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**Report on Permit and License Simplification and Harmonization in the  
Regulatory Authority of Electronic and Postal Communications<sup>1</sup>**

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<sup>1</sup> This legal analysis has been approved in the 254th Meeting of the Government of the Republic of Kosovo, with the decision No. 04/254 dated 26.03.2025.

**Abbreviations:**

GIZ – Gesellschaft für Internationale Zusammenarbeit

LGAP – Law No. 05/L-031 on General Administrative Procedure

LEC – Law No. 04/L-109 on Electronic Communications

LPS – Law No. 06/L-038 on Postal Services

LPLS – Law No. 04/L-202 on Permit and License System

SPC – Single Points of Contact

CRPL – Central Registry of Permits and Licenses

OPM – Office of the Prime Minister

LO – Legal Office

RAEPC – Regulatory Authority of Electronic and Postal Communications

## **1. Introduction**

This report, supported by GIZ, aims to reflect the findings and general and specific recommendations for simplifying the procedures for application, review and issuance of permits and licenses in RAEPCL, as well as to harmonize RAEPCL's permits and licenses with the requirements and criteria of LPLS. The permit and license simplification has been assessed in the course of several principles and requirements specified in LPLS and LGAP, while harmonization has been assessed in the context of the compatibility of specific laws, especially LEC with LPLS.

In the context of this report, a methodology has been followed where the following have been drawn out:

**1. General recommendations and 2. Specific recommendations**, for the permits and licenses applied by RAEPCL. Special recommendations are set out in the annex to this report and are provided for each permit or license, specifically according to the findings.

Additionally, besides the recommendations in the report, the main findings as well as specific findings have been described, which follow the purpose of the report, to simplify permits and licenses and harmonize them with LPLS.

The permit and license simplification and harmonization in RAEPCL, according to this report, particularly takes into account:

1. Facilitation of the application procedure for permits and licenses;
2. Reduction of administrative burden on the applicant during application;
3. Facilitation of the application review process and verification of evidence/testimony;
4. Addressing the licensee's safety issue, in terms of extending the term, based on the specific criteria of licenses or permits, depending on the level of risk;
5. Ensuring the legality of licenses and the specific legal basis, ensuring they are in accordance with the law, as designated by RAEPCL, based on the Central Registry of Permits and Licenses;
6. Addressing the harmonization and compatibility of LPLS requirements with the regulations stipulated in LEC and bylaws.

To compile this report, several sources have been reviewed, as follows: LPLS; LGAP; LEC; special Laws applied by RAEPCL; RAEPCL bylaws regulating the procedure for issuing permits and licenses issued to RAEPCL; CRPL. Additionally, particular importance has been given to meetings with relevant institutions that have provided additional clarification.

For the purposes of this report, the terminology of the designation "permits and licenses" under the LPLS has been used, which includes the application of other types of permits issued by RAEPCL and are not named as permits and licenses.

## **2. Legal analysis regarding the permit and license simplification**

In this section, the analysis of the main legislation regulating permits (licenses) in RAEPCL is presented. The Law on Permit and License System (LPLS) is a horizontal law which, in Article 1, regulates the principles and rules for improving the business environment by reducing administrative barriers in carrying out economic, commercial or professional activities necessary to protect public health, public safety, the

environment, and the use of natural resources in the Republic of Kosovo. Another horizontal law generally governing the exercise of public authority, which most frequently applies to permissions, is the Law on General Administrative Procedure (LGAP), the purpose of which is to ensure the effective exercise of public authority with a view to the public interest, guaranteeing at the same time under Article 1 also the protection of rights and legal interests of persons.

Below, we will analyze some of the key principles and rules provided in these laws and regulations as well as the specific criteria outlined in Law No. 04/L-109 on Electronic Communications (LEC), Law No. 06/L-038 on Postal Services, and other laws regarding permits and licenses in RAEPC.

Furthermore, achieving the goal of simplifying permits and licenses issued by RAEPC requires an analysis of specific laws, particularly LEC and subsidiary legislation and bylaws issued by RAEPC, regarding permits and licenses granted for certain activities. The system of permits and licenses, their procedures, issuance methods, criteria, etc., are regulated by Law No. 04/L-109 on Electronic Communications, Law No. 06/L-038 on Postal Services, Regulations, and other bylaws of RAEPC applicable to the application process.

In terms of designation, LPLS in Article 1 (1.3) uses the term ***“Licensee - a natural person to whom a professional license has been issued”*** while Law No. 04/L-109 on Electronic Communications (LEC) refers to Article 4 (1.46): **“Person** – any natural, legal or public person, including corporations, partnership, trusts, non-aligned organizations, service providers, government or any institution dealing with it.” Also, Article 10, paragraph 14 of the same Law stipulates that *“Issues authorizations and other acts in accordance with the provisions of this Law and regulations adopted pursuant to this Law”*

While LPLS in Article 5 has defined the types of permits, such as: *notification, registration, professional permit and license*, on the other hand RAEPC recognizes and applies more authorizations instead of *license and permit*. However, as will be seen below, in the general and specific recommendations, some permits (authorizations and licenses) of RAEPC, however, do not have a specific legal basis in LEC. Based on the concept of harmonization, in accordance with LPLS, this is required to be done by law.

Within the system of permits and licenses issued by RAEPC, based on Law No. 04/L-109 on Electronic Communications and Law No. 06/L-038 on Postal Services, the issue of simplifying permits and licenses in this sector as mentioned will be examined based on several principles recognized by LPLS and LGAP. These principles aim to result in specific recommendations for simplifying RAEPC permits and licenses as well as harmonizing them with the requirements and criteria of LPLS.

***License duration period.*** This principle is determined in Article 6 of LGAP and as such should also be applied by RAEPC. Depending on the type of permits and licenses, Law No. 04/L-109 on Electronic Communications has determined a duration of 10 years or more for individual rights to use radio frequencies. Also, for the extension of the license or permit by RAEPC depending on the type, it is based on qualification criteria, granting criteria, and other criteria. The deadline for the extension of the license is important to be related principle of efficiency, according to Article 10 of LGAP. Furthermore, the extension may be related level of risk, security, public health protection, type of activity, and other important aspects that may vary depending on the specific permit or license.

***The principle of non-discrimination.*** This principle is determined in Article 6 of LGAP and as such should also be applied by RAEPC, concerning the issuance of licenses and other permits it grants. Especially, this principle should be strictly determined when it comes to the extension of the license, which RAEPC evaluates and decides upon, based on the discretion criteria, relying on the minimum and maximum duration criteria of the extension period.

***The right to appeal.*** This constitutes a constitutional obligation. The license review system in RAEPC as well as the procedures thereof, provide for the right of appeal in case of refusal, namely in Articles 66 and 72. Any decision or action of RAEPC, the Ministry, or any other Public Authority made based on the authorization of this Law is subject to administrative and judicial review as well as appeal, in accordance with the conditions and procedures provided in the Law on Administrative Procedure. Law No. 04/L-109 on Electronic Communications, the submission of the Appeal, respectively Article 66 (2): “...*complaints concerning electronic communications services provided or intended to be provided by it and issue a reply within fifteen (15) days from the receipt thereof*”. The right to reject a license or permit is also determined by LPLS, namely Article 27.

***Payment of fees.*** LPLS determines a proportional tax, as far as necessary to cover the expenses incurred by the competent authority for administering the permit. On the other hand, LGAP determines the non-payment of the procedure, and according to this, this fee can only be made in cases where it is otherwise determined by law. In the case of RAEPC according to Law No. 04/L-109 on Electronic Communications, in Article 27 and in Article 47 (12): “Fees for the right to use electronic communications resources to be paid by successful bidders or auction winners shall be paid to the state budget. Where a successful bidder or auction winner delays to pay the fee or part of the fee, the Authority shall have the right to adopt a decision imposing an obligation on the successful bidder or auction winner to make due payments and setting the time limit for making such payments. The decision adopted by the Authority shall be a document to be executed. If the decision is not executed, it shall be forwarded to be executed in accordance with the procedure established by the Legislation in force of Criminal Procedure. The decision may be presented for execution not later than within three (3) years from the date of its adoption”, or in Article 57 (1): “Regular annual payments shall be paid for use of the radio frequency spectrum, and the calculation and the amount of the payments, as well as the manner of payment shall approved by the Authority in line with the provisions of sub-paragraph 2.6 of paragraph 2 of Article 54 of this Law”. While they are listed in detail in Article 83 of the same law: 1. “Payments regarding the activity of the Authority shall be done at the Budget of Kosovo, as following: 1.1. *payment on supervision of electronic communication market according to the stipulations in Article 27 of this Law*; 1.2. *payment for universal service financing*; 1.3. *payment for allocation and usage of frequencies, according to stipulations in Article 57 of this Law*; 1.4. *payment for allocation and usage of numbers and series of numbers*; 1.5. *payments from economic sanctions imposed by the Authority*; 2. *Any other tax or payment foreseen by this Law shall be deposited to the Budget of Kosovo*”. . License review fees are payable at the time the application is reviewed.

***The principle of one shop stop (Single Points of Contact)*** is a legal obligation defined both in LPLS, respectively Article 16, as well as in LGAP, Article 33. According to this principle, all formalities and procedures for issuing a permit and license must be carried out through SPCs (one stop shop). Both laws provide for SPCs to be established physically, electronically or combined. The main prerequisite for establishing SPCs are the points we mentioned above, especially the approach oriented towards the principle of administrative review ex officio.

***The principle of applying administrative assistance.*** Article 34 of LGAP stipulates that a public authority may request assistance from another public authority, among other things, to become acquainted with facts, documents, or other means of evidence in the possession of the other authority. This principle can be used to facilitate the verification procedure of necessary documents. In the case of reviewing the procedures for licenses and permits, RAEPC does not apply the principle of legal assistance at all.

***Consideration of conducting the procedure ex officio.*** This principle is allowed by Article 86 of LGAP. In fact, in light of facilitating the procedures for granting licenses at RAEPC, based on how the licensing

procedure is regulated at RAEPC, the principle of applying administrative assistance should be combined with the principle of duty-based procedure application. RAEPC does not apply at all the principle of conducting the procedure ex officio. Article 86.3 of LGAP, regarding this principle, stipulates: *Except when provided otherwise by a legal provision, documents that certify acts, facts, qualities or subjective situations, necessary to conduct an administrative investigation, shall be obtained ex officio by the public organ conducting administrative proceeding, whenever they are in its possession or in the possession of other organs. The public organ may request from parties only the necessary elements for the identification of documents.* This implies that in some cases, when the documents and conditions of documentation for a license are not determined by law, then RAEPC in the specific case may request the party to only demonstrate that some documents exist and to verify them if they exist in public bodies.

**Specific conditions and criteria for granting licenses.** In the case of RAEPC, the documents required for a license are quite specific because they are also related to: public health and safety; security and above all conditioned by international civil aviation rules. Taking into account the specifics of RAEPC licenses, then in some cases, even the documentation is specific. Therefore, based on the analysis, the reduction of documentation has been sought case by case, based on two alternatives: 1. Verification of some facts through a statement under oath and 2. Identification by the party of some documents as well as the action of RAEPC, according to the principle of administrative assistance and conducting the procedure ex officio. **Submission of original documentation.** In the context of permits approved by RAEPC, there is a phenomenon based on the Central Registry of Permits and Licenses (CRPL), and this phenomenon concerns the submission of some documents in original, including those documents that constitute notary and even undisputed facts, such as the business registration certificate or other evidence of the establishment of the association or consortium (depending on the type of permit) or its statute, etc. Therefore, the establishment of this principle has been made with the aim of concretizing such a thing in specific recommendations, specified in the annex to this analysis.

### **3. Legal analysis regarding the permit and license harmonization with the criteria of the Law on General Administrative Procedures**

In this report, harmonization implies a process of adapting the LPLS in the specific case and the LEC and LPS, with the aim of determining the permits and licenses issued by RAEPC, based on the LPLS.

Regarding the aspect of harmonization, it is important to note the following issues:

**Definition of permits and licenses by law.** This principle is defined in Article 17.1 of LPLS and as such implies that the permit and license, even in terms of designation, is determined by law. In the case of RAEPC, only some permits and licenses are defined by law. A characteristic of permits and licenses in RAEPC is that a large part of them are defined only by bylaws (regulations) of RAEPC, contrary to Article 17.1 of LPLS. However, bylaws and the determination of licenses by these acts have been analyzed in the annex to this report.

**Designations of permits and licenses to be determined by law:** This requires that all permits and licenses issued by RAEPC, such as: Authorizations; Permits and Licenses; to be specifically determined by law. A certain number of categories of permits and licenses issued by RAEPC, such as authorizations, do not have a specific legal basis. Similarly, within the specific recommendations, specific recommendations have been given for each authorization and license, in terms of whether the type of permit and license is determined by law.

**Suitability of permits and licenses according to Article 5 of the LPLS:** Article 5 of LPLS defines the types of permits, which are: notification, registration, professional permits and licenses. In this case, the designation of the permits made by RAEPC must also be tailored to this.

***Categorizing permits and licenses by risk:*** RAEPC should define a system for categorizing permits and licenses by risk, as stipulated in Article 19 of the Law on Electronic Communications. Therefore, an article should be amended or a new article should be introduced in LEC.

#### **4. Findings**

1. Establish a clear legal basis for existing licenses
2. All RAEPC licenses are time-limited by categories, while LPLS does not regulate the issue of new licensing or license renewal.
3. The principle of administrative assistance to facilitate the verification procedure of necessary documents submitted for licensing is not applied.
4. The principle of conducting the procedure ex officio for verifying documents identified by parties, held by public institutions, is not applied.
5. Some documents that are notary and easily verifiable, in the case of applying for a license, are required to be submitted in original.
6. A number of documents required for general requirements category seem to increase the administrative burden on how they are requested.
7. RAEPC issues authorizations not explicitly defined by law, according to their current designation.

#### **5. Key recommendations**

1. Establish a clear legal basis for existing RAEPC licenses;
2. Extend the deadline for license issuance by RAEPC, respectively determine a minimum deadline for license categories;
3. Harmonize the law for LEC, namely amend the Law with respect to designating licenses by RAEPC, for activities that do not require a license, based on Article 5 of LPLS.
4. Apply the principle of administrative assistance and conduct of the procedure ex officio, in terms of verifying some documents held by public institutions;
5. Renewal of licenses should be done ex officio;
6. Verify some necessary documents according to the statement under oath;
7. The initial review fees should be paid after the application is approved and the license review fee should be reviewed upon RAEPC's request;
8. Exemption from fees should be granted in case of license modification initiated by RAEPC;
9. Allow the party to provide additional evidence during the procedure review until the final decision deadline;
10. Issue a relevant regulation governing the application and review procedures for permits and licenses, according to the principles of LGAP and LPLS.
11. The fee height should be proportional to the necessary administrative expenses during the licensing process.
12. Apply a 45-day decision deadline for permit and license applications, according to LGAP.

## **6. Justification of the key recommendations**

**1. Create a clear legal basis for the existing RAEPC licenses.** Based on Article 17.2 of LPLS, permits and licenses are determined solely by law. In the specific case of RAEPC, the activities requiring a license are specified. On the other hand, regarding authorizations for the construction of new capacities, such as permits, there is no specific legal basis for the permit or license, as per designation. Specific recommendations on this issue have been provided in the annex.

**2. Extend the deadline for issuing licenses by RAEPC, namely establish a minimum deadline for license categories.** Considering the principle of efficiency, it should be extended, where possible, for short-term permits and licenses. This should be done considering security, public health protection, and other criteria set by RAEPC.

**3. Harmonize LEC and LPLS according to the specified principles.** In order to harmonize permits and licenses, based on findings and recommendations regarding harmonization, LEC should be harmonized with LPLS, amending and supplementing, as necessary, the specific article of LEC, regardless of the fact that with this law, the types of permits and licenses or authorizations are provided.

**4. Apply the principle of administrative assistance and conduct of procedure ex officio in terms of verifying some documents held by public institutions.** RAEPC should apply the principle of administrative assistance throughout the procedure, combining it with the principle of conducting the procedure ex officio. Through the application of this principle, RAEPC will verify a number of evidence needed to be submitted by the party when submitting the application. By applying these principles, RAEPC will avoid the submission of some documents, in the case of applications for permits and licenses.

**5. Renewal of licenses should be done ex officio.** In the case of license renewal, especially when requested by RAEPC, the verification procedure shall commence and be completed while complying the implementation of procedures ex officio. This principle would also apply to the renewal of the license as well as its modification.

**6. Verify some necessary documents according to the statement under oath.** Some necessary documents for applying for licenses and permits at RAEPC are recommended to be reduced to ease the administrative burden. The reduction of these documents can be done in a way that certain issues that should be part of the application are verified through a statement under oath, considering the fact that according to the Law on RAPEC, the license may be withdrawn if the applicant provides false information.

**7. Payment of initial review fees shall be made after the approval of the application.** Considering the payment of fees and the fact that these fees are calculated based on the principle of calculation in accordance with specific reasonable administrative expenses incurred in the processing of acts to which such taxes refer. To ease the administrative burden, the initial fee should be paid electronically and only after the applicant's request has been approved.

**8. Exemption from fees should be granted in case of license modification initiated by RAEPC.** In the case of license modification requested by RAEPC, it is an administrative burden for the party to pay a fee for the modification. Therefore, it should be stipulated that the regulation be amended in accordance with the principle of proportionality, so that the party is not burdened with tax payments in the event of modification initiated by RAPEC.

**9. Allow the party to provide additional evidence during the procedure review until the final decision deadline.** Based on the principle of hearing the party, to facilitate access for applicants, RAEPC should allow the supplementation of documentation for the applicant until the completion of the license review period. This will assist the party in having easier access to the application and the review of the license or permit issued by RAEPC.



**10. Issue a relevant regulation governing the application and review procedures for permits and licenses, according to the principles of LGAP and LPLS.** With the aim of regulating a unified procedure that ensures the implementation of the principles of LGAP and LPLS, a regulation should be issued that addresses the processing and review procedure of all permits and licenses within RAEPC, based on the principles of LGAP and the provisions of LPLS.

**11. The fee height should be proportional to the necessary administrative expenses during the licensing process.** LPLS in Article 18 determines a proportional tax, as far as necessary to cover the expenses incurred by the competent authority for administering the permit. The tax height should also be in accordance with this principle. Furthermore, it is necessary for the fee to be fixed and not determined through secondary elements that may allow for fee setting. Such an approach has the potential to present discrimination or legal uncertainty. RAEPC should therefore establish fixed fees.

**12. A 45-day decision-making period for permit and license requests, as per LGAP -** With the aim of simplifying the procedure and administrative burden, RAEPC should apply the decision-making period for permit and license requests of 45 days, in accordance with LGAP requirements. The application of a 45-day period would reduce the decision-making time and increase efficiency while easing the administrative burden on the parties.

## **7. Implementation of general and specific recommendations**

Within the report, general and specific recommendations have been provided, presented in the annex for each authorization and license. It should be noted that due to the fact that LEC recognizes permits, respectively licenses and authorizations, the specific recommendations in the annex for licenses and authorizations have turned out to be similar.

The implementation of general and specific recommendations, according to the annex, can be done in two ways: 1. Through amendments and supplementations of LEC, and 2. Through amendments and supplementations of RAEPC's internal regulations for regulating the procedures for issuing licenses and authorizations by RAEPC.

## ANNEX

The annex includes the permits and licenses issued by RAEPC, according to the CRPL order

### **1. CONFIRMATION OF THE NOTICE FOR THE COMMENCEMENT OF ELECTRONIC COMMUNICATIONS ACTIVITIES**

#### **1. Key findings**

##### ***1.1 Legal basis for issuing the permit/license:***

This license is based on Law No. 04/L-109 on Electronic Communications under Article 4 (1.2): “**General Authorization** – an act of general nature, which consists of the legal framework defined by this Law and the regulations issued by the Authority serving to its implementation, to ensure the right for providing the electronic communications networks or services, and laying down specific obligations that may be applied to all or to specific types of the electronic communications

*networks and/or services”; and under Article 16 (1). The Authority shall approve a list of types of electronic communications activities that an entrepreneur must notify the Authority about if it seeks to engage in any of them. The entrepreneur shall have the right to engage in the relevant activity after notifying the Authority thereof in accordance with the procedure and conditions set forth by the Authority and under Article 20: “Entrepreneurs that construct and/or use public electronic communications networks and provide publicly available electronic communications services are obliged to meet the conditions pursuant to this Law and other legal acts and by-laws, as well as the regulation issued based on this Law, in order not to endanger public order, the life and health of citizens, public safety, and national security”. As well as Article 4 of the Regulation on General Authorizations No. 37 Prot. RAEPC 019/B/19.*

##### ***1.2 The activity for which the permit/license is issued:***

Notification for the provision of electronic communications services and/or networks in the Republic of Kosovo for allowing the exercise of this activity.

##### ***1.3 Validity period of the permit/license:***

The confirmation/authorization issued for an indefinite period.

##### ***1.4 Payment for obtaining the permit/license:***

Application procedure is free of charge

##### ***1.5 Documents required for application:***

1. Notification form for entry into electronic communications activity original [Original]
2. Business Registration Certificate and information on the business [Copy]
3. Fiscal Number Certificate, [Copy]

#### **2. Recommendations**

1. This license is determined by law;
2. Renewal of licenses should be done ex officio;

3. Some necessary documents for applying for this authorization need to be verified according to the principle of administrative assistance and ex officio action or prior statement under oath submitted by the party.

### **3. Justification of recommendations**

1. This license must be determined by law. LPLS is a horizontal law, with which other laws should also be in compliance. This issue should be addressed in the LEC and relevant bylaws, and the designation should be in line with the LSL. Furthermore, Article 17.1 of LSL stipulates that licenses must be determined only by law.
2. The renewal of licenses should be done according to the ex officio principle. In cases where it is not possible for this license to be issued without a specified period, the renewal of this license must be done ex officio, through a verification procedure ex officio of the facts and not through a new administrative procedure for application. This can be determined by a bylaw issued by RAEP. Such action can be taken through bylaws, as defined in Article 17.2 of LPLS.
3. Regarding the respective documents that the party must submit, upon application, some of them can be verified according to the principle of legal assistance between authorities as well as the principle of ex officio conduct of the procedure or through a statement under oath. Other documents remain to be submitted as requested by RAEP, as they constitute specific documents regarding the need for identifying specific aspects related to this license.

## **2. INDIVIDUAL AUTHORIZATION FOR RADIO FREQUENCIES**

### **1. Legal basis for issuing the permit/license:**

This license is based on Law No. 04/L-109 on Electronic Communications, namely Article 47 (4): “A person may start using electronic communications resources as of the date of issue of the authorization, unless stated otherwise in the authorization. *An authorization to use electronic communications resources shall be issued to persons who have been assigned electronic communications resources in accordance with the procedure and conditions set forth by the Authority. (5) The number of authorizations to use electronic communications resources shall be unlimited, except for the cases where restrictions are necessary to ensure effective use of radio frequencies (channels) or where other specific electronic communications resources are of exceptional economic value and/or a shortage of electronic communications resources is unavoidable, and this is justified by the principle of proportionality*”

As well as Regulation No. Prot. 054/B/13: Regulation on Allocating and Use of Radio Frequencies, where in Article 2 refers to Authorization (Individual Authorization); meaning the written document, issued by the Authority and/or registered in the electronic database available to the public, administered by the Authority, granting the right to use the specific radio frequency/channel in accordance with the specified conditions in/with the authorization and based on applicable legal acts; This Regulation under Article 3 also regulates the “General Procedure for Allocating (Designating) and Use of Radio Frequencies”

### **1.2 The activity for which the permit/license is issued:**

Issuing authorizations to users to set up and operate radio communication systems

### **1.3 Validity period of the permit/license:**

The confirmation is issued for a minimum of 6 months and more.

#### ***1.4. Necessary payment fee***

Fee for the use of radio frequencies - depending on the network parameters, determined by regulation, a minimum of 75 Euro

#### ***1.5 Documents required for application:***

1. Application [Original]
2. Application form [Original]
3. Business Registration Certificate and information on the business [Copy]
4. Copy of the License from the IMC (for Radio and TV services) [Copy]
5. Operating license issued by the Ministry of Internal Affairs, for private insurance service providers [Verified copy]

#### ***2. Recommendations***

1. This authorization shall be determined by law;
2. Renewal of licenses according to the ex officio principle;
3. Some necessary documents for applying for this authorization need to be verified according to the principle of administrative assistance and ex officio action or prior statement under oath submitted by the party.
4. The authorization fee is paid in case of approval of the application and issuance of the decision for approval.
5. Review the application fee;

#### ***3. Justification of recommendations***

1. Extend the term of granting the license. The extension of the term for this license is important due to the principle of legal certainty for the applicant, in terms of stability and duration. Therefore, objective and measurable criteria should be set in the regulations regarding the duration of the license. Realizing that the duration of these types of authorizations is of importance to the party, the possibility that the duration of these authorizations should be considered. Such a thing can be determined by a rule issued by RAEPC or the amendment of the regulation, to determine a longer period of validity of the authorizations, in order to have a more flexible and facilitating approach to the parties regarding this type of authorization.
2. The renewal of licenses should be done according to the ex officio principle. In cases where it is not possible for this license to be issued without a specified period, the renewal of this license must be done ex officio, through a verification procedure ex officio of the facts and not through a new administrative procedure for application. This can be determined by a bylaw issued by RAEPC. Such action can be taken through bylaws, as defined in Article 17.2 of LPLS.
3. Regarding the respective documents that the party must submit, upon application, some of them can be verified according to the principle of legal assistance between authorities as well as the principle of ex officio conduct of the procedure or through a statement under oath. Other documents remain to be submitted as requested by RAEPC, as they constitute specific documents regarding the need for identifying specific aspects related to this license.

4. Regarding the tax, RAEPK should make an effort to enable the parties to pay the initial fee, after the procedure is completed and after the application is approved. This would ease the administrative burden of the parties and implement the principle recognized by LGAP, for conducting a procedure without financial burdens for the party.
5. Review the application fee. LPLS in Article 18 determines a proportional tax, as far as necessary to cover the expenses incurred by the competent authority for administering the permit. Such action can be taken through bylaws, as defined in Article 17.2 of LPLS. Also, it should be stipulated that the entire fee payment is made only after the license is issued and not at the time of application.

### **3. INDIVIDUAL AUTHORIZATIONS FOR NUMERICAL RESOURCES**

#### ***1. Legal basis for issuing the permit/license:***

This authorization is based on Regulations No. 50 (No. Prot. 011/B/21) of Regulation no. 50 for the National Numbering Plan for Electronic Communications Networks in the Republic of Kosovo (Ref. No. Prot. 011/B/21; dated 10/03/2021), amended and supplemented by Regulation no. 62 (Ref. No. Prot. 014/B/14), ) and Regulation no. 65 (Ref. No. Prot. 051/B/24).

#### ***1.2 The activity for which the authorization is issued:***

The right to use numerical resources is granted for short codes 1x, for premium number services 9x, for special numbers 8x (free of charge), for short codes for receiving and sending SMS with added value 5x, for using of landline telephone numbers 2x and 3x and for mobile telephones 4x.

#### ***1.3 Validity period of the authorization:***

For users, who are not providers of public electronic communications services, the time period of number assignment will be unlimited for the 1x series and one (1) to five (5) years for the 5x, 8x and 9x series.” The time period for the use of digital resources for entrepreneurs of networks and/or public services of electronic communications is unlimited, unless otherwise specified by the Authority's decision.

#### ***1.4. Payment of fees***

Payment for the use of premium numbers 9x - 60 Euro/1 year;

Payment for the use of special numbers 8x - 10 Euro/year;

Payment for the use of short numbers 5x-15 Euro/year;

Payment for the use of geographic numbers 2x and 3x -0.025 Cents/Euro;

Payment for the use of non-geographical numbers 4x-0.04 Cents/ Euro

Payment for using short codes 1x – free of charge;

#### ***1.5 Documents required for application:***

1. Application form [Original]
2. Business Registration Certificate [Original]
3. Additional documents may be requested depending on request

### **2. Recommendations**

1. This license is determined by law;
2. Request

3. The term of the license shall be determined by regulation;
4. Renewal of licenses should be done ex officio;
5. Some necessary documents for applying for this authorization need to be verified according to the principle of administrative assistance and ex officio action or prior statement under oath submitted by the party.
6. Review the application fee;

### ***3. Justification of recommendations***

1. This license is determined by law. LSLL is a horizontal law, with which other laws should also be in compliance. This issue should be addressed in the LEC and relevant bylaws, and the designation should be in line with the LSLL. Furthermore, Article 17.1 of LSLL stipulates that licenses must be determined only by law.
2. The term of the license shall be determined by regulation. In the present case, the term was taken from the data provided by CRPL. Pursuant to Article 17 of the LPLS and in order to increase legal certainty, rules must be adopted that determine the duration of this license.
3. The renewal of licenses should be done according to the ex officio principle. In cases where it is not possible for this license to be issued without a specified period, the renewal of this license must be done ex officio, through a verification procedure ex officio of the facts and not through a new administrative procedure for application. This can be determined by a bylaw issued by RAEPC. Such action can be taken through bylaws, as defined in Article 17.2 of LPLS.
4. Regarding the respective documents that the party must submit, upon application, some of them can be verified according to the principle of legal assistance between authorities as well as the principle of ex officio conduct of the procedure or through a statement under oath. Other documents remain to be submitted as requested by RAEPC, as they constitute specific documents regarding the need for identifying specific aspects related to this license.
5. Review the application fee. LPLS in Article 18 determines a proportional tax, as far as necessary to cover the expenses incurred by the competent authority for administering the permit. Such action can be taken through bylaws, as defined in Article 17.2 of LPLS. Also, it should be stipulated that the entire fee payment is made only after the license is issued and not at the time of application.

## **4. CERTIFICATE OF CONFIRMATION OF THE NOTICE FOR PROVISION OF POSTAL SERVICES**

### ***1. Legal basis for issuing the permit/license:***

This license is based on Law No. 06/L-038 on Postal Services, under Article 7, parag. 2 (2.2): “For the fulfillment of its duties in the field of postal services, the Authority shall have the following competencies and responsibilities: ...; 2.2. *issues and withdraws authorizations given under this law and sub-legal acts*”. As well as Article 16, paragraph 2: “The provision of postal services in the Republic of Kosovo shall be done pursuant to the authorization issued by the Authority”. Likewise, in Article 20 *Any natural or legal person who, for profit purposes, expresses an interest in providing postal services must notify the Authority prior to the beginning of the postal service provision*. As such, the legal basis for the licensing of this activity is in the law on LPS. As well as Article 8 of Regulation No. 41 on the General Authorization for the Provision of Postal Services

### ***1.2 The activity for which the permit/license is issued:***

Postal services can be provided by natural or legal persons who are licensed by RAEPC for the provision of postal services. This procedure has an impact on regulation of the market, non-discrimination, creating conditions for fair competition, protection of consumers' interests and the postal service providers, etc.

### ***1.3 Validity period of the permit/license:***

The Certificate of Confirmation of the Notice for Provision of Postal Services is indefinite

### ***1.4. Payment of fees***

- 50 Euro - for application;
- Domestic Services (V) = 1000 Euro;
- Domestic + International Services (V/N) = 1500 Euro

### ***1.5 Documents required for application:***

1. Notification form for the provision of postal services
2. Business Registration Certificate and information on the business [Copy]
3. Copy of identity card, ID of the person/s holding the business
4. Copy of the business information document (Business Plan)
5. Brief description of the network and/or postal service/s it seeks to provide and the estimated fees for the provision of postal services

## ***2. Recommendations***

1. Renewal of licenses should be done ex officio;
2. Some necessary documents for applying for this authorization need to be verified according to the principle of administrative assistance and ex officio action or prior statement under oath submitted by the party.
3. The authorization fee is paid in case of approval of the application and issuance of the decision for approval.
4. Review the application fee;

## ***3. Justification of recommendations***

1. The renewal of licenses should be done according to the ex officio principle. In cases where it is not possible for this license to be issued without a specified period, the renewal of this license must be done ex officio, through a verification procedure ex officio of the facts and not through a new administrative procedure for application. This can be determined by a bylaw issued by RAEPC. Such action can be taken through bylaws, as defined in Article 17.2 of LPLS.
2. Regarding the respective documents that the party must submit, upon application, some of them can be verified according to the principle of legal assistance between authorities as well as the principle of ex officio conduct of the procedure or through a statement under oath. Other documents remain to be submitted as requested by RAEPC, as they constitute specific documents regarding the need for identifying specific aspects related to this license.
3. Regarding the tax, RAEPC should make an effort to enable the parties to pay the initial fee, after the procedure is completed and after the application is approved. This would ease the administrative burden of the parties and implement the principle recognized by LGAP, for conducting a procedure without financial burdens for the party.

4. Review the application fee. LPLS in Article 18 determines a proportional tax, as far as necessary to cover the expenses incurred by the competent authority for administering the permit. Such action can be taken through bylaws, as defined in Article 17.2 of LPLS. Also, it should be stipulated that the entire fee payment is made only after the license is issued and not at the time of application.