

3. The Government shall also debate other issues or matters within its competency for the unity of its political and administrative direction and may issue instructions and statements accordingly.

Article 19 Decision Making

1. The Government may adopt a decision – if it has previously been prepared in accordance with this Regulation.

2. Decisions in the Government meeting shall be taken with the majority vote of members present in the meeting where such decision is voted.

3. If the Government has an even number of members a decision shall be adopted if at least half of the members of the Government voted for it provided the Prime Minister also voted for it, respectively the Deputy Prime Minister in cases where the Prime Minister is absent.

4. Voting at a meeting of the Government shall be open.

5. The result of the voting shall be established by the Prime Minister.

6. Upon completion of its deliberation the Government shall:

6.1 adopt a decision on the material and, if necessary, instruct the Secretariat to supplement it in accordance with the positions and decisions adopted at the meeting;

6.2 adopt the draft law, or other general acts which are introduced for debate in the Assembly, or adopt other secondary legislation and measures within its own competency;

6.3 defer the adoption of a decision if it establishes that supplementation is needed requiring reconsideration at a meeting;

6.4 appoint a special working group to supplement the material taking into account the positions adopted in the deliberation, and set a time limit for the supplementation of the material, and at the same time decide whether the Government will debate the material again once it has been supplemented;

6.5 reject the material.

7. The Government may authorize a Government body to carry out a final review of the material whose content has been adopted at a Government meeting.

Article 20 Approval of the Agenda and the Minutes

1. The minutes shall be approved following the approval of the agenda.

2. Members of the Government shall have the right to make comments on the minutes either in writing or orally at the meeting itself. The Government shall make a decision in respect of comments on the minutes.

3. No one may take the floor, prior to having asked for it and the Prime Minister has approved it.

4. The Prime Minister shall give the floor pursuant to the order of the discussions and may set time limitations for discussions.

5. The Prime Minister may warn a Government member who has taken the floor, or may deny the floor, if his or her discussion substantially deviates from the topic being discussed.

Article 21 Review of material

1. At the beginning of the deliberation of an individual issue the proposer shall give a brief explanation of the material.

2. Draft laws and secondary legislation as well as other material shall first be debated in principle, and subsequently by individual provision or part if necessary; this shall also include consideration of reports or proposals of Ministerial Committees submitted with the material.

3. A member of the Government may only propose an amendment or an addition to material at a meeting if, for justifiable reasons, the member was unable to do so at the meeting of the Ministerial Committee. A member of the Government formulate his recommendation for an amendment or an addition to the material in writing. If this recommendation concerns a draft law, it shall be returned to the relevant Ministry for further review.

4. The proposer of the material shall have the right to make a statement on recommendations for an amendment or addition to the material.

Article 22 Additional Coordination

The Prime Minister may temporarily interrupt a meeting if further coordination is necessary or if it is necessary to obtain new or additional opinions or additional data required to make a decision.

Article 23 Minutes

1. Minutes shall be kept in meetings of the Government.

2. The minutes from the Government meeting are confidential and shall be noted as such.

3. The Government Coordination Secretariat under the authority of the Secretary shall be responsible for keeping and maintaining the minutes.

4. All minutes of the year shall be bound in hard cover and be maintained

5. A verbatim record shall also be kept of the work carried out at a meeting of the Government, which may be a stenographic record or an electronic record. Verbatim records shall be treated as highly confidential material.

6. Minutes of the Government meeting shall clearly record the decision of the Government, the action required to implement the decision, the institution responsible for the action and any deadline by which action must be taken. The Secretary may issue instructions concerning the form and content of the minutes.

7. Draft minutes of Government sessions shall be sent within three working days from the Secretariat to the members of the Government, the Secretary and to all General Secretaries of the ministries, the Prime Minister's Spokesperson, the Directors of the Secretariat, the Legal

Office, the Communication Office and the Strategic Planning Office. Any questions relating to the accuracy of the minutes shall be notified to the Secretary within 2 working days after receiving the minutes.

Article 24

Binding Instructions from the Prime Minister for the carrying out tasks

1. The Prime Minister may issue binding instructions to carry out tasks deriving from Government policy to all Ministers or to individual Ministers at a meeting of the Government. The Prime Minister may issue binding instructions in writing at a meeting of responsible Ministers or in direct discussion with responsible Ministers.

2. A Minister who believes that binding instructions from the Prime Minister do not derive from the policies adopted by the Government may require in writing within three (3) days at the latest that the Government consider and decide the contentious issue.

Article 25

Reporting to the Prime Minister

1. The Prime Minister may require any individual Minister to report to him in writing on his work and on the work of the ministry which he heads, and provide him with information and reports on his area of work and other information important for the running of the Government.

2. The Prime Minister may invite an individual Minister to report to him verbally on the work in his area.

3. A Minister may require that the Prime Minister discuss with him issues from the area of work of the ministry which are important for the work of the Government or for his work.

4. Ministers shall inform the Prime Minister and the Government in advance concerning any visits outside the country and shall report on such visits in writing no later than five days after their completion. Ministers shall also inform the Prime Minister and the Government on any initiatives taken by the concerned ministry for the conclusion of international or internal agreements as well as on any organization of important or similar events, and shall report in writing on such events no later than five days after their completion.

Article 26

Withholding the implementation of decisions

If the Prime Minister establishes that a decision adopted by the Government might have damaging consequences, he may withhold its implementation and immediately, or no later than at the subsequent meeting of the Government, require that the Government reconsider and amend its decision.

Article 27

Annulment of Secondary Legislation

1. Whenever the Government or the Prime Minister consider that a regulation or sub-legal act issued by a Minister is inconsistent with or is not authorized by the law in force, the Government or the Prime Minister shall require the Minister to amend or annul the concerned regulation or sub-legal act within ten (10) working days and suspend its application.

2. If a Minister fails to act in accordance with paragraphs 1 of this article, Government shall issue a decision resolving the matter.

3. Material under paragraphs 1 and 2 of this article shall be prepared by the Secretariat

IV. RULES GOVERNING POLICY DEVELOPMENT AND POLICY ANALYSIS PROCESS

Article 28 Policy Analysis

1. When bringing any proposal, except those of a minor nature, to the Government meeting or a Ministerial Committee, the originating body shall carry out beforehand such policy analysis as is necessary to provide sufficient analysis of the issue. The analysis shall include the consideration of different options and of the consequences of those options to permit the Government to take adequately informed decisions.

2. In conducting policy analysis, the originating body shall apply the principle of proportionality: that in this context means the extent and complexity of the analysis shall depend on the importance of the relevant issue (including its relationship to the Government's strategic priorities).

3. The policy analysis shall be concluded with the preparation of a concept document or explanatory memorandum that is submitted to the meeting of the Government or to a Ministerial Committee. In the circumstances specified by the Ministry of Finance under article 31, the concept document or explanatory memorandum shall be accompanied by a fiscal impact assessment.

Article 29 Concept Document

1. The purpose of a concept document shall be to enable the Government to consider in general terms the objectives and main characteristics of a proposal and the possible options for addressing it. The Government may approve or amend the recommendations presented in the concept document. The originating body shall not initiate the drafting of legislation or the detailed elaboration of the recommendation until the Government has issued its decision on the concept document.

2. Concept documents shall usually precede new primary legislation or amendments to primary legislation, for important secondary legislation, and for recommendations that have significant social, economic or other impacts. Concept documents shall also precede proposals that have high implementation costs, or represent important Government or ministry priorities.

3. Within 15 working days of the approval of the Annual Government Work Plan, the Secretary, using the criteria of impact and priority, and after consultation with relevant staff of the Office of the Prime Minister, the Ministry responsible for European Integration and the Ministry responsible for Finance, shall issue an instruction indicating those items in the work plan in which a concept document must be submitted, and the deadline by which it is to be submitted.

4. In addition to the process in paragraph 3, in this Article, an originating body may decide to make additional recommendations the subject of concept documents, in which case they shall notify the fact to the Secretary and agree with him appropriate deadlines for their preparation.

5. A concept document shall set out:

- 5.1. The key issue being addressed;
 - 5.2. The objectives and their relationship to Government priorities;
 - 5.3. Recommended option;
 - 5.4. Rationale for recommendation;
 - 5.5. Key elements of proposed policy (content, policy instruments, cost, administrative arrangements)
 - 5.6. Brief summaries of the other options that were assessed;
 - 5.7. The consequences of all options considered (benefits and negative consequences, budgetary cost, administrative and implementation feasibility and effects, other costs and consequences);
 - 5.8. Fiscal impact assessment for each option;
 - 5.9. Consultation (who was consulted and brief summaries of the responses);
 - 5.10 How the new policy should be communicated to the public;
 - 5.11. Background and analysis (in an annex) - a fuller description of the analysis, including essential facts, if needed;
 - 5.12. Draft Government decision.
6. The Secretary shall issue detailed guidance on the content of concept documents and the process for their preparation.
 7. Concept documents shall be the subject of inter-ministry consultation and coordination, and shall be submitted to the OPM and reviewed, in accordance with this Regulation.
 8. If a Government meeting approves the concept document (with or without amendment) the originating body shall proceed to the preparation of draft law or other recommendation, which shall be prepared in accordance with the procedures set out in this Regulation and respective applicable legislation, in drafting the legislation.

Article 30 **Explanatory Memorandum**

1. Any proposal submitted to the Government meeting or a Ministerial Committee, including any draft legislation shall be accompanied by an explanatory memorandum, except for concept papers as described in article 29 or items described in paragraph 5 below.
2. An explanatory memorandum shall include and set out:
 - 2.1. The key issue being addressed
 - 2.2. The objectives and their relationship to Government priorities
 - 2.3. Recommended option
 - 2.4. Rationale for recommendation, including justification for the level of approximation with the EU legislation;

2.5. Key elements of proposed legislation or policy (content, policy instruments, cost, administrative arrangements);

2.6. The complete list of EU legal acts that have to be included in the draft legal act as informative reference (if applicable);

2.7. A fiscal impact assessment for the recommended option;

2.8. Consultation (who was consulted and brief summaries of the responses);

2.9. How the new policy should be communicated to the public

2.10. Draft Government decision

2.11. any other background information and analysis necessary to permit ministers to take an informed decision.

3. The Secretary shall issue detailed guidance on the content of explanatory memorandums and the process for their preparation.

4. Explanatory memorandums shall be the subject of inter-ministry consultation and coordination and shall be submitted to the OPM and reviewed in accordance with this Regulation.

5. Minor proposals submitted to the Government, such as administrative issues under the originating body's competencies, including appointments dismissals shall not be accompanied by an explanatory memorandum but shall be accompanied by sufficient explanatory material to make to the Government session clear the nature and consequences of the proposal. No prior concept document is required. The ministry shall prepare the draft decision and the explanatory material and submit them to the GCS. Central agencies shall comment of the draft decision if necessary before the GCS submits them to the Government. In cases of doubt, the Secretary shall determine whether or not an explanatory memorandum is required.

Article 31 Financial Impact Assessment – FIA

1. In addition to any concept document or explanatory memorandum, the originating body shall submit a fiscal impact assessment if the cost exceeds limits prescribed by the Ministry of Finance.

2. The Ministry of Finance shall prescribe the format in which a fiscal impact assessment is to be provided, the data to be included, and the process to be followed before it is submitted to the Government meeting or Ministerial Committee.

3. The fiscal impact assessment shall be provided by the originating body to the Ministry of Finance as part of the intra-ministry consultation prescribed by this regulation.

4. When preparing a concept document or explanatory memorandum, the originating body shall as part of its analysis take account of the budgetary costs of the proposal, whether or not a fiscal impact assessment is required.

Article 32 Public Consultation

1. In relation to any proposal for which a concept document is required, in addition to consulting other ministries and public administration bodies as required by article 7 of this regulation, the

originating ministry shall publish the substance of its proposal for public comment and shall specifically seek the comments of any non-Governmental organization that would be substantially affected by the proposal.

2. In conducting this consultation, the originating body shall provide sufficient information in a publicly understandable form to permit the public to understand the nature and consequences of the proposal. The originating body shall also publicly announce the beginning of the consultation exercise, and shall permit sufficient time for the public and non-Governmental organizations to consider the recommendations and offer a considered response.

3. The results of such consultations shall be reported to the Government meeting or Ministerial Committee as part of the concept document or explanatory memorandum required by articles 29 and 30.

4. The consultation process shall be conducted in accordance with an instruction to be issued by the Secretary proposed by the Legal Office.

5. In addition to the requirements of paragraph 1, the Prime Minister, the Government meeting or a Ministerial Committee may require a Minister to undertake public consultation on any other issue.

Article 33 **Review of proposals in extraordinary cases**

1. In the event of extreme public need, such as the need to deal with a national emergency or to avoid physical danger to the public, an originating body may request that an item be treated as an emergency item. In such cases, the Minister or the head of the originating body shall if practicable submit to the Prime Minister a written request stipulating precisely the nature of the emergency, and the Prime Minister shall decide whether the use of the emergency procedure is justified.

2. In such circumstances, set out in paragraph 1 (one) in this Article, the Prime Minister, acting on the advice of the Secretary, may instruct that any or all of the procedures specified in this regulation shall be abbreviated or waived.

3. In such cases, the reason for the use of the emergency procedure shall be clearly reported to the Government, and the Minister responsible for the proposal shall, immediately after the Government's discussion of the proposal, ensure that the procedures required under this regulation are complied with and reported to the Government as soon as practicable.

Article 34 **Review and submission of materials in the Government meeting**

1. When submitting a proposal for consideration by the Government meeting or a Government body, the originating body shall submit the following documentation to the Secretariat:

1.1. The official recommendation signed by the Minister stating briefly the action that the Government is recommended to take;

1.2. A concept document or explanatory memorandum;

1.3. a financial impact assessment (where required)

1.4. A statement of compliance with the provisions of this regulation, in a format to be prescribed by Secretary;

2. This article shall not apply to minor proposals as described in article 30 (5) of this regulation.

Article 35 **Review of Materials by the OPM**

1. The Office of the Prime Minister (The Secretariat, the Legal Office, the Strategic Planning Office, Government Spokesperson and Prime Minister's Communications Office) shall be responsible for reviewing concept documents or explanatory memorandum. The Ministry for European Integration shall do the same in relation to European integration issues, and the Ministry of Finance shall do the same in relation to the fiscal impact assessment. They shall provide their opinion to the Prime Minister and the Government in writing.

2. The Secretariat shall review the concept documents and decisions accompanied by an explanatory memorandum to check for conformity with Government policy and the quality of policy analysis, and to identify any areas in which effort should be made to resolve disagreements between ministries.

3. The Legal Office shall review the concept documents to ensure that the recommendation is consistent with the constitution and with the existing legal framework, and to ensure that the need for new legislation, and any secondary legislation has been identified.

4. The SPO shall review the concept documents and those explanatory memorandums for issues with a strategic implication and will comment on the consistency of the concept documents and explanatory memorandums with the Government's strategic priorities and effectiveness in achieving those priorities.

5. The Government Spokesperson and Prime Minister's Communications Office shall comment on the necessity of making a public announcement of the decision and the means by which any announcement should be made.

6. The Ministry for European Integration shall review the concept documents and decisions accompanied by an explanatory memorandum to ensure that the proposed policy is in harmony with EU integration priorities and that it complies with EU requirements and the *acquis communautaire*.

Article 36 **Submission of final proposal**

1. When submitting the final recommendation to the Government meeting, the Secretariat shall ensure that it contains:

1.1. The official recommendation of the Minister, as set out in article 34.1 (1.1);

1.2. The concept document or explanatory memorandum

1.3. A fiscal impact assessment (where required) and opinion from the Ministry of Finance

1.4. The opinion of the Ministry of European Integration

1.5. The opinion of the respective Offices of the Prime Minister;

1.6 A table listing the comments received from other institutions as required in article 7 of this regulation which also describes whether such comments were taken into account and the reasons thereto;

1.7. A draft decision of the Government;

1.8. Any report or advice of the Secretary arising from the Council of General Secretaries.

Article 37
Instructions Issued by the Secretary

The instruction issued by the Secretary after proposal by the GCS, SPO and LO shall give guidance on the circumstances in which policy analysis is required, on the content on concept documents and explanatory memorandums, on the process for preparing and submitting them, and on the process for consultation with the public and nongovernmental organizations.

V. RULES AND PROCEDURES FOR DRAFTING AND REVIEWING PRIMARY AND SECONDARY LEGISLATION

Article 38
Legislative initiative

1. The Prime Minister and every minister have the right to propose drafts of Primary and Secondary Laws.

2. Ministries exercise this right in conformity with their relevant fields of activity as well with the responsibilities that derive from the approved concept documents.

3. The Prime Minister, the Minister, General Secretary and equivalent positions, Chief Executive Officers of Executive Agencies, Directors of the Office of OPM, Director of the Department, and the Director of the Legal Department, are eligible to initiate legislation, respectively they propose the start of the procedure for drafting a Primary Law or Secondary Law.

4. The legislative initiative can be exercised also by more than one Director, when the draft Primary Law or Secondary Law regulates the relations of more than a specific field. In this case the General Secretary of the relevant Ministry coordinates this initiative.

5. Within a month from the approval of a Concept Document by the Government, the relevant ministry shall appoint the responsible person for preparing the initial draft of Primary or Secondary Law. The General Secretary based on the Legislative Program sets a deadline for completing the initial version of the draft law or draft secondary law.

6. Ministers have the right to approve secondary legislation that is under the scope of responsibilities of the relevant ministry after the completion of the consultation process specified in article 7 of this regulation.

7. Ministers shall inform the Prime Minister and the Government on any act of secondary legislation issued by them and on the day of its signing shall send a copy (in paper and electronic) to the Legal Office of the Prime Minister.

8. Legal Office maintains and updates the Registry of all acts of secondary legislation adopted by the Government and the Ministries.

Article 39

Drafting Procedures in the Ministry

1. The originating body is responsible for the procedures of drafting the first draft in conformity with the principles and standards on legislative drafting specified by the Government and the OPM:

1.1. Coordinates the work with other Ministries and seeks assistance from the Legal Office and the MEI, as appropriate;

1.2. Conducts consultation with the public;

1.3. Carries out the initial compatibility with the *Acquis Communautaire*;

1.4. Submits the package of the standard documents according to this regulation and the applicable regulation on the principles and standards of legislative drafting.

2. The Legal Department of the relevant ministry shall serve as the secretariat of the originating body.

Article 40

Preparation of documents by the originating body

1. During the drafting process, the originating body shall prepare these documents:

1.1. A letter informing the Legal Office about progress of the work;

1.2. The Initial draft in three languages;

1.3. An Explanatory Memorandum of the initial draft in three languages;

1.4. Evidence of EU legislation references

1.5. Draft Financial Impact Assessment.

Article 41

Procedure after the completion of the initial draft

1. After completing the initial draft and documents according to the above mentioned article by the working group, the Director of the Legal Office, if he/she has no remarks, shall send the draft and documents to the General Secretary for reviewing.

2. The General Secretary shall forward all the documentation for the review and approval to the Minister.

3. Upon completion of review, the Minister gives his/her approval for forwarding the draft Primary Law to the Legal Office, or when he/she deems it appropriate requests a redraft.

Article 42
Legal Office – OPM

1. The Legal Office coordinates and review all the drafts laws that the Government submits to the Assembly, and in conjunction with this:
 - 1.1. Instructs and assists the initiators of the draft concerning the standards of legislative drafting;
 - 1.2. Coordinates the legislative drafting process;
 - 1.3. Oversees the observance of procedure and reviews the quality of the legislation.
2. Legal Office, coordinates and review all draft secondary legislations approved by the Government.
3. The Council of Directors of Legal Departments is hereby established under this regulation and shall be headed by the Director of the Legal Office. The Council is composed of the directors of legal departments in all ministries and serves as a mechanism for coordinating and implementing legislative drafting. The Council shall usually meet every month, more often if necessary, to review important issues that relate to legislative drafting, the progress of implementation of the Leagislative Program and provide advice and legal opinion.
4. Director of the Legal Office and Directors of Legal Departments have the right to submit to the Council and to request from the Council statement on various legal issues and getting the opinion of the Council. Director of the Legal Office shall appoint thr Department or Legal Departments of the ministry/es to prepare the draft wich will be presented for voting in the Council.
5. The Director of the Legal Office may invite experts and other senior civil servants to attend the meetings of the Council as needed.
6. Secretarial services for the Council shall be provided by the Legal Office.
7. The Directors of the legal departments of ministries are obligated to participate in the meetings of the Council.
8. The Council shall adopt rules of procedure within six months after entry into force of this regulation.

Article 43
Principles and standards of legislative drafting

1. All persons engaged in the drafting or reviewing draft laws or sub-legal acts, or amendment shall, at every stage of drafting act with professional diligence in order to ensure that such document is in compliance with the principles and standards of legislative drafting established by the Government and the OPM.
2. The ten basic drafting principles set forth in the Resolution of the Council of the European Communities of 8 June 1993, "*On the Quality of Drafting of Community Legislation*," shall apply *mutatis mutandis*.
3. The Director of the Legal Office may issue any required instructions on legislative drafting standards and techniques.

4. If there is the necessary technical infrastructure, the Director of the Legal Office may issue guidance and establish an electronic system to facilitate the work and to provide more unified draft laws and acts of secondary legislation.

Article 44
Informing the Director of the Legal Office

1. All persons engaged in the drafting of - or organizing or financing the drafting of - a draft law shall regularly (at least once per month) provide the Director of the Legal Office with a written notice fully describing all such activity, its status, and the names and contact information for all persons involved. The Legal Office shall have the authority and responsibility for creating and requiring the use of a standard form for the regular submission of such information.

2. When and if required by the Director of the Legal Office, a person engaged in the drafting of primary or secondary legislation shall provide the Director of the Legal Office with a copy of the version of such draft.

Article 45
Use of Subject Matter Consultants

1. The Government welcomes the assistance of all qualified outside consultants and legal experts advising on the form and/or content of a draft primary or secondary law.

2. In order to ensure legislative coordination and the consistency of the resulting draft laws, all such consultants and experts are required to submit a written statement to the Director of the Legal Office agreeing to draft the concerned legislation in accordance with this Regulation. The Director of the Legal Office may issue any instructions required concerning the engagement of external experts and shall maintain a database of external experts.

3. The payment for the work of external experts shall be made pursuant to the amounts specified by the Ministry of Finance.

VI. COORDINATING AND PLANNING THE WORK OF THE GOVERNMENT

Article 46
Statement of Priorities

1. The Government shall issue a statement of priorities that shall provide the policy framework for the preparation of the Medium Term Expenditure Framework (MTEF), the Budget and the Annual Work Plan of the Government. The Government shall review and confirm or amend these priorities before the start of the medium term expenditure framework process each year.

2. The Strategic Planning Office of the OPM shall coordinate the preparation of the annual statement of priorities before its submission to the Government, in close cooperation with the Ministry of Finance, the Ministry for European Integration and the Secretariat.

3. The Ministry of European Integration, in preparing the European Partnership Action Plan (EPAP), shall seek to ensure that it is harmonized as far as possible with the annual statement of priorities of the Government.

Article 47 **Annual Work Plan of the Government**

1. The Government shall approve by the end of December of each year a Government Work Plan for the following calendar year. This Annual Work Plan shall be the principal implementation planning document of the Government, whose purpose shall be to provide a list of concrete actions needed to achieve implementation of the medium term priorities of the Government.

2. The annual work plan shall be prepared taking into account the annual statement of Government priorities, the current MTEF, EPAP and the annual budgeting process. It shall identify particular tasks to be undertaken, with deadlines, and shall identify the bodies responsible for preparation and implementation of these. The annual work plan shall be set out in such a manner that the tasks directly associated with the strategic priorities of the Government are set out in a separate section at the beginning of the annual work plan.

3. The work plan shall include both legislative and non-legislative tasks. However, the legislative tasks in the work plan shall also be summarized separately in an annex (Legislative Program) to the work plan, to facilitate the management and monitoring of the Government's legislative initiatives.

4. Confidential items shall be set out in a separate annex of the annual work plan.

Article 48 **Preparation of the Annual Work Plan**

1. The Secretariat shall coordinate the preparation of the annual work plan of the government in close cooperation with the Ministry of Finance, the Ministry for European Integration, the Legal Office and the Strategic Planning Office.

2. Ministries shall report on the implementation of the annual work plan of the government and its annexes.

3. The Secretariat shall issue guidelines and instructions on the preparation and monitoring of the annual work plan.

4. The Legal Office shall issue guidelines and instructions on the preparation and monitoring of the Legislative Program.

5. The Secretariat shall every three months collect data from ministries to monitor the implementation of the work plan, including data on the extent to which each activity has been achieved, and whether the deadline has been met, and an assessment of any problems encountered in implementation and recommendations for remedial action. This quarterly report may include recommendations for amendments to the work plan and any such amendments to the workplan shall be submitted for approval by the Government.

6. The Legal Office shall create a mechanism for monitoring the implementation of the Legislative Program of the Government

7. Within or 15 working days of the approval of the annual Government work plan by the Government meeting, the Secretary shall issue an instruction indicating those items in the work plan in which a concept document must to be submitted, in accordance with article 29(3).

Article 49
Preparation of strategic documents

1. The Strategic Planning Office is responsible for reviewing any strategic documents submitted for approval to the Government.
2. Prior to submitting any strategic document for approval to the Government, the originating body or the government body having prepared the material is responsible for obtaining the agreement of the Strategic Planning Office for submitting the concerned document to the Government.
3. The originating body shall submit the concerned materials that are related to the strategic document to the Strategic Planning Office and it shall have 15 working days to provide an assessment of the proposal.
4. The Strategic Planning Office shall develop instructions on the procedures, criteria and methodology for the preparation of strategic documents.

VII. GOVERNMENT BODIES

Article 50
Government Bodies

1. The Government may establish Executive Commissions, Special Commissions and Councils of Experts.
2. **Executive Commissions** shall consist of senior civil servants, public officials and/or political advisors. Their purpose shall be to manage the implementation of Government decisions, or to review issues and advise the Government on possible solutions.
3. **Special Commissions** may be established to manage emergencies or particular issues requiring immediate action, such as natural disasters. They may consist of Ministers, senior civil servants and external experts.
4. **Expert councils** may be established to provide specialised expert advice to the Government. They may consist of external experts, public officials and civil servants from ministries and public administration bodies.
5. In the decision creating an Executive Commission, Special Commission or Council of Experts, the Government shall set out its composition, remit, procedural arrangements and its authority to take decisions on behalf of the Government.

Article 51
Ministerial Committees

1. The Government may create Ministerial committees, to examine or to decide such issues as the Government may place in the Committee's remit.
2. The Government shall set out the composition and remit of a Ministerial Committee in the decision on its founding.
3. Ministerial committees shall consist of Ministers. With the agreement of the Chairman, a Deputy Minister or senior official of the ministry may deputize for the Minister. A deputy Minister deputizing for the concerned ministries shall be entitled to vote. A senior official attending in such

a capacity shall not be entitled to vote. With the agreement of the Chairman, other officials or external experts may attend for the purpose of advising the Committee, but shall not be entitled to vote.

4. The Government may vest in a Ministerial Committee the authority to make decisions on individual matters within its competency. A decision shall be passed with a majority of votes of the Ministers who are members of the Committee (or deputy ministers deputizing for them). All such decisions shall be reported to the Government.

5. A decision taken by a Ministerial Committee according to paragraph 4 of this article shall be deemed a decision of the Government.

6. If any Minister does not agree with a decision taken by a Ministerial Committee, he/she may call upon the Government to decide the matter at a meeting of the Government.

Article 52

Secretarial services for ministerial committees and government bodies

1. The Secretary shall appoint an official from the Office of the Prime Minister, normally the Secretariat, to carry out professional, organizational and administrative tasks for a body described in articles 50 and 51 of this regulation.

2. Depending on the case, the Secretary may decide that such duties shall be performed by the officers of a ministry or ministries or that such duties be performed in cooperation between the OPM and a ministry or ministries.

VIII. COUNCIL OF GENERAL SECRETARIES

Article 53

Establishment of the Council of General Secretaries

1. The Council of General Secretaries is established according to this regulation.

2. The Council shall be chaired by the Secretary.

Article 54

Composition of the Council of General Secretaries

The Council shall be comprised of the Secretary and General Secretaries of all ministries and by the Director of the Legal Office, the Director of the Secretariat and the Director of the SPO.

Article 55

Meeting of the Council of General Secretaries

1. The Council shall usually meet weekly and shall consider any important issues relating to the coordination of Government business, including the agenda of items in preparation for forthcoming Government meetings and any relevant concept papers and explanatory notes.

2. The Council shall consider any item proposed for discussion at the Government meeting on which there is unresolved contention between ministers.

3. The Council shall also review the regular reports on the implementation of the Government's Annual Work Plan prepared by the Secretariat; and other reports that identify the need for coordinated action across ministries, such as the European Commission's Annual Progress Report on Kosovo's progress towards European Integration.

4. Secretarial services for the Council shall be provided by the Secretariat.
5. The Secretary may invite other senior civil servants to participate in the meetings of the Council as necessary.
6. The Council of General Secretaries shall review every proposed point for which there may be contention between the ministers and shall attempt to solve the contentious issue. Smaller groups of general secretaries and other senior officers may be established to discuss specific issues if necessary.
7. The General Secretaries of all ministries are obligated to participate in the meetings of the Council called by the Secretary.
8. The Secretary shall invite chief executives and other positions equivalent to the General Secretaries to participate in the meeting of the Council of General Secretaries at least once every three months.

IX. THE GOVERNMENT'S RELATIONS WITH OTHER BODIES

Article 56

Relationship of the Government with the Assembly

The Government shall establish relations with the Assembly in accordance with the constitution and the law.

Article 57

Submission of Materials to the Assembly

1. Secretary shall send material to the Assembly and shall propose deliberation and adoption of such materials.
2. The Government shall inform the Assembly or its working bodies as to which leading and other officials of the ministries and offices within the Office of the Prime Minister will participate in their work in order to provide professional clarifications and information.
3. Secretariat shall ensure that all material sent to the Assembly is prepared in accordance with this Regulation.

Article 58

Participation in Sessions of the Assembly

1. The Ministers, in their absence the Deputy Ministers, must participate in sessions of the Assembly and its working bodies in the deliberation of material which the Government has submitted to the Assembly and material from other proposers, as well as in the deliberation of parliamentary initiatives and questions.
2. The Government shall nominate as its representative in the deliberation of individual matters the Government Minister who submitted the proposed material for deliberation.

Article 59

Duty member of the Government in a session of the Assembly

For each session of the Assembly, the Government shall appoint a Minister or Deputy Prime Minister to represent it in the work of the Assembly.

Article 60

Participation in the sessions of the working bodies of the Assembly

1. Representatives of the Government, Ministers, Deputy Ministers, or appointed officials, who prepared material for deliberation within the Government may also participate in meetings of parliamentary groups at their invitation, explain the material submitted to the Assembly for debate, and provide them with clarifications and information necessary for taking a position on the proposed solutions.
2. If for justifiable reasons a Minister is unable to attend a session of the Assembly or its Committee, he/she shall immediately inform the Secretary of this in order that the Secretary may timely inform the Assembly on the absence of the Minister.
3. A Minister representing the Government in the Assembly and its working bodies must provide the Government with timely information on the course of the deliberation of its proposals in the Assembly and its working bodies, on the consequent obligations for the Government, and on comments, positions and amendments to its proposals.
4. A representative of the Government may state a position on proposed amendments on behalf of the Government within the framework of the positions of principle which the Government had adopted when it agreed with the proposed law or other regulation, or with the explicit authorisation of the Government.
5. The Government Coordination Secretariat shall ensure that all the necessary material is available to representatives of the Government.

Article 61

Submission of Assembly Decisions

The Secretary shall send Assembly decisions instructing the Government to carry out specific tasks or prepare material to the responsible ministry and set a deadline for the preparation of the material.

Article 62

Submission of amendments

1. If an amendment is proposed to a proposed for a law, regulation or general act, the Secretariat shall send the proposed amendment to the competent ministry and set a deadline for the formulation of an opinion for deliberation within the Government.
2. If several amendments are proposed, the ministry shall formulate an opinion for such amendments.

Article 63

Representation of the Government in the Assembly during a vote of confidence or non-confidence

Whenever the Assembly debates a vote of confidence in the Government, proposals for the appointment or dismissal of Ministers or an interpellation for the work of the Government, the Government shall be represented in the Assembly by the Prime Minister.

Article 64

Presence of Ministers in Special Sessions of the Assembly

1. All Ministers must be present during a specific point on the agenda of the Assembly to debate parliamentary initiatives and questions, or at special sessions of the Assembly intended for debate of parliamentary initiatives and questions.

2. The responsible Minister shall, as a rule, reply immediately to parliamentary initiatives and questions presented at a session of the Assembly. If a parliamentary initiative or question relates to a problem concerning more than one ministry, the Ministers responsible for individual areas shall reply.

3. If an initiative or question does not fall within the competency of the Government, the representative of the Government shall indicate this at the session of the Assembly.

4. If a parliamentary initiative or question is not answered at the session of the Assembly, or if the initiative or question was submitted in writing, the Secretariat shall send the initiative or the question to the competent ministry and set a deadline within which a reply must be prepared.

5. A reply to a parliamentary initiative or question must be prepared in such manner that it comprehensively and concisely clarifies the problems arising from the issue raised. If the responsible ministry is unable to prepare a reply within the deadline it must explain the reasons in writing and give the date by which it will reply to the initiative or question.

6. A parliamentary question, made orally and addressed to an individual Minister shall be replied to directly by such Minister. If the Minister believes that a question goes beyond the area of work of his/her ministry, or if he believes that the Government must take a preliminary position on the reply, he must inform the Secretary of this and propose to him the manner in which the reply to the parliamentary question should be prepared and deliberated.

Article 65

Debates on Draft Laws

1. Prior to a debate on laws, other regulations and general acts, and other material, the responsible Minister may present an introductory explanation in the Assembly and set out the Government's position on the initiatives and proposals from the preliminary debates, or point out new facts and information.

2. In case of absence of a Minister who has to present a draft law, he shall be replaced by the Prime Minister, the Deputy Prime Minister or another minister appointed by the Prime Minister.

Article 66

Cooperation of the Government with the President of Kosovo

The Prime Minister on behalf of the Government shall cooperate with the President on questions within his competency and inform him of issues that are important for his work.

Article 67

Cooperation of the Government with the Consultative Council for Communities and Ombudsperson

1. The Government shall cooperate closely with the Consultative Council for Communities in accordance with article 60 of the Constitution and the law in force.

2. The government shall cooperate with the Ombudsperson in accordance with Articles 132 and 135 of the Constitution and with applicable legislation on the Ombudsperson of the Republic of Kosovo.

Article 68

Cooperation of the Government with representatives of the international presence in Kosovo

The Government shall cooperate with representatives of the international presence in Kosovo and shall inform them on issues that are important for its work. The Government shall inform them of its positions and measures and where necessary, invite their representatives to attend in the meetings of the working bodies of the Government and organizes other forms of cooperation.

Article 69 Government Cooperation with the civil society

1. The Government shall cooperate with the Chamber of Commerce and other chambers, associations, professional associations, NGOs, unions, communities and other entities through the Office of the Prime Minister or the relevant ministries.
2. The Government shall, in particular, debate their opinions and initiatives, take a position on them, inform them of its positions and measures and, where necessary, invite their representatives to attend the meetings of the working bodies of the Government, and organize other forms of cooperation.

Article 70 Answers to questions, initiatives and proposals addressed to the Government

1. The Government shall reply to all questions, initiatives and proposals addressed to it through ministries and Government offices.
2. The Office of the Prime Minister shall reply to petitions and complaints addressed to the Prime Minister and Deputy Prime Minister in cooperation with the responsible ministries.
3. All replies under Paragraphs 1 and 2 of this Article must be given no later than thirty (30) days after the day on which they were received.

X. PUBLIC NATURE OF THE WORK OF THE GOVERNMENT

Article 71 Information

1. The Government shall inform the public and media about its work and decisions.
2. In order to ensure effective communication of Government policies and activities to citizens, the full range of communication method should be used, including the media, websites, advertising, local presentations, literature and methods appropriate for reaching ethnic communities.
3. Meetings of the Government shall be public unless the Government decides to hold all or part of a meeting with closed doors. Public sessions of the Government shall be opened to journalists and other representatives of the public
4. In accordance with the Law on Classification of Information it may be stipulated that certain data or material, or certain decisions, shall be an official secret and shall not be available to the public or shall only become public after a certain time has passed.

Article 72
Ensuring Information is provided to the Public

1. The Prime Minister and Deputy Prime Ministers shall be responsible for ensuring that the public is informed of the work and decisions of the Government. The Government Spokesperson and Prime Minister's Communications Office shall support them in exercising this responsibility.
2. Each minister shall be responsible for ensuring that the public is informed of the work and decisions of their ministry. The communications officers of each ministry shall support the Minister in this responsibility in cooperation with the minister's advisors as the Minister may direct.
3. The persons referred to in paragraphs 1 and 2 shall discharge their functions in full compliance with Regulation no. 03/2011 on the Government Public Communication Service (05.04.2011).

Article 73
Authority to exercise competencies

One of the Deputy Prime Ministers, after being authorized by the Prime Minister, may exercise the responsibilities and authorities assigned to the Prime Minister under this Regulation.

Article 74
Publication of annual report

1. Before 1 March of each year, the Government shall approve and authorize the publication of its annual report on its achievements in the previous year.
2. The Secretariat shall coordinate the work for the preparation of this report, in cooperation with the Strategic Planning Office, the Government Spokesperson, the Communication Office in the Office of the Prime Minister, Legal Office (regarding Legislative Program) and the advisors to the Prime Minister.
3. The Annual Work Plan of the Government shall be published in the Official Gazette and the official website of the Government and may also be published through the media.

Article 75
Publication and preservation of legal acts of the Government

1. The Prime Minister shall decide on the publication in the Official Gazette of the sub-legal acts and other documents issued by the Government and the ministries (based on article 4, paragraph 2, point 8 of the Law on the Official Gazette).
2. Resolutions and other acts of the Government that are published in the Official Gazette must be signed by the Prime Minister, respectively the Deputy Prime Minister or a minister assigned by the Prime Minister to chair the meeting of the Government where these resolutions or acts are approved.
3. All other acts shall be signed by the Secretary, unless otherwise decided by the Prime Minister.
4. The original of laws and sub-legal acts approved by the Government, improvements and the relevant explanatory material shall be verified, preserved and maintained by the Secretariat.

XI. TRANSITIONAL AND FINAL PROVISIONS

Article 76
Implementation

1. The General Secretary of the Office of the Prime Minister shall ensure that all Government activities are exercised in full accordance with this Regulation.
2. The Secretariat shall provide administrative and analytical support to the Government meetings and the meetings of Government Committees/Commissions and shall coordinate the work of the ministries regarding the preparation and planning of the work of the Government and the implementation of its decisions.
3. Within the competencies specified in this Regulation, the Secretary may authorize the performance of special services for the Office of the Prime Minister.
4. The Secretary may issue instructions for the implementation of this Regulation.
5. The Secretary is responsible for the implementation of the provisions of this Regulation.

Article 77
Coordination points in ministries with the OPM

Each ministry shall appoint one civil servant or a unit to act as the coordination point to liaise with the OPM on issues covered by this Regulation. Different civil servants or different units may be assigned to act as a coordination point with different units in the OPM. The unit assigned as a coordination point with the OPM is obligated to cooperate with the relevant unit in the OPM.

Article 78
Interpretation

The Legal Office in the OPM is responsible for interpreting the provisions of this Regulation

Article 79
Repeal of prior legislation

Upon the entry into force of this regulation, the Rules of Procedure of the Government No. 01/2007 shall be repealed.

Article 80
Relevant Acts

The act and forms required for the implementation of this regulation shall be issued within six months after the entry into force. Until the issuing of appropriate acts and forms proceed to apply the forms on condition that not to be in conflict with this regulation.

Article 81
Publication in the Official Gazette

This Government Regulation and all subsequent changes to it shall be published in the "Official Gazette"

Article 82
Entry into Force

This regulation shall enter into force 15 days after its signing by the Prime Minister, with the exception of the provisions relating to the introduction of concept documents and explanatory memorandums which shall come into effect three (3) months after the entry into force of this regulation

Hashim Thaçi

Prime Minister of the Republic of Kosovo

07.09.2011