

LAW NO. 08/L-018

**ON TRADE WITH PETROLEUM PRODUCTS AND
RENEWABLE FUELS**

The Assembly of the Republic of Kosovo;

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

Approves:

**LAW ON TRADE WITH PETROLEUM PRODUCTS AND
RENEWABLE FUELS**

**Article 1
Purpose**

1. This law sets out the conditions for qualitative and safe supply, as well as conditions for competitive market of petroleum products and renewable fuels.

2. This law is partially in compliance with the following acts:

2.1. Directive 98/70/EC of the European Parliament and of the Council of 13 October 1998 relating to the quality of petrol and diesel fuels and amending Council Directive 93/12/EEC;

2.2. Directive (EU) 2018/2001 of the European Parliament and of the Council of 11 December 2018 on the promotion of the use of energy from renewable sources.

**Article 2
Scope**

1. This law applies to:

1.1. entities operating with petroleum products and renewable fuels, including import, production, processing, storage, wholesale and retail sale;

1.2. supervisory bodies and bodies authorized for certain functions in the market of petroleum products and renewable fuels;

1.3. users of petroleum products and renewable fuels.

2. Mandatory oil reserves are regulated by a special law.

**Article 3
Definitions**

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

1.1. **Ministry** – the responsible ministry for industry and trade;

1.2. **Minister** – the minister responsible for industry and trade;

1.3. **Oil** – a mixture of naturally occurring hydrocarbons;

1.4. **Petroleum products** – crude oil product, petroleum fuels and oils for other purposes obtained from petroleum;

1.5. **Fuels** – materials for burning that are used for production of heat and energy;

1.6. **Petroleum fuels** - fuels derived from petroleum such as: diesel, petrol, fuel in the aviation field, liquefied petroleum gas, gasoil, heavy fuel oil for heating, kerosene, petroleum coke and other products for burning purposes;

1.7. **Renewable fuels** - biofuels and bioliquids;

1.7.1 **Biofuels** – liquid or gaseous fuel for transport produced from biomass;

1.7.2. **Bioliquids** - liquid fuels for energy other than transport including generation of electricity, cooling and heating, produced from biomass.

1.8. **Biomass** - the biodegradable portion of products, waste and residues from biological origin from agriculture (including vegetal and animal substances), forestry and related industries including fisheries and aquaculture, as well as the biodegradable portion of industrial and municipal waste;

1.9. **Oils for other purposes** - oils obtained from petroleum used for lubricating, hydraulic equipment, heat transfer, anti-corrosion, electrical insulation, metal processing, solvents and other similar purposes;

1.10. **Quality of fuels** - values of ingredients and quality indicators of renewable petroleum products and fuels, defined by sub-legal acts, in compliance to harmonized Kosovo standards with European standards and requirements of European Union legislation;

1.11. **Department** – respective Department of Petroleum Market, a body within the Ministry responsible for market regulation and administration of licenses for the activities of the petroleum products and renewable fuels;

1.12. **Permit** - a document issued by the Ministry, as defined by this law, by which entity is entitled to exercise an activity with petroleum products or renewable fuels, for commercial purpose;

1.13. **Entity** – a natural or legal person engaged in the activities of petroleum products or renewable fuels;

1.14. **Supplier** - importer or wholesaler;

1.15. **Importer** – the entity who has permit for import and is responsible for passing petroleum products or renewable fuels through relevant customs office;

1.16. **Wholesaler** – an entity that purchases or produces petroleum products or renewable fuels with purpose of selling to industrial consumers or to other wholesalers or retailers except to the consumer;

1.17. **Retailer** – an entity that purchases petroleum products or renewable fuels with the purpose of selling them to consumers, including legal persons and authorities that purchase through public procurement;

1.18. **Storage** - facility that meets the criteria set by law and sub-legal acts and includes the tank or equipment for storage of petroleum products and renewable fuels;

- 1.19. **Tank**- tank for petroleum product or renewable fuel;
- 1.20. **Production** - the process of obtaining final products from raw material;
- 1.21. **Crude oil product** - petroleum products which as destination may have only the factory for producing final petroleum products;
- 1.22. **Point of sale** - wholesale or retail point of sale of fuels;
- 1.23. **Deceptive trade practice** – concealment, distortion, misrepresentation, violation, other act or omission that could objectively deceive or harm the consumer or the other party.

Article 4 Principles

The activity with petroleum products and renewable fuels is carried out according to the principles of legality, free competition, objectivity and transparency, protection of public safety, protection of the environment and protection of the consumer.

Article 5 Responsibilities of the Department

1. The Department shall have the following responsibilities:
- 1.1. propose policies and legislation to regulate the market of the petroleum products and renewable fuels;
 - 1.2. propose criteria for activities with petroleum products and renewable fuels;
 - 1.3. issue decisions on the issuance, extension, completion and denial of permits in accordance with this law;
 - 1.4. maintain the database on permits, required information for entities and other information relating to the activities of respective permit;
 - 1.5. maintain a public register of valid permits, suspended and revoked.
2. Organization and functioning of the Department shall be regulated with the relevant sub-legal act on internal organization of the Ministry, approved by the Prime Minister.

Article 6 Permits

1. All entities that deal with activities of petroleum products or renewable fuels should be provided with a valid permit.
2. The Ministry shall issue the following permits:
- 2.1. permit for import and storage of diesel, petrol and biofuels;
 - 2.2. wholesale permit of diesel, petrol and biofuels;
 - 2.3. retail permit of diesel, petrol and biofuels;

- 2.4. import permit, storage and sale of aviation fuel;
 - 2.5. import permit, storage of liquefied petroleum gas;
 - 2.6. wholesale permit of liquefied petroleum gas;
 - 2.7. retail permit of liquefied petroleum gas;
 - 2.8. permit for import, storage and wholesale of gasoil for heating;
 - 2.9. permit for import, storage and wholesale of heavy oil for heating;
 - 2.10. permit for import, storage and sale of kerosene;
 - 2.11. permit for import and sale of petroleum coke;
 - 2.12. permit for import, storage and sale of certain oil products for other purposes;
 - 2.13. permit for import, storage and wholesale of bioliquids;
 - 2.14. import permit of raw material for the production and processing of petroleum products;
 - 2.15. permit for import and wholesale and retail of household gas cylinders.
3. Retail sale permit of kerosene and oils for other purposes is not required, as products packaged according to the requirements of the legislation in force.
 4. Permits are issued for six (6) years validity.
 5. In the permit for the import of certain oil products for other purposes, the tariff code of the products is indicated. The entity may apply for the completion of the permit to add products.
 6. The permit does not prejudice the rights and obligations of the entities provided for by the legislation in force.
 7. The permit shall not be transferred from one entity to another entity.

Article 7 **General conditions**

1. The Minister shall, through a sub-legal act, determine technical-technological criteria for the activities with petroleum products and renewable fuels as well as the manner for verifying the criteria, in compliance with the European standards.
2. The Minister shall appoint a commission for verification of technical-technological criteria and a commission for the verification of the production progress. Commissions may include officials from other ministries and foreign experts.
3. The entity may use the petroleum product or renewable fuel that it imports only under the permit and for the purpose of import.
4. The raw material can only be used for production, and cannot be sold in the domestic market. Petroleum products that are not used as raw material or processing material cannot be placed inside the space where the petroleum product is produced or processed.

5. To prevent tax evasion or to protect public safety, the environment, the consumer or competition, the Government may prohibit or restrict:

- 5.1. production or processing of petroleum products or renewable fuels;
- 5.2. issuing a permit for the import of raw materials;
- 5.3. activities with fuel in aviation field, gasoil, kerosene, heavy oil for heating, petroleum coke and other products for combustion purposes.

6. To import diesel, petrol, fuel in aviation field, liquefied petroleum gas, gasoil, heavy fuel oil for heating, kerosene, biofuels and bioliquids, the entity must have a storage or retail point of sale. The imported quantity shall not exceed the capacity of the storage or retail point of sale.

7. In order to deposit the product for sale, the entity must have the warehouse in his ownership or rent it from the owner for the duration of the permit. The entity may not rent or use the deposit used by the lessor or a third party.

8. In order to get equipped with a permit, the entity that has active fuel tank must provide a liability insurance policy to third parties. The Minister, through a sub-legal act, shall determine the value of the policy, depending on the risk factor. The value may not exceed sixty (60) eurocents per liter of retail capacity or ten (10) eurocents per liter of storage or wholesale capacity.

9. The inactive fuel tank must be empty and sealed by the commission for verification of technical-technological criteria. Otherwise, the tank shall be considered as active.

10. For any change in capacity or other technical-technological changes, the entity must notify in advance the Department.

11. For buying or selling a bulk petroleum product or renewable fuel, the seller must have a permit of a wholesale product and the buyer must have a permit of retail product.

12. In order to protect the environment or public safety, the Government may by sub-legal act determine:

- 12.1. special technical-technological criteria for new points of sale;
- 12.2. support schemes for entities using sustainable technologies, such as supply equipment for electric vehicles.

Article 8 **Application for permit**

1. The Ministry shall issue the permit at the request of the entity.

2. The Minister shall, through a sub-legal act, determine the procedures and criteria for application, record, review, issuance, extension, completion, rejection, revocation and suspension of permits in compliance with the Law on Permit and License System. The minister shall determine simplified application procedures on extension and completion of the permit.

3. The Minister shall, through a sub-legal act, determine the fees for reviewing the application, issuing, extension and completion of the permit, by type. The fee shall be determined at the level necessary to cover the costs for reviewing the application and administering the permit for the duration of the validity.

Article 9
Review and decisions for permit

1. Director of the Department shall issue and notify the party with decision on permit within thirty (30) days from the date of submission of the application. The Department may request additional documentation or verification of documentation within this deadline, but may not request from the subject documents that are in possession of public bodies or facts that are known to public bodies.
2. The entity shall have the right to appeal against the decision of the Department. The appeal shall be filed within thirty (30) days from the date the decision for rejection, revocation or suspension of the permit is delivered to the entity.
3. The permit shall be signed by the Minister.

Article 10
Extension of a permit

1. The entity shall apply for permit extension at least sixty (60) days, but not earlier than one hundred and twenty (120) days before expiration of the existing permit.
2. The validity term of the extended permit starts after the day of the expiry of the previous permit.
3. If the entity does not apply for extension at least sixty (60) days before expiration of the permit, then the entity must apply for the permit as for the first time. The validity period of the new permit starts on the day the permit was issued or the date of expiration of the previous permit, whichever is the latest.
4. Provisions on issuing permits shall be applied accordingly for permit renewal.

Article 11
Suspension and revocation of permit

1. A permit may be suspended or revoked in cases when:
 - 1.1. the entity or the responsible person of the entity has applied fraudulent trade practices or has infringed provision of the respective laws or sub-legal acts;
 - 1.2. the entity ceases to fulfil the permit's criteria;
 - 1.3. the entity with the permit has presented invalid or fraudulent documentation in the application for a permit or during supervision;
 - 1.4. the subject does not clean, maintain or control the tank according to Article 17 of this law.
2. The decision to suspend or revoke the permit is based on the facts established by a final decision of the competent body or the court.
3. The permit is suspended if the cause of the suspension can be remedied within one hundred and twenty (120) days; otherwise the permit is revoked.
4. The decision to suspend or revoke the permit is issued by the Minister.

Article 12

The right to Appeal

1. An appeal against the decisions issued under this law, is allowed in accordance with the relevant Law on General Administrative Procedure.
2. The appeal shall be reviewed by the committee appointed by the Minister, according to the relevant Law on General Administrative Procedure.

Article 13

Quality of fuels

1. The Government shall, through a sub-legal act proposed by the Minister, determine the standards and manner of verifying the quality of fuels.
2. The entities shall be obliged to guarantee the quality of fuels they import or trade in the Republic of Kosovo.
3. Verification costs can be assigned to the entity.
4. Fuel quality verification is done through laboratory testing. The sample is taken in accordance with paragraph 2. of Article 18 of this law.
5. Frequency of quality verification shall be in proportion to:
 - 5.1. presumption of the risk of misuse, based on the reports of the documented misuses from continuous monitoring;
 - 5.2. obligations that the Republic of Kosovo has for implementing the requirements deriving from the EU legislation.
6. The Government with a sub-legal act proposed by the Minister determines:
 - 6.1. conditions of use of additives to increase the quality of liquid petroleum fuels;
 - 6.2. the minimum annual ratio of biofuels imported or placed on the market to other fuels used in transport;
 - 6.3. support schemes for the production and import of renewable fuels.

Article 14

Measures against irregular supply

1. The Government, upon the proposal from the Minister, in case of disruptions of supply with petroleum products or renewable fuels in domestic market, may:
 - 1.1. limit the working schedule at the retail point of sale;
 - 1.2. limit the amount of products that can be sold to a customer for each purchase or within a specified period;
 - 1.3. limit the movement of motor vehicles that use fuels;
 - 1.4. take other measures to limit the demand or consumption, recommended by international organizations;
 - 1.5. allow lower quality standards, in accordance with European Union legislation.

2. The measures described in paragraph 1. of this Article may become applicable for a certain period of time, but not longer than ninety (90) days without interruption.

Article 15 **Price regulation**

1. Prices of petroleum products and renewable fuels are determined by the free market.
2. For consumer protection, protection of competition, for avoiding disruptions in the market or for other reasons of national interest, the Government shall, through a sub-legal act proposed by the Minister, determine the regulation of prices and other protective measures in the following cases:
 - 2.1. sudden and continuous shortage of petroleum products or renewable fuels;
 - 2.2. natural disaster;
 - 2.3. non-adjustment of local prices with great price movements in the world market;
 - 2.4. unjustifiable difference between local prices and prices in neighboring countries.
3. Regulation of prices according to paragraph 2. of this Article shall include the setting of maximum sale prices and the allowed margin in the wholesale and retail trade of fuels.
4. In order to draft a sub-legal act from paragraph 2. of this Article, the Minister shall consult with the responsible Minister of Finance, Competition Authority, the Consumer Protection Council and Kosovo Petroleum Association.

Article 16 **Basic obligations of entities**

1. To enable a secure and transparent trading, entities must:
 - 1.1. keep and offer for sale products only from tanks, pumps, dispensing equipment and other equipment designed for this purpose;
 - 1.2. keep and offer for sale products that meet the quality standards set forth by the law or sub-legal act;
 - 1.3. clearly display the name, trademark, symbol, inscription and other features of the products that are offered for sale, in accordance with the standards and requirements of the law and sub-legal acts;
 - 1.4. use accurate measuring instruments which have valid calibration and verification, and display the exact quantity of product being sold;
 - 1.5. clearly display name of the entity, working schedule, types and prices of products and other services offered at the point of sale;
 - 1.6. present valid and accurate information and documentation, in the permit application, during supervision or whenever required by the applicable law;
 - 1.7. take measures for prevention of spills and mitigate the effect of spills of petroleum products, renewable fuels, solvents and other materials that pollute the environment.
2. Activity contrary to provisions of sub-paragraphs 1.1., 1.2., 1.3., 1.4., 1.5., and 1.6. of this Article shall be deemed as Deceptive Trade Practice.

Article 17

Cleaning and maintenance

1. Tanks shall be maintained, inspected and cleaned every six (6) years or more frequently as needed.
2. The entity must notify the Ministry before cleaning the tank or changing products stored in the tanks.
3. The Market Inspectorate or another competent body may request the inspection or cleaning of tanks if irregularities are suspected in extraordinary circumstances.
4. The Minister shall, through a sub-legal act, determine the conditions, criteria, procedures and authorization of the cleaning bodies for tanks.

Article 18

Supervision

1. Inspection supervision shall be performed by the Market Inspectorate, authorized bodies and other competent bodies based on the scope of activities and their responsibilities defined by law in power.
2. Supervision is done:
 - 2.1. by customs or other competent body, before the entry of fuel into the domestic market;
 - 2.2. in the domestic market;
 - 2.3. to the customer or the other party.
3. The Government with a sub-legal act proposed by the Minister may determine:
 - 3.1. scope, responsibilities and functioning of competent bodies and authorized bodies;
 - 3.2. the establishment of laboratories that support the supervision of this law;
 - 3.3. the manner of supervision of this law.

Article 19

Penalties

1. To determine the amount of the fine within the margin provided for by this Article, the degree of deviation from the requirements of this law or sub-legal acts arising from it, the value of possible benefits or possible damages, and any other relevant circumstances shall be taken into account.
2. Whoever, in contrary with Article 6 of this law, performs retail sale of petroleum products or renewable fuels without permission for each sale shall be fined:
 - 2.1. from five thousand (5.000) to fifteen thousand (15.000) euros, as a legal entity;
 - 2.2. from five hundred (500) to one thousand five hundred (1.500) euros, as a responsible person of a legal entity;
 - 2.3. from two thousand (2.000) to five thousand (5.000) euros, as a natural person conducting individual business.

3. Whoever, in contrary with paragraph 11. of Article 7 of this law, sells a product in bulk to a person who does not have permit of retail product or buys a product in bulk without having a permit for retail selling, for each sale or purchase shall be fined:

3.1. from fifteen thousand (15.000) to forty thousand (40.000) euros, as a legal person;

3.2. from one thousand five hundred (1.500) to four thousand (4.000) euros, as a responsible person of a legal person;

3.3. from three thousand (3.000) to ten thousand (10.000) euros, as a natural person conducting individual business.

4. Whoever, in contrary with Article 6 of this law, sells or stores petroleum products or renewable fuel in bulk without permission, for each sale or storage shall be fined:

4.1. from fifteen thousand (15.000) to forty thousand (40.000) euros, as a legal entity;

4.2. from one thousand five hundred (1.500) to four thousand (4.000) euros, as a responsible person of a legal entity;

4.3. from three thousand (3.000) to ten thousand (10.000) euros, as a natural person conducting individual business.

5. Whoever, in contrary to sub-paragraph 1.6. of Article 16 of this law, conducts fraud in regard to the origin or in accompanying documentation of petroleum products or renewable fuel, for each fraud or product, shall be fined:

5.1. from fifteen thousand (15.000) to forty thousand (40.000) euros, as a legal entity;

5.2. from one thousand five hundred (1.500) to four thousand (4.000) euros, as a responsible person of a legal entity;

5.3. from three thousand (3.000) to ten thousand (10.000) euros, as a natural person conducting individual business.

6. Whoever, in contrary with paragraphs 3. or 4. of Article 7 of this law, uses the petroleum product or renewable fuel for a purpose other than the purpose of import or places the petroleum product in an unauthorized premise, for each violation shall be fined:

6.1. from fifteen thousand (15.000) to forty thousand (40.000) euros, as a legal entity;

6.2. from one thousand five hundred (1.500) to four thousand (4.000) euros, as a responsible person of a legal entity;

6.3. from three thousand (3.000) to ten thousand (10.000) euros, as a natural person conducting individual business.

7. Whoever, in contrary with sub-paragraph 1.3. of Article 16 of this law, conducts fraud in regard to name or other element of petroleum product or renewable fuel, for each fraud, shall be fined:

7.1. from five thousand (5.000) to fifteen thousand (15.000) euros, as a legal entity;

7.2. from five hundred (500) to one thousand five hundred (1.500) euros, as a responsible person of a legal entity;

7.3. from one thousand (1.000) to three thousand (3.000) euros, as a natural person conducting individual business.

8. Whoever, in contradiction with paragraph 2. of Article 13, sub-paragraph 6.1. of Article 13, sub-paragraph 1.2. of Article 16 or sub-paragraph 1.4. of Article 16 of this law, frauds with the amount or the quality of the petroleum product or renewable fuel on import, wholesale or retail, for each fraud, shall be punished by a fine:

8.1. from fifteen thousand (15.000) to forty thousand (40.000) euros, as a legal entity;

8.2. from one thousand five hundred (1.500) to four thousand (4.000) euros, as a responsible person of a legal entity;

8.3. from three thousand (3.000) to ten thousand (10.000) euros, as a natural person conducting individual business.

9. Whoever, who does not fulfill the obligations from sub-paragraphs 1.1., 1.5. or 1.7. of Article 16 of this law shall be fined:

9.1. from five thousand (5.000) to fifteen thousand (15.000) euros, as a legal entity;

9.2. from five hundred (500) to one thousand five hundred (1.500) euros, as a responsible person of a legal entity;

9.3. from one thousand (1.000) to three thousand (3.000) euros, as a natural person exercising individual business.

10. Whoever, contrary to paragraph 7. of Article 7 of this law, rents the storage used by the lessor or a third party or is leased by a third party, for each violation, shall be fined:

10.1. from five thousand (5.000) to fifteen thousand (15.000) euros, as a legal entity;

10.2. from five hundred (500) to one thousand five hundred (1.500) euros, as the responsible person of a legal entity;

10.3. from one thousand (1.000) to three thousand (3.000) euros, as a natural person conducting individual business.

11. Whoever who, contrary to sub-paragraphs 1.1., 1.2. or 1.4. of Article 14 of this law, does not respect the Government's decision to limit working hours, the limitation of the sold quantity or other measures against the irregular supply, for each violation, is punished with a fine:

11.1. from three thousand (3.000) to nine thousand (9.000) euros, as a legal entity;

11.2. from three hundred (300) to nine hundred (900) euros, as the responsible person of the legal entity;

11.3. from one thousand (1.000) to three thousand (3.000) euros, as a natural person exercising individual business.

12. Whoever, contrary to sub-paragraph 1.3. of Article 14 of this law, does not respect the decision of the Government to restrict the movement of motor vehicles is punished with a fine of fifty (50) up to five hundred (500) euros.

13. Whoever, contrary to Article 15 of this law, does not respect the price limit of the product of renewable oil or fuel is punished with a fine:

13.1. from two thousand (2.000) to six thousand (6.000) euros, as a legal entity;

13.2. from two hundred (200) to five hundred (500) euros, as a responsible person of a legal entity;

13.3. from one thousand (1.000) to three thousand (3.000) euros, as a natural person exercising individual business.

14. Anyone who, contrary to sub-paragraph 6.2. of Article 13 of this Law, does not place on the market biofuels in sufficient quantities to achieve the mandatory ratio to other fuels used in transport shall be fined:

14.1. from forty (40) Eurocents per liter not established in the market, but not less than four thousand (4.000) Euros in total, as a legal person or natural person conducting individual business;

14.2. from five hundred (500) to two thousand (2.000) euros, as a responsible person of the legal person.

15. Anyone who, contrary to paragraphs 1., 8. or 9. of Article 7 of this Law, does not fulfill or prohibits the fulfillment of the technical-technological criteria, the obligation for third-party liability insurance, the obligation for sealing the inactive tank, for each violation, shall be fined:

15.1. from two thousand (2.000) to forty thousand (40.000) euros, as a legal entity;

15.2. from two hundred (200) to four thousand (4.000) euros, as the responsible person of the legal entity;

15.3. from five hundred (500) to ten thousand (10.000) euros, as a natural person conducting individual business.

16. Anyone who, contrary to paragraph 10. of Article 7 or paragraph 2. of Article 17 of this Law, does not fulfill the obligation to notify technical-technological changes, cleaning the tank or changing the product in the tank, for each violation, is punished with a fine:

16.1. from three thousand (3.000) to six thousand (6.000) euros, as a legal entity;

16.2. from three hundred (300) to six hundred (600) euros, as the responsible person of the legal entity;

16.3. from one thousand (1.000) to two thousand (2.000) euros, as a natural person exercising individual business.

17. Anyone who, contrary to sub-paragraph 1.4. of Article 16 of this law, uses without valid calibration or verification equipment of the point of sale, for each violation, punishable by a fine:

17.1. five thousand (5.000) euros, as a legal entity or natural person conducting individual business;

17.2. one thousand (1.000) euros, as the responsible person of the legal entity.

18. Whoever, contrary to Article 17 of this law, does not clean, maintain or control the tank, for each tank, shall be punished by a fine:

18.1. from two thousand (2.000) to six thousand (6.000) euros, as a legal entity;

18.2. from two hundred (200) to five hundred (500) euros, as a responsible person of a legal entity;

18.3. from one thousand (1.000) to three thousand (3.000) euros, as a natural person exercising individual business.

19. The entity or institution that, contrary to paragraph 2. of Article 13 of this law, uses a product of unauthorized quality shall bear the costs of verification. The product shall be confiscated.

20. It shall be confiscated the product that:

20.1. is imported without permission, contrary to Article 6 of this law;

20.2. is imported in quantities exceeding the capacity of the storage or retail sale point contrary to paragraph 6. of Article 7 of this law;

20.3. it is sold in bulk to the person who does not have a permit for retail sale of a product or is purchased in bulk by such person, contrary to paragraph 11. of Article 7 of this law.

21. Anyone who repeats the violation of this law or the sub-legal act arising from this law may be punished with a ban on exercising the activity or profession up to five (5) years.

Article 20 **Other punitive provisions**

1. Violation of this Law or sub-legal act arising from this Law shall be prosecuted according to the Law on Minor Offences. Prosecution shall take place within five (5) years after the violation is committed and the punishment is executed within ten (10) years after the decision for punishment becomes final.

2. Penalties referred to in Article 19 of this Law shall not exclude the obligations and sanctions determined by other laws.

3. Several penalties referred to in Article 19 of this Law can be applied to a person at the same.

4. When it ascertains the violation of this Law or of the sub-legal act deriving from this Law, the Market Inspectorate or other competent body may temporarily close the point of sale, in order to protect the public safety, environment, consumer or competition. The point of sale can be reopened when the violation is remedied.

5. The means collected from the imposition of fines shall be transferred to the budget of the Republic of Kosovo.

6. Within seven (7) days after the final decision it is ascertained the violation of this Law or sub-legal act deriving from this Law, the Market Inspectorate shall publish a notice of the decision. The notice shall state the name of the entity, the name of the responsible person, the date of the control, the location, the description of the violation, the ascertainment and the measures taken, the legal basis, as well as the copy of the decision.

Article 21 **Sub-legal act**

1. After the entry into force of this law, within a period of twelve (12) months, the Government and the Minister shall issue sub-legal acts.

2. Insofar as they are not in contradiction with this Law, they shall apply until the following sub-legal acts are replaced:

2.1. Administrative Instruction No.01/2017 on the quality of petroleum-derived liquid fuels;

2.2. Administrative Instruction No. 07/2018 on determination of the licensing procedures for entities dealing in petroleum sector activities;

2.3. Administrative Instruction No.09/2010 on meeting the technical requirements by the entities that deals with import, storage, retail and wholesale of the fuel;

2.4. Administrative Instruction No. 16/2010 on defining the fee obligation on licensing of entities that deal with fuel sector and petroleum products;

2.5. Administrative Instruction No. 2007/18 on technical requirements for the construction and operation of fuel supply points.

Article 22 **Transitional provisions**

1. Permits issued before the entry into force of this Law shall remain valid until the date of their validity.
2. Permit applications that are in procedure, before the approval of this law, shall be reviewed under this Law, if this law is more favorable for the party.

Article 23 **Repealing**

Upon entry into force of this Law, Law No. 2004/5 on Trade of Petroleum and Petroleum Products in Kosovo, Law No. 02/L-89 on Amending and Supplementing the Law No. 2004/5 on Trade of Petroleum and Petroleum Products in Kosovo, as well as Law No. 03/L-138 on Amending and Supplementing the Law No. 2004/5 on Trade of Petroleum and Petroleum Products in Kosovo shall be abrogated.

Article 24 **Entry into force**

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

Law No. 08/L-018
08 February 2022

Promulgated by Decree No. DL-71/2022 dated 24.02.2022 President of the Republic of Kosovo Vjosa Osmani-Sadriu