



REPUBLIKA E KOSOVËS - ZYRA E PRESIDENTIT
REPUBLIC OF KOSOVO - OFFICE OF THE PRESIDENT
REPUBLIKA KOSOVO - URED PREDSEDNIKA

ADMINISTRATIVE INSTRUCTION (SZP) NO. 01/2017
ON THE PROCEDURES FOR THE ALLOCATION OF
SUBSIDIES AND TRANSFERS

Prishtina, 09.06.2017



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The Secretary of the Office of the President,
Pursuant to Article 17 of Law No. 03/L-094 on the President of the Republic of Kosovo (Official Gazette, No. 47, January 25, 2009), and Article 18 of Regulation (P) No. 02/2016, on the Organizational Structure of the Presidency (08.09.2016), issues the following:

**ADMINISTRATIVE INSTRUCTION (SZP) NO. 01/2017 ON THE
PROCEDURES FOR THE ALLOCATION OF SUBSIDIES AND
TRANSFERS**

CHAPTER I – GENERAL PROVISIONS

**Article 1
Aim**

This Administrative Instruction aims to determine procedures for the allocating of subsidies and transfers from the budget of the Office of the President.

**Article 2
Scope**

This Administrative Instruction is implemented by the officials of the Presidency, during the process of allocating budget funds from the category of Subsidies and Transfers, to the extent expressly permitted by a law on budgetary allocations.

**Article 3
Definitions**

1. The expressions used in this Administrative Instruction have the following meaning:
 - 1.1. **President** – The President of the Republic of Kosovo;
 - 1.2. **Presidency** – the headquarters of the President’s official activity, which includes the Cabinet of the President, the Office of the President and other related institutions
 - 1.3. **Office of the President** – is a unit of the Presidency;
 - 1.4. **Secretary** – the Secretary of the Office of the President;

- 1.5. **Law** – Law No. 03/L-048 on Public Financial Management and Accountability (OG, No. 27, June 03, 2008) as amended and supplemented by: Law No. 03/L-221 (OG, No. 76, August 10, 2010); Law No. 04/L-116 (OG, No. 20, July 18, 2012); Law No. 04/L-194 (OG, No. 28, August 07, 2013); Law No. 05/L-063 (OG, No. 1, January 06, 2016); Law No. 05/L-007 (OG, No. 13, April 21, 2016);
 - 1.6. **Financial rules** - rules issued by the Minister of Finance in implementation of the Law and the relevant Law on Budgetary Allocations;
 - 1.7. **Commission** - Commission for reviewing the request for subsidies and transfers.
2. Any terms used in this Administrative Instruction which are not defined herein shall have the meaning as defined in the Law, the relevant Law on Budgetary Allocations and related financial Rules.

CHAPTER II – SUBMISSION OF REQUEST FOR SUBSIDIES AND TRANSFERS

Article 4 Submission of request

1. All requests for the benefiting of financial funds from the category of Subsidies and Transfers shall be submitted at the Archive Division in the Presidency
2. The Archive Division, upon receipt of the request, shall forward it to the Commission for further proceedings.

Article 5 Request by a natural person

1. The natural person who submits a request for the benefiting of financial funds from the category of Subsidies and Transfers at the Presidency, must attach:
 - 1.1. argumentation of the request;
 - 1.2. valid identification document;
 - 1.3. bank account certification.
2. The natural person under paragraph (1) of this Article may also attach additional documents to argument his/her request.

Article 6 Request by a legal person

1. The legal person who submits a request for the benefiting of financial funds from the category of Subsidies and Transfers at the Presidency, must attach
 - 1.1. argumentation of the request;
 - 1.2. copy of the registration document at the competent body
 - 1.3. copy of the identification document of the authorized person representing the legal person;

- 1.4. valid certificate of fiscal number;
- 1.5. bank account certification.
2. The legal person under paragraph (1) of this Article may also attach additional documents to argument his/her request

CHAPTER III – COMMISSION FOR THE REVIEW OF THE REQUEST FOR SUBSIDIES AND TRANSFERS

Article 7

Commission for the review of the request

1. The Secretary establishes the Commission by Decision;
2. The Commission consists of three (3) members, of whom one (1) member is nominated by the Chief of Staff of the President;
3. The Commission shall have a term of two (2) years;
4. About its work, the Commission shall report to the Secretary.

Article 8

Duties and responsibilities of the Commission

1. The Commission shall review and evaluate the submitted requests for subsidies and transfers;
2. In cases when the request is incomplete, the Commission may ask the applicant completing the documentation within five (5) days.
3. The Commission, when reviewing and evaluating requests considers the budgetary possibilities, priorities and other circumstances of the Presidency.
4. The Commission, after reviewing the request, recommends to the Secretary:
 - 4.1. to approve the request in entirety;
 - 4.2. to approve the request partly or
 - 4.3. not to approve the request.
5. The recommendation of the Commission to the Secretary should be justified, taking into account the provisions of this Administrative Instruction and other circumstances as the case may be.

Article 9

The Decision of the Secretary

1. The Secretary, taking into account the recommendation of the Commission, issues a Decision for the allocation of subsidies and transfers.
2. In cases when the recommendation of the Commission is the not approvement of the request, the Office of the Secretary shall notify the submitter of the request.

Article 10

Content of the Decision

1. The Decision of the Secretary on the allocation of subsidies or transfers should contain, but not be limited to:
 - 1.1. the data of the beneficiary of the subsidy or the transfer;
 - 1.2. the amount of allocated financial means;
 - 1.3. the name of the bank and account number;
 - 1.4. the purpose of the allocation of the subsidy or transfer;
 - 1.5. the obligation for the subsidy or transfer beneficiary to report on the realization of the request or project for which he/she has received the subsidy or transfer;
 - 1.6. the obligation of the beneficiary to return the financial means in case of non-fulfilment of the request or project.
2. The Decision is sent to the beneficiary of the subsidy or transfer, the Chief Financial Officer and the Archive Division.

Article 11

Agreement

In special cases, based on the recommendation of the Commission, the Secretary may conclude an Agreement with the beneficiary of the subsidy or transfer for the performance of the request or project.

Article 12

The grant of the subsidy or transfer

The allocated financial means are transferred to the bank account of the beneficiary of the subsidy or transfer.

Article 13

The allocation of subsidies or transfers by self-initiative of the President

1. In cases when the President decides on his own initiative to grant a subsidy or transfer to a natural or legal person, then the Cabinet shall inform the Commission.
2. The Commission, after receiving the information from the Cabinet of the President, for the allocation of the subsidy or transfer by self-initiative, requires from the person to complete the documentation, as follows:
 - 1.1. the data of the beneficiary of the subsidy or the transfer;
 - 1.2. the name of the bank and account number;
3. The Commission, after completing the documentation of the subsidy or transfer beneficiary, prepares the recommendation for the Secretary.
4. The Secretary, taking into account the recommendation of the Commission, issues a Decision on the allocation of subsidies or transfers on the initiative of the President.
5. The Decision of the Secretary on the allocation of subsidies or transfers should contain, but not be limited to:
 - 1.1. the data of the beneficiary of the subsidy or the transfer;
 - 1.2. the amount of allocated financial means;

- 1.3. the name of the bank and account number;
- 1.4. the purpose of the allocation of the subsidy or transfer, where it is mentioned that the means are allocated by self-initiative of the President;
6. The allocated financial means are transferred to the bank account of the beneficiary of the subsidy or transfer
7. The Decision is sent to the beneficiary of the subsidy or transfer, the Chief Financial Officer and the Archive Division

CHAPTER IV – REPORTING

Article 14 Reporting

1. After the implementation of the request or project, the beneficiary of the subsidy or transfer submits the report to the Commission, to which he/she may also attach the relevant evidence.
2. The Commission, after the review of the report, may request additional information or may approve the report.
3. The approved report by the Commission is sent to the Archive Division.

Article 15 The report

1. The Commission prepares a regular annual report on the allocation of financial means from the economic category subsidies and transfers.
2. The annual report is published on the website of the Office of the President.

CHAPTER V – FINAL PROVISIONS

Article 16 Repealing provisions

Upon the entry into force of this Administrative Instruction, the Regulation on Subsidy Allocation and Payment Execution with Prot. No. 798, dated 15.07.2015, is repealed as well as every other provision relating to allocating of subsidies and transfers from the budget of the Office of the President.

Article 17 Entry into force

This Administrative Instruction enters into force 7 (seven) days after signature by the Secretary.

Fehmi Mehmeti,
Acting Secretary of the Office of the President

Prishtina, 09.06.2017