



PROVISIONAL INSTITUTIONS OF SELF GOVERNMENT

**KUVENDI I KOSOVËS**  
**СКУПШТИНА КОСОВА**  
**ASSEMBLY OF KOSOVO**

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**Law No. 02/L-95**

**ON PLANT PROTECTION**

The Assembly of Kosovo,

Pursuant to Chapter 5.1 (n) and 9.1.26 (a) on the Constitutional Framework for Provisional Self Government in Kosovo, (UNMIK Regulation No. 2001/9 of 15 May 2001),

With the purpose of legally regulating the plant health protection, introduction and prevention of the spread of harmful organisms to plants,

Hereby adopts the following:

**LAW ON PLANT PROTECTION**

Chapter I  
GENERAL PROVISIONS

Article 1  
Purpose

This law aims at:

- a). protecting plants, plant products and other objects; applying plant biological protection measures;
- b). designating the responsibilities and measures for the prevention of introduction and spread of harmful organisms in plants, plant products and other objects and for their eradication;
- c). collecting and exchanging information and data with other countries;
- d). financing and compensating works undertaken on plant protection, and
- e). designating responsibilities of organs competent for the protection of plant health and activities of the Phytosanitary Inspectorate.

## Article 2 Implementation

This law provides the conditions for:

- (a) the protection of plants and plant products against harmful organisms;
- (b) the prevention of introduction and spread of harmful organisms and their eradication by undertaking phytosanitary measures;
- (c) the identification of harmful organisms to the plants;
- (d) the optimal production and circulation of plants and plant products;
- (e) the implementation of permanent supervision of harmful organisms, their risk management, the implementation of plant protection measures, and the performance of other duties and reports;
- (f) the orientation and tracking of the development of activities concerned with the protection of plant health;
- (g) the collection, maintenance and exchange of data and information;
- (h) the education of the community and raising its awareness in regard to plant protection.

## Article 3 Definitions

Definitions used for the purposes of this Law:

“**Plant**” shall mean living plants or their living parts including seeds.

“**Plant living parts**” shall mean fruit in the botanical sense other than that preserved by deep freezing, vegetables other than those preserved by deep freezing, tubers, corms, bulbs, rhizomes, cut flowers with or without horns, branches with foliage, cut branches with foliage such as plant tissue cultures, fungi mycelium and live pollen.

“**Plants intended for replanting**” shall mean plants which are already planted and are intended to be replanted or plants and their living parts which are not planted, but are intended to be planted.

“**Seeds**” shall mean seeds of plants, cereals, industrial plants, fodder plants, vegetables, herbs, aromatic plants, trees, flowers, forest trees, which serve for planting and reproduction and are intended for planting.

“**Plant products**” shall mean all products of plant origin, unprocessed or having undergone simple processing to the extent that they are not plants according to the definitions of this Law. Plant products consist of wood if it preserves its surface in natural conditions or its parts, with or without bark, processed in the form of cut slabs, fractions, sawdust, wood remains or particles, carved wood, wooden packaging material, wood processed packaging material used to transport different consignments.

“**Plants intended for planting**” shall mean plants intended for planting in designated phases.

“**Harmful organisms**” shall mean organisms of plant, animal or pathogenic origin injurious in different forms to plants, plant products and other objects.

**“Introduction of harmful organisms”** shall mean the introduction of harmful organisms in areas whereby their occurrence was not identified before.

**“Biological plant protection”** shall mean the method of eradication of harmful organisms in agriculture and forestry using their natural enemies, antagonists or other self-replicating agents of biological control.

**“Plant passport”** shall mean an official document in written form which gives evidence that the standards of plant health and specific requirements for plant and plant products in force within the territory of the EU member states are satisfied.

**“Plant Producer”** shall mean the legal entity or physical person who is the owner, or deals with the production, processing, handling, storing, trading, delivering or any other usage of plants and plant products.

**“List “** shall mean the harmful organisms, introduction and who’s spreading is banned. These lists content name of insects, helminthes, bacteria, mushrooms, viruses, phytoplasmes and parasites plants that have extension in all stages of their development.

**“Territory under special supervision”** shall mean a special place exposed to risk, or a territory whereby harmful organisms do not occur and plant protection is regulated in a special way by the Ministry.

**“Phytosanitary Activity”** shall mean the management procedure or any other procedure which is implemented in accordance with this Law to impede the introduction or spread of the harmful organisms from any other country.

**“Phytosanitary Regulations”** shall mean this Law and all the sub-legal acts derived from it, as well as contracts and international agreements on plant protection.

**“Inspector”** shall mean the person authorized by the Ministry to enforce this Law.

**“Public interest issues”** shall mean plant protection issues, designated by this Law, whose undertaking is a special responsibility to the subjects and individuals for the general public interest.

**“Phyto-certificate”** shall mean an official document which states the health of the plants and plant products and the terms of the plant consignment accepted by the country of origin and which accompanies the imported or transit plant consignments.

**“Re-export Certificate”** shall mean a certification of the health conditions of the consignment to be re-exported issued by the competent organ or the exporting country.

**“Export”** shall mean the transport of plants, plant products and other objects of Kosovo origin.

**“Re-export”** shall mean the transport of the plant consignment imported in Kosovo intended for re-export which can be stored, split up, have its packaging changed or combined with other consignments.

**“Place of production”**, shall mean the land or the region of lands whereby the production unit is located with all facilities, tools and machineries for the production of the plants.

**“Other objects”** shall mean places, facilities for storing, treating, processing plants and plant products, packaging material, means of transport, containers, soil or other material

used for cropping plants and other organisms, means and materials which can carry and bear harmful organisms to plants that require the initiation of phytosanitary measures.

“**Transfer**” shall mean any transfer of the plants, plant products, other materials and other objects outside their place of production.

“**Risk Assessment**” shall mean the evaluation of the probability of introduction, establishment or spread of harmful organisms in the territory of Kosovo as well as taking into consideration the initiation of potential phytosanitary measures as well as the potential economic consequences.

“**Plant consignment**” shall mean the number of plants, quantity of plant products and other objects transported.

“**Harmful Organisms Evaluation**” shall mean the official procedure of collection, maintenance and processing of the data on the presence of harmful organisms in plants, based on the follow up of the health conditions, systematic research, inspection control or other procedures as well as complementary sources.

“**Transit**” shall mean any plant consignment transport that is not imported in Kosovo, but passes the border and the territory of Kosovo, subject to official procedures which ensure that the consignment remains enclosed, is not split up, combined with other consignments nor has its packaging changed.

“**Import**” shall mean any introduction of plant consignments in the customs check points of Kosovo, without considering its destination according to the Customs Laws, other than transit.

“**Country of Origin**” shall mean the country where the plants are grown, or plant products are derived from.

“**Plant Protection**” shall mean the finding, identification, follow up, impediment, spread eradication or destruction of harmful organisms to plants, plant products and other objects through the implementation of phytosanitary measures.

“**Border Inspection Point**” shall mean phytosanitary services in the border which are authorized to check plants and plant products imported, exported, re-exported and under the supervision of the phytosanitary inspector in cooperation with the Customs Services.

“**Person**” shall mean any legal entity or physical person.

“**Import Permit**” shall mean the official document authorising the importation of plant origin commodities in accordance to specific phytosanitary requirement.

“**Trader**” shall mean any person registered for the sale of plants and plant products.

“**Registration**” shall mean the act of approval of the activity of plant production and plant products by the competent organ.

“**Competent organ**” shall mean the Department of Plant Production and Protection.

“**Ministry**” - shall mean the Ministry of Agriculture, Forestry and Rural Development.

“**Minister**” - shall mean the Minister of the Ministry of Agriculture, Forestry and Rural Development.

## Chapter II PLANT PROTECTION

### Article 4

Plant protection includes:

- (a) the identification and follow up, impediment and spread of harmful organisms to plants, plant products and other objects and their eradication or destruction;
- (b) designation and implementation of phytosanitary measures;
- (c) the satisfaction of responsibilities designated by international conventions and contracts on plant health protection.

### Article 5

5.1. Plant protection is the right and responsibility of the competent organs of Kosovo, the Ministry of Agriculture, Forestry and Rural Development, executers of pubic interest works and plant producers.

5.2. Professional leading functions ensure the protection of the entire plants, plant products, and other objects, supervision of phytosanitary inspection and other functions and duties in compliance with this Law. These duties should be in the accordance with the international conventions and agreements on plant protection.

5.3. The Ministry performs functions on the protection of plants, seeds, plants intended for transplanting, products for protection and plant nutrients.

### Article 6

6.1. The Ministry, public works executers and the plant producers shall perform and cooperate in following up the health of plants, plant products and other objects permanently in order to identify and report on the introduction and spread of harmful organisms and to eradicate or destroy them.

6.2. Pubic affair executers shall immediately inform the phytosanitary inspector and competent organ on the new and unexpected occurrences of the harmful organisms from List I.A. and II. A.

6.3. In regard to the protection of the health of forest plants, the competent organ and the executers of public interest works in forestry shall perform their activity in accordance to this Law and its sub-legal acts.

### Article 7

Plant producer is responsible:

- (a) for the control of plant health during their growth, in order to identify, and prevent the spread of harmful organisms in areas whereby plants are grown such as: plots, plantations, nursery gardens, orchards, greenhouses and the like, natural plants and plant products as well as other objects he owns or someone else uses on his behalf;

- (b) to inform the phytosanitary inspector or public works executers on new and unexpected occurrences or suspicion about the presence of harmful organisms to the plants of List I.A. and II.A. They shall immediately inform the competent organ of the Ministry;
- (c) to take immediate steps, designated by the competent organ or the phytosanitary inspector in order to impede, spread and eradicate the harmful organisms;
- (d) to keep evidence on the steps taken on the protection of plants and to allow official persons to check it;
- (e) to enable the implementation of the measures designated by the competent organ;
- (f) to enable and assist in performing the phytosanitary inspection check.

#### Article 8

8.1. If the plant producer does not implement the measures designated in Article 7 point (a), (c) and (e) of this Law, the phytosanitary inspector designates their implementation on behalf of the plant producer.

8.2. In exception to the provisions of Article 7 point (a), (c) and (e) of this Law, the plant producer, who is the owner or user of forest plants shall be responsible to inform the forest inspector and public forestry works executer immediately on the occurrence of harmful organisms form List I.A and II.A., and they shall immediately inform the competent organ for the protection of plants in accordance with Article 6, paragraph 3 of this Law.

8.3. Persons who due to the nature of their job recognize or are suspicious about the new and unexpected occurrence of harmful organisms in plants shall inform the competent organs for plant protection.

#### Chapter III

#### PREVENTION OF THE OCCURRENCE AND SPREAD OF HARMFUL ORGANISMS TO PLANTS, PLANT PRODUCTS AND OTHER OBJECTS AS WELL AS THE MEASURES FOR THEIR DESTRUCTION OR ERADICATION

#### Article 9

Harmful organisms, according to the health risk on some special kinds of plants and according to the nature of economic damage caused to corps and forest plants are part of this law and are divided in the following lists:

- I. List I.A.: harmful organisms whose introduction into and spread within the territory of Kosovo is banned and whose occurrence is confirmed in Kosovo;
- II. List I.A.I.: harmful organisms, whose introduction into and spread within the territory of Kosovo is banned even though their occurrence is known in special plants or plant products;
- III. List I.B.: harmful organisms, whose introduction into and spread within protected zones is banned;
- IV. List I.B.I.: harmful organisms whose introduction into and spread within protected zones is banned even though their occurrence is known in some plants or plant products.

## Article 10

10.1. Plants, plant products and other objects which carry harmful organisms under Article 9, point (III) of this Law and substantially endanger plant health are included in the following lists:

List II.A: plants, plant products and other objects, the import of which is banned in Kosovo.

List II.B: plants, plant products and other objects, the import of which is banned in special protected zones;

List IV.A: plants, plant products and other objects, which shall satisfy specific phytosanitary requirements laid down for import and transport in Kosovo;

List IV.B: plants, plant products and other objects, which must satisfy specific phytosanitary requirements laid down for import and transport in protected zones;

LIST V.A.:

List V.A - I: plants, plant products and other objects which must be issued a phyto-certificate valid for the entire territory of Kosovo;

List V.A - II: plants, plant products and other objects which must be issued a phyto-certificate valid for special protected zones;

LIST V.B.:

List V B - I: plants, plant products and other objects which must be accompanied by a phyto-certificate in the entire territory of Kosovo;

List V B - II: plants, plant products and other objects which must be accompanied by a phyto-certificate in special protected zones;

10.2. Lists under the Article 9 and 10 are part of Annex which is integral part of this Law.

## Article 11

11.1. In cases when harmful organisms presented in List I.A and II.A. for the territory of Kosovo and List I.B and II.B. for protected zones occur in the territory of Kosovo or symptoms that raise suspicions on the occurrence of harmful organisms from List I.A., II.A., I.B., II.B, appear in plants, plant products and other objects, plant producers and public works executers must immediately and consistently inform the phytosanitary inspector and the competent organ.

11.2. The Plant producer shall protect plants, plant products and other objects in accordance with the instructions designated by the phytosanitary inspector. The method of informing shall be designated by the Ministry in a sub-legal act.

Article 12  
Referent Phytosanitary Laboratory

12.1. In cases when there is a suspicion on the occurrence of harmful organisms, the phytosanitary inspector takes a sample and sends it for further analysis to the referent phytosanitary laboratory designated by the Ministry.

12.2. The referent phytosanitary laboratory:

- (a) use methods on sample treatment, which provide conditions for the prevention of the risk of harmful organisms spreading, proves their occurrence, keeps sample evidence, regularly maintains and presents notes on analysis;
- (b) orders the initiation of the respective phytosanitary measures, if it verifies the occurrence of harmful organisms presented in List I.A and II.A. or List I.B. and II. B. for protected zones;
- (c) the competent organ informs plant producers and other subjects on the occurrence of harmful organisms and their risk and advises them on the preliminary actions and measures for the prevention of damages in plants, plant products and other objects.

12.3. Measures under paragraph 2 point (c) of this article shall be designated by the Ministry in a sub-legal act.

12.4. Responsibilities between the Ministry and the referent phytosanitary laboratory shall be regulated with a cooperation memorandum or agreement.

Article 13  
Record keeping

13.1. The competent organ regularly keeps evidence and maintains all the notes and results on the occurrence of harmful organisms and other necessary notes in regard to their follow up in order to possess and provide reliable data of national and international interest.

13.2. The Ministry designates in sub-legal acts the content, format and method of evidence keeping:

- (a) on the identification of new harmful organisms presented in List I.A and II. A in Kosovo, which can be regularly launched.
- (b) the launch of data on the new identification of harmful organisms presented in List I.A and II.A.



## TERRITORY UNDER SPECIAL SUPERVISION

### Article 14

14.1. If the occurrence of harmful organisms is verified and the risk of their presence and spread exists in the territory under special supervision, the phytosanitary inspector:

- (a) gives evidence on the occurrence location and orders the initiation of the phytosanitary measures designated by the Ministry;
- (b) depending on the type of harmful organisms, regularly informs plant producers on the location of the occurrence.

14.2. The Ministry designates in legal acts the borders of the territory under supervision, measures to be taken for the identification and prevention of harmful organisms spreading, and measures to be taken for the interruption of phytosanitary activities and method of informing.

## PROTECTED ZONES

### Article 15

15.1. The territory, where the occurrence of one or more harmful organisms is not found or the territory, where the risk of the introduction of harmful organisms exists, is considered a protected zone.

15.2. The occurrence of harmful organisms in protected zones is considered if:

- (a) Respectively the phytosanitary measures for their eradication are not taken;
- (b) Protection measures are taken, but these have not proven to be efficient for a consistent period of 3 years.

15.3. In zones where the occurrence of one or more harmful organisms is not found and which are correctly proclaimed as protected zones, the Ministry must take systematic supervision actions.

15.4. The proclamation of protected zones, their lists and the conditions for systematic examinations within these zones are designated by the Ministry in sub-legal acts.

## Chapter IV

### BANNINGS AND RESTRICTIONS TO THE INTRODUCTION AND SPREAD OF HARMFUL ORGANISMS TO PLANTS

### Article 16

16.1. The introduction and spread of harmful organisms presented in List I.A and II. A. is banned in the entire territory of Kosovo.

16.2. The introduction and spread of harmful organisms presented in List I.B and II. B. is banned in protected zones

16.3. The introduction of harmful organisms under paragraph 1 and 2 of this article shall mean the intentional or non-intentional introduction of harmful organisms in the territory of Kosovo or in the protected zones.

16.4. The introduction and spread of harmful organisms not presented in the Lists under paragraph 1 and 2 of this article, is also banned if these endanger plant health in the territory of Kosovo.

#### Article 17 Import banning

17.1. The import of plants, plant products and other objects presented in List III.A is banned in the territory of Kosovo.

17.2. The import of plants, plant products and other objects presented in List III.B is banned in protected zones.

17.3. The import and transfer of plants, plant products and other objects presented in List IV.A is banned if the designated phytosanitary measures are not satisfied.

17.4. The import and transfer of plants, plant products and other objects presented in List IV. B is banned in territories proclaimed as protected zones if the designated phytosanitary measures are not satisfactory.

17.5. The import and transfer of plants, plant products and other objects presented in the lists under paragraph 1, 2, 3 and 4 of this article is banned by the ministry in a sub-legal act if these endanger plant health in the territory of Kosovo.

#### Article 18

18.1. In exception to the provisions of article 16 and 17 of this Law, legal entities which deal with scientific research activities, may import or transfer harmful organisms presented in List I.A., II.A., I.B., II.B., and plants, plant products and other objects presented in List III.A., III.B., IV.A. and IV.B., if:

- (a) they possess the import permit;
- (b) they use these for examinations, researches or plant selection activities;
- (c) they satisfy the conditions foreseen for their professional and technical capacities, designated by the competent organ.

18.2. Permits under paragraph 1 of this article are issued by the competent organ of the Ministry on the request made by the legal entity.

18.3. The enquiry shall include:

- (a) data on the enquirer;
- (b) data on the harmful organisms to plants, plant products and other objects under paragraph 1 of this article.

18.4. The competent organ keeps evidence on the import of plants under paragraph 3 point (b) of this Article.

18.5. The Ministry designates in a sub-legal act the requirements of the professional and technical capacity, the detailed content and the format of the import permit under this Article.

## Article 19

19.1. In exception to the provisions of article 16 and 17 of this Law, the competent organ in compliance to the designated requirements and if it assesses that there is no risk of harmful organisms spreading, in special cases may permit the following:

- (a) the import of plants, plant products and other objects grown or used for personal needs which are intended for replanting or for immediate personal use;
- (b) the import of plants, plant products and other objects which carry harmful organisms, other than those intended for planting.

19.2. The competent organ keeps evidence on the import permitted under paragraph 1 point (a) and (b) of this article.

## Article 20

20.1. Provisions of Article 16 and 17 of this Law are not applicable if:

- (a) the plant consignment is in transit in Kosovo;
- (b) small quantities of plants, plant products and other objects including food and feed commodities are intended for personal, industrial or non-commercial use or feeding during transport;

20.2. Small quantities under paragraph 1 point (b) of this article shall be applied to: fresh fruit and vegetables, other than potato; cut flowers and bouquets; seeds in original packaging, other than potato seed; decorative plant rhizomes, cut stalks of coniferous trees (without roots) needed for different celebrations and flowers in pots exclusively intended for the needs of final users.

20.3. Small quantities under this article are designated by the Ministry in a sub-legal act.

## REGISTER OF PLANT PRODUCERS, PROCESSORS, IMPORTERS, DISTRIBUTORS AND STORING PEOPLE

## Article 21

Legal entities and physical persons can perform production, processing, importing, storing or distribution of plants, plant products and other objects presented in Lists V.A and V.B if they satisfy the requirements foreseen for these activities, or if they are registered in the Ministry's register.

## Article 22

22.1. The registration is obligatory for the following persons:

- (a) plant producers, processors, distributors, storing people of plants, plant products and other objects presented in List V.A;
- (b) importers of plants, plant products and other objects presented in List V.B;
- (c) producers of specific types of plants, plant products and other objects, which are not mentioned in List V.A and the respective collection or distribution centers in the growing zone.

22.2. The content and the method of register keeping is regulated by the Ministry in a sub-legal act, while the register is designated and kept by the competent organ in the Ministry.

#### Article 23

23.1. In order to be registered under article 21, individuals, who have the right professional capacity on plant production and protection must be employed and will be responsible to satisfy the requirements under Article 24 of this Law.

23.2. The criteria for the increase of the professional capacity of the staff responsible for plant protection shall be designated by the Ministry in a sub-legal act.

23.3. In order to be registered under article 21 of this law, a written enquiry must be submitted to the competent organ.

23.4. The Ministry takes a decision on the registration not later than 30 days from the reception of the enquiry and documentation.

23.5. If any registered person interrupts the satisfaction of the responsibilities and requirements under this Law, the Ministry cancels his registration.

#### Article 24

24.1. Persons registered in the register shall be obliged to:

- (a) keep notes on production, processing and movement of plants, plant products and other objects, which are stored or intended for replanting in their property, processed in or distributed to another location;
- (b) regularly keep and fill in the plan of the location whereby plants are grown, processed, stored or used;
- (c) regularly perform the appropriate visual checks in plants;
- (d) allow the access of the phytosanitary inspector in order to inspect and check plants, location and documentation as well as to take samples;
- (e) inform the competent organ in the Ministry or the phytosanitary inspector on all occurrences and increases of the number of harmful organisms in plants and on their productivity;
- (f) submit all the changes of the data kept in the register to the competent organ in the Ministry within the designated term.
- (g) report annually within the appropriate term to the competent organ in the Ministry or to the Phytosanitary inspector on the quantity and location of production and processing of plants and plant products;
- (h) cooperate with the competent organ in the Ministry and the phytosanitary inspector in order to ensure plant health protection; and
- (i) save the documentation for at least one year.

24.2. The ministry regulates in a sub-legal act the plant health check technique, terms, content and sending method for the data under paragraph 1, point (a) of this law.

## Article 25

In exception to the provisions of article 24, registration is not obligatory to small producers and processors who do not perform professional production and processing of plants or whose production and sale of plants, plant products and other objects is intended to personal needs of physical persons in the local market and does not risk harmful organisms spreading.

### Chapter V IMPORT, EXPORT AND TRANSIT OF PLANT CONSIGNMENTS

#### Article 26 Import

26.1. Plant import is permitted if:

- (a) the importer possesses the import permit from the competent organ in the Ministry;
- (b) the plant consignment is imported through customs check points whereby phytosanitary service exists.

26.2. Customs check points must satisfy the requirements designated for health checks of plant consignments.

#### Article 27

27.1. Consignments of plants presented in List V.B.I., their packaging and transport must undergo the obligatory check of the phytosanitary border inspection, which verifies that:

- (a) the plant consignment is accompanied by the phytosanitary certificate;
- (b) no harmful organisms presented in List I.A and II. A occur in the plant consignment;
- (c) no harmful organism to plants, plant products and other objects presented in List II.A. occur in the plant consignment;
- (d) the plant consignment satisfies special phytosanitary requirements in compliance to List IV.A.

27.2. Any plant consignments under paragraph 1 point (a) of this article shall be accompanied by the original phytosanitary certificate of its country of origin or the complemented phyto-certificate when plant consignments must satisfy special phytosanitary requirements in compliance with Lists IV. A and IV.B. issued by the country these come from, which is not the country of origin.

27.3. When a plant consignment under paragraph 1 of this article after being issued the phytosanitary certificate in its country of origin, is transported, stored, repacked or split up in a country other than the country of origin, must have this certificate or its notarised copy accompanied by the re-export phyto-certificate issued by the other country.

27.4. When a plant consignment under paragraph 1 of this article, is continuously imported in more than one country and has received more than one re-export phyto-certificates, it must be accompanied by the original phytosanitary certificate or its notarized copy and the original phyto-certificates or their copies issued by all these countries.

27.5. Any other plant consignment shall undergo border inspection checks if the phytosanitary inspector suspects the risk harmful organisms spreading to plants.

27.6. The inspection check procedure under paragraph 1 point (b) of this article is designated by the Ministry in sub-legal acts.

#### Article 28

Any consignments of plants presented in List V.B.II, imported in protected zones, in addition to the requirements under article 27 of this Law shall satisfy the following other requirements:

- (a) no harmful organisms presented in List I.B and II.B shall occur;
- (b) no plants, plant products and other objects presented in List III.B shall be carried; and
- (c) special phytosanitary requirements under List IV.B shall be satisfied.

#### Article 29

29.1. Any consignments of plants presented in List V.B. imported for the purpose of examination and scientific research selection must be checked by the phytosanitary inspection and must be accompanied by the import permit in compliance with article 18 of this Law and the phyto-certificate issued by its country of origin.

29.2. In exception to article 19 paragraph 1 point (a) of this Law, the import permit shall be issued for plants presented in List V.B, without any phyto-certificate, or phytosanitary inspection check, which are intended for the personal use or for the immediate use within the border area of the country where plants and plant products and other objects are imported from.

29.3. Small quantities of plants, plant products and other objects presented in List V.B in compliance with article 20 of this Law may be imported without phyto-certificate or phytosanitary inspection check.

#### Article 30

30.1. Importers, transporters, or their representatives and physical persons who import in Kosovo plants under article 27 paragraph 1 of this Law are obliged to:

- (a) regularly inform the phytosanitary inspector on the arrival of the consignments which are imported or repacked during the transport, in order to undergo the phytosanitary check;
- (b) inform the phytosanitary inspector to take all the designated steps in regard to the plant consignments to be imported.

30.2. Customs service organs shall not start customs procedures before the phytosanitary inspector checks any plant consignment under paragraph 1 point (a) of this article other than transit consignments and issues the import permits.

## Article 31

31.1. Plant consignments under article 27 of this Law are checked in Kosovo border check points, whereby other customs administrative procedures are carried out.

31.2. If there is no risk of harmful organisms spreading, in circumstances and requirements designated by the Ministry, the health check of the plant consignments may be performed in special designated sites within the territory of Kosovo under the surveillance of the customs service.

## Article 32

32.1. If all the requirements under article 27 and 28 of this Law are satisfied, after the check the phytosanitary inspector issues the import permit for the plant consignment, certifies its phyto-certificate and the re-export phyto-certificates by stamping and dating the entry.

32.2. If the preliminary requirements under article 27 and 28 of this Law are not satisfied, the phytosanitary inspector takes the decision to stop the import and designates measures in compliance with the provisions of article 12, paragraph 1 of this law and stamps the phyto-certificate or re-export phyto-certificate with a red triangular stamp which invalidates the phyto-certificate.

32.3. If during the inspection check it is verified that a part of the plant consignment is infected with harmful organisms from List I,A, IIA, I.B or II.B., its import is prohibited, while the remaining part of the consignment may be permitted to pass the border, if it is verified that it is not infected and there is no risk of harmful organisms spreading.

32.4. The Ministry designates the shape, size and content of the stamp under paragraph 1 and 2 of this article in a sub-legal act.

## Article 33

33.1. If a plant consignment is imported, which according to the accompanying documentation does not contain plants, plant products and other objects from List V.B., the phytosanitary inspector may execute an inspection check, if he suspects the identity of the plant consignment or the risk of harmful organisms spreading.

33.2. If after the execution of inspection check, the phytosanitary inspector is still suspicious on the identity of the plant consignment, especially about the sort, type and origin of plants from List V.B he may re-execute the inspection check.

## Article 34

### Export

34.1. Plant export is permitted if:

- (a) plant consignments are of Kosovo origin, while the country whereby these will be exported requires phyto-certificates. Prior to issuing phyto-certificates, the phytosanitary inspector undertakes inspection checks, in order to ensure the satisfaction of the phytosanitary requirements of the country where the consignments are to be exported.

(b) plant consignments to be exported are not of Kosovo origin, but are stored, repacked and split up in Kosovo, while the country whereby these will be exported requires phyto-certificates. Prior to issuing re-export phyto-certificates, the phytosanitary inspector undertakes inspection checks, in order to ensure the satisfaction of the phytosanitary requirements of the country where the consignments are to be exported.

34.2. Re-export phyto-certificates are considered official documents, when the phytosanitary inspector confirms the satisfaction of requirements under paragraph 1 point (a) and (b) of this article.

34.3. The Ministry designates the format and the content of phyto-certificates in a sub-legal act.

#### Article 35

35.1. The enquiry for phyto-certification is submitted by the exporter to the phytosanitary inspector, who is responsible to perform the inspection check and to take a decision based on exporter's enquiry within the term designated by the Ministry.

35.2. The exporter at his own expenses shall apply all the measures set out by phytosanitary inspector after the inspection of the plant consignment intended for export.

#### Article 36

##### Transit

36.1. The transit of plants and plant products is permitted if:

- (a) for plant consignment in transit the inspection control is not obligatory under article 27, paragraph 1 point (a) (b) (c) and (d) of this Law.
- (b) plant consignments under paragraph 1 point (a) of this article, are packed in such a way that there is no risk of harmful organisms spreading and are not stored, split up, repacked or combined with other consignments in the customs territory of Kosovo.
- (c) plant consignments which are not compliant with the provisions of paragraph 1 point (b) of this article or are unloaded, undergo the inspection check in accordance with article 27 paragraph 1 point (a) (b) (c) and (d) of this Law.

36.2. In exemption to the provisions of paragraph 1 point (a) of this article, the Ministry can designate special treatment or obligatory inspection checks for transit consignments in cases of evidence-based suspicion on the risk of harmful organisms introduction and spreading.

#### Chapter VI

#### PLANT CONSIGNMENT TRANSFER

#### Article 37

37.1. Any consignment of plants presented in List V.A.I can be transferred only if accompanied by phyto-certificates that follow up the consignment or are stuck on the packaging.

37.2. Any consignment of plants presented in List V.A. designated for examination, scientific research or selection work and intended for transferring shall be checked by the phytosanitary inspector and accompanied by plant passports.



## Article 38

38.1. Any consignment of plants presented in List V.A. can enter protected zones or be transferred within these zones only when accompanied by plant passports valid for the protected zones and only when all requirements on transfers are respected.

38.2. Requirements on transfers under paragraph 1 of this article are designated by the Ministry in sub-legal acts.

## Article 39

In exception to the provisions of article 38, paragraph 1 of this Law small producers or processors under article 25 paragraph 1 of this Law may transfer consignments of plants presented in V.A. without plant passports.

## Article 40

40.1. Any consignment of plants presented in List V.A.I, grown or used by persons whose registration is obligatory and intended for transferring shall undergo inspection checks in order to ensure that:

- (a) they are not infected with harmful organisms presented in List I.A and II.A.; and
- (b) they satisfy special phytosanitary requirements presented in List IV.A.

40.2. Any consignment of plants presented in V.A.II., that are intended for transferring into protected zones, in addition to inspection checks under paragraph 1 point (a) of this article, shall undergo phytosanitary inspection checks in order to ensure that:

- (a) they are not infected with harmful organisms presented in List I.B and II.B.; and
- (b) they satisfy special phytosanitary requirements presented in List IV.B.

40.3. Inspection checks which verify that the requirements under paragraph 1 point (a) and (b) of this article are satisfied, are undertaken according to method designated by this Law.

40.4. In addition to inspection checks which verify that the requirements under paragraph 1 point (a) and (b) of this article are satisfied, other inspection checks using the principle of random samples may be performed in the facilities of the buyer to verify plant health conditions regardless of the origin of the plants, the country whereby plants are transferred, grown, processed, stored, sold or used in any other way

40.5. If during the inspection checks, it is verified that there is risk of harmful organisms spreading, or requirements foreseen for the transfer of consignments are not satisfied, the phytosanitary inspector orders the undertaking of measures foreseen under article 12 paragraph 2 point (b) of this Law.

## Article 41 Plant Passport

41.1. A plant passport is an official document issued for any consignment of plants presented in List V.A. respectively checked by the inspection in accordance with article 38 of this Law.

41.2. Plant passports are issued by authorized professional persons in compliance with this Law.

## Article 42

42.1. Any professional person authorized to issue plant passports by the leading organ, shall be vocationally capable.

42.2. Authorized professional persons shall be responsible for the tasks and duties set out for issuing plant passport.

42.3. If during phytosanitary inspection check, it is verified that the health condition is not compliant with the data in the plant passport, the competent organ in Ministry cancels the authorization of professional person for issuing plant passports.

## Article 43

43.1. The competent organ must find, renew and save the evidence on the authorization of the professional person for issuing plant passports.

43.2. The evidence on the authorized professional person shall include:

- (a) the name and surname, address, personal number,
- (b) the certificate of professional qualification,
- (c) the status of the authorized professional person in the light of his capacity for issuing plant passports.

## Article 44 Plant Passport Types

44.1. The competent organ authorizes professional persons:

- (a) to issue plant passports;
- (b) to change plant passports marked NPB;
- (c) to issue plant passports for protected zones marked PBZM.

44.2. The format and content of plant passports is designated by the Ministry in sub-legal acts.

## Article 45

If during the phytosanitary inspection check it is found that a part of the plant consignment, registered by the person in the register, produced, processed, or used in any other form in his property, is infected with harmful organisms presented in List I.A., II.A., I.B or II.B. List, the plant passport shall not be issued. It shall be issued only for the part, which is not suspected to be infected with harmful organisms and does not present any risk of harmful organisms spreading.

## Article 46

46.1. If plant consignments are split up or consist of separate parts, which do not possess plant passports, changed plant passports shall be issued for each consignment split up in new parts.

46.2. In cases when the state of the plant consignment changes according to this article, the change of the plant passport can be issued only after the inspection check has been re-executed:

- (a) for consignments of plants from List V.A intended for importing, accompanied by phyto-certificates. After performing the phytosanitary check the inspector issues plant passports which state that these serve as changing of phyto-certificates.
- (b) if plant consignments under paragraph 1 of this article, are split up or made up of several different or particular consignments, a new plant passport shall be issued for the new plant consignment.
- (c) if health condition of plant consignments under paragraph 2 of this article change, new plant passports are issued only after repetition of the inspection check.

## Article 47

47.1. Plant producers, processors, importers and distributors of plants, plant products and other objects under article 22 paragraph 1, point (a) (b) and (c), in addition to other requirements under article 24, paragraph 1 of this Law shall fulfill the specific requirements set out below:

- (a) to present all changes of requirements to the competent organ in the Ministry within designated terms, for issuing of plant passports;
- (b) to take care that the plant passport is in compliance with this Law;
- (c) to notify the phytosanitary inspector on plant consignment transfers in protected zones within designated terms;
- (d) to fill in the plant passport in compliance with the designated content and marks;
- (e) to save the documentation and issuing data for all types of plant passports;
- (f) take care when changing passports so that they can not be reused.

47.2. The Ministry designates the method, terms of submission and document saving under this article in a sub-legal act.

## Article 48

48.1. Traders of consignments of plants, plant products produced or processed who deal with their turnover as well as end-users shall save the types of plant passports a one year term.

48.2. Traders and end-users under paragraph 1 of this article, shall allow the phytosanitary inspector to be present and have access to documentation and consignments in all phases of production and processing as well as in their property.

Chapter VII  
BIOLOGICAL PLANT PROTECTION

Article 49

49.1. Biological plant protection may be carried out with native type organisms, present in the nature in the system determined by the ecosystem.

49.2. The introduction, cultivation or utilization of native type organisms for biological protection of plants in protected zones and outside these zones is permitted in support to the compiled programmer which mentions and justifies the biological method of plant protection permitted by the Ministry in agreement with the Ministry of Environment and Spatial Planning.

49.3. Programmer carriers and the type of native organism present in the nature shall be recorded in a special register.

Article 50

50.1. Types of organisms derived and introduced for the purpose of biological plant protection are those types grown by people in an ecosystem where their occurrence was not known before.

50.2. For purposes of biological protection of plants in protected zones or outside them, it is permitted to use only the types of derived organisms designated in the List launched by the Ministry in agreement with the Ministry of Environment and Spatial Planning.

50.3. The competent organ issues import and usage permits for the types of derived organisms under paragraph 2 of this article in agreement with the Ministry of Environment and Spatial Planning, based on the finding that that their introduction does not risk natural equilibrium or biological diversification, in accordance with the Law on nature protection.

50.4. In exception to the provisions of paragraph 3 of this article, the import and usage permit for the types of derived organisms intended for biological plant protection may be issued to small scientific research organizations for examination, research and development requirements.

50.5. In order to receive the permit under paragraph 3 of this article, the applicant shall meet requirements set out in the light of space, technical means and professional staff.

50.6. The enquiry for issuing permits under paragraph 3 and 4 shall be submitted to Ministry and that shall include:

- (a) name, surname and address;
- (b) data on the responsible person;
- (c) type of activity;
- (d) type and method of using natural enemies in report to antagonist organisms;
- (e) populating programmed and acceptance list of that species;
- (f) nature risk assessment;
- (g) evidence that the organism is permitted to be used in at least three comparable ecological systems in the European Union;

- (h) evidence that the organism is intended for use in biological plant protection; and
- (i) authorization on the use of organisms for biological plant protection issued by the Ministry of Environment and Spatial Planning.

Chapter VIII  
COLLECTION, EXCHANGE, USE OF DATA AND INFORMATION

Article 51

51.1. The competent organ for purposes of analyzing and conducting plant protection measures may collect and use data for its own needs in accordance with this law, which under the framework of the designated basis are kept by the competent organ in the Ministry, Agencies, Concessionaires, and other authorized legal persons, mainly from:

- (a) The Register of Agricultural producers and processors;
- (b) The Register of Economic Subjects;
- (c) Tax Register - Tax Number;
- (d) The number, boundaries, surface area of the plot, owner and user;
- (e) Statistical database of agricultural land and forest land, data on public property land and lessees of such lands and forests;
- (f) Customs database of plant consignments; and
- (g) Database of Hydro-Meteorological Institute of Kosovo.

51.2. The competent organ for plant protection can use topographic plans, maps, questionnaires and orthographical digital plans.

51.3. Link methods with other databases and data reception methods are regulated by the Ministry, in agreement with other administration organs responsible for databases under their competence.

Article 52

52.1. The Ministry sends data from its registers and database to other administration and local organs in order to accomplish requirements under the provision of Laws, as well as to authorize legal persons and public service providers in order to perform activities on plant protection.

52.2. Administrative organs that possess databases, maps, orthographic plans in accordance with article 51 of this law, can exchange data with the Ministry based on a preceding agreement.

Article 53

53.1. Administration organs collect, maintain and regularly edit data, registers and the databases which are linked to the information system in use for the needs of the Ministry.

53.2. Administration organs provide the establishment and connection of the information system under this article with the information system of the Ministry and the international information system on plant protection whenever it is necessary.

53.3. The Ministry designates the method of connection, conditions on saving and maintaining data in the registers, evidence and the database in a sub-legal act.

## Article 54

54.1. The Ministry exchanges data in international level on:

- (a) The competencies of Government organs concerned with health protection of plants;
- (b) The list of border check points where the import of plant consignments in Kosovo is permitted;
- (c) The list of harmful organisms;
- (d) The introduction and occurrence of harmful organisms presented in the Lists and conditions foreseen by this law, in its territory, where their presence was not recognized before and the data concerning the application of phytosanitary measures.
- (e) The introduction, abnormal multiplication or data on the spread of harmful; organisms which present potential risk;
- (f) Any introduction of the harmful organism within the protected zone, which is proclaimed as protected zone for this organism;
- (g) Systematic results of observations in the protected zone;
- (h) Sub-legal acts launched on the basis of this Law;
- (i) Cases of detained import due to not satisfied phytosanitary requirements;
- (j) Data and other information in accordance with this law, based on the request of international organ or organization.

54.2. Data and other information can be given in compliance with other conventions or international agreements.

## Chapter IX

### CONSIGNMENT CONTROL AND LABORATORY ANALYSIS EXPENDITURE

## Article 55

55.1. Consignment control and laboratory analysis expenditures undertaken at the phytosanitary inspector's request, in order to verify the plant health conditions prior to import, will be taken over by importer.

55.2. In cases when the sample is infected, all plant consignment control expenditures undertaken at the phytosanitary inspector's request in order to verify the plant health conditions, are taken over by the plant producer whose samples resulted infected.

55.3. Administrative expenditures for the enforcement of phytosanitary measures undertaken in compliance with this Law in order to protect plants, plant products and other objects, other than in case of Force de Majore, are taken over by the plant producer.

55.4. Expenditures on the issuing of phyto-certificates and plant passports are taken over by the applicant.

55.5. For inspection controls, tax rate according to the type and quantity of plants, plant products and other objects and the method of payment is designated by the Ministry in a sub-legal act.

## Article 56 Compensations

56.1. If the phytosanitary inspector orders undertaking measures for eradication of harmful organisms or destruction of plants, plant products and other objects in accordance with this Law, the plant producer has the right of receiving compensation on the condition that:

- (a) he/she has notified in time on the occurrence or suspicion of occurrence of harmful organisms presented in List I.A and II.A., or in the case of occurrence or suspicion of occurrence of harmful organisms in protected zones from I.B. and II.B. List.;
- (b) has implemented all phytosanitary measures regularly and in time but these did not prove to be efficient.

56.2. Compensation under paragraph 1 of this article will not be paid, if harmful organisms occur in cases of import to Kosovo.

56.3. In cases when the decision on the compensation is not taken or is not sent to the plant producer within 60 days from the submission of the enquiry for compensation payment, the plant producer may request the evaluation of the damage from the competent organ through lawsuit.

56.4. The criteria on the right of compensation and the amount of compensation are designated by the Ministry's sub-legal acts.

## Chapter X WORKS OF PUBLIC INTEREST FOR PLANT PROTECTION

### Article 57

57.1. Public interest works include works on the follow up and prognosis of harmful organisms' occurrence and professional works in the field of plant protection.

57.2. Works in the field of follow up and prognosis include:

- (a) the follow up of occurrence and development of harmful organisms that occur in plants, plant products and other objects as well as the designation of optimal terms for their eradication;
- (b) the identification of occurrence and multiplication of harmful organisms with economic character;
- (c) the follow up and identification of all important occurrences with economic character for plant protection;
- (d) the substantial diagnostification of harmful organisms in field and laboratories;
- (e) the alarming and notification of the public and other relevant services to prevent the spread of harmful organisms, through advices, instructions and the implementation of phytosanitary measures;
- (f) the education and training of plant producers in performing activities related to plant protection;

57.3. Professional works in the field of plant protection include:

- (a) undertaking professional laboratory examinations of plants, plant products and other objects in order to diagnostify harmful organisms;
- (b) vocational capacity building for persons responsible for plant protection;
- (c) issuing of plant passports;
- (d) scientific research and development activities;
- (e) disinfection, disinsection and deratisation for the sake of plant protection;
- (f) undertaking work and other professional duties that are required in the area of plant protection.

#### Article 58

58.1. Public works executers in the field of plant protection are:

- (a) corresponding municipal organs,
- (b) referent phytosanitary laboratory,
- (c) advisory services for plant production and protection; and
- (d) legal entities and physical persons, who satisfy foreseen requirements that are registered in the Ministry.

58.2. In exception to the provisions of this article, forest plants protection is carried out by organs, legal entities and physical persons designated by other Laws and sub-legal acts.

#### Article 59

##### Public works executer's responsibilities and financing

59.1. The responsibilities of public works executers are:

- (a) the execution of permanent works or services which the ministry authorized them for;
- (b) providing services to plant producers who show interest in plant protection and other interested people under this Law;

59.2. Public works executers are financed through:

- (a) the payment of service fees by beneficiaries, but some services can be provided free of charge;
- (b) the budget of the Government of Kosovo for execution of public works for specified intentions.

59.3. Public works executer's responsibilities and financing are designated by the Ministry in sub-legal acts if and when required.

#### Article 60

##### Professional supervision

Professional supervision of public works and phytosanitary inspections other than public works on forest plants protection, the professional inspection supervision of which is executed in accordance with other Laws and sub-legal acts in force, is undertaken by the competent organ in the Ministry.



## Article 61

The Ministry issues authorizations for undertaking public works under article 59, paragraph 1 of this Law, using designated criteria.

## Article 62

62.1. The competent organ in the Ministry undertakes professional works in plant protection and other works designated by this Law.

62.2. The competent organ in the Ministry is engaged in undertaking other works and duties as follows:

- (a) executing works on plant protection;
- (b) coordinating and exchanging information between the competent organ and holders of public authorizations;
- (c) reporting to other countries on issues concerning plant protection;
- (d) collecting information on the permanent supervision of harmful organisms related with the assessment of plant health conditions in country and on the laboratory examinations for the diagnostification of harmful organisms presented in List I.A., II.A., I.B., and II. B.;
- (e) assessing the risk of occurrence and spread of harmful organisms;
- (f) drawing up professional plans for the designation of zones where harmful organisms are introduced and zones endangered, infected and protected, restriction or banning of transfer, import or transit of special types of plants;
- (g) setting up and keeping registers, evidence and lists, designating the borders of the zones, in which extraordinary supervision is necessary;
- (h) following up the programme related to the prevention of harmful organisms spreading, and measures for their eradication and destruction;
- (i) preparing reports, analysis, information and other materials for international organs and organization, which the Ministry should inform and cooperate with for the preparation of international contracts and agreements on plant protection and their implementation;
- (j) setting out and keeping an information system on plant protection.

62.3. In order to prevent the introduction and spread of harmful organisms and to eradicate or destroy them, if plant health is under risk, the Ministry in sub-legal acts:

- (a) forbids the growing of special types of plants and cloning of plants in one certain territory and determines areas border under supervision;
- (b) ensures cooperation among plant producers in cases of eradication and destruction of harmful organisms; and
- (c) provides emergent and other necessary measures for the implementation of this Law.

Chapter XI  
THE SUPERVISION OF THE IMPLEMENTATION OF THE LAW

Article 63

63.1. The supervision of the implementation of this Law is done by the Ministry through the phytosanitary inspectorate.

63.2. In the forestry field supervision and implementation is done by the respective forestry organs.

Article 64

Based on the responsibilities designated by this Law, the phytosanitary inspector is authorized to:

- (a) undertake inspection checks of plants, plant products and other objects under supervision;
- (b) verify the register of producers, processors, importers and distributors of special plant types;
- (c) verify the satisfaction of requirements by persons authorized to issue plant passports and other authorized persons in accordance with this law;
- (d) supervise health maintenance for plants, plant products and other objects from given authorizations;
- (e) issue export and re-export phyto-certificates based on article 34 paragraph 1, 2 and article 35 paragraph 1 of this law;
- (f) supervise import, growing and usage of organisms for biologic plant protection;
- (g) undertake other duties designated by this Law and other sub-legal acts in plant protection.

Article 65

In cases when a violation of the Law and other sub-legal acts is verified, the phytosanitary inspector shall:

- (a) forbid the import of consignments and transfer of plants, plant products and other objects, which do not satisfy the requirements set out as well as may order their destruction and eradication if harmful organisms that endanger the health of plants are found;
- (b) order adequate treatment of plant consignment, if occurrence of harmful organisms is found;
- (c) forbid the delivery of the consignment to the plant producers until the inspection check is performed or until the official results from the examination, research and testing are completed;
- (d) allow the transfer of plants, plant products and other objects intended for processing, but under his supervision;

- (e) propose to the competent organ to cancel the registration when the registered person does not satisfy designated requirements;
- (f) Undertake other duties designated by this Law and other sub-legal acts on plant protection.

Chapter XII  
ADMINISTRATIVE SANCTIONS

Article 66

66.1. Any person shall be fined for contravention an amount of € 500 to € 3.000 when:

- (a) Acting in violation to article 6 paragraph 2 and article 7 of this law;
- (b) Acting in violation to article 24 of this Law;
- (c) Not submitting an enquiry for issuing export phytosanitary certificate in accordance with article 35 of this Law;
- (d) Transferring plants, plant products and other objects under article 37 paragraph 2 of this law;
- (e) Acting in violation to article 38 paragraph 1 of this Law;
- (f) Not performing inspection checks of plants, plant products and other objects in accordance with article 40 paragraph 1 and 2 of this law;
- (g) Not satisfying requirements designated by article 47, paragraph 1 of this Law;
- (h) Acting in violation to article 48 paragraph 2 of this law;
- (i) Growing and using types of organisms for plant biological protection under article 49 paragraph 3 of this Law;
- (j) Not saving plant passports during the term designated by article 48, paragraph 1 of this Law.

66.2. Any person shall be fined for contravention of an amount of € 3.000 to € 7.000 when:

- (a) Hampering inspection to take samples and not allowing any contact with plants, plant products and other objects of article 12 paragraph 1 and 2 of this law;
- (b) Acting in violation to article 27 of this Law;
- (c) Importing plant consignments into protected zones in violation to article 28 of this law;
- (d) Not responding to the requirements set forth by the phytosanitary inspector in accordance with article 35 paragraph 2 of this Law;
- (e) Acting in violation to the provisions of article 36 paragraph 1 point (b) of this Law;

66.3. Any person shall be fined for contravention of an amount of € 7.000 to € 15.000 when:

- (a) Giving information on the spread of harmful organisms found if he is not authorized for the publication of the data without the permit form the Ministry in accordance to article 13 of this Law;
- (b) Acting in violation to article 16 of this law;
- (c) Acting in violation to article 17 paragraph 1,2,3 and 4 and article 18 paragraph 1 of this law;
- (d) Importing consignments of plant and plant products without being permitted by Ministry and acting in violation to article 26 paragraph 1 point (a) and (b) of this law;
- (e) Importing consignments from List V.B. which are not checked by the phytosanitary inspection and form list V.B-I not accompanied by the phyto-certificates issued in accordance with article 29 paragraph 1 of this law;
- (f) Not applying measures under article 30 paragraph 1 of this law, ordered by phytosanitary inspection;
- (g) Importing ore using organisms derived in contradiction to article 50 paragraph 3 of this Law;
- (h) Performing public works in plant protection in violation to article 58 paragraph 1, point (d) of this law;

#### Article 67

67.1. Other issues related to the protection of plants, plant products and other objects are referred to in the Law on Sapling Material and Law of Seeds.

67.2. Changes and complementation to the Lists concerning harmful organisms to plants, plant products and other objects in accordance with Article 9 and 10 of this Law, which are regulated in sub legal enactments by Ministry of Agriculture, Forestry and Rural Development in harmonization to the EU Directives or other international organizations, shall be directly implemented.

#### Article 68

68.1. Money collected from the payment of the fines in accordance to the provisions of this Law, as well as money received from tax collection is transferred to the Consolidated Budget of Kosovo.

68.2. The Ministry of Agriculture, Forestry and Rural Development may sign the Memorandum of Understanding with the Ministry of Economy and Finance, which will give the Department of Plant Production and Protection the right to use a share of the revenues generated due to the implementation and enforcement of this Law.

Chapter XIII  
FINAL PROVISIONS

Article 69

69.1. The Ministry, depending on the designated competences will launch sub-legal acts for the implementation of this Law in a period of two years from the date of its entry into force.

69.2. This Law shall supersede any provisions of laws and sub-legal acts in force which are in contradiction with its provisions.

Article 70  
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-95**  
**22 December 2006**

**President of the Assembly**

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**Kolë Berisha**