



**REPUBLIKA E KOSOVËS - ZYRA E PRESIDENTES**  
**REPUBLIC OF KOSOVO - OFFICE OF THE PRESIDENT**  
**REPUBLIKA KOSOVO - KANCELARIJA PREDSEDNICE**

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**ADMINISTRATIVE INSTRUCTION (SOP) No. 04/2021**  
**ON THE ALLOCATION OF SUBSIDIES AT THE**  
**PRESIDENCY**

**Prishtina, on 26.08.2021**



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Secretary of the Office of the President,  
Pursuant to Article 17 of Law No. 03 / L094 on the President of the Republic of Kosovo (Official Gazette No. 47, January 25th, 2009), as well as Article 18 of Regulation (P) no. 02/2016 on the Organizational structure at the Presidency (September 8th, 2016), issues the following:

**ADMINISTRATIVE INSTRUCTION (SOP) No. 04/2021  
ON THE ALLOCATION OF SUBSIDIES AT THE PRESIDENCY**

**CHAPTER I - GENERAL PROVISIONS**

**Article 1  
Aim**

This Administrative Instruction determines the conditions and procedures for the allocation of funds from the budget of the Presidency, from the category of subsidies for individuals and legal entities, including NGOs.

**Article 2  
Scope**

1. This Administrative Instruction is implemented by:
  - 1.1. the respective units at the Presidency that are included in the procedure of allocating financial resources from the budget of the Presidency, from the category of subsidies;
  - 1.2. beneficiaries of the financial means from the budget of the Presidency, from the category of subsidies, as well as
  - 1.3. other persons at the Presidency, who are involved in the process of allocating funds from the budget of the Presidency, from the category of subsidies.

**Article 3  
Definitions**

1. Terms used in this Administrative Instruction have the following meaning:
  - 1.1. **Applicant** - a legal or natural person, including NGOs, who apply for financial support from the budget of the Presidency, from the category of subsidies;

- 1.2. **Department** - Department of Administration and Budget within the Office of the President;
  - 1.3. **Non-governmental organization (NGO)** - is a legally independent and non-profit entity, established for the purpose of realizing legitimate goals for mutual public benefit or interest.
  - 1.4. **Beneficiary** - means a natural or legal person, including NGOs that receive funding from the category of subsidies, which are planned in the budget of the Office of the President and in accordance with the Law on Budget Appropriations;
  - 1.5. **Presidency** - the seat of the official activity of the President, which includes the Cabinet of the President, the Office of the President and other related institutions;
  - 1.6. **President** - the President of the Republic of Kosovo;
  - 1.7. **Regulation** - Regulation of the Ministry of Finance - No. 04/2017 on the criteria, standards and procedures for public funding of NGOs (June 21, 2017), which includes the manual attached to this Regulation and the relevant forms that are an integral part of this Regulation and which are used for its implementation;
  - 1.8. **Secretary** - Secretary of the Office of the President;
  - 1.9. **Subsidy** - includes unilateral non-refundable transfers of funds of the Office of the President to the beneficiaries, which are based on a contract or decision signed between the beneficiary and the Office of the President;
  - 1.10. **Office** - Offices of the President as a unit of the Presidency and a special institution within the civil service of Kosovo.
2. Any terms used in this Administrative Instruction, which are not defined here, have the meaning determined by the relevant legislation in force on the management of public finances and responsibilities, the Law on Budget Appropriation and the Regulation

## **CHAPTER II - GENERAL PRINCIPLES OF SUBSIDIZATION**

### **Article 4 Budgetary limitations**

The Office allocates funds from the category of subsidies based on the relevant law in force on the management of public finances and responsibilities, the Law on Budget Appropriations and up to a certain limit and for certain purposes, during the fiscal year.

### **Article 5 Financial support planning**

The Department, in cooperation with the relevant units of the Presidency, prepares the annual financial support plan in line with the priorities and strategic objectives of the Presidency.

### **Article 6 Subsidizing amounts**

1. The sum of financial means from the category of subsidies, for the beneficiaries can be determined:
  - 1.1. after the evaluation of the request or project proposal by the Evaluation Commission;
  - 1.2. in case of a public call or public competition for application;

- 1.3. on the occasion of the implementation of co-financing projects with local institutions or international organizations, as well as
- 1.4. on the occasion of the proposal for the allocation of funds from the category of subsidies on the initiative of the President.

#### **Article 7** **Granting of subsidies**

The Office allocates funds from the category of subsidies on the basis of public call, based on the justified request made by the applicants and in special cases on the initiative of the President, in accordance with the provisions of this Administrative Instruction and Regulation.

#### **Article 8** **Areas of financial support of projects and programs**

1. The Presidency may provide financial support, including but not limited to, projects and programs in the following areas:
  - 1.1. protection of fundamental human rights and freedoms;
  - 1.2. gender issues and socio-economic integration;
  - 1.3. youth and innovation;
  - 1.4. sports, art, culture and education;
  - 1.5. environmental protection and promotion of green policies;
  - 1.6. issues considered of interest to communities;
  - 1.7. issues considered of interest for state representation.
2. The Presidency may provide financial support from the category of subsidies for other activities which fall within the constitutional responsibilities of the President, and which are considered and evaluated to be in the public interest of the Republic of Kosovo.
3. During the announcement of the public call, the Presidency clearly defines the areas that will be supported with financial means from the category of subsidies, criteria, necessary documents for application and other important information.

### **CHAPTER III - ANNOUNCEMENT OF PUBLIC CALL AND REQUEST FOR SUBSIDIES**

#### **Article 9** **Announcement of public call**

1. Any financial support for natural persons, legal entities or NGOs, must be announced by public call, which is published on the website of the Office.
2. The announcement of the public call for financial support of projects is made at least three times within the calendar year: in January, May and September.
3. The public call for financial support remains open for at least fifteen (15) working days from the day of the announcement.
4. Except from paragraph 2 of this article, the public call for financial support of projects and programs may be made in other time periods.
5. The President may issue a decision appointing the team that will deal with the preparation of documentation for the announcement of the public call, in accordance with the Regulation and this Administrative Instruction.

**Article 10**  
**Application**

1. All applications for obtaining of financial means from the category of subsidies are submitted to the Archive Division at the Presidency.
2. The Archive Division after the receipt of the request for financial means from the category of subsidies, forwards it to the Evaluation Commission, in further procedure.

**Article 11**  
**Request for allocation of subsidies**

1. The public call for allocation of funds from the category of subsidies will be open to individuals, legal entities and non-governmental organizations (NGOs).
2. The natural person, legal entity or NGO, which submits a request for obtaining financial means from the category of subsidies to the Presidency, must attach:
  - 2.1. standardized application form, which includes the narrative and financial part of the application;
  - 2.2. copy of the registration document with the competent body, for legal entities and NGOs;
  - 2.3. a copy of the valid identification document, in case of an application by a natural person;
  - 2.4. a copy of the identification document of the authorized person representing the legal entity or NGO;
  - 2.5. valid fiscal number certificate;
  - 2.6. bank account certification.
3. The natural person, legal entity or NGOs may attach additional documents to justify the request for financial means from the category of subsidies.

**CHAPTER IV - COMMISSIONS AND MONITORING OFFICER**

**Article 12**  
**Evaluation Commission**

1. The Secretary, through a decision establishes the Evaluation Commission for the allocation of financial resources from the category of subsidies, in accordance with the Regulation and this Administrative Instruction.
2. The Evaluation Committee reviews and evaluates all requests for subsidies submitted to the Presidency, in accordance with the Regulation and this Administrative Instruction.

**Article 13**  
**The Appeals Commission**

1. The Secretary, through a decision, shall establish the Appeals Commission in accordance with the Regulation and this Administrative Instruction.
2. The Appeals Commission has the mandate to consider appeals against decisions on non-qualification, as a result of non-fulfilment of procedural criteria provided by the Regulation and this Administrative Instruction, as well as appeals against the decision on granting financial support, in the process of selecting financial support beneficiaries.

#### **Article 14**

##### **Officer responsible for monitoring the implementation of the Project**

1. For each contract concluded with beneficiaries, the Secretary through a decision appoints the responsible officer/team, in order to monitor the implementation of relevant projects/programs. The beneficiary reports to the officer/monitoring team, on a regular basis, regarding the implementation of the project/program, according to the requirements of the contract. Reporting includes narrative and financial reports and reporting periods, as defined in the provisions of the contract with the beneficiary.
2. In case of evidence of a breach of contract by the beneficiary, the officer/monitoring team reports to the Secretary, recommending further measures. The proposed measures must be proportionate to the violation committed by the beneficiary.
3. In cases of serious breaches of contract, according to the report of the official/monitoring team, the Secretary may issue a decision to cancel the contract and measures to initiate relevant court proceedings.

#### **Article 15**

##### **Support to commissions and to the monitoring officer**

The Secretary and the Department provide the necessary support to the Evaluation Committee, the Appeals Commission and the officer/team for monitoring the implementation of the contract, providing the necessary financial and administrative resources for the successful implementation of the public call, for monitoring and evaluating financial support.

## **CHAPTER V - PROCEDURES FOR THE GRANTING OF SUBSIDIES**

#### **Article 16**

##### **Procedures for Granting of Subsidies**

The procedure for allocation of financial means from the category of subsidies by the Office is conducted on the basis of a public call, in accordance with the Regulation, based on a justified request of natural and legal persons and NGOs, and in special cases on the initiative of the President, according to the provisions of this Administrative Instruction.

#### **Article 17**

##### **Evaluation of the Request**

1. The Evaluation Commission reviews and evaluates the request for financial support of projects and programs, in accordance with the Regulation, this Administrative Instruction and the provisions of the legislation in force.
2. The Evaluation Commission determines the amount of funds for financial support of the beneficiary and during the review and evaluation of the request for financial support, takes into account the budgetary allowances, priorities and other circumstances at the Presidency.
3. At the end of the evaluation process, the Evaluation Commission issues a preliminary written decision that determines the qualified applicants who receive financial support.

**Article 18**  
**Filing and resolution of appeals**

1. Against the decision of the Evaluation Commission, applicants may file an appeal with the Appeals Commission, in accordance with the Regulation and this Administrative Instruction.
2. The deadline for filing an appeal against the decision of the Evaluation Commission is five (5) days after the written notification from the Presidency.

**Article 19**  
**Implementation of the decision**

1. The Secretary, after the decision of the Evaluation Commission becomes final, issues a decision for transfer of funds to the beneficiary.
2. After the issuance of the Decision by the Secretary, a contract is concluded for the allocation of financial means with the beneficiary regarding the implementation of the project/program.
3. The decision is sent to the beneficiary of the subsidy, the Chief Financial Officer and to the Archive Division.
4. The decision of the Secretary is the final decision in the administrative procedure.

**Article 20**  
**Allocation of the subsidy on the initiative of the President**

1. In special and urgent cases, the President may allocate subsidies on his/her own initiative.
2. In cases when the President decides on his/her own initiative to allocate a subsidy to a natural person, legal entity or an NGO, the Cabinet of the President informs the Evaluation Commission.
3. The Evaluation Commission, after receiving the information from the Cabinet of the President for the allocation of the subsidy on its own initiative, requests that the beneficiary completes the following documentation:
  - 3.1. data of the beneficiary of the subsidy;
  - 3.2. bank name and account.
4. The Evaluation Commission, after completing the documentation of the subsidy beneficiary, prepares the recommendation for the Secretary.
5. The Secretary, taking into account the recommendation of the Evaluation Commission, issues a decision on the allocation of subsidies at the initiative of the President.
6. The decision of the Secretary for the allocation of the subsidy should contain, but is not limited to:
  - 6.1. data of the beneficiary of the subsidy;
  - 6.2. the sum of funds allocated;
  - 6.3. bank name and account;
  - 6.4. the purpose of allocating the subsidy, which states that the funds are allocated on the initiative of the President.
7. The decision is sent to the beneficiary of the subsidy, the Chief Financial Officer and to the Archive Division.
8. The decision of the Secretary is the final decision in the administrative procedure.
9. The beneficiary of the subsidy allocated on President's initiative, is subject to all rules and procedures regarding narrative and financial reporting, regulated by this Administrative Instruction.

**Article 21**  
**Contract for allocation of financial means**

1. For the realization of the subsidy, a written contract is signed for the allocation of financial means, which defines the rights and obligations between the Presidency and the beneficiary.
2. The contract must specify at least the provisions:
  - 2.1. regarding the amount of funding, implementation period, implementation monitoring and narrative and financial reporting period for the beneficiary project/program;
  - 2.2. which clearly define the purpose of financial support and prohibit the use of funds for other purposes;
  - 2.3. indicating the manner and terms of payment including the amount of the advance payment;
  - 2.4. which avoid conflict of interest when spending funds from financial support;
  - 2.5. regarding the cases when the contract can be terminated;
  - 2.6. which regulate the return of funds in case of termination of the contract.

**Article 22**  
**Granting of the subsidy**

To the beneficiary of the subsidy, after signing a written contract for the allocation of funds, the allocated funds or a part of the funds, as per contract, are transferred to his bank account.

**Article 23**  
**Transparency in the allocation of subsidies**

1. The List of beneficiaries of subsidies is published on the website of the Office in accordance with the Regulation and this Administrative Instruction.
2. The final list of beneficiaries must contain:
  - 2.1. name of the beneficiary,
  - 2.2. the area for which the subsidy is given and
  - 2.3. the amount allocated to them.

**Article 24**  
**Beneficiary report**

The beneficiary is obliged to submit a financial and narrative report, in accordance with the timeframe and content specified in the contract.

**CHAPTER VI – CONCLUDING PROVISIONS**

**Article 25**  
**Report**

1. The Department, based on the reports of the Evaluation Commission, the Appeals Commission and the Officers/teams responsible for monitoring the implementation of the respective project, prepares the comprehensive annual report of financial support by the Presidency, in accordance with the provisions of the Regulation and this Administrative Instruction.



2. The draft annual report is sent to the Secretary and after approval, is published on the website of the Office.

**Article 26**  
**Respective Regulation Forms**

The Secretary, based on the proposals of the Department, approves the respective Regulation forms, which will be used appropriately for the allocation of funds from the category of subsidies, for the beneficiaries specified in this Administrative Instruction.

**Article 27**  
**Repeal**

With the entry into force of this Administrative Instruction, the Administrative Instruction (SOP) No. 01/2017 on procedures for allocation of subsidies and transfers (Prot. No. 611, dated 09.06.2017) is repealed.

**Article 28**  
**Entry into force**

This Administrative Instruction enters into force on the date of signature.

**Fehmi Mehmeti**

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**Acting Secretary of the Office of the President**

Prishtina, 26.08.2021