



PROVISIONAL INSTITUTIONS OF SELF GOVERNMENT

KUVENDI I KOSOVËS
СКУПШТИНА КОСОВА
ASSEMBLY OF KOSOVO

Law No. 02/L-41

ON FIRE PROTECTION

The Assembly of Kosovo,

Pursuant to Chapters 5.1 (i), (m), 5.5 (b) and 9.1.26 (a) of the Constitutional Framework for Provisional Self-Government in Kosovo (UNMIK Regulation No. 2001/9 of 15 May 2001),

With the intention to protect human lives and property from fire as well as to organize and put into function systems dealing with fire protection and protection of people and their property,

Hereby adopts the following:

LAW ON FIRE PROTECTION

CHAPTER I
DEFINITIONS

Article 1
Definitions

For the aims of the law on Fire Protection:

“**Ministry**” shall mean the Ministry which is the responsible for the field of Emergency Preparedness (Ministry of Internal Affairs),

“**Department of Emergency Management (DEM)**” shall mean the highest authority for developing and implanting the strategy of Civil Emergency Preparedness in Kosovo.

“**Section**” shall mean the section within the DEM, which is responsible for drafting the plan on the measures for prevention against fire.

“**Fire-fighting and rescue station**” are the premises where the fire-fighters are located, including the mobile fire extinguishing and rescue equipment, where professional activities are conducted in regards to the permanent reaction preparedness.

“**Firefighting association**” is a group of people organized on voluntary and professional bases with the aim of saving people’s lives, properties, animals and environment from fire.

“**Fire Prevention Officer**” is an employee of DEM, authorized to supervise the implementation of the prevention measures for fire protection.

“**Around the clock duty officer**” organizes the work for fire extinguishing and rescue of the people in cases of emergencies and other disasters.

“**Fire protection**” – shall mean the rescue of people, property, animals and of the environment endangered by the fire and explosions, offering technical support in the accidents and dangerous situations, implementing preventive measures and other tasks determined with the fire protection measures.

“**Prevention**” shall mean all the measures and task undertaken for over passing the possibility of fire causing or measures undertaken in order to reduce fire.

“**Property**” shall mean premises, parts of premises and areas, which are property of persons or legal entities.

“**Owner**” shall mean person or legal entity, which is the owner of the premises, parts of premises or areas.

“**User**” shall mean person or legal entity, which is the direct user of the premises, parts of premises or areas.

CHAPTER II GENERAL PROVISIONS

Article 2

2.1. With the intention to protect human lives and property, animals and the environment against fire, measures are undertaken for preventing fire causes, obstructing the possibility of fire spreading, fire discovering and firefighting, for verification of fire causes, as well as for giving assistance for recovering consequences inflicted by fire.

2.2. Provisions of this law apply also to premises and areas of premises of special interest, in case they are not regulated with special law.

Article 3 General Responsibility

Every individual is obliged that in case of using the heating sources or materials, light and other energy resources, as well in case of using the flammable and explosive materials and installations to act upon it with certain care with the purpose to protect people, property, animals and the environment from fire and explosion, in order to prevent its spreading.

Article 4 Specific Responsibilities

4.1 Owners, respectively users of premises and other areas of premises, as well as other physical persons, are obliged to take measures for the protection against fire as foreseen by the present law or by other sub law acts issued based on this law, fire protection plans as well decisions of the central, public and local administration bodies.

4.2. Legal Persons, public professional bodies, Public Administration bodies, and those of the local administration, of local communities and the fire departments are obliged to undertake actions determined by the provisions of this law and by the sub law acts issued

based on the present law by their means, with the means of transport and other technical means, with the intention to extinguish the fire, to rescue people, animals, property and the environment endangered by the fire.

CHAPTER III ORGANIZATION OF FIRE PROTECTION

Article 5 Responsibilities of Municipalities

5.1. The Municipality organizes fire protection within its territory, takes care for the implementation and the advancement of fire protection measures.

5.2. The Municipality assembly issues fire protection plans, based on fire risk assessment in accordance with the instructions issued by the Ministry.

5.3. Municipality Assembly with the aim to follow up activity on fire protection plan and its implementation, shall at least once a year review its content, evaluate its compliance with the new urban plan, with construction changes, construction intentions and similar. They also follow up the financial realization of the foreseen means on fire protection.

5.4. Municipality organizes the work of chimney-sweep service, as well as performs supervision on chimney-sweeper's work.

Article 6 Responsibilities of the Ministry

6.1. Ministry issues the annual plan of activities for undertaking fire protection measures.

6.2. Ministry, through the department coordinates the activities of municipalities for issuance of fire protection plans and organizes training for firefighters.

6.3. Ministry issues instructions for the criteria and methods for determining the danger of fire.

Article 7 Responsibilities of private entities

7.1. Regarding the adequate determination of organization and implementation of fire protection measures, premises, parts of the premises and areas, are ranked into four groups of fire risk, dependent on the technological process being developed in them, type of produced material, reproduced or stored, type of material's ingredients in construction and their importance.

7.2. The Ministry, with an administrative instruction determines the criteria's for categorization of premises, parts of the premises and areas in respective fire risk categories, as well as minimal number of firemen in fire, charged with fire protection work for premises ranked in the first and second group of fire risk.

Article 8 Categorizing of premises

8.1. Owners, users of premises, parts of premises and areas which are ranked in first (I) fire risk category, are obliged to provide fire protection plan according to risk assessment, as well as to establish fire protection service, with necessary personnel and with necessary means for work and implementation of fire protection measures.

8.2. Owners, users of premises and parts of premises and areas placed in second (II) fire risk category, are obliged to provide fire protection plan according to fire risk assessment, to have sufficient number of workers who can perform work on around-the-clock, firefighting and implementation of fire protection preventive measures.

8.3. Owners, users of premises, and of areas placed in the first (I) and second (II) fire risk category, are obliged to draft fire protection plan that should be harmonized with the plan on fire protection of municipalities.

8.4. Owners, users of premises and parts of premises and areas placed in the fourth (IV) fire risk category, are obliged to have one foreman in charge of fire protection tasks.

8.5. In the post of the responsible worker for fire protection issues, legal entities and professional services employ people who have graduated in professional fire school or any other school of the technical department, but one should have finished the professional exam for performing works in fire protection.

8.6. Ministry issues programs and formats for passing the professional exam, according to paragraph 5 of this article.

Article 9 Internal acts

9.1. Legal entities which are the owners or users of premises, and parts of premises and areas, based on their needs and conditions are obliged, in compliance with fire protection provisions, to determine by an internal regulation measures and actions regarding the implementation and advancement of fire protection.

9.2. The Ministry determines the content of the internal regulation, from paragraph 1 of this article, which has to deal with fire protection.

Article 10 Additional obligations

10.1. Physical persons that are owners or users of premises, parts of premises and areas are obliged according to article 8 paragraphs 8.1 and 8.2 except the insurance for implementing the measures determined by fire protection plan and with the regulation foreseen in article 9 in the present law.

10.2. Workers who have special responsibility towards legal entities and professional services, each in their field of activity, are responsible for implementation of fire protection measures, especially in the maintenance of means and equipment in proper condition for firefighting, as well as the responsibility to inform workers on fire risks at their working places.

Article 11

Regarding the elimination of causes which effect in fire spreading or ease its expansion, the insurance association is obliged to follow up and analyze fire causers, depending on the type of insurance, respectively by signing an agreement with the insured parties, in order to foresee the measures, with the intention to eliminate those causers, and is responsible for inspection of their implementation during the expiry of the insurance period.

CHAPTER IV FIRE PROTECTION MEASURES

Article 12

The Ministry draft regulation plan on spatial planning in the aspect of fire protection, in cooperation with the Ministry of Environment and Spatial Planning.

Article 13 The Consent

13.1. Special construction conditions, on spatial regulation conditions in the aspect of fire protection, shall be determined by the Ministry.

13.2. Premises for which according to law, the Ministry of Environment and Spatial Planning issues building permission, Ministry gives consent for these constructions based on the conditions from paragraph 1 of this article.

13.3. The Ministry with an administrative Instruction determines the rules by which are foreseen the premises where paragraph 1 of this article does not apply.

Article 14

14.1. Legal entities registered for projecting are obliged, for those premises that require special construction conditions, to show graphically pre-calculated and textually explained fire protection measures foreseen in the main project, so that the precautions respectively fire protection measures, could be assessed.

14.2. Component part of the main project from paragraph 14.1 of this article, for issuance of building permission, represents evidence of the foreseen measures of fire protection. In theoretical explanation, provisions respectively technical practices, which are based on fire protection, should be stated.

14.3. Legal entities registered for projecting that have drafted the main project shall inspection the project with the aim of verifying it in harmony with the internal regulation, and shall issue the permission which proves that fire protection measures are foreseen in the main project and are in compliance with the law, technical conditions and rules.

14.4. Regulation from paragraph 14.3 of this article is a component part of the main project.

Article 15

The construction permit for construction of premises or their reconstruction is issued only when the Ministry gives its consent that fire protection measures are included in the main project.

Article 16

16.1. Authorized person from the Ministry participates in the commission's work for technical inspection of the building, established in accordance with the provisions of the law in force.

16.2. Commission from paragraph 16.1 of this article, besides other tasks given with special law, specifies that the foreseen fire protection measures are included in the main project.

16.3. When the Ministry of Environment and Spatial Planning gives permission for construction or reconstruction of premises, authorized person from the Ministry performs the tasks foreseen in paragraph 16.1 of this article.

16.4. During the technical inspection of the premises, it is ascertained that its construction or reconstruction, the fire protection measures have not been undertaken as foreseen in the main project, actions shall be undertaken in accordance to the Regulations in the field of construction.

16.5. When the project and building of the living quarters and public buildings, shopping centers, hotels, cinemas, theatres, libraries, post offices, hospitals, sport halls, concert halls and other public buildings is made, conditions for secure evacuation of people must be provided in case of fire, emergency stairways, as well as equipment for fire fighting.

Article 17

17.1. For final construction of horizontal or vertical areas of the premises, exits, exit routes in the premises, only materials that have special fire characteristics, can be used.

17.2. The construction material from paragraph 17.1 of this article, as well as for work completion, permission should be taken from the authorized person, fire protection officer and it is given for inspection to the commission from article 16 paragraph 16.1 of this Law.

17.3. The ministry issues description on conditions of fire protection aspect, which need to fulfill material criteria from paragraph 17.1 of this article.

Article 18

18.1. Owners of premises, building parts and areas are obliged to maintain in proper condition the equipment, installations, gas ventilations, chimneys, as well as other equipment which represent a risk for fire spreading, in conformity with technical normative, manufacturer's norms and guidelines, for which documentation is required.

18.2. If the owner could not be ascertained from paragraph 18.1 of this article, obligations specified from paragraph 18.1 of this article, become the burden of the user.

Article 19

Owners, users of premises, parts of premises and areas, shall regulate their obligations according to article 18 with an agreement through the contract, in accordance with the law in force.

Article 20

20.1. For installation of permanent fire protection equipment or fire alarm, flammable gas explosions' alarm as well as other equipment that are used for fire extinguishing, its spreading as well as explosions, the work performer is obliged to obtain permission by the authorized legal entity for the regularity of those installations and equipment, also the report on the control exercised by the authorized legal entity which shall be given for review to the commission for inspection in accordance with article 16 paragraph 16.1 of this law.

20.2. In accordance with paragraph 20.1 of this article, the installations shall be inspected for their regularity at least once a year, by an authorized legal entity, based on the technical norms and producers guidelines. During the inspection a report sheet is filed which contains the information on the inspection conducted, information by whom was it conducted and what was ascertained out of the inspection. Carrying and mobile equipment for extinguishing primary fire shall be inspected twice a year (every 6 months).

20.3. Workers of the authorized organization from paragraph 20.1 and 20.2 of this article which conduct the inspection should have passed the professional exam for the exercise of such inspection.

20.4. The Ministry determines special technical conditions and other conditions, which the authorized legal entity is required to meet in accordance with paragraph 20.1 and 20.2 of this article.

20.5. The Ministry shall determine the program content and prescribe the examination procedure in accordance with paragraph 20.3 of this article.

20.6. The Ministry shall issue authorization completion of works accordance with paragraph 20.1 and 20.2 of this article.

Article 21

21.1. Production and transportation of equipment, appliances and equipment dedicated for fire extinguishing, alarming and obstructing of fire spreading as well as other protection equipment and installations are determined by an administrative instruction.

21.2. In production, actions and services that use appliances, equipment, means and installations, for which Kosovar normative have not been approved, norms of the EU may be applied.

21.3. Equipment, means and appliances from paragraph 21.1 of this article imported from abroad, may be put into function only if the importer has received a certificate by the legal authorized entity on regularity of the equipment, means and appliances, as well as their compliance to the dedicated aims. For any imported equipment, quantity of the equipment parts or means for fire extinguishing, alarming and fire spreading obstruction, the importer is obliged to obtain the mentioned certificate, only if this is regulated in a different manner by an inter-state agreement.

21.4. The competent body shall be required to issue permission, when the specific provisions require that the functioning of the equipment and appliances are in accordance with paragraph 21.1 to 21.3 of this article. The Department shall issue such permission.

21.5. Provisions of paragraph 21.2, 21.3 and 21.4 of this article are also applied in regards to the protection equipment and firefighter's personal equipment that is used in firefighting and other technical interventions.

21.6. The Ministry issues authorizations for work performance in accordance with paragraph 21.3 of this article.

Article 22

22.1. Owners, respectively users of premises, parts of premises and areas, are obliged to own a fire extinguishing equipment, means and appliances.

22.2. The type of equipment, appliances and means from paragraph 22.1 of this article, as well as places in which they are set, are specified by special rules.

22.3. The Ministry issues administrative instruction regarding the selection and specification of fire extinguisher's quantity, conditions to be met by legal entities that conduct controlling activities, servicing and maintenance activity of extinguishers, as well as supervise the deadline of regularity and servicing inspections.

22.4. Equipment and fire extinguishers shall be used only as per dedications, be in proper condition and especially be marked and at all times ready for use.

22.5. The exercise of control on the regularity and servicing of extinguishers from paragraph 3 of this article can be conducted by Legal entities, as well as by the professional services that are technically and professionally trained by the authorization of the Department.

22.6. Persons that do supervision over the regularity and servicing of extinguishers from paragraph 22.3 of this article should pass the professional exam for performance of these works.

22.7. The program and the exam procedures, in accordance to paragraph 6 of this article, shall be determined by the Ministry.

22.8. The register of the authorized legal entities who perform works from article 20, paragraph 20.1 and 20.2; and article 21, paragraph 21.3 of this Law, as well as entities from paragraph 22.5 of this article, is announced in the "Official Gazette".

Article 23

23.1. Aiming to obstruct and eliminate fire risks, an compulsory on duty firefighter service is insured, respectively an observing alarming service, as well as respective equipment and means for firefighting:

- i. In premises during performances, fairs, exhibitions and similar presentations;
- ii. In certain outdoor premises, in the time when the risk from fire break is believed or assessed as a possibilities in such spaces (harvesting and threshing of great volume, big containers, national parks, and forests and similar).

23.2. The organizer is obligated to provide firefighting on duty, respectively the observing-alarming service, in the cases from paragraph 23.1 item (i) of this article, while from paragraph 23.1 item (ii) of this article, the owner, respectively the user if the owner of mentioned objects respectively areas could not be ascertained.

Article 24

In Municipalities where firefighting on duty is not ensured, respectively observing-alarming service is not organized, from article 23 of this Law, whereas there is a belief of big volume fire break, the municipal bodies, according to fire risk assessment are obliged to organize such duty service.

Article 25

25.1. Technological processes in which flammable liquids or gases or explosive materials are used or produced, may be conducted only in the objects or their parts that are separated from other production and storage areas of the object and with fire resistant obstructions that disable spreading of fire.

25.2. Technological processes from paragraph 25.1 of this article, as well as works with open fire in proximity to flammable liquids and gases and explosive materials, and other that may cause fire, should be organized in a way that fire risk is eliminated, respectively to be brought to a smaller scale dependent on the nature and conditions of work.

25.3. Premises from paragraph 25.1 of this article may be constructed only in places where their construction does not threaten fire safety to the existing premises or the surrounding area.

CHAPTER V FIRE STATIONS AND ASSOCIATIONS

Article 26

26.1. Fire stations and volunteer fire associations are established with the intention to participate in firefighting, rescue of people and their property endangered by fire and explosions, offer technical assistance in incidents and dangerous situations, implement fire protection preventive measures, as well as perform other activities specified with fire protection plans.

26.2. Works from paragraph 26.1 of this article, firefighting unions and associations perform no matter of whose property is in question, while on the performed works, reports are sent to the competent municipal directorate.

Article 27

Establishment, organization and other important issues of fire station, volunteer associations' activities and their unions will be specified with an administrative instruction issued from the Ministry according to this Law.

Article 28

28.1. If the Municipality evaluates that there is a high fire risk from the industrial factor or from other processes; the firefighting units may be established as well in other localities or communes

28.2. The Ministry shall determine the criteria for organizing firefighting units of enterprises and localities.

28.3. Two or more Municipalities, Industrial enterprises can establish a joint fire fighting unit capable for intervention, if the geographical configuration allows such thing.

Article 29

Municipal Assemblies of two or more Municipalities can establish joint firefighting unit with a legal act on the establishment of a firefighting unit, which also determines the responsibilities in the field of work, internal organization, technical equipment, rights and responsibilities and the way of financing.

Article 30

30.1. Enterprises which produce, reproduce, store flammable materials, explosives, gasses and other materials which are highly flammable are obligated to have a fighter fighting unit, if such a thing is required by a decision of the Municipal Assembly, without taking into consideration if there is firefighting unit or not.

30.2. Enterprises from paragraph 30.1 of this article are obligated to train their employees on the danger of fire and explosions, train them on the use of the respective tools and equipment and how to use the “S” execution installations effectively, during fire.

Article 31

Firefighting and rescue stations are headed by the superior, which shall have high professional education and be professionally capable to lead the firefighting station.

Article 32

A person may be employed in the firefighting station, if exempt the general conditions he has a high school degree and is not older than 35 years, and if he is joining the service for the first time he should be psychologically and physically fit for performing in such service. His psychological and physical fitness is determined by a special panel of respective Institution.

Article 33

A person without professional skills in the field of firefighting can not be engaged in conducting tasks regarding firefighting.

Article 34

34.1. During the performance of firefighting tasks, firefighting and rescue services, the Department provides professional support, professional guidelines and conducts supervision of the work in regards to the fulfillment of these services.

34.2. The firefighting and rescue units are obliged to keep the determined evidence and to inform the Department on the accomplishment of the duties.

Article 35

Employees of the firefighting service and rescue units have their own same uniform in the whole territory of Kosovo. During firefighting and rescue of people and their property, the employees must be equipped with protection equipment as foreseen in the Administrative Instruction.

CHAPTER VI FIREFIGHTING

Article 36

The owners, the users of premises, parts of premises and areas, as well as any other person who notices direct risk of fire cause or notices fire is obligated to eliminate the risk, respectively to extinguish the fire if this can be done with no danger to himself or other persons. If the person can not do this alone he is obligated to inform the nearest fire station, nearest KPS station as well as the observation, alarm and information center.

Article 37

The organization and management of firefighting and technical intervention actions will be regulated with an administrative instruction.

CHAPTER VII SUPERVISION REGARDING THE IMPLEMENTATION OF FIRE PROTECTION MEASURES

Article 38

38.1. The supervision and inspection, in regards to the implementation of measures of fire protection measures in buildings, equipment and other equipment of particular importance is performed by the Preventive Inspectors of the Department.

38.2. The supervision and inspection in regards to the implementation of measures of fire protection measures in buildings, appliances and other equipment, which is not of special importance, is performed by the Inspectors of Municipal Directorates for fire fighting.

38.3. Inspectors of forestry perform supervision regarding the implementation of fire protection measures in forests that in performance of those works have the authorization of fire protection inspectors from municipal directorates.

38.4. Inspectors of agriculture perform supervision regarding the implementation of fire protection measures in agriculture that in performance of those works has the authorization of fire protection inspectors from municipal directorates.

Article 39

39.1. By the decision of Municipal competent body, besides preliminary consent received by the Ministry, for specified control works of the measures foreseen for fire protection specified by this Law and instructions brought according to the Law can be authorized the firefighting and rescue stations and the firefighting associations.

39.2. By the decision from item 39.1 of this article are defined:

- i. Type of premises, building parts and open premises that will be included in the inspection;
- ii. Manner and procedure of performance inspection work;
- iii. Information way to the competent emergency directorate on the ascertained gaps during inspection;
- iv. Conditions to be fulfilled in the professional preparation training by persons exercising the control.

39.3. The Ministry determines the form of the identity cards by which the identity of the authorized persons for the performance of inspection works is verified.

Article 40

40.1. Persons who have superior professional preparation, respectively high technical preparation of technical profile or similar and have passed a professional exam can carry out inspector's works of the Department.

40.2. Persons who have superior professional preparation, respectively high technical preparation of the technical profile or similar and has passed a professional exam can carry out inspector's works in the municipal directorates.

40.3. The Municipal prevention officer is responsible to report for his work to the Directorate for Civil Defense and Emergency Preparedness as well as to the Department.

40.4. Prevention Section - is the Central Level, which besides his regular duties conducts the supervision of work and activities of the Municipal Prevention Officer.

40.5. The Ministry by an administrative instruction determines the program and manner of passing the professional exam for inspectors in accordance with paragraph 40.1 and 40.2 of this article.

Article 41

41.1. In supervision performance, inspector of municipal directorate and inspector of Department has the right to inspect all indoor and outdoor premises, appliances and equipment as well as to undertake other actions for determining the implementation of ordered measures in fire protection (in the meaning of article 38 paragraph 38.1 and 38.2)

41.2. During the supervision, the inspector of municipal directorate and inspector of Department may enter into a house in search of inhabitants or for elimination of serious risk to life and health of people or property of great volume.

41.3. The owners, respectively users of premises, parts of premises, and areas, are obliged to enable to the inspectors possibility to conduct their tasks, to give regular documentation for inspection and to offer information and the necessary data.

Article 42

If during the exercise of supervision, the inspector of municipal directorate and the inspector of Department conclude that during construction of premises, fire protection measures foreseen in the main project are not implemented, they shall inform the competent construction body accordingly.

Article 43

43.1. If during the exercise of supervision, the inspector of municipal directorate and the inspector of Department conclude that in the use are fire extinguishers and other means which do not fulfill conditions from article 21 of this Law, they with a decision shall order to take out of use the equipment or means.

43.2. Complaints against the decision from paragraph 43.1 of this article do not stop the execution of this decision.

Article 44

44.1. On the performed inspection, fire protection inspector is obligated to compile minutes.

44.2. One copy of the minutes is delivered to the owner, respectively to the user of premises, parts of premises or areas, where the inspection took place.

Article 45

During the exercise of inspection, fire protection inspector is obligated to cooperate with other inspections, legal entities and professional services.

Article 46

In the exercise of inspection, fire protection inspector is obligated to keep confidential data, which, in support to the law or general act are classified as state, official or business secret.

Article 47

47.1. With the intention to, obstruct fire break, make possible rescue people and fire endangered property and firefighting, the Ministry with the decision shall order the owners, respectively users of premises, parts of premises and areas to undertake certain fire protection measures, specified by the law and regulations in accordance with the on the law, accepted rules of technical practice, fire protection plans in order to:

- i. Bring into proper condition, appliances, installations and equipment;
- ii. Reconstruct the building or certain parts of premises in it;
- iii. Put the garbage away from the outdoor and indoor premises, that has remained from the work process or has been stored at places forbidden by special laws;

- iv. Put away materials from facilities or premises which present risk to fire breaking and spreading or disable quick and safe exit from facilities or construction premises;
 - v. Maintain all forestry roads in a condition that fire vehicles have access at any time;
 - vi. Execute stable, semi-stable, mobile respectively other respective equipment and installations for fire alarming and extinguishing as well as other protective equipment and installations;
 - vii. Execute necessary exits from building or building parts for enabling quick exit of persons in case of fire;
 - viii. Make impossible approach of vehicles, which while running can throw sparks at the places where they can cause fire risk;
 - ix. Bring in proper conditions fire equipment and means for fire extinguishing or place those equipment and means at a certain location;
 - x. Take away those elements in the appliances, installations and equipment that while running may cause fire;
 - xi. Take away flammable materials which were added to the building construction elements or to which horizontal and vertical exit ways have been prepared if those elements pose a risk for fire cause and quick fire spreading;
 - xii. Make impossible throw of things from outside which may cause fire in the building or open premises to which approach is limited;
 - xiii. Supply quantity and certain type of technical equipment and fire alarming and extinguishing means;
 - xiv. Insure fire duty in premises or open premises;
- 47.2. The Ministry, with decision, because of direct fire risk, shall stop:
- i. Storage of secondary material (repro material), final products or other material in the indoor or outdoor storage environments;
 - ii. Use of open fire in closed and open environments (smoking, welding, fire with open flame, open self-ignitions, electrical installations that have no fusing execution and similar);
 - iii. Use of premises or parts of premises, appliances, installations or other equipment etc. if by their adoption the a gap that may cause fire could not be eliminated;
 - iv. Use of equipment, installations and means unless measures are not undertaken to eliminate the risk.
 - v. Performance of certain works in the building or part of the building, environment or area (painting, pumping of flammable liquids and gases, burning of paints etc).
- 47.3. The complaint against the decision from paragraph 47.2 of this article does not stop the execution.

Article 48

48.1. The Department keeps evidence regarding the field of fire protection field in Kosovo territory.

48.2. Municipal directorates for the territory they are competent, are responsible to keep evidence regarding the field of fire protection field in Kosovo territory and to submit those evidences to the Department.

48.3. The Ministry specifies the contents of the evidence from paragraphs 48.1 and 48.2 of this article, as well as the way if their maintenance.

Article 49

The Ministry for exercising the supervision on the implementation of fire protection measures specified by this law and regulations approved by this law, entrusts verification of performance of technical professional works (examinations, laboratory reviews etc) to the respective scientific organizations.

CHAPTER VIII EDUCATION AND TRAINING

Article 50

The Ministry in corporation with Ministry of Education, Science and Technology shall undertakes necessary measures for education training the staff for works about protection from the fire.

CHAPTER IX FINANCING

Article 51

51.1. Means for activity and implementation of special fire protection measures from article 6 paragraph 6.1 of this law are insured by the Kosovo budget.

51.2. Means for increase of fire protection measures, verified with the fire protection plans of Municipal Assemblies are provided by municipal budgets.

51.3. Financing of fire association is regulated with a special administrative instruction.

Article 52

Owners or users of premises, parts of premises and areas, dependent on fire protection plan and with internal regulation, provide means for implementation of fire protection measures.

CHAPTER X
ADMINISTRATIVE SANCTIONS

Article 53

53.1. Legal entities shall be penalized in cash fines with the amount of 300 to 3.000 € for economic offences, if:

- i. They issue the permission in the main project, which was not drafted in compliance to this law, conditions on spatial regulation, as well as technical normative (article 14);
- ii. They conduct tasks with no permission described in articles 20, 21 and 22 of this law;
- iii. They give the permission on regularity of equipment, installations which serve for fire alarming and extinguishing and other equipment and installations which do not comply with technical norms according to article 20 paragraph 20.1 and 20.2 and article 21 paragraph 21.3;
- iv. They conduct tasks in inspection and servicing of fire protection equipment with no permission (article 22 paragraph 22.5) or conduct them in contradiction to the law.

53.2. For economic offence from paragraph 53.1 of this article, the responsible person for legal entity will be penalized with fine in money in an amount of 100 to 300 €.

Article 54

54.1. With a money fine in amounts of 100 to 1.000 € a legal entity will be punished for offence if:

- i. Does not participate in firefighting and rescue of people and material goods according to article 4 paragraph 2;
- ii. Does not bring the internal regulation with which measures and works with regards to regulation and advancing of fire protection are specified, or does not execute measures in advancing of fire protection foreseen by the internal regulation of fire protection (article 9);
- iii. Does not follow up and analyze causers that may lead to fire break and fire spreading (article 11);
- iv. The construction performer, for constructing horizontal and vertical hallways and exit ways in the premises, uses construction material, which does not justify certain fire characteristics (article 17);
- v. Does not maintain in proper condition appliances, electrical equipment, gas equipment, ventilation and other installations, chimneys as well as other equipment, and if for the maintenance does not possess the documentation (article 18 paragraph 18.1);
- vi. Does not maintain in proper condition appliances, fire extinguishing means and if for the maintenance does not possess the documentation (article 18 paragraph 18.1);
- vii. If installations are not inspected at least once a year from the authorized legal entity and if for the inspection made evidence is not kept. (article 20 paragraph 20.2);

- viii. Puts into function equipment, appliances that are used for fire extinguishing, alarming and against fire spreading for which license has not been obtained from the authorized legal person for their proper condition. (article 21 paragraph 21.3);
- ix. If without permission appliances, equipment and means that are needed for fire extinguishing and alarming are put into function, for which a permission is needed (article 21 paragraph 21.4);
- x. Does not possess appliances, equipment and fire extinguishers according to article 22;
- xi. If the firefighting on duty is not provided in the motorized way of service, with means and equipment responsible for firefighting (article 23);
- xii. Does not inform the nearest fire station, nearest KPS station as well as the observation, alarm and information center (article 36);
- xiii. If to a fire protection inspector makes impossible performance of his work or if refuses to give for inspection documentation in writing or to help in other necessary informative data (article 41 paragraph 41.3);
- xiv. Does not implement measures given according to inspectors decision of DEM (article 43);
- xv. If the decision of Ministry is not executed. (Article 47);

54.2. For offence from paragraph 1 of this article will be punished with fine in an amount from 100 to 300 € also responsible persons of legal entities.

Article 55

With fine in money in an amount of 100 to 300 € or imprisonment will be punished for minor offence the person that:

- i. Does not participate in firefighting, rescue of people and fire endangered property (article 4 paragraph 4.2);
- ii. If as the owner or user of premises, parts of premises or areas does not keep in proper conditions equipment, electrical appliances, gases, ventilations and other installations, chimney and other equipment that may cause fire and if for maintenance does not possess a documentation. (article 18 paragraph 18.1);
- iii. Does not undertake action for firefighting or does not inform for fire break (article 36);
- iv. Does not make possible to the fire protection inspector performance of his works and does not give necessary data (article 41 paragraph 41.3)
- v. Does not execute decisions of the inspector of the Department and the municipal inspector, according to (article 43)
- vi. Does not execute the decision of the Ministry (article 47)

Article 56

56.1. For economic minor offence from article 54 item iii and item iv of this law, committed for the second time, besides the fine in money also prohibition measure of exercising the activity for a period of 6 months, is announced.

56.2. For economic minor offence from article 54 item iii and item iv of this law, committed for the third time, besides the fine in money also measure for permanent prohibition of activity, is announced.

CHAPTER XI FINAL AND INTERIM PROVISIONS

Article 57

57.1. The Ministry issues respective Administrative Instructions, after the day of entering into force of this law.

57.2. The Ministry in accordance with the responsible Ministry within the determined competences by law, issues Administrative Instructions in regards to safety and fire protection conditions for premises of public designation, apartment, forests, winter-crops and other premises that pose risk of fire breaking.

Article 58

58.1. Municipal Assemblies are obliged to harmonize fire protection plan, article 5 paragraph 5.2, according to provisions of this law in a period of 6 months from the day of entering into force.

58.2. Legal entities, professional services, are obliged to harmonize internal regulation on fire protection (article 9) with provisions of this law in 6 months period of time from the day of entering into force in the execution with provisions from article 9 paragraph 9.2 of this law.

58.3. Authorized organizations from article 20 paragraph 20.1 and 20.2, article 21 paragraph 21.3 and article 22 paragraph 22.5 of this law are obligated that in a period of 6 months from the day of issuance of Administrative Instructions which regulates conditions for performance of inspection works, to harmonize their activity with provisions of those instructions.

Article 59

Fire protection inspector, found at the working position at the day of entering into force of the Law, that does not have the schooling preparation according to article 41 of this Law, by the Law may be at his working position with the condition to reach this professional preparation after three years, from the day of entering into force of this Law.

Article 60

From the day of entering into force of this law, Kosovo Fire Protection Law from the Official Gazette No. 50/78 dated 9 December 1978 is not in use.

Article 61
Entry into Force

The present law shall enter into force after adoption by the Assembly of Kosova on the date of its promulgation by the Special Representative of the Secretary-General.

Law No. 02/L-41
6 April 2006

President of the Assembly

Kolë Berisha