



Republika e Kosovës
Republika Kosova - Republic of Kosovo
Qeveria – Vlada – Government

REGULATION (GRK) NO. 22/2024 ON EXPERTS¹

¹ Regulation (GRK) no. 22/2024 on Experts was approved on the 216 meeting of the Government of Kosovo, with the Decision No. 07/216 dated 14.08,2024.

The Government of the Republic of Kosovo,

pursuant to Article 93, paragraph 4, of the Constitution of the Republic of Kosovo, in accordance with Article 44, paragraph 2 of Law No. 08/L-196 on Salaries in the Public Sector and Article 8, paragraph 4, sub-paragraph 4.5 of Law No. 08/L-117 on the Government of the Republic of Kosovo, as well as in accordance with article 78, paragraph 6, subparagraph 6.2 of the Regulation (GRK) - No. 17/2024 on Rules of Procedure of the Government of the Republic of Kosovo:

Issues:

REGULATION (GRK) 22/2024 ON EXPERTS

**Article 1
Purpose**

This Regulation aims to define the rules and procedure for the implementation of annex 14.4 of Law No. 08/L-196 on Salaries in the Public Sector.

**Article 2
Scope**

This Regulation shall apply to the category of experts, as defined in annex 14.4 of Law No. 08/L-196 on Salaries in the Public Sector.

**Article 3
Definitions**

1. Expressions, terms and abbreviations used in this regulation shall have the following meaning:

1.1. **state information and communication systems of strategic importance** – means systems that meet at least one of the criteria defined in this regulation;

1.2. **owner of a network and information system** - means the institution that meets all the following criteria:

1.2.1. has developed the state information and communication system by itself or through third parties;

1.2.2. has purchased or is the owner of the license for operating the state information and communication system;

1.2.3. has legal responsibility for developing or ensuring the operation of that state information and communication system.

1.3. **management of a network and information system** - means the responsibility for providing the budget and other resources necessary for the development, maintenance and operation of the state information and communication system of strategic importance;

1.4. **administration of a network and information system** - means the responsibility for its configuration and maintenance, monitoring and optimization of its performance, data management, backup copies and recovery of system data, network and information system security, management of the infrastructure of that network and information system and other tasks related to the technical operation of that system;

1.5. **coordination for a network and information system** - means the responsibility for policy coordination, design and operation of the network and information system at the central level;

1.6. **Commission** – means the Commission for the assessment of state information and communication systems of strategic importance;

1.7. **CAO** – means the Chief Administrative Officer of the institution according to the legislation in force;

1.8. **Law** – means Law No. 08/L-196 on Salaries in the Public Sector.

2. Expressions, terms and other abbreviations used in this Regulation shall have the same meaning, as used in the relevant law on salaries in the public sector, the relevant law on public officials as well as the relevant legislation in force.

CHAPTER I PROCEDURE FOR DETERMINING STATE INFORMATION AND COMMUNICATION SYSTEMS OF STRATEGIC IMPORTANCE

Article 4 Criteria for evaluating systems

1. Systems shall be evaluated as state information and communication systems of strategic importance if they meet at least one of the following criteria:

1.1. constitute critical information infrastructure that includes systems or functions, the disabling or destruction of which could compromise the national security, governance, economy or social welfare of the country;

1.2. are of such a nature that they enable the realization of basic state functions as follows:

1.2.1. civil and vehicle registration;

1.2.2. taxes;

1.2.3. customs;

1.2.4. budget and finance, including treasury;

- 1.2.5. public procurement;
 - 1.2.6. health;
 - 1.2.7. pensions and social welfare;
 - 1.2.8. education and training;
 - 1.2.9. security, order and law;
 - 1.2.10. justice;
 - 1.2.11. cyber security, government network security, data and access to government computer systems;
 - 1.2.12. protection;
 - 1.2.13. elections;
 - 1.2.14. visas;
 - 1.2.15. business registration;
 - 1.2.16. registration of NGOs;
 - 1.2.17. registration of addresses and cadastre;
 - 1.2.18. geographic information;
 - 1.2.19. quality monitoring of electronic communications services, spectrum monitoring and frequency resource management;
- 1.3. systems are related to the management of processes in the public administration, specifically the management of human resources, the official state e-mail, the management of state assets and the management of the electronic archiving of documents;
- 1.4. the systems serve the central functions of electronic government;
- 1.5. state data centres;
- 1.6. state data networks;
- 1.7. network and information systems that are categorized as classified based on the law on document classification;

1.8. constitute key central systems and functions in the digitalization process developed by the Office of the Prime Minister.

Article 5

Request for evaluation of state information and communication systems of strategic importance

1. The Chief Administrative Officer of the institution who evaluates that the institution is the owner, manages and administers the state information and communication systems of strategic importance, or coordinates the operation of these systems, shall submit a request for system evaluation to the Commission.
2. The request according to paragraph 1 of this article must contain:
 - 2.1. information on the classification level of the relevant network and information systems;
 - 2.2. the category of services offered by the respective system, which may be as follows:
 - 2.2.1. the description of the data contained in the relevant system;
 - 2.2.2. the impact of the relevant network and information system on achieving the objectives of state institutions;
 - 2.2.3. the impact of the relevant network and information system on achieving the legal obligations of the requesting institution and other state institutions;
 - 2.2.4. the impact of the relevant network and information system on the realization of essential services.
 - 2.3. the evaluation related to the risk of the system from possible cyber-attacks;
 - 2.4. managing/coordinating functions and the degree of specialized knowledge required to manage, coordinate, develop, administer, maintain and advance relevant network and information systems;
 - 2.5. how unique is each relevant network and information system at the state level and are similar services provided by other network and information systems from other state institutions;
 - 2.6. evidence that the institution submitting the request owns, manages and administers the information and communication system;
 - 2.7. job positions that prove that the institution has responsibility and administers the information and communication system;
 - 2.8. naming the key positions that are responsible for the design, management, coordination, development, administration and maintenance of the relevant information and communication

system, and the proposal for their categorization according to the classes defined in annex 14.4 of Law No. 08/L-196 on Salaries in the Public Sector;

3. The institution which is responsible for the development, coordination and monitoring of the implementation of cyber security and/or ICT policies at the state level, must also submit with the request:

3.1. the legal basis that defines the responsibilities of the institution for the development, coordination and monitoring of the implementation of cyber security and/or ICT policies at the state level;

3.2. positions responsible for the development, coordination and monitoring of the implementation of cyber security and ICT policies at the state level.

4. The request according to this article shall be made by completing the form for the identification of the most strategically important state information and communication systems, attached as Annex 1 of this Regulation. In case the institution has more than one (1) system, the form must be completed separately for each system.

Article 6 Commission

1. The Government of the Republic of Kosovo, with the proposal of the ministry responsible for public administration, shall establish the Commission for the Evaluation of Strategically Important State Information and Communication Systems.

2. The commission shall consist of three (3) members, one of whom is appointed as chairman, and they shall be representatives of the following institutions:

2.1. one (1) representative from the ministry responsible for public administration;

2.2. one (1) representative from the ministry responsible for finance;

2.3. one (1) representative from the Office of the Prime Minister.

3. The members of the commission shall be appointed for a mandate of three (3) years.

4. The work of the commission shall be led by the Chairman of the Commission.

5. The members of the commission shall be obliged to participate in the meetings of the commission when they are requested by the chairman and to perform their work responsibly and objectively.

Article 7 Responsibilities of the Commission

1. The Commission shall examine and evaluate the requests sent by the Chief Administrative Officers of the Institutions according to this regulation.

2. In cases where the Commission assesses that the request meets the criteria of this regulation to be qualified as state systems of strategic importance, it shall prepare the list of state information and communication systems of strategic importance as well as the list of work positions related to the respective systems, and shall recommend its approval to the Government.

3. The list of systems and positions recommended by the Commission according to paragraph 2 of this article must contain at least the following data:

3.1. state information and communication systems that are defined as systems of strategic importance;

3.2. the institutions that own, manage and administer or coordinate the relevant state information and communication system of strategic importance;

3.3. job positions within the systems defined in subparagraph 3.1. of this article, which are responsible for the design, management, coordination, development, administration or maintenance of the relevant information and communication system categorized according to the classes defined in annex 14.4 of Law No. 08/L-196 on Salaries in the Public Sector.

4. When the Commission assesses that the request does not meet the criteria defined in this regulation, it shall present to the Government a justified recommendation for the non-inclusion of the network and information system in the list of state information and communication systems of strategic importance, as well as the non-inclusion in the list of work positions. Against the decision of the Government, administrative conflict may be initiated in the competent Court.

5. The Commission shall be competent to handle new requests and requests for review from institutions whose systems have not been defined as information and communication systems of strategic importance. The Commission shall also be competent to review the requests of the institutions for the rejected positions within the systems defined as information and communication systems of strategic importance. Requests for review must contain new evidence to meet the criteria of this regulation.

CHAPTER II

THE PROCEDURE FOR ASSIGNING EXPERTS FOR OTHER POSITIONS DEFINED IN ANNEX 14.4. OF THE LAW ON SALARIES

Article 8

Procedure for assigning experts

1. Chief Administrative Officer of the institution within which the positions defined in annex 14.4 of the Law function, shall submit a request for the assigning of officials as experts in accordance with this annex.

2. The request shall be submitted to the Commission for Experts established by decision of the Government, after the proposal from the ministry responsible for public administration.

3. The Commission for Experts according to paragraph 2 of this article shall consist of three members as follows:

3.1. two (2) representatives from the ministry responsible for public administration;

3.2. one (1) representative from the ministry responsible for finance;

4. Members of the Commission for Experts shall be appointed for a mandate of three (3) years.

5. The work of the Commission for Experts shall be led by the Chairman of the Commission for Experts.

Article 9 **Responsibilities of the Commission for Experts**

1. The Commission for Experts shall review and evaluate the requests sent by the Chief Administrative Officers of the Institutions according to this regulation.

2. The Commission for Experts shall prepare the list of positions that are categorized as experts based on Annex 14.4 of the law and shall recommend its approval to the Government.

Article 10 **Transitional provisions**

The list of systems and positions approved before the entry into force of this regulation shall remain valid as long as it continues to meet the criteria of this regulation.

Article 11 **Abrogation**

The entry into force of this regulation shall abrogate Regulation (GRK) No. 11/2023 on Experts.

Article 12 **Entry into force**

This regulation shall enter into force on the day of its publication in the Official Gazette of the Republic of Kosovo.

Albin KURTI

Prime Minister of the Republic of Kosovo

27 August 2024