

**LAW No.04/L –016
ON ENERGY EFFICIENCY**

The Assembly of Republic of Kosovo,

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

Adopts:

LAW ON ENERGY EFFICIENCY

**CHAPTER I
GENERAL PROVISIONS**

**Article 1
Purpose**

The purpose of this Law is to provide the necessary legal and institutional professionals for arrangement of the energy efficiency field.

**Article 2
Scope of action**

This Law regulates the issue of energy efficiency, preparation and approval of energy efficiency plans and reporting for them, determination of roles, duties and responsibilities of the institutions as well as addressing the obligations deriving from Energy Community Treaty regarding the energy efficiency.

**Article 3
Definitions**

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

- 1.1. **Ministry** - the Ministry of the Republic of Kosovo responsible for the energy sector;
- 1.2. **Energy efficiency** - a ratio between an output of the energy, production and performance towards the quantity of consumed energy for this purpose;
- 1.3. **Energy efficiency improvement** - an increase in energy end-use efficiency as a result of technological, behavioral and economic changes;
- 1.4. **Energy savings** - an amount of saved energy, determined by measuring or estimating of the consumption before and after implementation of one or more energy efficiency improvement measures, whilst ensuring normalization for external conditions that affect energy consumption;
- 1.5. **Energy efficiency improvement programs** - activities that focus on groups of final customers and which normally lead to verifiable and measurable or estimable energy efficiency improvement;

1.6. **Energy efficiency improvement measures** - all actions that normally lead to verifiable, measurable or estimable energy efficiency improvement;

1.7. **Kosovo Energy Efficiency Plan**- a document approved by the Government of Republic of Kosovo, which describes the scope of energy efficiency promotion, the indicative targets on energy savings, the policy, planning, key programs, measures, costs and incentives.

1.8. **Municipal Energy Efficiency Plan**- a document approved by the Municipal Assembly, developed in compliance with the National Energy Efficiency Plan.

1.9. **Energy audit** - a systematic procedure to obtain:

1.9.1. adequate knowledge of the existing energy consumption profile of a building or group of buildings, of an industrial operation, installation or of a private or public service;

1.9.2. identification of opportunities for energy savings with cost-effective; and

1.9.3. report the findings.

1.10. **Energy Audit** - natural or legal person licensed for energy auditing;

1.11. **Kosovo Energy Efficiency Agency – KEEA** – executive institution established by this law.

1.12. **Certifying Council of Auditors and Managers of Energy** – body established by the Minister who manages the certifying system of auditors and managers of the energy.

1.13. **Treaty of the Energy Community** – international agreement, signed in 2005 by countries of south east Europe for energy matters, respectively for security of energy supply and energy market, investments, economic development and social stability.

1.14. **Energy Community** – consisted of states that signed the Agreement for Establishment of the Energy Community.

1.15. **Ministerial Council of Energy Community** – is the highest decision making body of the Energy Community

1.16. **Secretariat of Energy Community** – is the highest executive body of the Energy Community

CHAPTER II DUTIES AND RESPONSIBILITIES OF THE INSTITUTIONS

Article 4 Ministry

1. The Ministry is obliged to:

1.1 establish the Kosovo Energy Efficiency Agency KEEA;

1.2 establish the Commission for Certification of Energy Auditors and Managers, whose duties and responsibilities are provided with sub-legal act;

- 1.3 develop energy efficiency policies as part of the Kosovo Energy Strategy;
 - 1.4. scrutinize and submit for approval to the Government the Kosovo plan for energy efficiency in compliance with Directive 2006/32/EC, reviewed in three (3) years period and report on its implementation to the Government every three (3) years;
 - 1.5 develop an Energy Efficiency National Action Plan, in line with Directive 2006/32/EC.
2. Kosovo plan for energy efficiency as well as the report for its implementation are submitted to the Energy Community Secretariat according to the requests defined by this Secretariat.

Article 5
Kosovo Energy Efficiency Agency

1. The Kosovo Energy Efficiency Agency (KEEA) is an executive institution within the Ministry. KEEA's residency is in Prishtine.
2. KEEA shall be funded by the Budget of the Republic of Kosovo, pursuant to the Law on Management of Public Finances and Accountability.
3. KEEA is headed by the Chief Executive Officer, appointed pursuant to the Law on Civil Service.
4. Internal organization of KEEA shall be regulated with sub-legal act approved by the Minister.

Article 6
Duties of the Kosovo Energy Efficiency Agency

1. The Kosovo Energy Efficiency Agency is responsible to:
 - 1.1. propose to the Minister the policies to promote the energy efficiency;
 - 1.2. develop and maintain the database on energy efficiency;
 - 1.3. develop the system of monitoring implementation of the National Energy Efficiency Plan and achievement of the indicative targets for energy saving;
 - 1.4. propose to the Minister the National Energy Efficiency Plan.
 - 1.5. prepare the Progress Report on the Implementation of the National Energy Efficiency Plan;
 - 1.6. guide and support municipalities for preparation of the municipal energy efficiency plans and their progress reports;
 - 1.7. promote energy efficiency through public awareness campaigns;
 - 1.8. provide recommendations on necessary improvements to national and municipal energy efficiency plans;
 - 1.9. prepare its Annual Work Report for the Minister;
 - 1.10 cooperate with the Ministry and other relevant institutions in implementing energy efficiency plans;
 - 1.11 support participation of interested parties in undertaking energy efficiency initiatives;

1.12 propose to the Ministry improvement and completion of legal and regulatory frameworks on energy efficiency, with a view of approximation with relevant European standards on energy efficiency;

1.13. support municipal energy offices on matters related to energy efficiency planning and promotion, and implementation of various energy efficiency programs at municipal levels;

1.14. promote information and education activities in the field of energy efficiency, in cooperation with ministries responsible for energy, construction and education.

Article 7

Establishment and Functioning of the Commission for Certification of Energy Auditors and Managers

1. Ministry shall establish the Commission for Certification of Energy Auditors and Managers, and, by sub-legal act, shall set its organizational structure, responsibilities and duties.

2. Ministry is responsible for the institutional development and progress of the energy auditing process for a three (3) year period, from the date of establishment of the Commission for Certification of Energy Auditors and Managers. After this period according to a special sub-legal act approved by the Minister, the auditing process shall be developed by non public sector.

CHAPTER III

ENERGY EFFICIENCY PLANS

Article 8

Kosovo Energy Efficiency Plan

1. Kosovo Energy Efficiency Plan is obligatory document for implementation, which is prepared by KEEA, in compliance with requests of Directive 2006/32/EC and those of the Energy Community Secretariat and shall submit it for review to the Minister who shall submit it for adoption to the Government.

2. Kosovo Plan implementation Report for Energy Efficiency shall be prepared by KEEA and shall be submitted for review to the Minister who shall submit it for adoption to the Government. Submission of the report to the Energy Community Secretariat shall be conducted based on request of the Secretariat.

Article 9

Energy Efficiency Municipal Plan

1. Municipal Energy Offices shall develop the Municipal Energy Efficiency Plan, in line with the instructions of the KEEA.

2. The Municipal Energy Efficiency Plan shall be adopted by the Municipal Assembly and delivered to the KEEA.

3. Municipal Energy Offices shall develop the Municipal Energy Efficiency Plan Implementation Progress Report, in line with the instructions of the KEEA.

4. The Municipal Energy Efficiency Plan Implementation Progress Report shall be adopted by the Municipal Assembly and delivered to the KEEA.

5. Procedures and terms of municipality plan preparations and reporting for their implementation shall be defined with sub-legal act approved by the Minister.

CHAPTER IV ENERGY EFFICIENCY MEASURES

Article 10 Public sector energy management

1. The public sector is obligated to use energy efficiently.
2. For the implementation of Paragraph 1 of this Article, the Government shall issue necessary secondary legislation, as proposed by the Ministry.

Article 11 Energy Efficiency Measures Funding

1. To support measures defined in Kosovo plan for energy efficiency, the Ministry should:
 - 1.1 ensure funding possibilities from the Budget of the Republic of Kosovo;
 - 1.2 seek for financial support from relevant international financial and development organizations, in the framework of programs and projects on promoting energy efficiency;
 - 1.3 propose inclusion of energy efficiency funding in bilateral cooperation agreements, as often as it is possible.
2. To support measures for promoting energy efficiency defined in municipality plans for energy efficiency, municipalities should ensure funding possibilities within the Municipal Budgets or through donations.
3. Whenever required, the Ministry shall plan for budgetary co-funding of energy efficiency funds created in the framework of cooperation with international multilateral or bilateral development institutions.

Article 12 Energy Auditing

As proposed by the Ministry, the Government shall approve necessary secondary legislation on energy auditing, in line with EU directives.

CHAPTER V TRANSITIONAL AND FINAL PROVISIONS

Article 13 Implementation of EU Directives for Energy Efficiency

Ministry shall present for Government approval the necessary legal acts for implementation of EU Directives provisions, regarding the energy efficiency, which are binding for the Republic of Kosovo as a party of the Energy Community Treaty.

Article 14
Transitional Provisions

The Ministry shall establish the Kosovo Energy Efficiency Agency -KEEA within six (6) months from the date of entry into force of this Law.

Article 15
Final Provisions

1. With a view of implementation of this Law, the Ministry shall prepare and issue sub-legal acts within six (6) months after entry into force of this Law.
2. Acts provided for in Article 13 of this Law shall be prepared in compliance with timelines set forth by Decisions of the Ministerial Council of Energy Community.

Article 16
Entry into force

This law enters into force fifteen (15) days after publication in the Official Gazette of the Republic of Kosovo.

Law No. 04/L-016
23 June 2011

Promulgated by Decree No.DL-006-2011, dated 08.07.2011, President of the Republic of Kosovo Atifete Jahjaga.