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**Annex 4- Report on Permit and License Simplification in the Ministry of
Justice¹**

March 2023

¹ This legal analysis has been approved in the 138th Meeting of the Government of the Republic of Kosovo, with the decision No. 05/138 dated 12.04.2023.

List of abbreviations

DFP - Department of Free Professions

IFC - International Fund Corporation

LGAP - Law No. 05/L-031 on General Administrative Procedure

LPLS - Law No. 04/L-202 on Permit and License System

MoJ - Ministry of Justice

SPC – Single Points of Contact

LO – Legal Office

OPM– Office of the Prime Minister

Executive Summary

There is a large number of permits and licenses in the Republic of Kosovo, totaling to around 480. The same permits and licenses, beyond the regulatory purpose with a view to order, law and better public services, present in certain cases various problems for both businesses and citizens. This takes into account factors related to the conceptual design or the chosen regulatory model to the practical problems in implementation.

The central legal basis in Kosovo's legal order is provided by Law No. 04/L-202 on Permit and License System (LPLS). This law aims to establish the principles and rules for the improvement of the environment to do business, through the reduction of administrative barriers in performing economic, trade and professional activities that are necessary to protect the public health, public safety, environment and usage of natural resources in the Republic of Kosovo. In practice, this law has not been implemented in numerous cases, as evidenced by the analysis presented in this narrative report. Moreover, in order to align the special laws defining the legal basis of permits and licenses with the general administrative procedure, another goal of this analysis was to align the permit and license issuing procedures with the administrative procedure defined under Law No. 05/L-031 on General Administrative Procedure.

The key goal of this report is to determine and present the state of play of permissions in the Ministry of Justice. Such determinations are a product of an analysis of the relevant legislation and the practice thereof, the purpose of which is to provide general and special recommendations, aiming at reducing the unnecessary burden of some permits and licenses, as well as simplifying the procedure for their obtaining from businesses and citizens. The analysis process and its outcome thereof revealed several noticeable shortcomings, where the barrier-reducing instruments are not applied, such as the principle of conducting the procedure and collecting the documents and evidence *ex officio*, conducting the procedure electronically and through the Single Points of Contact (SPC), high payments and administrative fees without any rational behind, etc.

In order to address such shortcomings and avoid them in the future, it is recommended to undertake a series of concrete actions, notably: *(a)* define clear criteria for obtaining certain licenses *(b)* provide for by law the application of the Law on General Administrative Procedure; *(c)* implement administrative simplification instruments, including the principle of conducting the procedure and collecting documents and facts *ex officio*, conducting the procedure electronically and through Single Points of Contact, reducing and simplifying mandatory information; *(d)* the application of payments and administrative fees should be done only on an exceptional basis and its limits, whenever it is justifiable, should be determined by law based on the LPLS and LGAP rules; *(e)* the relicensing process should not be provided for by law since LPLS does not provide for such a procedure; *(f)* MoJ register should be established and contain information on licensed persons within the free profession in the country.

Introduction

Following the permit and license simplification reform process in the Republic of Kosovo, the Legal Office within the Office of the Prime Minister (LO-OPM), supported by the *International Finance Corporation* (IFC)/World Bank Group, has initiated the inventory analysis and permit and license simplification for MoJ and the harmonization of the same with LPLS. A total of 6 licenses were analyzed in this sector.

The report aims to identify, analyze and give recommendations for the simplification of permits and licenses administered by MoJ, namely the six (6) procedures falling under the scope of the Department of Free Professions.

The permit and license inventory and analysis process completed during the period of August - November 2022, was carried out in a transparent and comprehensive manner. During the analysis process, special attention was paid to the legal basis of all relevant permits and licenses issued within MoJ and relevant Chambers, the procedure followed by the relevant department, the documents required in terms of their necessity, as well as the form in which they are required to be submitted. Furthermore, the flow of applications for the relevant licenses and the flow of permissions granted by MoJ were also analyzed. Moreover, the need for the existence of the same, the function they perform, as well as the possibility of simplifying them in terms of documentation and various payments were evaluated during the analysis. At the same time, the possibility of merging some of them and removing them from the existing procedures within the Ministry was analyzed during the simplification process.

During the research and analysis process, the legal entities/businesses and companies exercising the relevant functions for which such permissions are required were also consulted. During these meetings, it was discussed about the administrative burden these procedures create for these businesses, as well as their need in the context of the risk the relevant activity poses.

This report presents a narrative analysis with the key findings and general recommendations and the analysis with the specific findings and recommendations for each permit and license in tabular form in Annex I, which is an integral part of this report.

Analysis and findings

The types of permissions, the responsible authorities, the analysis of the legislation and the key findings are presented in general in this section.

We will present the data for each type of permission and the responsible authority in the following table.

Table No. 1.

MoJ permits and licenses

Department of Free Professions		
<i>Code/No.</i>	<i>Designation</i>	<i>Type of permission according to LPLS</i>
DFLP1	Bankruptcy Administrator License	License
DFLP2	Mediator License	License
DFLP3	Notary License	License
DFLP4	Private Enforcement Agent Certificate	License
Kosovo Bar Association		
KBA1	Lawyer License	License
KBA2	Registration of Interns	Registration

Legal analysis

This section presents an analysis of the main legislation governing MoJ permissions. Law on Permit and License System (hereinafter LPLS) is a horizontal law governing the principles and rules for the improvement of the environment to do business, through the reduction of administrative barriers in performing economic, trade and professional activities that are necessary to protect the public health, public safety, environment principles and rules natural resources in the Republic of Kosovo². Another horizontal law generally governing the exercise of public authority, which most frequently applies to permissions, is the Law on General Administrative Procedure (LGAP), the purpose of which is to ensure the effective exercise of public authority with a view to the public interest, guaranteeing at the same time the protection of the rights and legal interests of persons³. We will analyze below some of the key principles and rules provided for by these laws and the special rules related to the legislation governing the permissions in the ministerial health system.

The principle of legality is a legal requirement and obligation defined under LPLS and also LGAP as well as under the Constitution of Kosovo, wherein according to this principle, permits and licenses should only

² Law NO. 04/L-202 on Permit and License System, Article 1.

³ Law No. 05/L -031 on General Administrative Procedure, Article 1.

be determined by law. Permits and licenses issued by MoJ are based on Law No. 05/L-083 on Bankruptcy, Law No. 06/L-009 on Mediation, Law No. 06/L-010 on Notary and Law No. 04/L-193 on the Bar. Despite the practices encountered so far in some of the other ministries, all licenses issued by MD have a legal basis in these laws. However, even though the same are based on the applicable laws, there are many possibilities of intervention which would facilitate the administrative burden in general.

Relicensing phenomenon exists in almost all types of permissions issued by MoJ, where after a specified time limit elapses, people are forced to obtain the same ones for which the procedures are almost the same. The relicensing process justification provides for the need for a check that must be made on a permit or license and a fee that must be paid (fees will be discussed separately). The relicensing process has, in addition to not being provided for by LPLS, caused a lot of burden both for the people and for the public authorities duly authorized in this process. The general recommendation related to this phenomenon is the removal of the relicensing procedure as a legal process strengthening inspection mechanisms for ongoing verification of natural persons whether they continuously meet the criteria required to resume exercising the relevant activity. Moreover, the nature of the permissions issued by MoJ requires that licensed persons, especially natural persons, attend various trainings on an ongoing basis to meet the licensing criteria. In order to address such situations, LPLS has provided for the procedure of suspension and revocation of permissions in case of non-fulfillment of legal criteria by licensed persons. Therefore, this analysis also finds that both of these procedures are appropriate for addressing such situations.

Payments will apply to all types of permits and licenses administered by MD, although according to LPLS the same can be granted only when the fee charged by the competent authority for a permit will not exceed the amount necessary to cover the expenses incurred by the competent authority to administer such permission. There is a similar rule under LGAP, which exceptionally provides for a payment procedure to be conducted only if it is provided by a special law, but even in this case, the same cannot be greater than the average cost necessary for the conduct of the relevant type of administrative procedure⁴. For permits and licenses issued within MD, payments must be made at the time of submission of the application and certain exams will be organized by MoJ. Almost all these costs applied in addition to not being determined by law, are mainly determined by by-laws and do not take into account the principles mentioned above and are unaffordable⁵. Another problem is the payment method, where payments must be made only at the bank or at the post office after receiving the form in these institutions and the same must be proven by a payment receipt. The e-banking or bank card payment is not yet applied in these cases.

Application and conducting of the procedure electronically is another aspect which directly affects the rights of persons to be provided with a permit or license. Electronic application is a legal requirement of LPLS, while the conduct of the procedure electronically falls under LGAP. In this case, all applications must be submitted in person. In all cases, the major obstacle is the lack of an electronic data system that would facilitate the application process, the receipt of information, their verification and the issuance of relevant permissions.

⁴ Law No. 05/L-031 on General Administrative Procedure, Article 12

⁵ For a Lawyer License, an applicant must pay a fee for licensing/registration of lawyers in the amount - 510 Euro. Application fee - 50 Euro. Payment for examination of office conditions - 300 Euro. Annual membership fee for 2022 - 250 Euro. MCLE fee -50 Euro. Payment for getting supplied with clusters - 50 Euro. Payment for bar exam - 103 Euro. Certificate of passing the Professional Ethics Exam for Lawyers - 303 Euro.

The principle of conducting the procedure ex officio means that a public body is obliged to examine all the facts and evaluate all the circumstances necessary to resolve the administrative issue in the specific case of a permit or license⁶. This principle is complemented by the other rule according to which the documents that prove acts, facts, quality or subjective state, necessary for the administrative examination, are processed ex officio by a public body conducting the administrative procedure if they are under its administration or other public bodies. A public body may ask the party to present only the necessary information for their identification⁷. From the analysis conducted in MD, this principle is not applied at all. In the course of issuing a license, all information, documents and facts are required from the party itself, and if the same are not provided, the application for certain permission will be rejected. Beyond malpractice, these types of requirements are regulated by primary and secondary legislation, thus a legal harmonization process with LPLS and LGAP is therefore necessary.

Unnecessary and inappropriate mandatory information is contained in secondary legislation. Article 6 and Article 10 of Law No. 04/L-193 on the Bar provide for the conditions and a part of the procedure for obtaining a license, the documents required when initiating the procedure and fulfilling the conditions are: Completed application for registration; Certification of the capacity to act; Kosovo citizenship certificate; Diploma of the Faculty of Law; Certificate of the Bar Exam; Proof of experience; Court certificate proving that a person is not under investigation; Certificate of passing the Professional Ethics Exam for Lawyers; Consent given by the Chairman of the Regional Assembly of KBA lawyers for registration in the region where the lawyer wants to open an office. All such documents are either documents issued by MoJ itself, which are then requested again or are documents issued by other institutions of the country. Therefore, it is senseless and unnecessary to ask a natural person to submit them during this procedure. This simply incurs undue additional costs for the applicant. Also, this presents a serious problem and obstacle in obtaining a license swiftly and efficiently. The reduction of mandatory information as well as its simplification to the point that the same can be provided by the public bodies themselves is one of the main conditions for permit and license simplification in general.

The principle of the single points of contact is a legal obligation defined both in LPLS⁸ and LGAP⁹. According to this principle, all formalities and procedures for issuing a permit and license must be carried out through SPCs (one stop shop). Both laws provide for SPCs to be established physically, electronically or combined. The main prerequisite for establishing SPCs are the points we mentioned above, especially the approach oriented towards the principle of administrative review ex officio. Within MD, there is no type of SPC, the licenses are therefore issued separately by each public body, meaning that the party itself performs all the formalities and procedures that, if an SPC was in place, could be carried out through it by the public body itself.

Suspension and revocation are governed by LPLS as actions that can be taken by a competent body to verify if the legal conditions/criteria for which a permit is issued are still satisfied. In this aspect, LPLS defines a sequence of actions that can be taken, such as giving a certain time for remedying/fulfilling the conditions for which the permit was granted, and if they are still not fulfilled, then a fine can be imposed

⁶ Law No. 05/L-031 on General Administrative Procedure, Article 86, paragraph 1.

⁷ Ibid, paragraph 3.

⁸ Law NO. 04/L-202 on Permit and License System, Article 16

⁹ Law No. 05/L-031 on General Administrative Procedure, Article 33

and if even after the fine actions are taken to correct them then the permit may be suspended and revoked. In MD, these procedures should be harmonized with LPLS in order to achieve their purpose.

The right of appeal is regulated in a fragmented manner with the primary and secondary legislation determining the relevant permissions within the scope of MoJ. During the analysis, it was observed that in some cases the rules for granting the appeal are in conflict with LPLS and LGAP or are completely absent, the deadlines in some cases are shorter, the appeal is examined in violation of LGAP, also the rules for the superior body and its jurisdiction are not in accordance with LGAP.

Key findings

During the analysis of the permissions within MoJ, without overlooking the special findings for each permission separately, the following key findings were identified:

- Some of the permissions are for a fixed term, whereof relicensing is required and the same is not recognized by LPLS;
- Payment and administrative fees for each permission are in violation of LPLS and LGAP;
- In order to obtain a permit and license, the party must provide all the documents, facts and information regardless of whether they are available to public bodies. If the same are not provided by the party, the application is rejected;
- In general, there are mandatory requirements and information which are unnecessary to be provided;
- There is no SPC through which all formalities from the application to the provision of a permit or license could be carried out;
- There are no sufficient rules for the suspension or revocation of permission while the rules provided for in LPLS are not applied;
- The right of appeal is insufficiently regulated and is contrary to LGAP.

General recommendations

In this section, general recommendations for permissions within MoJ will be presented based on the analyzes and findings above:

- Licenses are issued for an indefinite period of time as long as the verification of compliance with the legal conditions can be done through inspection;
- Payments and administrative fees, as a rule, do not apply, but even when provided for by law, the same will not exceed the amount necessary to cover the expenses incurred by the public body to administer such permissions;
- The principle of conducting the procedure ex officio as defined under LGAP and the documents, facts and information possessed by public bodies should be provided by the competent public body for permission;
- At least one SPC within the Ministry bodies need to be established, which would enable the performance of all actions for a given permission;
- The suspension and revocation of a license shall be provided for by separate laws or referred to in LPLS;

- The permit transfer is enabled by special laws to avoid the application process and the conduct of the procedure if a part or all of the rights of use are transferred to another person through sale or lease;
- The right of appeal is regulated in accordance with LGAP, defining correctly the superior body that is competent for decision-making in relation to appeals.

Specific findings and recommendations

Part of this report is the analysis including each permit and license separately, the name and type of permission, the responsible authority, findings, recommendations and justification. A detailed analysis including findings and specific recommendations is presented in Annex No. 1.

Annex 1.

Ministry	Ref. No.	Permission name	Permission type	Responsible authority	Findings	Recommendations	Justifications
			<i>Notification Registration Permit Prof. license</i>	<i>Indicate the structure or body issuing the permission Specify who signs the permission deed</i>	<i>Indicate the key findings</i>	<i>Indicate the specific recommendations. Explain concretely if the permission should be revoked, merged, have the type amended, simplified, and have mandatory information reduced/simplified</i>	<i>Provide justification for each recommendation</i>
Ministry of Justice	DFLP 1	Bankruptcy Administrator License	Professional license	Minister	1. Article 86 of Law No. 05/L-083 on Bankruptcy defines the qualifications that an applicant must have when applying in a very general way.	1. Article 86 of Law No. 05/L-083 on Bankruptcy needs to be amended in order to correctly define the criteria that a person must meet when applying for a bankruptcy administrator.	1. The criteria that must be met by the candidate must be precisely defined so that they are not too general but not rigid either. In this particular case, it is not clear what education is required,

				<p>2. Regulation No. 22/2012 on Determining Special Qualifications, Reward and Compensation and on Bankruptcy Administrators' Licensing Procedures determines that at the time of application, an applicant must submit the following documents:</p> <ul style="list-style-type: none"> - Application for licensing - Diploma on acquired university education (the applicant must submit a notarized copy of the faculty diploma to enroll for the exam) - Proof of work experience - Certificate of passing the exam for administrator (condition for licensing, issued by MoJ and required to be notarized) - Citizenship certificate (MIA) - Certificate issued by the competent proving that no criminal proceedings have been initiated against the applicant ex officio (Court) 	<p>2. Regulation No. 22/2012 on Determining Special Qualifications, Reward and Compensation and on Bankruptcy Administrators' Licensing Procedures need to be amended and harmonized with the LGAP standards in order to achieve the reduction of the administrative burden. More specifically, the requirement to submit the following documents by the applicant in the course of application should be lifted:</p> <ul style="list-style-type: none"> - Diploma on acquired university education - Certificate of passing the Administrator exam - Citizenship certificate <p>3. The appeal procedure against the licensing decision must be provided for in the basic law.</p> <p>4. The content of the register with the names of persons licensed as bankruptcy administrators should be determined by the basic law.</p> <p>5. The fee applicable for obtaining such license should be calculated within its cost, so that it is in accordance with Article 18 of the Law on Permit</p>	<p>the type of training, the type of certificate, etc., which conditions, if not met, force a candidate to undergo the exam. Such an arrangement creates confusion in practice.</p> <ul style="list-style-type: none"> - Removal of the obligation to submit the document known as: - Diploma on acquired university education - it is done on the grounds that this diploma is submitted when submitting the application for the exam, the certificate of which is a criterion for obtaining the license; - Certificate of passing the administrator exam - it is done on the grounds that this certificate is issued by the MoJ itself; - Citizenship certificate - citizenship can be verified through the state registry - CRA; <p>The removal of the obligation to submit these documents is done on the</p>
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					<ul style="list-style-type: none"> - A written statement given under full material and criminal liability that the applicant has not been convicted by a final decision, while if he/she has been convicted, a statement on what criminal offenses he/she has been convicted of or is being convicted of - Compensation payment receipt for examining the application and for issuing the foreseen license with the corresponding fee. <p>3. Article 4 of the Regulation stipulates that if the conditions for issuing a license are not met, the Minister issues a decision to reject the application for obtaining the license. The decision is final and an administrative dispute can be initiated against it before the competent court.</p> <p>4. Article 4 of the Regulation stipulate that the license validity term is 4 years. Extension procedure: The applicant submits an</p>	<p>and License System. This calculation can be done by the project.</p>	<p>grounds that there is no need for candidates to submit such documents to the same institution that issued them or documents that are issued by other state institutions. Submitting the same creates a huge administrative burden for the applicant and is completely pointless.</p> <p>2. The conditions and procedure for obtaining a professional license must be clearly defined by law and the same must be in accordance with the standards defined in LGAP. LGAP is a framework law regulating the procedure and deadlines for submitting and examining applications and complaints in any administrative procedure, including the procedure concerned.</p> <p>3. The register must be public and accessible to citizens.</p> <p>4. The financial cost that the competent authority can charge for this exam must not exceed the amount necessary to cover the expenses incurred by the competent authority to conduct this procedure (Article 18 of the Law permission and License System). Such a calculation can be performed by the project and analyzed</p>
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					<p>application by e-mail or in hard copy for the license extension; there is no need to present any document. It is also underlined that the Minister signs the license.</p> <p>5. After licensing, the person is recorded in the list of administrators managed by the MoJ.</p> <p>6. The fee applied for the exam is 100 Euro. The membership fee in the Chamber of Bankruptcy Administrators is 50 Euro.</p>		if the amount of 100 Euro reflects the expenses that the authority covers during this procedure.
Ministry of Justice	DP PL 2	Mediator License	Professional license	Minister of Justice	<p>1. The documents which must be submitted in the course of proving the conditions defined under Article 22 of Law No. 06/L-009 on Mediation are as follows:</p> <ul style="list-style-type: none"> - Application - the party files an application in writing in free form; - Certificate of completion of the Faculty (diploma); - Proof of capacity to act (this document must be issued by the Court, or even free of charge by 	<p>1. The practice followed by the competent body should be amended and harmonized with LGAP standards in order to reduce the administrative burden. More specifically, the requirement to submit the following documents by the applicant in the course of application should be lifted:</p> <ul style="list-style-type: none"> - Application - Certificate of completion of the Faculty (diploma); - Proof of the capacity to act (- Certificate of successful completion of mediation 	<p>1. Removal of the obligation to submit the document known as:</p> <ul style="list-style-type: none"> - Application - must be filed in compliance with the LGAP provisions (orally before the public body and recorded in the minutes by the public body, by email and in written form); - Certificate of completion of the Faculty (diploma) - to be removed since it is a requirement when applying to

					<p>CSW; but some persons also receive it from the doctor);</p> <ul style="list-style-type: none"> - Certificate of successful completion of mediation training, including the resolution of - practical cases within the training and under the supervision of a licensed mediator; - Evidence proving the person has not been convicted of a criminal offense <p>2. Article 22.7 of Law No. 06/L-009 on Mediation stipulates that the decision of the Minister on licensing, suspension or revocation of the license is final in the administrative procedure.</p> <p>3. The mediation training fee is 100 Euro in total. The membership fee in the Chamber of Mediators is 50 Euro.</p>	<p>training, including solving practical cases within the training and under the supervision of a licensed mediator.</p> <p>2. The right of appeal before the competent Court should be provided for in the basic law.</p> <p>3. The fee applicable for obtaining such license should be calculated within its cost, so that it is in accordance with Article 18 of the Law on Permit and License System. This calculation can be done by the project.</p>	<p>enter the exam, the certificate of which is a criterion for obtaining a license;</p> <ul style="list-style-type: none"> - Proof of capacity to act (this document must be issued by the Court, or even free of charge by CSW; but some persons also receive it from the doctor) - to be verified by the competent body; - Certificate of successful completion of mediation training, including solving practical cases within the training and under the supervision of a licensed mediator - issued by the MoJ itself. <p>The removal of the obligation to submit these documents is done on the grounds that there is no need for candidates to submit such documents to the same institution that issued them or documents that are issued by other state institutions. Submitting the same creates a huge administrative burden for the applicant and is completely pointless.</p> <p>2. The conditions and procedure for obtaining a professional license must be clearly defined by law and the same</p>
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							<p>must be in accordance with the standards defined in LGAP. LGAP is a framework law regulating the procedure and deadlines for submitting and examining applications and complaints in any administrative procedure, including the procedure concerned.</p> <p>3. The financial cost that the competent authority can charge for this exam must not exceed the amount necessary to cover the expenses incurred by the competent authority to conduct this procedure (Article 18 of the Law permission and License System). Such a calculation can be performed by the project and analyzed if the amount of 100 Euro reflects the expenses that the authority covers during this procedure.</p>
Ministry of	DP LL 3	Notary License	Professional license	Minister of Justice	1. The documents which must be submitted in the course of proving the conditions defined under Article 4 of	1. The practice followed by the competent body should be amended and harmonized with LGAP standards in order to reduce the administrative burden. More	<p>1. Removal of the obligation to submit the document known as:</p> <ul style="list-style-type: none"> - Written application - must be filed in compliance with

Justice				<p>Law No. 06/L-010 on Notary are as follows:</p> <ul style="list-style-type: none"> - Written request - Certificate proving RKS citizenship - Certificate of the capacity to act - Evidence that the person has not been convicted by a final court decision; proof that he/she is not in deep debt or bankrupt; proof that he/she is not holding political positions; proof that the function of the judge, prosecutor or the status of the lawyer, notary or civil servant, administrative staff has not been terminated for violation of the rules and discipline at work during the last three (3) years from the date of submission of the application for permission to practice the function of the notary 	<p>specifically, the requirement to submit the following documents by the applicant in the course of application should be lifted:</p> <ul style="list-style-type: none"> - Written request - Certificate proving RKS citizenship - Proof that he/she is not in deep debt or bankrupt; proof that he/she is not holding political positions; proof that the function of the judge, prosecutor or the status of the lawyer, notary or civil servant, administrative staff has not been terminated for violation of the rules and discipline at work during the last three (3) years from the date of submission of the application for permission to practice the function of the notary - Exam certificate for notary. <p>2. A maximum time limit of 45 days should be set for the completion of the administrative procedure for obtaining the concrete license according to the standards provided for under LGAP.</p> <p>3. The fee applicable for obtaining such license should be calculated within its cost, so that it is in accordance with Article 18 of the Law on Permit and</p>	<p>the LGAP provisions (orally before the public body and recorded in the minutes by the public body, by email and in written); form);</p> <ul style="list-style-type: none"> - Certificate proving RKS citizenship - the same can be verified based on the civil registry. - Certificate of ability to act - the same can be verified by the competent body in communication with DPS. - proof that he/she is not in deep debt or bankrupt; proof that he/she is not holding political positions; proof that the function of the judge, prosecutor or the status of the lawyer, notary or civil servant, administrative staff has not been terminated for violation of the rules and discipline at work during the last three (3) years from the date of submission of the application for permission to practice the function of the notary - the possibility of manipulation with such a document is very high. Since it is a document which is issued by the Court, the competent body can
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					<p>- Exam certificate for public notary</p> <p>2. No time limit is set within which the administrative procedure for obtaining a permit must be completed.</p> <p>3. The mediation training fee is 100 Euro in total. The membership fee in the Chamber of Mediators is 50 Euro.</p>	<p>License System. This calculation can be done by the project.</p>	<p>easily verify the factual situation of the applicant.</p> <p>- Exam certificate for notary - this document is issued by the MoJ itself.</p> <p>The removal of the obligation to submit these documents is done on the grounds that there is no need for candidates to submit such documents to the same institution that issued them or documents that are issued by other state institutions. Submitting the same creates a huge administrative burden for the applicant and is completely pointless.</p> <p>2. The conditions and procedure for obtaining a professional license must be clearly defined by law and the same must be in accordance with the standards defined in LGAP. LGAP is a framework law regulating the procedure and deadlines for submitting and examining applications and complaints in any administrative procedure, including the procedure concerned.</p> <p>3. The financial cost that the competent authority can charge for this exam must not exceed the amount necessary to cover the expenses incurred by the competent authority to</p>
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							conduct this procedure (Article 18 of the Law permission and License System). Such a calculation can be performed by the project and analyzed if the amount of 100 Euro reflects the expenses that the authority covers during this procedure.
Ministry of Justice	DF LP 4	Private Enforcement Agent License	Professional license	Minister	<p>1. The documents which must be submitted in the course of proving the conditions defined under Article 4 of Law No. 06/L-010 on Notary are as follows:</p> <ul style="list-style-type: none"> - Written request; - Proof of RKS citizenship; - Evidence that the person has the capacity to act and is competent in terms of health; - Diploma of the Faculty of Law, or of any law faculty of another country, after the diploma nostrification in RKS - Bar Exam Certificate; - Enforcement Agent Exam Certificate; - Certificate proving that no investigative proceedings initiated 	<p>1. The practice followed by the competent body should be amended and harmonized with LGAP standards in order to reduce the administrative burden. More specifically, the requirement to submit the following documents by the applicant in the course of application should be lifted:</p> <ul style="list-style-type: none"> - Written request; - Proof of RKS citizenship; - Evidence that the person has capacity to act and is competent in terms of health; - Diploma of the Faculty of Law, or of any law faculty of another country, after the diploma nostrification in RKS - Bar Exam Certificate; - Enforcement Agent Exam Certificate; <p>2. A maximum time limit of 45 days should be set for the completion of the administrative procedure for obtaining the concrete license</p>	<p>1. Removal of the obligation to submit the document known as:</p> <ul style="list-style-type: none"> - Written application must be filed in compliance with the LGAP provisions. - Certificate proving RKS citizenship - the same can be verified based on the civil registry. - Evidence that the person has the capacity to act and is competent in terms of health - the same can be verified by the competent body in communication with DPS. - Diploma of the Faculty of Law, or of any faculty of law in another country, after the nostrification of the diploma in RKS - submitted at the time of application for taking the bar exam; - Bar Exam Certificate - issued by MoJ itself;

					<p>against him/her for a criminal offense, namely that he/she has not been convicted of a criminal offense punishable imprisonment of at least six (6) months, or of a criminal offense that rendered him/her unworthy in working as an enforcement agent;</p> <p>2. The administrative procedure for obtaining the relevant license lasts about 90 days, within the deadlines provided for by law for some parts of the procedure, such as: 30 days competition period from the time of announcement; the evaluation of applications by the committee does not foresee any deadline; then the appointment by the Minister must be made within 30 days from the date the list of candidate proposals by the Evaluation Committee is received; the appointed person takes the oath 30 days after the appointment.</p>	<p>according to the standards provided for under LGAP.</p> <p>3. The fees applicable for exam and the Chamber membership fee should be calculated within its cost, so that the same is in accordance with Article 18 of on Permit and License System. This calculation can be done by the project.</p>	<p>- Enforcement Agent Exam Certificate - issued by MoJ itself;</p> <p>The removal of the obligation to submit these documents is done on the grounds that there is no need for candidates to submit such documents to the same institution that issued them or documents that are issued by other state institutions. Submitting the same creates a huge administrative burden for the applicant and is completely pointless.</p> <p>2. The conditions and procedure for obtaining a professional license must be clearly defined by law and the same must be in accordance with the standards defined in LGAP. LGAP is a framework law regulating the procedure and deadlines for submitting and examining applications and complaints in any administrative procedure, including the procedure concerned.</p> <p>3. The financial cost that the competent authority can charge for this exam must not exceed the</p>
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					<p>3. The private enforcement agent training fee is 103 Euro in total and the certificate for the bar exam is 103 in total. The membership fee in the Chamber of Mediators is 50 Euro and 50 Euro for the card.</p>		<p>amount necessary to cover the expenses incurred by the competent authority to conduct this procedure (Article 18 of the Law permission and License System). Such a calculation can be performed by the project and analyzed if the amount of 100 Euro reflects the expenses that the authority covers during this procedure.</p>
Ministry of Justice	KB A1	Licensing of Lawyers	Professional license	Chairman of the KBA Managing Council	<p>1. Article 8 of Law No. 04/L-193 on the Bar stipulates that the right to registration in the register of lawyers is acquired by licensing before KBA.</p> <p>2. Article 6 and Article 10 of Law No. 04/L-193 on the Bar provide for the conditions and a part of the procedure for obtaining a license. The documents required when initiating the procedure and fulfilling the conditions are:</p>	<p>1. Law No. 04/L-193 on the Bar should be amended in order to harmonize it with the LGAP standards on the form of submission of the application, the deadlines within which the application must be examined and a final response received, as well as to have the deadlines related to the appeal procedure harmonized.</p> <p>2. The practice followed by the competent body should be amended and harmonized with LGAP standards in order to reduce the administrative burden. More specifically, the requirement to submit the following documents by the applicant in the course of application should be lifted:</p>	<p>1. The conditions and procedure for obtaining a professional license must be clearly defined by law and the same must be in accordance with the standards defined in LGAP. LGAP is a framework law regulating the procedure and deadlines for submitting and examining applications and complaints in any administrative procedure, including the procedure concerned.</p> <p>2. Removal of the obligation to submit the document known as:</p> <p>- Completed application for registration - the same must</p>

					<ul style="list-style-type: none"> - Completed application for registration; - Proof of capacity to act; - Kosovo citizenship certificate; - Diploma of the Faculty of Law; - Bar Exam Certificate; - Work experience attestation; - Confirmation from the court that the person is not under investigation; - Certificate of passing the Professional Ethics Exam for Lawyers; - Consent given by the Chair of the Regional Assembly of KBA on registration of the lawyer where he/she wishes to establish office <p>3. The time within which the procedure is completed is about 60 days. Such a term is not defined anywhere by legal provisions.</p>	<ul style="list-style-type: none"> - Completed application for registration; - Proof of capacity to act; - Kosovo citizenship certificate; - Diploma of the Faculty of Law; - Bar Exam Certificate; - Work experience attestation; - Certificate of passing the Professional Ethics Exam for Lawyers; - Consent given by the Chair of the Regional Assembly of KBA on registration of the lawyer where he/she wishes to establish office. <p>3. The fees applicable for obtaining such license (in total) should be calculated within its cost, so that it is in accordance with Article 18 of on Permit and License System. This calculation can be done by the project.</p>	<p>be harmonized with the LGAP provisions on the form of submission of the application;</p> <ul style="list-style-type: none"> - Certificate of ability to act - the same can be verified by the competent body in communication with DPS. - Kosovo citizenship certificate - can be verified by the competent body in the state civil registry; - Diploma of the Faculty of Law - submitted separately when applying for the bar exam; - Bar Exam Certificate - this document is issued by the MoJ itself; - Work experience attestation - it is a document which is submitted when applying for the bar exam; - Certificate of passing the Professional Ethics Exam for Lawyers - is a document which is issued by the competent KBA body itself. - Consent given by the Chairman of the KBA
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				<p>4. Article 6 of Law No. 04/L-193 on the Bar stipulates that an appeal is allowed against the decision rejecting an application for registration, suspension, termination or loss of the right to practice the bar. The appeal is filed to the Association Appeals Committee within a deadline of eight (8) days from the day of the receipt. The decision of the Appeals Committee is final. An administrative dispute can be initiated against the Association Appeals Committee decision.</p> <p>5. Articles 7 and 46 of the Law refer indirectly to the payments that the applicant must make, while in practice the fee for licensing/registration of lawyers is 510 Euro. Application fee - 50 Euro. Payment for examination of office conditions - 300 Euro.</p>		<p>Regional Assembly of Lawyers for registration in the region where the lawyer wants to open an office - this document is issued by a KBA branch.</p> <p>The removal of the obligation to submit these documents is done on the grounds that there is no need for candidates to submit such documents to the same institution that issued them or documents that are issued by other state institutions. Submitting the same creates a huge administrative burden for the applicant and is completely pointless.</p> <p>3. The financial cost that the competent authority can charge for this license must not exceed the amount necessary to cover the expenses incurred by the competent authority to conduct this procedure (Article 18 of the Law permission and License System). Such a calculation can be performed by the project and analyzed if the estimated amount reflects the expenses that the authority covers during this</p>
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					Annual membership fee for 2022 - 250 Euro. MCLE fee -50 Euro. Payment for getting supplied with clusters - 50 Euro. Payment for bar exam - 103 Euro. Certificate of passing the Professional Ethics Exam for Lawyers - 303 Euro.		
Ministry of Justice	KB A2	Registration of Interns	Registration	Chairman of the KBA Managing Council	<ol style="list-style-type: none"> 1. Article 23 of Law No. 04/L-193 on the Bar provides for the registration of legal interns and the conditions for registration. 2. The documents required by KBA at the time of application include the following documents: <ul style="list-style-type: none"> - Completed application; - Proof of capacity to act; - Kosovo citizenship certificate; - Birth Certificate; 	<ol style="list-style-type: none"> 1. Law No. 04/L-193 on the Bar should be amended in order to harmonize it with the LGAP standards on the form of submission of the application, the deadlines within which the application must be examined and a final response received, as well as to have the deadlines related to the appeal procedure harmonized. 2. The practice followed by the competent body should be amended and harmonized with LGAP standards in order to reduce the administrative burden. More specifically, the requirement to submit the following documents by the applicant in the course of application should be lifted: 	<ol style="list-style-type: none"> 1. The conditions and procedure for obtaining a professional license must be clearly defined by law and the same must be in accordance with the standards defined in LGAP. LGAP is a framework law regulating the procedure and deadlines for submitting and examining applications and complaints in any administrative procedure, including the procedure concerned. 2. Removal of the obligation to submit the document known as: <ul style="list-style-type: none"> - Completed application - the same must be harmonized

				<ul style="list-style-type: none"> - Confirmation from the court that the person is not under investigation; - Consent by the Head of the Regional Branch; <p>3. There is no procedural deadline defined by law within which the registration procedure must be completed. In practice, it takes 60 days.</p> <p>4. The President of the Association may, by a special derision, terminate the work of an intern, if disciplinary proceedings have been initiated against him/her, for serious violations of the duty and prestige of the lawyer. The decision to terminate the work of an intern in the lawyer's office is taken by the President of the Association. An appeal can be filed against this decision to the Association Governing Council within eight (8) days from the day of the receipt of the decision.</p>	<ul style="list-style-type: none"> - Completed application; - Proof of capacity to act; - Kosovo citizenship certificate; - Birth Certificate; - Consent by the Head of the Regional Branch; <p>3. The fees applicable for obtaining such license (in total) should be calculated within its cost, so that it is in accordance with Article 18 of on Permit and License System. This calculation can be done by the project.</p>	<p>with the LGAP provisions on the form of submission of the application;</p> <ul style="list-style-type: none"> - Certificate of ability to act - the same can be verified by the competent body in communication with DPS. - Kosovo citizenship certificate - can be verified by the competent body in the state civil registry; - Birth certificate - can be verified by the competent body in the state civil registry; <p>The removal of the obligation to submit these documents is done on the grounds that there is no need for candidates to submit such documents to the same institution that issued them or documents that are issued by other state institutions. Submitting the same creates a huge administrative burden for the applicant and is completely pointless.</p> <p>3. The financial cost that the competent authority can charge for this license must not exceed the amount necessary to cover the expenses incurred by the competent authority to conduct this procedure (Article 18 of the</p>
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					<p>5. The provisions related to the registration, the right to appeal and the decision on the appeal of the lawyer, apply mutatis mutandis also when it comes to the intern (statute of the Association): An appeal is allowed against the decision rejecting an application for registration, suspension, termination or loss of the right to practice the bar. The appeal is filed to the Association Appeals Committee within a deadline of eight (8) days from the day of the receipt. The decision of the Appeals Committee is final. An administrative dispute can be initiated against the Association Appeals Committee decision. (Article 6)</p> <p>6. The licensing fee is 130 Euro, the application is 20 Euro.</p>		<p>Law permission and License System). Such a calculation can be performed by the project and analyzed if the estimated amount reflects the expenses that the authority covers during this.</p>
Ministry of Justice		1. Bankruptcy Administrator Certificate /		Minister	1. All three certificates are part of the Central Registry of Permits and Licenses.	1. All three certificates should be removed from the Central Registry of Permits and Licenses.	1. Their removal from the Central Registry of Permits and Licenses is done on the grounds that the three of them are criteria for obtaining the professional licenses regulated above.

		2. Certificate of passing the Bar Exam					
		3. Certificate of passing the Private Enforcement Agent Exam					