

LAW NO. 04/L-230**ON THE AGENCY FOR EMERGENCY MANAGEMENT**

Assembly of Republic of Kosovo,

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

Approves

LAW ON THE AGENCY FOR EMERGENCY MANAGEMENT**CHAPTER I****GENERAL PROVISIONS****Article 1
Purpose**

This law regulates the establishment, organization, structure, duties, responsibilities and the method of financing the Agency for Emergency Management.

**Article 2
Definitions**

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

1.1. **Ministry** – Ministry of Internal Affairs;

1.2. **Minister** – Minister of Internal Affairs;

1.3. **Agency** – Agency for Emergency Management;

1.4. **Centre 112** – Regional Emergency Operations Centre means the operating structure of the agency extended in the local level, which represents a specific geographical area of two or more municipalities;

1.5. **Director General** – Director General of the Agency for Emergency Management;

1.6. **FRPU** – professional operating unit, which takes part in fire fighting interventions, rescue of people and goods in emergency situations;

1.7. **PRAS** - protection, rescue and aid structures;

1.8. **Officials performing operational and professional duties** – officials working in the field of community protection through coordination and integration of all necessary activities for construction, maintenance and improvement of capacities for overcoming extreme situations that may cause injuries or kill a large number of people, cause big material damages and disorder system and life of community.

2. Other expressions used in this law have the same meaning as defined in the Law on Protection against Natural and other Disasters, the Law on Fire Protection, the Law on Fire-Fighting and Rescue, and relevant legislation in force.

CHAPTER II

AGENCY FOR EMERGENCY MANAGEMENT

Article 3

Establishment and Status of the Agency

1. The Agency is established as an independent body within the Ministry of Internal Affairs.
2. The Agency has the status of a legal entity.
3. The Agency acts under the direct authority of the Minister of MIA and conducts activities in building, protection, advancement and promotion of general security in the field of emergency management and provides professional services too.
4. The agency's headquarters is in Prishtina.

Article 4

Agency's Symbols

The agency has its flag, emblem and uniform proposed by the Director General and approved by the Minister.

Article 5

Principles of Emergency Management

1. The agency operates under internationally accepted principles as follows:
 - 1.1. **Comprehensive** - emergency managers recognize and take into account all hazards, all phases, all stakeholders and all effects associated with all types of disasters;
 - 1.2. **Progressive** - emergency managers anticipate future disasters and take preventive and preparatory measures to create communities resistant to all kinds of disasters and their resiliency after;
 - 1.3. **Led by risk** - emergency managers use strong principles of risk management - risk identification, risk analysis and impact analysis – in setting of priorities and resources;
 - 1.4. **Integrated** - emergency managers ensure the unification of efforts between all levels of government and all elements of the community;
 - 1.5. **Cooperative** - emergency managers create and sustain broad and sincere relationships between individuals and organizations to encourage trust, teamwork, achievement of consensus and facilitating communication;
 - 1.6. **Coordinated** - emergency managers synchronize the activities of all relevant stakeholders to achieve a common goal;
 - 1.7. **Flexible** - emergency managers use creative and innovative approaches in solving disaster challenges;
 - 1.8. **Professional** - emergency managers appreciate the approach based on science and knowledge-based on education, training, experience, work ethic, public administration and continuous improvement.

Article 6

Leadership and Authority

1. The Agency is led by Director General and acts under the authority of the Minister.

2. Minister's authority does not include operational management of the agency.
3. For the administration and management of the agency, Director General responds and reports to the Minister.
4. Director General shall inform the Minister twenty four (24) hours a day, seven (7) days a week.

Article 7

The appointment of Director General and Deputy Directors

1. Candidates for the position of Director General and two (2) Deputy Directors of the Agency shall be proposed and selected by the committee established by the Minister.
2. Director General and Deputy Directors-General of the Agency shall be appointed for a five (5) years period, with possibility of extension after every five (5) years from the appointing authority.
3. If the mandate of Director General and Deputy Directors-General of the Agency ends in the calendar year of general elections, then their stay in office will be automatically extended for one (1) year after certification of election.
4. The Commission proposes the candidates for the position of General Director of the Agency to the Minister. The Minister, in one of the meetings of the Government proposes the candidate for this position, while the Government recommends to the Prime Minister the candidate for Director General of the Agency. The Director General shall be appointed by the Prime Minister.
5. The Commission proposes to the Director-General the candidates for appointment to the position of Deputy Director General of the Agency, and the Director General recommends to the Minister the candidates for Deputy Directors-General of the Agency. Deputy Directors General of the Agency shall be appointed by the Minister.
6. Establishment, composition and procedures of the committee shall be regulated by sub-legal acts issued by the Minister.

Article 8

Criteria for Selection and Appointment of the Director General and Deputy Directors

1. The criteria for selection and appointment of the Director General and Deputy Directors are:
 - 1.1. to be a citizen of the Republic of Kosovo;
 - 1.2. to be a graduate in one of the accredited universities or to possess a verified diploma;
 - 1.3. to not have been convicted of a criminal offense, with a final verdict;
 - 1.4. to have experience in managerial works at least five (5) years in respective field;
 - 1.5. no conflict of interest with the duties or as required by the Law on Prevention of Conflict of Interest in Exercising Public Function.
2. Each candidate for the position of Director General and Deputy Directors General should be subject to security clearance according to the applicable law.

Article 9

Discharge and Dismissal of the Director-General and Deputy Directors

1. General Director or Deputy Directors General, are discharged or removed from office by the authority which appointed them, for one of the following reasons:

- 1.1. is convicted of a criminal offense;
- 1.2. reaches retirement age;
- 1.3. resigns;
- 1.4. due to the inability of conducting the duty for a period not longer than six (6) months;
- 1.5. the expiration of the mandate;
- 1.6. due to unfavourable documented performance.

2. When there is well founded suspicion that the Director General of the Agency has committed a criminal offense or for any of the reasons set out in paragraph 1. of this Article, the Minister may suspend the Director General immediately and he/she presents all the facts giving the suspension to the Prime Minister. Then Prime Minister decides on the dismissal or termination of the suspension.

3. In case of release, dismissal or suspension of the Director General, the Minister immediately appoints one of Deputy Directors General as acting Director General.

Article 10 **Responsibilities of the Director General**

1. The Director General of the Agency is responsible for:

- 1.1. overall administration and management of the Agency;
- 1.2. employment and accommodation of personnel;
- 1.3. issuing sub-legal acts and decisions on matters pertaining to the functions of the Agency;
- 1.4. effective and efficient management of resources entrusted to the Agency;
- 1.5. preparation of the ad hoc reports, periodic and annual reports on the work of the agency which are submitted to the Minister;
- 1.6. drafting the annual plan and strategic plan for effective and efficient management of the Agency.

Article 11 **Responsibilities of the Deputy Directors General**

In the absence of the Director General, Deputy Director shall perform all duties prescribed in Article 10, paragraph 1. of this law, as well as other duties assigned by the Director General.

Article 12 **Employment of Agency's Personnel**

1. The agency employs two categories of its personnel:

- 1.1. agency officials who perform operational and professional tasks in the field of emergency management;
- 1.2. civilian staff performing administrative and support services;

2. For officials in sub-paragraph 1.1. of this Article and other details related to human resources for this category, the Minister shall adopt a sub-legal act.

Article 13
The Right to Salary and Bonus

Basic salary, increases in wages, allowances and other benefits, will be determined by the Minister with sub-legal act and will include supplements, but are not limited to the payment of hazards at work, payment for overtime and holiday pay, daily meal and paying for clothing.

CHAPTER III
ORGANIZATION AND RESPONSIBILITIES OF THE AGENCY

Article 14
Organization

1. Agency is organized in the central and local level.
2. Directorate General of the Agency is the central level responsible for all of the Republic of Kosovo.
3. The local level includes Centres 112.
4. For coordination of response operations of a FRU, outside their territorial jurisdiction, will be responsible the Agency.
5. Territorial jurisdiction of each 112 Centre is proposed and determined by the Director General and approved by the Minister.
6. Director General, with prior approval of the Minister, may establish special units in accordance with the requirements of risk assessment at the country level.
7. Organization and internal organizational structure of the Agency is regulated by sub-legal act, according to the Law on State Administration of the Republic of Kosovo.

Article 15
Duties and Responsibilities of the Agency

1. Agency performs managerial and technical duties for protection against natural and other disasters, particularly in:
 - 1.1. elaboration of proposals for research and development projects;
 - 1.2. elaboration of the proposal for national plan and program;
 - 1.3. taking care of the organization and functioning of monitoring, warning and alarm system;
 - 1.4. planning, establishment, operation and maintenance of the unique system of communication, information and definition of the technical conditions for integration of other systems;
 - 1.5. elaboration of risk assessment and technical documents for defence, rescue and relief planning as well as direction and coordination of measures for the prevention and relief of consequences;
 - 1.6. monitoring and reporting of risk and giving instructions to confront them;
 - 1.7. development of draft national emergency response plans in cooperation with Ministries and Government Agencies;

1.8. organizing, equipping and training of central defence, rescue and relief structures, and other protection, rescue and aid structures, as well as creating conditions for functioning of organizational structures of the Integrated Emergency Management System;

1.9. supervision and coordination of the organization of PRAS and other services;

1.10. curriculum preparation, organization and implementation of training and empowerment in the field of protection, rescue and relief;

1.11. classification of resources for protection, rescue and relief,

1.12. creation and maintenance of national material reserves for natural disasters and other calamities;

1.13. the Emergency Management Agency prepares and distributes publications to inform the community on the field of emergency readiness and develops notifications for media.

Article 16 **International Cooperation**

1. The Agency cooperates with international organizations of the same field and with other foreign institutions, pursuant to legislation in force and international agreements.

2. The Agency in accordance with the legislation in force and on the basis of bilateral and multilateral international agreements, and if necessary can accept foreign officials, respectively send its officials on a temporary service for the purpose of performing duties in the field of emergency.

Article 17 **Budget of the Agency**

1. The Agency shall have separate budget line which is within the budget of the Ministry approved in accordance with the Law on Public Financial Management and Accountability.

2. Director General of the Agency shall prepare the budget of the agency, which is forwarded to the Minister for consideration and further processing in accordance with procedures prescribed by law.

3. Director General of the Agency is responsible for implementation and management of the agency's budget.

4. The budgetary revenues created by the Agency of Emergency Management will be deposited in the Budget of the Republic of Kosovo.

CHAPTER IV

TRANSITIONAL AND FINAL PROVISIONS

Article 18 **Issuance of sub-legal acts**

1. To implement this law the Minister will adopt sub-legal acts as follows:

1.1. the regulation for establishment, composition and procedures of the committee for the selection and nomination of candidates for Director General and Deputy Director General of the Agency;

1.2. the regulation for recruitment, evaluation and categorization of the officials of the Agency for Emergency Management who perform professional operating duties in the field of emergency management;

1.3. regulation for basic salary and other rewards according to Article 13 of this Law;

1.4. the regulation for the flag, emblem and uniform;

1.5. regulation for operational and professional duties in the field Emergency Management for Officials of the Agency.

2. For implementation of this law, the Director General of the Agency shall adopt sub-legal acts as follows:

2.1. the regulation on organization and internal organizational structure of the Agency for Emergency Management.

Article 19 Sub-legal acts

Sub-legal acts for implementation of this law, are issued within a period of six (6) months from the date of entry into force of this law.

Article 20 Repeal

By entry into force of this law, the Administrative Instruction no. 18/2010 on the Organization and Structure of the Agency for Emergency Management is repealed, including any other legal provision that is inconsistent with this law.

Article 21 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. 04/L-230
27 February 2014**

Promulgated by Decree No. DL-006-2014, dated 14.03.2014, President of the Republic of Kosovo Atifete Jahjaga.