



Republika e Kosovës
Republika Kosova - Republic of Kosovo
Qeveria - Vlada - Government

**ADMINISTRATIVE INSTRUCTION (GRK) NO. 04/2025 FOR AMENDING
AND SUPPLEMENTING THE ADMINISTRATIVE INSTRUCTION (GRK)
NO. 07/2023 FOR PACKAGING AND PACKAGING WASTE¹**

Administrative instruction (GRK) no. 04/2025 for amending and supplementing the Administrative Instruction (GRK) no. 07/2023 for Packaging and Packaging Waste, has been approved in the 255-th Meeting of the Government of the Republic of Kosovo, with the Decision No. 03/255, dated 28.03.2025.

Government of Republic of Kosovo,

In compliance of Article 93 paragraph 4 of the Constitution of the Republic of Kosovo, Article 11 paragraph 2 of Law no. 08/L-071 on the Amendment and Supplement to the Law No. 04/L-060 on Waste (Official Gazette No. 29 of September 1, 2022), Article 8 paragraph 4, sub-paragraph 4.5 of Law No. 08/L-117 for the Government of the Republic of Kosovo (Official Gazette No. 34/22 of November 18, 2022),

Issues;

ADMINISTRATIVE INSTRUCTION (GRK) NO.04/2025 FOR AMENDING AND SUPPLEMENTING THE ADMINISTRATIVE INSTRUCTION (GRK) NO. 07/2023 FOR PACKAGING AND PACKAGING WASTE

Article 1 Purpose

The purpose of this Administrative Instruction is to amend and supplement the Administrative Instruction (GRK) No. 07/2023 on Packaging and Packaging Waste.

Article 2

1. Article 3, paragraph 1, sub-paragraph 1.16. of the basic Administrative Instruction, is completed and amended, with the following text:

1.16. **Producer** - legal person, who produces or imports and puts on the market, packaged products, for the purpose of his commercial activity.

As for the DRS, the manufacturer is considered the local producer of bottled drinks that is the subject of the DRS, as well as the manufacturer is considered either the owner of the mark/brand for the branded products in Kosovo, or the importer for the branded products outside Kosovo;

2. Article 3, paragraph 1, sub-paragraph 1.17. of the basic Administrative Instruction, is completed and amended, with the following text:

1.17. **Small producer** – natural or legal person, who produces or imports and puts on the market, for the purpose of his commercial activity, packaged products, under the amount of fifteen thousand liters (15,000) liters per year;

3. Article 3, paragraph 1, subparagraph 1.29. of the basic Administrative Instruction, shall be supplemented and amended with the following text:

1.29. **Handling Fee** - The fee paid to retailers by the DRS Administrator, through bank transfer, for each bottle/pack of DRS returned to the relevant return point. Handling fees intended to

cover the direct cost associated with meeting the DRS's beverage packaging collection and handling obligations.

4. Article 3, paragraph 1, subparagraph 1.33. of the basic Administrative Instruction shall be supplemented and amended, with the following text:

1.33. Producer's Fee - The reasonable fee paid by the producer, through bank transfer, to the administrator for each beverage packaging that falls under the scope of the DRS and is placed on the market, which is intended to cover the costs incurred by the implementation and operation of the DRS.

5. Article 3, paragraph 1, sub-paragraph 1.34. of the basic Administrative Instruction, is completed and amended, with the following text:

1.34. Retailers - include hypermarkets, supermarkets, small shops, premises and others such as kiosks, gas stations that sell beverage packaging to consumers and accept prepaid packaging for which a deposit is paid, also HORECA retailers are also meant economic operators in the hotel industry, food services, especially establishments that organize events, prepare and serve DRS beverages.

6. Article 3, paragraph 1, sub-paragraph 1.35. of the basic Administrative Instruction, is completed and amended, with the following text:

1.35. Return Vending Machine - an automated device that accepts empty beverage packaging, validates the return of the DRS packaging for a single time by verifying the acceptability of the DRS packaging, and issues a ticket for the refund of the deposit amount written on the packaging, which was previously paid;

7. Article 3, paragraph 1, sub-paragraph 1.37. of the basic Administrative Instruction, is completed and amended, with the following text:

1.37. Return point operator - the retailer/legal entity that provides the service to collect the recyclable beverage bottles/packages included in the DRS and refunds customer deposits;

8. Article 3, paragraph 1, subparagraph 1.38. of the basic Administrative Instruction, shall be supplemented and amended, with the following text:

1.38. Unredeemed Deposits – the amount of deposits paid for beverage bottles/packages to the DRS Administrator, disposed of as waste that have not been refunded to retailers for the previous fiscal year.

9. Article 3, paragraph 1, sub-paragraph 1.38. of the basic Administrative Instruction, a new sub-paragraph is added with the following text:

1.39. **Ticket/coupon** - physical ticket, issued by the automatic device that accepts the packaging of the consumer or end user, which can be used either for payment or for purchases.

Article 3

1. Article 8, paragraph 1, subparagraph 1.2. of the basic Administrative Instruction shall be supplemented and amended, with the following text:

1.2. The production, import and sale on the market of plastic carrier bags and oxo-degradable bags shall be prohibited;

Article 4

1. Article 9, paragraph 1, subparagraph 1.1. of the basic Administrative Instruction shall be supplemented and amended, with the following text:

1.1. To keep separate accounting records for the price of drinks, the producer's fee and the amount of the deposit.

Article 5

1. Article 19, paragraph 1, sub-paragraph 1.1 of sub-paragraph 1.1.2 of the Basic Administrative Instruction, is supplemented and amended, with the following text:

1.1.2. It is designed to contain at least zero point fifty (0.15) liters of liquid and not more than two (2) liters of liquid, and is sealed in an airtight and watertight condition at the point of sale.

Article 6

1. Article 20, paragraph 4, sub-paragraph 4.3. of the basic Administrative Instruction, is completed and amended, with the following text:

4.3. Packaging with a capacity greater than two (2.0) liters and packaging with a capacity less than zero point fifty (0.15) liters.

Article 7

1. Article 21, paragraph 2, of the basic Administrative Instruction, is supplemented and amended, with the following text:

2. The return rate targets of the DRS shall commence to be implemented from the day of operation of the return system of the packaging from the reverse vending machines in practice, respectively 18 months after the final decision of the administrator's approval.

Article 8

1. Article 22, paragraph 2, of the Basic Administrative Instruction, is supplemented and amended, with the following text:

2. The administrator is composed of a consortium of legal entities consisting of at least one (1) associated structure of producers, one (1) associated structure of importers and one (1) associated structure of retailers who place on the market and sell beverages in bottles/packaging that are subject to DRS, registered in the Republic of Kosovo.

Article 9

1. Article 23, paragraph 3, sub-paragraph 3.1, of the Basic Administrative Instruction, is supplemented and amended, with the following text:

3.1. The business plan that also includes the organizational plan for DRS, together with the technical description for its operation, where the return system of packaging that is subject to DRS, will be done through the automatic system with return vending machines;

2. Article 23, paragraph 3, sub-paragraph 3.3, of the Basic Administrative Instruction, is supplemented and amended, with the following text:

3.3. The consortium agreement under paragraph 2 of Article 22, consists of an association of each category of producers, importers and retailers of bottled beverages that are subject to the SRD, registered in the Republic of Kosovo

Article 10

1. Article 27, paragraph 1, sub-paragraph 1.1, of the basic Administrative Instruction, is supplemented and amended, with the following text:

1.1. Create, administer and finance the DRS, in accordance with the basic documents of the Administrator, as well as apply the return of the packaging that is subject to the DRS through the automatic system with return vending machines.

2. Article 27, after paragraph 1, of the basic Administrative Instruction, there shall be added a new paragraph, with the following text:

2.The DRS administrator has also the following obligations:

2.1. To ensure that all quantities of returned DRS packaging are sent for recycling and provide traceability of DRS packaging from return points to the counting center, i.e. to the recycler, through financial-accounting documents and other supporting documents.

2.2. To provide and pay for the collection of DRS packaging from return points with a frequency and in a manner that does not impede the proper operation of retailers, according to the contract, but not less frequently than once every 15 calendar days.

2.3. To store in secure conditions the confidential data reported by the economic operators pursuant to this Administrative Instruction, if such data are communicated to him. This obligation shall also apply to the members of the constituent bodies and to the staff employed by the DRS administrator. The data that the DRS administrator is obliged to report to the Ministry or other competent authorities, as well as those that must be made known to the public according to this Administrative Instruction, will be transmitted in accordance with the obligation of confidentiality to economic operators within the system.

2.4. To publish the data on its website, in accordance with the obligation of confidentiality to economic operators within the system, the amount of DRS packaging placed on the market and, respectively, returned, in kilograms and in the number of pieces, for each type of material: plastic, aluminum, glass, until the date 15 of the following month for the previous month as well as Information intended for consumers regarding the operation of the deposit and return system and their possibility to return DRS packaging to recover the deposit.

Article 11

1.Article 28, paragraph 6, of the basic Administrative Instruction, is supplemented and amended, with the following text:

6. If the importer or producer refuses to register in the deposit refund system, to that importer or producer applies a tax of zero point twenty-seven (0.27) euros per liter of beverage packaging from the date of entry into force of the DRS.

Article 12

1.Article 30, paragraph 5, of the Basic Administrative Instruction, shall be supplemented and amended, with the following text:

5. A paid deposit shall be returned when the consumer delivers a reasonable amount of packaging in a returnable condition in which the deposit was placed at the place of sale of beverages or at a place designated for this purpose at any return point in Kosovo, regardless of

the place from which the packaged product was purchased and without being conditioned by the purchase invoice to refund the deposit, according to the provisions of the basic Administrative Instruction and this Administrative Instruction.

Article 13

1. Article 47, paragraph 2, of the basic Administrative Instruction, is supplemented and amended, with the following text:

2. DRS shall enter into force 18 months after the final decision of the administrator's approval.

2. In article 47, after paragraph 3, a new paragraph is added to the basic Administrative Instruction with the following text:

4. The transitional period for the sale of stock of bottled beverages is 6 months after the start of the implementation of the DRS system, for the return of packaging that can be sold. Upon the start of the implementation of the deposit refund system DRS, all producers, importers and retailers cannot produce, import or sell bottled beverages that are subject to DRS, without meeting the requirements, respectively provisions for packaging and packaging waste, as well as the DRS, except for products that are in the stock of producers, importers or retailers on the date specified in Article 47 paragraph 2. described in this Administrative Instruction.

Article 14

Appointment of the central public enterprise as Administrator, in case of failure of the selection process from the private sector

1. If the process for establishing the Administrator fails due to non-fulfillment of the legal provisions of the basic Administrative Instruction and this Administrative Instruction, the Commission shall submit a report to the Minister.

2. Based on this report, the Government of the Republic of Kosovo, upon the proposal of the Ministry, shall take a decision to appoint a central public enterprise as Administrator for the DRS.

3. Following the issuance of this decision by the Government, the following provisions of the basic Administrative Instruction are no longer applicable:

- 3.1. Article 22, paragraphs 1 and 2;
- 3.2. Article 23, paragraph 1, 2, 3-sub paragraph 3.3.;
- 3.3. Article 24, paragraph 1;
- 3.4. Article 25;
- 3.5. Article 26;
- 3.6. Article 38, paragraph 1, subparagraph 1.3.

4. Article 23, paragraph 3, of the basic Administrative Instruction, in the case of the appointment of the Administrator from the public sector, following the decision of the Government, the Administrator shall submit to the Ministry all the documents within the deadline according to paragraph 3 of Article 23 of the basic Administrative Instruction.

5. After the appointment of the Administrator from the public sector, a commission consisting of five (5) members shall be appointed by the Minister.

6. The central public enterprise that assumes the duties of the Administrator shall exercise all the functions and powers of the Administrator, as defined in the basic Administrative Instruction and in this Administrative Instruction, acting in accordance with the principles of efficiency, transparency and equal treatment of all entities included in the DRS.

7. All obligations and responsibilities determined under all articles regulating the work, obligations and liabilities of the Administrator shall remain valid, with the exception of the deadlines for their fulfillment, which may be revised based on a reasoned request by the Administrator, which must be sent in writing to the Commission designated by the Minister.

8. The Commission shall review the request, assess the reasons submitted and, within a period of seven (7) working days, shall respond to the Administrator for the approval or rejection of the deadline extension, and setting a new deadline, only if it is assessed that the extension is objectively justifiable and does not prejudice the overall implementation of the DRS.

9. An exception to this is the deadline for the commencement of the operation of the DRS, which must begin no later than eighteen (18) months from the date of entry into force of the decision on appointment of the public enterprise as Administrator.

10. In case of justified delays affecting the deadline for the commencement of the DRS, the Government, upon the proposal of the Ministry, may decide to extend the deadline for a reasonable period, but only on the basis of an objective assessment of the reasons for the delay, and without prejudice to the objective of full implementation of the DRS in the shortest possible period of time.

11. To ensure the functioning of the DRS in accordance with legal obligations and best practices, the Administrator will closely cooperate with the commission appointed by the relevant Minister, which for the functioning of the DRS, includes but is not limited to:

11.1. Organization and operation of the DRS information system;

11.2. Design and implementation of awareness-raising and promotional activities for the DRS.

12. The Ministry is responsible for monitoring the progress of the implementation of the DRS by the Administrator; and the Administrator must submit periodic reports to the Ministry on the fulfillment of deadlines and progress in the functionalization of the system.

13.If the Public Administrator fails to fulfill its obligations within the certain deadlines, the Government, upon the proposal of the Ministry, may consider options for changing the DRS administration model or for appointing another entity for its management, taking into account the public interest and ensuring the sustainable functioning of the system.

Article 15
Entry into force

This Administrative Instruction enters into force seven (7) days after publication in the Official Gazette of the Republic of Kosovo.

Albin KURTI

Acting Prime Minister of the Republic of Kosovo

Date: 09.April .2025