

**LAW NO.04/L –025
ON LEGISLATIVE INITIATIVES**

Assembly of Republic of Kosovo,

Based on Article 65 (1) of the Constitution of the Republic of Kosovo,

Approves

LAW ON LEGISLATIVE INITIATIVES

**CHAPTER I
GENERAL PROVISIONS**

**Article 1
Purpose**

The aim of this Law is to establish rules and procedures for legislative initiatives.

**Article 2
Scope**

The scope of this Law includes the initiative to propose Laws, by the President of Republic of Kosovo, the Government, Members of Parliament and at least ten thousand (10.000) citizens.

**Article 3
Definitions**

1. Terms used in this law shall have the following meanings:

1.1. **Citizens** – every citizen of the Republic of Kosovo with the right to vote.

1.2. **Legislative initiative** – a proposal aimed to regulate a field by Law or by amending and supplementing the Law in force.

1.3. **The representative of initiative** - citizen/s or organizations of citizens that participate in the legislative initiative, with the aim of representing them to the Assembly and relevant Institutions as well as in front of citizens.

**Article 4
Legislative initiative**

1. All the activities for submission of legislative initiatives shall be in accordance with the Constitution of Republic of Kosovo and legislation in force.

2. All Draft Laws submitted to the Assembly shall contain conditions of submission of the Draft Law defined by the Rules of Procedures of the Assembly unless otherwise provided by this Law.

3. All legislative initiatives must adhere to the draft standards for drafting the Law set by the Government unless otherwise provided by this law.

Article 5
The right of legislative initiative

1. Legislative initiative may be taken by:
 - 1.1. President of Republic of Kosovo from her/his scope;
 - 1.2. Members of Parliament;
 - 1.3. Government; or
 - 1.4. at least ten thousand (10.000) citizens with the right to vote.

Article 6
Rejection of legislative initiative

1. The Assembly of Republic of Kosovo, rejects the legislative initiatives in the following cases:
 - 1.1. when it is against basic principles of the Constitution of Republic of Kosovo, and
 - 1.2. when it does not contain the terms and criteria set by this law.

CHAPTER II
LEGISLATIVE INITIATIVE FROM THE INSTITUTIONS OF REPUBLIC OF KOSOVO

Article 7
Legislative initiative by the President

1. President of Republic of Kosovo has the right to propose a legislative initiative from his/her scope.
2. The President addresses the legislative initiative to the Presidency of the Assembly of Kosovo.

Article 8
Legislative initiative by members of the Parliament

At least six (6) members of the Assembly have the right of initiative to propose laws as provided in the Rules of Procedure of the Assembly.

Article 9
Legislative initiative by the Government

Government of Republic of Kosovo has the right of initiative to propose Laws, by its scope, as determined by the Rules of Procedures of the Government and by Rules of Procedures of the Assembly.

CHAPTER III
LEGISLATIVE INITIATIVE BY CITIZENS

Article 10
The right of legislative initiative by citizens

1. Every citizen may initiate a legislative initiative.
2. Every citizen enjoys equal rights in terms of legislative initiative.
3. Any form of discrimination or restriction to propose laws on basis of race, color, sex, language, religion, political or other opinion, national or social origin, association with community, property, economic, social, sexual orientation, birth, disability, or other personal status is prohibited.

CHAPTER IV PROCEDURES AND CRITERIA FOR LEGISLATIVE INITIATIVE BY THE CITIZENS

Article 11 The representative of legislative initiative

1. Every legislative initiative must have a representative.
2. The representative of initiative is a point of contact and communication with relevant institutions.

Article 12 Form of legislative initiative

1. Citizen/s has/have the right of initiative to propose Laws by:
 - 1.1. drafting the Draft Law or,
 - 1.2. proposing the drafting of the Draft Law to the Assembly.

Article 13 Notifying the Assembly for the commencement the initiative

1. The representative of legislative initiative sends the announcement for the commencement of the initiative to appropriate Table unit in the Assembly of Kosovo and provides information to the Assembly whether the initiative for drafting a draft law or the proposal for the draft law will begin by providing detailed explanation regarding the objectives aimed to implement.
2. The appropriate Table unit in the Assembly confirms a receipt of notice for legislative initiative.

Article 14 Deadline for collecting signatures

Within six (6) months from the date when the representative of the legislative initiative notifies the Assembly of Kosovo about the commencement of the initiative, the process of collecting signatures must be completed and the legislative initiative must be sent to the Assembly of Kosovo.

Article 15 Funding of legislative initiative

1. Expenses for the preparation of collecting signatures for the legislative initiative are covered by the representative of the initiative.
2. The representative notifies the Assembly of Kosovo for the legislative initiative and for funding of the initiative and shall make transparent the sources and the amount of funding.

Article 16

The list of signatures from citizens

1. The list which includes at least ten thousand (10.000) signatures, shall include:
 - 1.1. form of legislative initiatives and its title;
 - 1.2. name and surname;
 - 1.3. personal number;
 - 1.4. place of birth;
 - 1.5. signature and date of signature.
2. Representative makes sure that the citizens sign only once and contain all the information required in paragraph 1 of this Article.
3. Every page of the list should contain data set in paragraph 1 of this Article.

Article 17 Verification of the list

1. The list which includes at least ten thousand (10.000) signatures shall be verified by Central Election Commission within fifteen (15) days.
2. In case of any discrepancies found in the context of Article 16 of this Law during the process of verification list, Central Election Commission shall inform the representative of initiative to improve the list of signatures not more than thirty (30) days.
3. In case the Central Election Commission states that the initiative is in accordance with terms defined by this Law, shall notify the representative of legislative initiative, within three (3) days.

Article 18 Submitting the initiative to the Assembly

1. Draft Law or the proposal of drafting a certain Draft Law together with the disclosure document about the objectives to be achieved to realize and signed by at least ten thousand (10.000) citizens shall be submitted to the Assembly by the representative of initiative.
2. The representative of the initiative shall submit the Draft Law to the President or Presidency of the Assembly, solemnly.

Article 19 Right of appeal

If the legislative initiative undertaken by citizens will be rejected by the relevant unit of the Assembly with justification that the initiative does not contain terms determined by this Law, citizens have the right to approach the competent Court on administrative disputes.

CHAPTER V REVIEW OF DRAFT LAW AND THE PROPOSAL FOR DRAFTING THE DRAFT LAW INITIATED BY THE CITIZENS

Article 20 Review of Draft Law

1. In case when the legislative initiative by citizens is in the form of the Draft Law, the Assembly shall be responsible for its review according to the Rules of Procedures of the Assembly to review the Draft Laws.
2. The Assembly shall submit the Draft Law to the Government for taking the relevant opinions and statements.
3. After obtaining the relevant opinions and statements by the Government, the review of draft law shall start according to procedures defined by the Rules of Procedures of the Assembly.
4. The representative of legislative initiative is invited to participate in the work of relevant Committees of the Assembly.
5. Presidency of the Assembly may allow the representative to present the initiative at a plenary session or shall assign a deputy with the proposal of the representative to present the initiative in the plenary session.

Article 21
Review of proposal for drafting the draft law

1. In case when the legislative initiative by citizens is in the form of proposal for drafting the Draft Law, the Assembly is responsible for its drafting according to the Rules of Procedure of the Assembly for review of draft laws.
2. The Assembly, based on the proposal for drafting the Draft Law may request from the Government to draft the relevant draft law.
3. Government shall appoint one of the Ministries as a bearer for drafting the draft law.
4. The representative of the legislative initiative is invited to participate in the relevant Working Groups.

CHAPTER VI
TRANSITIONAL AND FINAL PROVISIONS

Article 22
The issuance of sub-legal acts

1. The Government has the authority to approve guidelines and other relevant acts with the aim of implementing this Law.
2. Respective unit dealing with legal issues within the Office of the Prime Minister, as requested and in cooperation with institutions and civil society, shall take the necessary measures to promote and support the rights specified in this Law.

Article 23

Provisions of this Law shall be applicable in an analogue way even to initiatives on amending the Laws.

Article 24
Entry into force

This law shall enter into force fifteen (15) days after publication in the Official Gazette of the Republic of Kosovo.

Law No.04/L -025
6 October 2011

Promulgated by Decree No. DL-040-2011, dated 13.10.2011, President of the Republic of Kosovo Atifete Jahjaga.