



**Republika e Kosovës**  
**Republika Kosova-Republic of Kosovo**  
*Kuvendi - Skupština - Assembly*

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**Law No. 03/L-079**

**AMENDING UNMIK REGULATION 2006/50 ON THE RESOLUTION OF  
CLAIMS RELATING TO PRIVATE IMMOVABLE PROPERTY, INCLUDING  
AGRICULTURAL AND COMMERCIAL PROPERTY**

The Assembly of Republic of Kosovo,

In view of UNMIK Regulation 2006/50 on the Resolution of Claims Relating to Private Immovable Property, Including Agricultural and Commercial Property ("Regulation"),

Considering the need to amend the Regulation in order to reflect the Constitution of the Republic of Kosovo and other relevant instruments,

Hereby adopts the following:

**LAW AMENDING UNMIK REGULATION 2006/50 ON THE RESOLUTION OF  
CLAIMS RELATING TO PRIVATE IMMOVABLE PROPERTY, INCLUDING  
AGRICULTURAL AND COMMERCIAL PROPERTY**

**Article 1**

Each reference in the Regulation to "Regulation" shall be replaced by "Law."

**Article 2**

The text of the entire introductory section of the Regulation shall be replaced by the following:

"The Assembly of Republic of Kosovo,

Pursuant to the authority given to it under article 65 and 142 of the Constitution of the Republic of Kosovo,

Providing for the resolution of claims relating to private immovable property, including agricultural and commercial property, without such claims being referred to the courts with territorial and subject-matter jurisdiction over them

Hereby adopts:

**LAW ON THE RESOLUTION OF CLAIMS RELATING TO PRIVATE  
IMMOVABLE PROPERTY, INCLUDING AGRICULTURAL AND  
COMMERCIAL PROPERTY**

**Article 3**

Section 2 of the Regulation shall be replaced by the following Section 2:

The Kosovo Property Agency established pursuant to UNMIK Regulation No. 2006/10 shall function as an independent agency under article 142 of the Constitution.

**Article 4**

Section 5.2 of the Regulation shall be replaced by the following Section 5.2:

5.2 The Supervisory Board shall be composed of five (5) members, appointed by the Assembly upon nomination by the Prime Minister. Until the end of international supervision of the implementation of the Comprehensive Proposal for the Kosovo Status Settlement, dated 26 March 2007, three members of the Supervisory Board, including the Chairperson, shall be appointed by the International Civilian Representative.

**Article 5**

Section 5.3 of the Regulation shall be deleted.

**Article 6**

Sections 5.4 and 5.5 of the Regulation shall be renumbered appropriately.

## **Article 7**

Section 5.6 of the Regulation shall be replaced in its entirety by the following Section 5.5:

5.5 Members of the Supervisory Board may be removed from office by their respective appointing authority as stipulated in section 5.2 above if he or she:

- a) becomes ineligible to serve as a member of the Supervisory Board under section 5.5;
- b) Uses his or her office in a manner that is not consistent with the official duties and responsibilities set out in the present Law; or
- c) neglects his or her duties under the present Law.

## **Article 8**

Section 6.1 of the Regulation shall be replaced in its entirety by the following Section 6.1:

6.1 The Executive Secretariat shall have a Director and a Deputy Director, each of whom shall be appointed by the Assembly on the nomination by the Prime Minister. Until the end of international supervision of the implementation of the Comprehensive Proposal for the Kosovo Status Settlement, dated 26 March 2007, the Director of the Executive Secretariat shall be appointed by the International Civilian Representative.

## **Article 9**

Section 6.3 of the Regulation shall be replaced in its entirety by the following Section 6.3:

6.3 The duties and responsibilities of the Executive Secretariat may be set out in detail in subsidiary legislation.

## **Article 10**

Section 7.1 of the Regulation shall be replaced in its entirety by the following Section 7.1:

7.1 The Commission shall be composed of three (3) members. They shall be appointed by the Assembly upon nomination by the President of the Supreme Court of the Republic of Kosovo. Until the end of international supervision of the implementation of the Comprehensive Proposal for the Kosovo Status Settlement, dated 26 March 2007, two of the three members, including its chairperson, shall be appointed by the International Civilian Representative.

### **Article 11**

Section 7.2 of the Regulation shall be replaced in its entirety by the following Section 7.2:

7.2 Members of the Commission shall be experts in the field of housing and property law and competent to hold judicial office.

### **Article 12**

Section 7.3 of the Regulation shall be deleted.

### **Article 13**

Section 7.4 of the Regulation shall be replaced in its entirety by the following Section 7.3:

7.3 The Assembly, in consultation with the Commission, and with the International Civilian Representative until the end of international supervision of the implementation of the Comprehensive Proposal for the Kosovo Status Settlement, dated 26 March 2007, may establish additional panels of the Commission, whose members shall be appointed pursuant to sections 7.1 and 7.2.

### **Article 14**

Section 8.1 of the Regulation shall be replaced in its entirety by the following Section 8.1:

8.1 Members of the Commission shall be appointed by their respective appointing authority as stipulated in section 7.1 above for an initial term of one year and they may be re-appointed for one or more additional terms.

### **Article 15**

Section 8.2 of the Regulation shall be replaced in its entirety by the following Section 8.2:

8.2 Members of the Commission may be removed from office by their respective appointing authority as stipulated in section 7.1 above on the recommendation of a majority of the members of the Commission for failure to meet the qualifications for office or for persistent and unjustified failure to perform the duties of office.

## **Article 16**

Section 12.8 of the Regulation shall be replaced in its entirety by the following Section 12.8:

12.8 The Supreme Court of Kosovo shall decide on appeals in a panel of three (3) judges to be appointed by the President of the Supreme Court of Kosovo. Until the end of international supervision of the implementation of the Comprehensive Proposal for the Kosovo Status Settlement, dated 26 March 2007, two of the three judges shall be international representatives appointed by the International Civilian Representative.

## **Article 17**

In Section 13.5 of the Regulation, the phrase "Administrative Direction" shall be replaced by the phrase "subsidiary legislation."

## **Article 18**

Section 20 of the Regulation shall be replaced in its entirety by the following Section 20:

The present Law shall supersede any provision in the applicable law, which is inconsistent with it. A reference in an annex hereto to UNMIK Regulation No. 2006/50 shall be deemed to refer to the present Law where so required.

## **Article 19**

Section 21 of the Regulation shall be replaced in its entirety by the following Section 21:

The Government may adopt subsidiary legislation for the implementation of the present Law in addition to the annexes hereto.

## **Article 20**

Section 22 of the Regulation shall be replaced in its entirety by the following Section 22:

"This Law shall enter into force after its publication in the Official Gazette of the Republic of Kosovo. To the extent required the Housing and Property Claims Commission shall continue to have authority, if any under the applicable law, to adjudicate claims which have already been submitted to the Housing and Property Directorate and to act on requests for reconsideration of decisions in accordance with UNMIK Regulation No. 2000/60.

### **Article 21**

The text of the introductory section of the Administrative Direction 2007/5 shall be replaced by the following:

**"ANNEX I TO THE LAW ON THE RESOLUTION OF CLAIMS RELATING TO PRIVATE IMMOVABLE PROPERTY, INCLUDING AGRICULTURAL AND COMMERCIAL PROPERTY**

On The Implementation of the Law on the Resolution of Claims Relating to Private Immovable Property, Including Agricultural and Commercial Property"

### **Article 22**

In Section 7.3 of Annex I, the word Kosovo shall be added to the phrase "Supreme Court"

### **Article 23**

In Section 8 of Annex I, the phrase "Special Representative of the Secretary-General" shall be replaced by the phrase "competent authority."

### **Article 24**

In Section 10.2 of Annex I, the phrase "Administrative Direction" shall be replaced by the phrase "Annex I."

### **Article 25**

Section 26 of Annex I shall be deleted.

### **Article 26**

The title "ANNEX III of ADMINISTRATIVE DIRECTION NO. 2007/5" shall be replaced by the following title: "ANNEX II TO THE LAW ON THE RESOLUTION OF CLAIMS RELATING TO PRIVATE IMMOVABLE PROPERTY, INCLUDING AGRICULTURAL AND COMMERCIAL PROPERTY"

### **Article 27**

In Section 3.1 of Annex II, the phrase "Special Representative of the Secretary-General" shall be deleted.

### **Article 28**

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

**Law No. 03/L-079**  
**13 June 2008**

**President of the Assembly of the Republic of Kosovo**

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**Jakup Krasniqi**