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**Annex 5- Report on Permit and License Simplification in the Ministry of
Economy¹**

March 2022

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

EI - Energy Inspectorate

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

ME - Ministry of Economy

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-22 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 Economy. 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)* designate certain permissions according to the definitions and risk levels defined under LPLS; *(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)* the ME 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 ME and the harmonization of the same with LPLS. A total of 4 permissions were analyzed in this sector.

The report aims to identify, analyze and give recommendations for the simplification of permissions administered by ME, namely the four (4) procedures falling under the scope of the Energy Inspectorate.

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 permissions issued within ME and the Energy Inspectorate, the procedure followed by the relevant departments, 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 permissions and the flow of permissions granted by ME 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.

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.

ME permits and licenses

Energy Inspectorate		
<i>Code/No.</i>	<i>Designation</i>	<i>Type of permission according to LPLS</i>
EI1-A	Authorization for conformity assessment, including calibration, testing, certification and periodic controls of pressure equipment	Permit
EI1-B	Authorization for the internal body authorized for conformity assessment, including periodic examination and control of equipment and installations under pressure	Permit
EI3-A	Authorization for examination and filling of cylinders with liquefied petroleum gas (LPG)	Permit
EI4-A	Authorization for the examination and filling of cylinders with technical gases	Permit

Legal analysis

This section presents an analysis of the main legislation governing ME 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 ME ministerial 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 be determined by law. Permissions issued by ME rely on Law No. 06/L-031 on Pressure Equipment. Despite the practices encountered so far in some of the other ministries, all licenses issued by ME have a

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.

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 or permission extension exists in almost all types of permissions issued by ME, 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 special permission and a fee that must be paid (fees will be discussed separately). The relicensing process has, in Law addition to not being provided for by LPLS, caused a lot of burden both for legal entities 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 legal persons whether they continuously meet the criteria required to resume exercising the relevant activity.

Payments will apply to all types of licenses administered by ME, 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 permissions issued within ME, payments must be made at the time of submission of the application. 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 unaffordable. In this case, we are talking about payments that reach the amount of one thousand (1000) Euro as per Authorization for conformity assessment, including calibration, testing, certification and periodic controls of pressure equipment.⁵ 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.

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

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

⁵ To obtain an Authorization for conformity assessment, including calibration, testing, certification and periodic checks of pressure equipment, Regulation No. 02/2019 on Control, Examination and Assessment of Technical Safety of Pressure Equipment, Article 11 stipulates that an administrative fee of 1000 Euro shall be required to be paid for obtaining such Authorization. Whereas a fee of 400 Euro is applied for authorization extension.

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

other public bodies. A public body may ask the party to present only the necessary information for their identification⁷. From the analysis conducted in ME, 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. If we analyze Regulation No. 02/2019 on Control, Examination and Assessment of Technical Safety of Pressure Equipment, Article 8 stipulates that when applying for authorization for conformity assessment, including calibration, testing, certification and periodic controls of pressure equipment, the applicant must submit the following documents: Application; Business Certificate (**KBRA**); Accreditation Certificate for the scope of the Authorized Body for Pressure Equipment Inspection (**DKA**); Certificate that the responsible person has not been convicted of a criminal offense (**Court**). All these documents 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 ME, 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 and if even after the fine actions are taken to correct them then the permit may be suspended and revoked. In ME, 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 ME. 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,

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

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 ME, without overlooking the special findings for each permission separately, the following key findings were identified:

- Permissions need to be named in accordance with the definitions and the level of risk they pose according to the definition provided in LPLS;
- 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 but also inappropriate 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 ME will be presented based on the analyzes and findings above:

- Permits 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 permission;
- 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 given permissions;
- 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 in the event that a part or all of the rights of use are transferred to another person through sale or lease only when it is ensured that the legal criteria are met.
- 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>Mention 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 Economy	Energy Inspectorate	Authorization for conformity assessment, including calibration,	Permit	Minister	1. Article 12 of Law No. 06/L-031 on Pressure Equipment stipulates that the authorized body issues a certificate to the owner or user of the	1. To amend article 12 of the regulation, which foresees the validity of the authorization for 2 years and to extend it to 5 years.	1. The authorization for conformity assessment, including calibration, testing, certification and periodic controls of pressure equipment fulfills all the criteria outlined in Article 8 of the Law

	tor ate EI1 -A	testing, certification and periodic controls of pressure equipment		<p>pressure equipment and installation</p> <p>2. Articles 5 and 7 of Regulation No. 02/2019 on Control, Examination and Assessment of Technical Safety of Pressure Equipment stipulate that the Ministry issues the authorization for conformity assessment, including calibration, testing, certification and periodic controls of pressure equipment.</p> <p>3. Article 11 of Regulation No. 02/2019 on Control, Examination and Assessment of Technical Safety of Pressure Equipment stipulate that an administrative of 100 Euro shall be required to be paid upon obtaining this authorization. Whereas a fee of 400 Euro is applied for authorization extension.</p> <p>4. Article 11 of Regulation No. 02/2019 on Control, Examination and Assessment of Technical Safety of Pressure Equipment stipulate that the authorization validity</p>	<p>2. There is a need to amend Articles 5 and 7 of Regulation No. 02/2019 on Control, Examination and Assessment of Technical Safety of Pressure Equipment stipulating that the Ministry issues an authorization for conformity assessment, including calibration, testing, certification and periodic controls of pressure equipment, and provide for the Ministry to issue Permits:</p> <p>3. The fee applicable for obtaining such a license should be calculated within its cost, so that it is in accordance with Article 18 of Law on Permit and License System.</p> <p>4. Article 8 of the Regulation 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 removed:</p> <ul style="list-style-type: none"> - Business Certificate (KBRA) - Accreditation Certificate for the scope of the Authorized Body for Pressure Equipment Inspection (DKA) 	<p>on Permit and License System, it is therefore proposed to be designated as a Conformity Assessment Permit, including calibration, testing, certification and periodic controls of pressure equipment.</p> <p>2. The Regulation must be amended and adapted to the version provided for by law.</p> <p>3. Law on Permit and License System does not recognize the term Relicensing or renewal of the license or permit. At the time this right is acquired by the applicant, it is permanent and can be changed only in cases where the conditions for its suspension and revocation are met.</p> <p>4. The financial cost that the competent authority can charge for this permission 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 1000 + 400 Euro reflects the expenses that the</p>
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				<p>shall be 2 years The applicant only submits and application (the form is not defined). Also, the applicant submits the calibration and testing of the safety valves (devices used for testing) according to the manufacturer' instructions and technical specifications - this is done at least once every two years.</p> <p>5. Article 8 of Regulation No. 02/2019 on Control, Examination and Assessment of Technical Safety of Pressure Equipment stipulate that the applicant is required to submit the following documents when applying for authorization:</p> <ul style="list-style-type: none"> - Application Form - Business Certificate (KBRA) - Accreditation Certificate for the scope of the Authorized Body for Pressure Equipment Inspection (DKA) - Certificate that the responsible person has not been indicted of a criminal offense (Court). 	<p>5. The appeal procedure under LGAP standards needs to be established.</p>	<p>authority covers during this procedure.</p> <p>5. The proposal to remove the requirement for the following documents, which is a requirement defined in Article 8 of Regulation No. 02/2019 on Control, Examination and Assessment of Technical Safety of Pressure Equipment, is made due to the fact that there is no need for the applicant to submit documents that are issued by other state institutions and that the factual situation is easily verifiable. Submitting the same creates a huge administrative burden for the applicant and is completely pointless. The documents concerned are:</p> <ul style="list-style-type: none"> - Business Certificate (KBRA) - Accreditation Certificate for the scope of the Authorized Body for Pressure Equipment Inspection (DKA) - Certificate that the responsible person has not been indicted of a criminal offense (Court).
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					6. No appeal procedure is provided for.		All such documents are issued by state institutions. 6. The right to appeal is a constitutional right regulated by law. Since LGAP is a framework law on administrative procedures in the country, the appeal procedure in the present case must be provided by law and be in compliance with all standards guaranteed by law.
Ministry of Economy	Energy Inspectorate EII-B	Authorization for the internal body authorized for conformity assessment, including periodic examination and control of equipment and installations under pressure	Permit	Minister	<ol style="list-style-type: none"> Article 13 of Law No. 06/L-031 on Pressure Equipment stipulates that pressure equipment and installation are allowed to be used by the manufacturer and the user even in cases where the conformity assessment for the basic technical safety requirements has been made by an internal conformity assessment body. The internal body issues a certificate for meeting the basic technical safety requirements for the pressure equipment and installation. Articles 7.1.2 and 8 of Regulation No. 02/2019 on 	<ol style="list-style-type: none"> Article 13 of Law No. 06/L-031 on Pressure Equipment needs to be amended so that there is no need for authorization for the economic operator but the need for an authorized internal conformity assessment body to obtain a permit, including periodic review and control of pressure equipment and installations. There is a need to amend Articles 7.1.2 and 8 of Regulation No. 02/2019 on Control, Examination and Assessment of Technical Safety of Pressure equipment and stipulating that the Ministry issues an authorization to the authorized internal conformity assessment body, including the examination and periodic controls of pressure 	<ol style="list-style-type: none"> The authorization for the authorized internal conformity assessment body, including the examination and periodic controls of pressure equipment fulfills all the criteria outlined in Article 8 of the Law on Permit and License System, it is therefore proposed to be designated as a Conformity Assessment Permit , including calibration, testing, certification and periodic controls of pressure equipment. The Regulation must be amended and adapted to the version provided for by law.

				<p>Control, Examination and Assessment of Technical Safety of Pressure Equipment stipulate that the Ministry issues the authorization for internal conformity assessment body, including calibration, testing, certification and periodic controls of pressure equipment.</p> <p>3. Article 11 of Regulation No. 02/2019 on Control, Examination and Assessment of Technical Safety of Pressure Equipment stipulate that an administrative of 100 Euro shall be required to be paid upon obtaining this authorization. Whereas a fee of 400 Euro is applied for authorization extension.</p> <p>4. Article 11 of Regulation No. 02/2019 on Control, Examination and Assessment of Technical Safety of Pressure Equipment stipulate that the authorization validity shall be 2 years The applicant only submits and application (the form is not</p>	<p>equipment, and provide for the Ministry to issue Permits:</p> <p>3. Article 11 of the Regulation, which provides for the authorization validity of 2 years needs to be amended and the same must be permanent.</p> <p>4. The fee applicable for obtaining such a license should be calculated within its cost, so that it is in accordance with Article 18 of Law on Permit and License System.</p> <p>5. Article 8 of the Regulation 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"> - Business Certificate (KBRA) - Accreditation Certificate for the scope of the Authorized Body for Pressure Equipment Inspection (DKA) - Certificate that the responsible person has not been indicted of a criminal offense (Court). 	<p>3. Law on Permit and License System does not recognize the term Relicensing or renewal of the license or permit. At the time this right is acquired by the applicant, it is permanent and can be changed only in cases where the conditions for its suspension and revocation are met.</p> <p>4. The financial cost that the competent authority can charge for this permit 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 1000 + 400 Euro reflects the expenses that the authority covers during this procedure.</p> <p>5. The proposal to remove the requirement for the following documents, which is a requirement defined in Article 8 of Regulation No. 02/2019 on Control, Examination and Assessment of Technical Safety of Pressure Equipment, is made due to the fact that there is no</p>
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				<p>defined). Also, the applicant submits the calibration and testing of the safety valves (devices used for testing) according to the manufacturer' instructions and technical specifications - this is done at least once every two years.</p> <p>5. Article 8 of Regulation No. 02/2019 on Control, Examination and Assessment of Technical Safety of Pressure Equipment stipulate that the applicant is required to submit the following documents when applying for authorization:</p> <ul style="list-style-type: none"> - Application Form - Business Certificate (KBRA) - Accreditation Certificate for the scope of the Authorized Body for Pressure Equipment Inspection (DKA) - Certificate that the responsible person has not been indicted of a criminal offense (Court). 	<p>6. The appeal procedure under LGAP standards needs to be established.</p>	<p>need for the applicant to submit documents that are issued by other state institutions and that the factual situation is easily verifiable. Submitting the same creates a huge administrative burden for the applicant and is completely pointless. The documents concerned are:</p> <ul style="list-style-type: none"> - Business Certificate (KBRA) - Accreditation Certificate for the scope of the Authorized Body for Pressure Equipment Inspection (DKA) - Certificate that the responsible person has not been indicted of a criminal offense (Court). <p>All such documents are issued by state institutions.</p> <p>6. The right to appeal is a constitutional right regulated by law. Since LGAP is a framework law on administrative procedures in the country, the appeal procedure in the present case must be provided by law and be in compliance with all standards guaranteed by law.</p>
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					6. No appeal procedure is provided for.		
Ministry of Economy	Energy Inspectorate	Authorization for examination and filling of cylinders with liquefied petroleum gas (LPG)	Permit	Minister	<ol style="list-style-type: none"> 1. Article 14 of Law No. 06/L-031 on Pressure Equipment provides for the Authorization of economic operators for the examination and filling of cylinders with liquefied petroleum gas or technical gases. 2. Articles 7.1.3 and 9 of Regulation No. 02/2019 on Control, Examination and Assessment of Technical Safety of Pressure Equipment stipulate that the The Ministry issues authorization for the examination and filling of cylinders with liquefied petroleum gas (LPG). 3. Article 11 of Regulation No. 02/2019 on Control, Examination and 	<ol style="list-style-type: none"> 1. Article 14 of Law No. 06/L-031 on Pressure Equipment needs to be amended so that there is no need for the authorization of economic operators for the examination and filling of cylinders with liquefied petroleum gas or technical gas, but the authorization of economic operators need to obtain a Permit for the examination and filling of cylinders with liquefied petroleum gas or technical gases. 2. The same should be part of a permit application form for the Authorization for examining and filling cylinders with liquefied petroleum gas (LPG) and for the Authorization for examining and filling cylinders with technical gas. 3. Article 11 of the Regulation, which provides for the authorization validity of 2 years needs to be amended and the same must be permanent. 	<ol style="list-style-type: none"> 1. Since the current law provides for the possibility of obtaining Authorization (which should be called a Permit according to Article 8 of LPLS, as argued above), for economic operators for examining and filling of cylinders with liquefied petroleum gas or technical gas, then it is proposed that likewise in the law, to refer to a Permit which provides for both options. Depending on which service an economic operator originally applies, it is provided with a permit that identifies only that service. If an economic operator wants to provide the second service as well, the same will send the evidence only for that aspect and the permit he possesses will identify that it can also provide the second service. Or, if an economic operator fulfills the conditions to provide both services, the

				<p>Assessment of Technical Safety of Pressure Equipment stipulate that an administrative of 100 Euro shall be required to be paid upon obtaining this authorization. Whereas a fee of 400 Euro is applied for authorization extension.</p> <p>4. Article 11 of Regulation No. 02/2019 on Control, Examination and Assessment of Technical Safety of Pressure Equipment stipulate that the authorization validity shall be 2 years. The applicant only submits and application (the form is not defined). Also, the applicant submits the calibration and testing of the safety valves (devices used for testing) according to the manufacturer's instructions and technical specifications - this is done at least once every two years.</p>	<p>4. The fee applicable for obtaining such a license should be calculated within its cost, so that it is in accordance with Article 18 of Law on Permit and License System.</p> <p>5. The Regulation 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 Form - Business Certificate (KBRA) - License for trading liquefied petroleum gas (MTI). <p>6. The appeal procedure under LGAP standards needs to be established.</p>	<p>same will be provided with a Permit through a single procedure.</p> <p>2. Law on Permit and License System does not recognize the term Relicensing or renewal of the license or permit. At the time this right is acquired by the applicant, it is permanent and can be changed only in cases where the conditions for its suspension and revocation are met.</p> <p>3. The financial cost that the competent authority can charge for this permit 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 1000 + 400 Euro reflects the expenses that the authority covers during this procedure.</p> <p>4. The proposal to remove the requirement for the following</p>
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					<p>5. Article 8 of Regulation No. 02/2019 on Control, Examination and Assessment of Technical Safety of Pressure Equipment stipulate that the applicant is required to submit the following documents when applying for authorization:</p> <ul style="list-style-type: none"> - Application Form - Business Certificate (KBRA) - License for trading liquefied petroleum gas (MTI) - <p>6. No appeal procedure is provided for.</p>		<p>documents, which is a requirement defined in Article 8 of Regulation No. 02/2019 on Control, Examination and Assessment of Technical Safety of Pressure Equipment, is made due to the fact that there is no need for the applicant to submit documents that are issued by other state institutions and that the factual situation is easily verifiable. Submitting the same creates a huge administrative burden for the applicant and is completely pointless. The documents concerned are:</p> <ul style="list-style-type: none"> - Application Form - Business Certificate (KBRA) - License for trading liquefied petroleum gas (MTI). <p>All such documents are issued by state institutions.</p> <p>5. The right to appeal is a constitutional right regulated by law. Since LGAP is a framework law on administrative procedures in the country, the appeal procedure in the present case must be provided by law and</p>
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							be in compliance with all standards guaranteed by law.
Ministry of Economy	Energy Inspectorate	Authorization for the examination and filling of cylinders with technical gases	Permit	Minister	<p>7. Article 14 of Law No. 06/L-031 on Pressure Equipment provides for the Authorization of economic operators for the examination and filling of cylinders with liquefied petroleum gas or technical gases.</p> <p>8. Articles 7.1.3 and 9 of Regulation No. 02/2019 on Control, Examination and Assessment of Technical Safety of Pressure Equipment stipulate that the The Ministry issues authorization for the examination and filling of cylinders with liquefied petroleum gas (LPG).</p> <p>9. Article 11 of Regulation No. 02/2019 on Control, Examination and Assessment of Technical Safety of Pressure Equipment stipulate that an administrative of 100 Euro shall be required to</p>	<p>7. Article 14 of Law No. 06/L-031 on Pressure Equipment needs to be amended so that there is no need for the authorization of economic operators for the examination and filling of cylinders with liquefied petroleum gas or technical gas, but the authorization of economic operators need to obtain a Permit for the examination and filling of cylinders with liquefied petroleum gas or technical gases.</p> <p>8. The same should be part of a permit application form for the Authorization for examining and filling cylinders with liquefied petroleum gas (LPG) and for the Authorization for examining and filling cylinders with technical gas.</p> <p>9. Article 11 of the Regulation, which provides for the authorization validity of 2 years need to be amended and the same must be permanent.</p> <p>10. The fee applicable for obtaining such a license should be calculated within its cost, so that it is in accordance with Article 18 of Law on Permit and License System.</p>	<p>6. Since the current law provides for the possibility of obtaining Authorization (which should be called a Permit according to Article 8 of LPLS, as argued above), for economic operators for examining and filling of cylinders with liquefied petroleum gas or technical gas, then it is proposed that likewise in the law, to refer to a Permit which provides for both options. Depending on which service an economic operator originally applies, it is provided with a permit that identifies only that service. If an economic operator wants to provide the second service as well, the same will send the evidence only for that aspect and the permit he possess will identify that it can also provide the second service. Or, if an economic operator fulfills the conditions to provide both services, the same will be provided with a Permit through a single procedure.</p>

				<p>be paid upon obtaining this authorization. Whereas a fee of 400 Euro is applied for authorization extension.</p> <p>10. Article 11 of Regulation No. 02/2019 on Control, Examination and Assessment of Technical Safety of Pressure Equipment stipulate that the authorization validity shall be 2 years. The applicant only submits and application (the form is not defined). Also, the applicant submits the calibration and testing of the safety valves (devices used for testing) according to the manufacturer's instructions and technical specifications - this is done at least once every two years.</p> <p>11. Article 8 of Regulation No. 02/2019 on Control, Examination and Assessment of Technical Safety of Pressure Equipment stipulate that</p>	<p>11. The Regulation 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 Form - Business Certificate (KBRA) - Number and name of the relevant by-law under which authorization is sought <p>12. The appeal procedure under LGAP standards needs to be established.</p>	<p>7. Law on Permit and License System does not recognize the term Relicensing or renewal of the license or permit. At the time this right is acquired by the applicant, it is permanent and can be changed only in cases where the conditions for its suspension and revocation are met.</p> <p>8. The financial cost that the competent authority can charge for this permission 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 1000 + 400 Euro reflects the expenses that the authority covers during this procedure.</p> <p>9. The proposal to remove the requirement for the following documents, which is a requirement defined in Article 8 of Regulation No. 02/2019</p>
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					<p>the applicant is required to submit the following documents when applying for authorization:</p> <ul style="list-style-type: none"> - Application Form - Business Certificate (KBRA) - Number and name of the relevant by-law under which authorization is sought <p>12. No appeal procedure is provided for.</p>		<p>on Control, Examination and Assessment of Technical Safety of Pressure Equipment, is made due to the fact that there is no need for the applicant to submit documents that are issued by other state institutions and that the factual situation is easily verifiable. Submitting the same creates a huge administrative burden for the applicant and is completely pointless. The documents concerned are:</p> <ul style="list-style-type: none"> - Application Form - Business Certificate (KBRA) - Number and name of the relevant by-law under which authorization is sought <p>All such documents are issued by state institutions.</p> <p>1. The right to appeal is a constitutional right regulated by law. Since LGAP is a framework law on administrative procedures in the country, the appeal procedure in the present case must be provided by law and be in compliance with all standards guaranteed by law.</p>
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