



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

**REGULATION (GRK) No. 03/2025 ON THE CONDITIONS OF
TRANSFER OF OWNERSHIP OF PUBLIC PROPERTY AND LEASING
OF ITEMS IN PUBLIC OWNERSHIP¹**

¹ Regulation (GRK) No.03/2025 on the Conditions of Transfer of Ownership of Public Property and Leasing of Items in Public Ownership, has been approved in the 251-th Meeting of the Government of the Republic of Kosovo, with the Decision No.19/251, dated 12.03.2025.

Government of the Republic of Kosovo,

Pursuant to Article 94 (3) of the Constitution of the Republic of Kosovo, Article 8 (4.5) of the Law No. 08/I-117 on the Government of the Republic of Kosovo, Article 78 of Regulation (GRK) - No. 17/2024 on the Work of the Government of the Republic of Kosovo, as well as Article 18 of the Law No. 08/I-125 on Public Property, the Government of the Republic of Kosovo,

Issues:

REGULATION (GRK) No. 03/2025 ON THE CONDITIONS OF TRANSFER OF OWNERSHIP OF PUBLIC PROPERTY AND LEASING OF ITEMS IN PUBLIC OWNERSHIP

CHAPTER I GENERAL PROVISIONS

Article 1 Purpose

This Regulation sets out conditions for the transfer of ownership of public property and leasing of items in public ownership, and the procedure of public auctions by ensuring transparency and competitiveness in the application of legal provisions.

Article 2 Scope

This Regulation shall be applied by all bodies and institutions of the Republic of Kosovo, including central institutions, institutions or other public entities established by the Republic of Kosovo, which hold property rights or administer public property.

Article 3 Definitions

The expressions used in this Regulation have the same meaning as the expressions used in the Law on Public Property.

Article 4 Principles of transfer and lease of public property

1. The process of transfer, exchange or lease of immovable or movable property owned by Kosovo national institutions shall be carried based on the following principles:

1.1. Efficiency and transparency – The transfer of public property shall be carried out openly, based on the cost/effectiveness of this process.

1.2. Protection of public interest – Any action over public property must ensure the protection of the public interest.

1.3. Preservation and development of public property – Public property must be maintained and developed to meet the economic and social needs of the country.

1.4. Accountability and monitoring – Responsible institutions shall keep clear records and report on the management of public property.

CHAPTER II

CONDITIONS OF TRANSFER OF OWNERSHIP TO PUBLIC PROPERTY AND LEASING OF PUBLIC PROPERTY

Article 5

Conditions of transfer of ownership to public property and leasing

1. The transfer of ownership of public property and leasing of items in public ownership may be initiated if any of the following conditions are met:

1.1. when there is a public interest for strategic or development investments under the relevant legislation in force;

1.2. when public property constitutes a budgetary burden and does not constitute an essential asset for the functioning of the relevant institution,

1.3. when there is need for long-term improvements or investments making transfer of ownership of public property and lease of publicly owned items necessary for sustainable implementation.

CHAPTER III

PROCEDURES FOR LEASE OF PUBLIC PROPERTY

Article 6

Initiation of the procedure of leasing public property and requesting primary consent

Initiation of the procedure for transfer, exchange or lease of public property, and the request for primary consent shall be regulated by relevant legislation on public property.

Article 7

Methods of Leasing

1. Leasing of publicly owned items shall be carried out through:

- 1.1. Public auction;
 - 1.2. Collection of bids;
 - 1.3. Direct agreement, if this is determined by a special law.
2. The public auction or collection of bids shall be carried out by the relevant institution.

Article 8

Public Auction

1. Public auction for lease of public property shall be organized and conducted by the responsible institution in possession of property right to public property or administering the public property.
2. For each public auction, the responsible institution shall post a notice in the official website of the institution and in minimum one national media, no later than 30 days before the auction date.
3. The notice for public auction shall contain:
 - 3.1. Description of the property offered for lease;
 - 3.2. The initial price determined by valuation expertise;
 - 3.3. Conditions and criteria for participation;
 - 3.4. The manner of submission of bids and conducting the auction;
 - 3.5. Time and place of the auction.
4. The public auction shall initially be conducted with the closed bidding of all participants who have submitted the guarantee according to Article 10 of this Regulations. At the end of the closed auction, after the opening of the bids, the three (3) highest bidders shall be entitled to an additional bidding phase.
5. The additional bidding phase shall be conducted publicly, and in this phase, each of the three (3) most successful bidders may submit another bid higher than its previous bid.
6. The highest bid in this additional phase shall be declared the winner, provided that it is not lower than the initial price.
7. If the declared winner withdraws after the announcement of the result, his financial guarantee shall not be returned and the second highest bidder shall be declared the winner.

8. If the second highest bidder also withdraws after the announcement of the result, his financial guarantee shall not be returned and the third highest bidder shall be declared the winner.
9. If the third highest bidder also withdraws, after the announcement of the result, his financial guarantee shall not be returned and the auction shall be repeated.
10. Institutions which have a special law defining the auction procedure shall conduct the auction procedure in accordance with the relevant law.

Article 9

Collection of bids

1. The collection of bids shall be organized by the responsible institution.
2. The notice for the collection of bids shall be published on the official website of the institution and in at least one national media, including:
 - 2.1. Description of the property offered for lease;
 - 2.2. Initial price or other evaluation criteria;
 - 2.3. Conditions and criteria for participation;
 - 2.4. Deadline and method of submission of bids.
3. All participants submit their bids confidentially within the announced deadline.
4. At the end of the specified deadline, the Commission for the Opening and Evaluation of Bids determined under Article 11 of this Regulation shall conduct the public opening and evaluation of the bids.
5. The bidder with the highest or most favorable bid when there are criteria other than price, shall be declared the winner.
6. Institutions which have a special law defining the procedures for collecting bids shall carry out these procedures in accordance with their respective legislation.

Article 10

Participation and guarantee provision

1. Any natural or legal person is entitled to participate in the public auction, except for entities that have outstanding debts to public institutions.
2. Participants must submit a financial guarantee of 10% of the initial price specified in the public announcement.
3. If the winner withdraws after the declaration of the result, his financial guarantee shall not be returned and the auction shall be repeated.

Article 11
The Commission for opening and evaluating bids

1. The Commission for opening and evaluating bids shall be appointed by the Head of the respective institution conducting the public auction procedure and consists of three (3) officials of the respective institution.
2. The Commission for opening and evaluating bids evaluates the bids and announces the winning bid, according to the conditions set out in this regulation

Article 12
Receiving and opening of bids

1. Receiving and opening of bids shall be done at the premises and time specified in the public announcement.
2. The opening of bids shall be done publicly by the Commission for opening and evaluating bids in the presence of bidders who have expressed interest to participate.
3. The Commission for the opening and evaluation of bids shall notify the successful bidder within seven (7) days from the date of the opening of the bids.
4. Against the notification of the successful bidder, an administrative conflict may be initiated before the competent Court.

Article 13
Lease Contract

1. After the decision is made in accordance with Article 17 of the Law on Public Property, the institution that has conducted the public auction and the successful bidder shall conclude a lease contract.
2. The contract is concluded in accordance with the decision of the Government, respectively the competent body of the Municipality or with a decision of the Assembly of the Republic of Kosovo for the lease.
3. The lease contract shall be signed by the parties within 30 days from the day of receipt of the decision under paragraph 1 of this article.
4. If the monthly rent exceeds one thousand (1,000) Euros, before the signing of the contract, the winning bidder shall provide a bank guarantee with the value of at least three (3) months of lease.

Article 14
Lease by direct agreement

The lease of items and goods in public ownership may be done by direct agreement upon consent of the Office for administration of public property in accordance with the legislation in force.

Article 15
Exemption from the requirement for registration in the unique records

Until all public property is registered in the Unique Registry, but not later than 1 year from the entry into force of this Regulation, the Office for administration of public property may permit application of procedures including for properties not recorded in the Unique records.

Article 16
Entry into force

This Regulation shall enter into force seven (7) days after the publication in the Official Gazette of the Republic of Kosovo,

Albin KURTI

Prime Minister of the Republic of Kosovo

20 March 2025