

**LAW No. 06/L-041**

**ON TECHNICAL REQUIREMENTS FOR PRODUCTS AND CONFORMITY ASSESSMENT**

**The Assembly of the Republic of Kosovo,**

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

Approves:

**LAW ON TECHNICAL REQUIREMENTS FOR PRODUCTS AND CONFORMITY  
ASSESSMENT**

**CHAPTER I  
GENERAL PROVISIONS**

**Article 1  
Purpose**

1. This Law regulates the manner of prescribing technical requirements for products and adoption of technical regulations based on this Law, assessment of conformity of products with required technical requirements (hereinafter referred to as: conformity assessment), obligations of suppliers of products and owners of products in use, validity of foreign documents of conformity and conformity markings, notification of technical regulations and conformity assessment procedures and inspection surveillance of the implementation of all laws and technical regulations dealing with compliance and safety of non-food products.

2. This Law is based on relevant reference provisions of the Decision No.768/2008/EC of the European Parliament and of the Council of 9 July 2008 on a common framework for the marketing of products and repealing Council Decision No. 93/465/EEC, and is fully in compliance with the Regulation (EC) No.765/2008 of the European Parliament and of the Council of 9 July 2008 on setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No. 339/93, insofar as it relates to market surveillance framework and control of products entering the market.

**Article 2  
Scope**

1. This Law shall apply to all products, excluding products which are regulated by specific laws and technical regulations adopted on the basis of such laws.

2. If specific laws and technical regulations referred to in paragraph 1. of this Article do not regulate matters related to the designation of conformity assessment bodies and validity of foreign documents of conformity and conformity markings, the provisions of this Law shall apply to such matters.

3. The provisions of this Law regulating notification of designated conformity assessment body, keeping of registers and notification of technical regulations shall also apply to the products which are regulated by specific laws and regulations adopted on the basis of specific laws.

4. The application of this Law shall not prevent competent inspectorate from taking more specific measures as provided for in a specific law on general product safety. Provisions of Articles 53 to 55 of this Law shall apply in so far as there are no specific provisions with the same objective in specific laws on product compliance and safety.

### **Article 3** **Definitions**

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

1.1. **Product** – a substance, preparation or good produced through a manufacturing process other than food, feed, living plants and animals, products of human origin and products of plants and animals relating directly to their future reproduction;

1.2. **Making available on the market** - any supply of a product for distribution, consumption or use on the market of the Republic of Kosovo (hereinafter: the market) in the course of a commercial activity, whether in return for payment or free of charge;

1.3. **Placing on the market** - the first making available of a product on the market of the Republic of Kosovo;

1.4. **Manufacturer** - any natural or legal person who manufactures a product or has a product designed or manufactured, and markets that product under his name or trademark;

1.5. **Authorized representative** - any natural or legal person established within the Republic of Kosovo who has received a written mandate from a manufacturer to act on his behalf in relation to specified tasks with regard to the latter's obligations under the relevant legislation;

1.6. **Importer** - any natural or legal person established within the Republic of Kosovo who places a product from a third country on the market;

1.7. **Distributor** - any natural or legal person in the supply chain, other than the manufacturer or the importer, who makes a product available on the market;

1.8. **Economic operator** - the manufacturer, the authorised representative, the importer and the distributor;

1.9. **European harmonized standard** - European standard adopted on the basis of a request made by the EU Commission for the application of EU harmonization legislation;

1.10. **Kosovo harmonized standard** - Kosovo standard adopting a European harmonized standard in compliance with standardization law and rules, which ensures presumption of conformity for respective regulations;

1.11. **Technical specification** – a document that prescribes technical requirements to be fulfilled by a product, process or service;

1.12. **Conformity assessment** - a process demonstrating whether specified

requirements relating to a product, process, service, system, person or body have been fulfilled;

1.13. **Conformity assessment body** - a body that performs conformity assessment activities including calibration, testing, certification and inspection;

1.14. **Designated conformity assessment body** – a body that has been officially designated by the ministry in charge of specific legislation to carry out the procedures for conformity assessment within the meaning of applicable legislation when an independent (third) party is required;

1.15. **Accreditation** - an attestation by a national accreditation body that a conformity assessment body meets the requirements set by harmonised standards and, where applicable, any additional requirements including those set out in relevant sectoral schemes, to carry out a specific conformity assessment activity;

1.16. **Conformity marking** - a marking by which the manufacturer indicates that the product is in conformity with the applicable requirements set out in legislation providing for its affixing;

1.17. **Inspection surveillance** - activities carried out and measures taken by the competent inspectorate to ensure that products comply with the requirements set out in the relevant legislation and do not endanger health, safety or any other aspect of public interest protection;

1.18. **Compliance assessment** – assessment performed by the competent inspectorate whether a product made available on the market fulfils all applicable legal requirements;

1.19. **Competent Inspectorate** – a ministry or other state authority of the Republic of Kosovo responsible for carrying out inspection surveillance on its territory for a particular product or group of products according to the rules on organization and scope of work of state authorities;

1.20. **Recall** - any measure aimed at achieving the return of a product that has already been made available to the end user;

1.21. **Withdrawal** - any measure aimed at preventing a product in the supply chain from being made available on the market;

1.22. **Release for free circulation** – a procedure for releasing products for free circulation in accordance with the rules governing work of the Kosovo Customs;

1.23. **NANDO** – database of “New Approach Notified and Designated Organisations Information System”;

1.24. **RAPEX** - Rapid Alert System for dangerous non-food products.

## **CHAPTER II**

### **TECHNICAL REQUIREMENTS FOR PRODUCTS**

#### **Article 4**

##### **General requirement**

Products may be placed on the market and put into service only if they comply with technical requirements and other requirements prescribed by this Law and technical regulations adopted on its basis, when properly installed and maintained and used for their intended purpose.

#### **Article 5**

##### **Safeguard Clause**

1. Without prejudice to Article 4 of this Law the competent inspector shall undertake appropriate measures prohibiting or restricting the making available on the market, withdrawing or recalling the products, if it is established that a product, although complying with all technical requirements and other requirements prescribed by this Law and technical regulations adopted on its basis, may nevertheless threaten public interests from Article 6 paragraph 2. of this Law.

2. The respective minister, upon recommendation of the Kosovo Standardization Agency, by a decision shall remove the Kosovo harmonized standard from the list of standards referred to in Article 8 paragraph 2. of this Law, if it is found that non-safety of the product referred to in paragraph 1. of this Article is a result of inadequate technical solutions of such standard.

#### **Article 6**

##### **Technical regulation**

1. Technical regulation shall mean any sub-legal act which, for the product or groups of products (hereinafter referred to as: the product) sets out at least one of the following elements:

1.1. technical (e.g. health and safety) requirements that must be met by a product which is being made available on the market;

1.2. conformity assessment procedures which have to be carried out before the product is placed on the market;

1.3. documents, instructions and safety information that shall accompany the product when being available on the market or put into use;

1.4. principles of conformity marking principles and manner of marking the product;

1.5. requirements with regard to packaging and labelling of the product;

1.6. safety and other technical requirements for product, throughout its lifecycle which includes the use of the product (hereinafter: lifecycle);

1.7. regular and extraordinary inspection of product which have to be performed throughout its lifecycle;

1.8. requirements that must be met, in order to be designated by the competent ministry, by the conformity assessment bodies; and

1.9. requirements that must be met, in order to be designated by the competent ministry, by bodies performing regular and extraordinary inspection of the product throughout its lifecycle.

2. Technical regulations with technical requirements and other elements contained therein shall be adopted solely for the purpose of protecting public interests such as:

2.1. health and safety in general;

2.2. health and safety at the workplace;

2.3. protection of lives and health of persons, domestic animals and plants;

2.4. protection of the environment;

2.5. protection of consumers and other users;

2.6. public security and morality.

#### **Article 7**

##### **Level of protection of public interests**

1. Regarding the protection of public interests from Article 6 paragraph 2. of this Law, technical regulations shall be restricted to setting out the essential requirements determining the level of such protection and shall define those requirements in terms of the results to be achieved.

2. If defining essential requirements is not possible or not appropriate, in view of the objective of ensuring the adequate protection of public interests, detailed specifications may be set out in the technical regulations concerned.

#### **Article 8**

##### **Presumption of conformity with essential requirements**

1. If a technical regulation sets out essential requirements as prescribed in Article 6 paragraph 1. of this Law, it shall provide clear reference to standards, which shall express those requirements in technical terms and which shall, alone or in conjunction with other standards, provide for the presumption of conformity with those requirements.

2. Products which are in conformity with Kosovo harmonized standards, the references of which have been published in the Official Gazette of the Republic of Kosovo, and which implement European harmonized standards or parts thereof, the references of which have been published in the Official Journal of the European Union, shall be presumed to be in conformity with the prescribed technical requirements covered by those standards or parts thereof.

3. Exceptionally, if there are no Kosovo harmonized standards from paragraph 2. of this Article, the products which are in conformity with European harmonised standards or parts thereof, the

references of which have been published in the Official Journal of the European Union, shall be presumed to be in conformity with the prescribed technical requirements covered by those standards or parts thereof.

4. Minister of the respective ministry upon recommendation of the Kosovo Standardization Agency, makes decision for publication of the List with harmonized standards in the Official Gazette.

### **Article 9**

#### **Competence for adopting technical regulations**

1. Technical regulations shall be prepared and adopted by the ministries, within their scope of competences for regulating requirements for various products, as prescribed by law (hereinafter referred to as: the competent ministry).

2. When adopting a technical regulation, international principles and assumed obligations arising from international agreements shall be taken into account with the aim of preventing unnecessary barriers to international trade.

3. Coordination of work of all competent ministries regarding technical legislation shall be performed through the inter-ministerial working group which is in charge of implementing the tasks emanating from free movement of goods under international agreements signed by the Republic of Kosovo.

4. The competent ministries shall through the working group from paragraph 3. of this Article exchange information on issues such as:

4.1. principles and rules regarding adoption and implementation of technical regulations based on the EU harmonization rules,

4.2. principles and rules regarding adoption and implementation of technical regulations in areas not regulated by the EU harmonization rules,

4.3. maintenance of the register from Article 29 of this Law and related provision of information and notification of technical regulations according to international agreements.

### **CHAPTER III**

#### **CONFORMITY ASSESSMENT**

##### **1. Conformity assessment procedures and conformity documents/markings**

### **Article 10**

#### **Conformity assessment procedures**

1. If a technical regulation requires conformity assessment to be performed in respect of a particular product, it may provide for that assessment to be carried out by the manufacturer and/or a designated body.

2. The procedure or a set of procedures, which are to be used for a particular product, shall be, as a rule, chosen from among the following “modules”:

- 2.1. Internal production control;
- 2.2. Type examination;
- 2.3. Conformity to type;
- 2.4. Production quality assurance;
- 2.5. Product quality assurance;
- 2.6. Product verification;
- 2.7. Unit verification;
- 2.8. Full quality assurance.

3. The detailed description of requested “modules” or a combination of them in respect of a particular product is given in a relevant technical regulation.

#### **Article 11**

##### **Declaration of conformity**

If a technical regulation requires a statement by the manufacturer that fulfilment of the requirements relating to a product has been demonstrated (hereinafter: declaration of conformity), the regulation shall provide that a single declaration shall be drawn up in respect of all legal acts applicable to the product containing all information required for the identification of the legislation to which the declaration relates, and giving the publication references of the acts concerned.

#### **Article 12**

##### **General principles and conditions for affixing conformity marking**

1. The conformity marking shall be affixed only to products to which its affixing is provided for by a specific technical regulation, and shall not be affixed to any other product.
2. The conformity marking shall be affixed before the product is placed on the market and shall be followed by the identification number of the designated body, where that body is involved in the production control phase.
3. The conformity marking shall be affixed visibly, legibly and indelibly to the product or to its data plate. Where that is not possible or not warranted on account of the nature of the product, it shall be affixed to the packaging and to the accompanying documents, where the legislation concerned provides for such documents.
4. The conformity marking shall be affixed only by the manufacturer or his authorised

representative.

5. By affixing or having affixed the conformity marking, the manufacturer indicates that he takes responsibility for the conformity of the product with all applicable requirements set out in the relevant technical regulation providing for its affixing.

6. The conformity marking shall be the only marking which attests the conformity of the product with the applicable requirements of the relevant legislation providing for its affixing.

7. The affixing to a product of markings, signs or inscriptions which are likely to mislead third parties regarding the meaning or form of the conformity marking shall be prohibited. Any other marking may be affixed to the product provided that the visibility, legibility and meaning of the conformity marking is not thereby impaired.

8. The form, content of the conformity marking shall be determined with a sub-legal act by the Government of the Republic of Kosovo.

### **Article 13**

#### **Decision on designation**

1. When a technical regulation sets out that all or part of conformity assessment, must be carried out by a designated conformity assessment body (hereinafter: the designated body), a decision on its designation shall be issued by the minister of the respective ministry, after having been given recommendation from competent Committee which, inter alia, guarantees that the body has fulfilled all the conditions foreseen by this Law and sub-legal acts deriving from this Law. This procedure should be according to the respective technical rules.

2. The competent minister shall issue a decision on designation provided that the conformity assessment body which submitted an application for designation meets the requirements from the relevant technical regulation in the context of Article 15 of this Law.

3. The decision referred to in paragraph 1. of this Article is final and may be time-limited or valid until repeal.

4. The Ministry carrying out the activities needed for issuing the decision on designation (hereinafter: the designating authority) shall:

4.1. be organized in such a way that no conflict of interest with conformity assessment bodies occurs;

4.2. perform its activities so as to safeguard the objectivity and impartiality of its activities;

4.3. assure by its organization that each decision relating to designation of a conformity assessment body is taken by competent persons different from those who carried out the assessment;

4.4. not offer or provide any activities that conformity assessment bodies perform or consultancy services on a commercial or competitive basis;

4.5. safeguard the confidentiality of the information it obtains;

4.6. have a sufficient number of competent personnel at its disposal for the proper performance of its tasks.

5. Procedure on designation manner of the conformity assessment bodies, shall be regulated with sub-legal act issued by the Government.

#### **Article 14**

##### **Application for designation**

1. The submitted application for designation shall be accompanied by a description of the conformity assessment activities, the conformity assessment “module” or “modules” and the product or products for which that body claims to be competent.

2. Accreditation is a mandatory requirement according to Article 16 paragraph 2. of this Law, except for the products covered by relevant regulation where the accreditation becomes obligatory, two (2) years after entry into force of this Law.

#### **Article 15**

##### **Requirements relating to designated body**

1. When a technical regulation specifies that conformity assessment shall be carried out by the designated conformity assessment body, such regulation shall also specify the requirements to be met by conformity assessment body to be designated, particularly with respect to:

1.1. professional competence of the staff in the relevant area for which the conformity assessment body is designated;

1.2. access to necessary equipment and facilities;

1.3. independence and impartiality in carrying out conformity assessment procedures;

1.4. observing professional secrecy;

1.5. liability insurance for the period of designation, unless liability is to be assumed by the Republic of Kosovo.

2. To be designated a conformity assessment body. The body shall be established under the law of the Republic of Kosovo and have legal personality. It shall also be a “third-party” body independent of the organisation or the product it assesses.

#### **Article 16**

##### **Presumption of conformity**

1. Where a conformity assessment body demonstrates its conformity with the criteria laid down in the relevant Kosovo harmonized standards or parts thereof the references of which have been published in the Official Gazette of Kosovo, adopting relevant European harmonized standards, it shall be presumed to comply with the requirements set out in Article 15 of this Law in so far as the applicable harmonised standards cover those requirements.

2. It is required by a specific technical regulation that the conformity with the criteria stated in paragraph 1. of this Article, has to be proven exclusively by obtaining an accreditation certificate.

### **Article 17**

#### **Subsidiaries of and subcontracting by designated bodies**

1. Where a designated body subcontracts specific tasks connected with conformity assessment or has recourse to a subsidiary, it shall ensure that the subcontractor or the subsidiary meets the requirements set out in Article 15 of this Law and shall inform the designating authority accordingly.

2. A designated body shall take full responsibility for the tasks performed by subcontractors or subsidiaries wherever these are established. Activities may be subcontracted or carried out by a subsidiary only with the agreement of the client.

3. A designated body shall keep at the disposal of the designating authority the relevant documents concerning the assessment of the qualifications of the subcontractor or the subsidiary and the work carried out by them.

### **Article 18**

#### **Accredited in-house bodies**

1. An accredited in-house body may be used to carry out conformity assessment activities for the undertaking of which it forms a part for the purpose of implementing the procedures as set out in a relevant technical regulation. That body shall constitute a separate and distinct part of the undertaking and shall not participate in the design, production, supply, installation, use or maintenance of the products it assesses. An accredited in-house body does not need to be designated to carry out its activities.

2. An accredited in-house body shall meet the following requirements:

2.1. it shall be accredited in accordance with the specific law on accreditation;

2.2. the body and its personnel shall be organisationally identifiable and have reporting methods within the undertaking of which they form a part which ensure their impartiality and demonstrate it to the national accreditation body;

2.3. neither the body nor its personnel shall be responsible for the design, manufacture, supply, installation, operation or maintenance of the products they assess nor shall they engage in any activity that might conflict with their independence of judgment or integrity in relation to their assessment activities;

2.4. the body shall supply its services exclusively to the undertaking of which it forms a part.

### **Article 19**

#### **Operational obligations of designated body**

1. A designated body shall, based on the written contract with the manufacturer, carry out conformity assessments in accordance with the conformity assessment procedures provided

for in the relevant technical regulation.

2. Conformity assessments shall be carried out in a proportionate manner, avoiding unnecessary burdens for economic operators. Designated body shall perform its activities taking due account of the size of an undertaking, the sector in which it operates, its structure, the degree of complexity of the product technology in question and the mass or serial nature of the production process. It shall nevertheless respect the level of protection required for the compliance of the product with the provisions of the relevant technical regulation.

3. Where a designated body finds that requirements laid down in the relevant technical regulation or corresponding harmonised standards or technical specifications have not been met by a manufacturer, it shall require that manufacturer to take appropriate corrective measures and shall not issue a conformity certificate.

4. Where, in the course of the monitoring of conformity following the issue of a certificate, a designated body finds that a product no longer complies; it shall require the manufacturer to take appropriate corrective measures and shall suspend or withdraw the certificate if necessary.

5. Where corrective measures are not taken or do not have the required effect, the designated body shall restrict, suspend or withdraw any certificates, as appropriate.

6. Designated body shall have a documented appeal procedure for a review of its decisions under paragraphs 3. and 4. of this Article. The decision of a designated body taken after the review of initial decision was carried out is final. Against the final decision an administrative dispute can be initiated in the competent court.

7. The designated body shall inform the Ministry with regard of any appeal received and the way this was resolved.

## **Article 20**

### **Information obligation for designated bodies**

1. A designated body shall inform the designating authority of the following:

1.1. any circumstance affecting the scope of and conditions for designation;

1.2. any request for information which they have received from competent inspectorate regarding conformity assessment activities;

1.3. on request, conformity assessment activities performed within the scope of its designation and any other activity performed, including cross-border activities and subcontracting.

2. A Designated body shall provide the other bodies designated under the relevant technical regulation carrying out similar conformity assessment activities covering the same products with relevant information on issues relating to negative and, on request, positive conformity assessment results.

**Article 21**  
**Changes to designation**

1. Where a designating authority has ascertained or has been informed that a designated body no longer meets the requirements laid down in Article 15 of this Law or that it is failing to fulfil its obligations, it shall restrict, suspend or withdraw designation as appropriate, depending on the seriousness of the failure to meet those requirements or fulfil those obligations.

2. In the event of restriction, suspension or withdrawal of designation, or where the designated body has ceased its activity, the designating authority shall take appropriate steps to ensure that the files of that body are either processed by another designated body or kept available for the designating authority as well as to the competent inspectorate at their request.

**Article 22**  
**International information exchange on designation**

1. The Ministry shall notify the European Commission and the other Member States of bodies designated to carry out third-party conformity assessment tasks under this Law. It shall immediately inform the Commission and the other Member States on any changes to designation from Article 20 paragraph 1. of this Law.

2. The Ministry shall inform the European Commission of its procedures for the assessment and designation of conformity assessment bodies and the monitoring of designated bodies, and of any changes thereto.

**CHAPTER IV**  
**OBLIGATIONS OF ECONOMIC OPERATORS**

**Article 23**  
**Obligations regarding making available product on the market**

1. When making available a product on the market, the manufacturer, importer and distributor shall, each in relation to its respective roles in the supply chain, be responsible for the compliance of their product with all applicable legislation.

2. Economic operators shall be responsible for ensuring that all information they provide with regard to their products is accurate, complete and in compliance with the applicable rules.

3. Economic operator who considers or have reason to believe that a product which it has made available on the market is not in compliance with the legislation applicable shall immediately take the corrective measures necessary to bring that product into conformity, to withdraw it or recall it, if recall is appropriate. Furthermore, where the product presents a risk, economic operator shall immediately inform the competent inspectorate to that effect, giving details, in particular, of the non-compliance and of any corrective measures taken.

4. Economic operator shall, further to a reasoned request from a competent inspectorate, provide it with all the information and documentation necessary to demonstrate the compliance of a product in a language which can be easily understood by the inspectorate. They shall cooperate with the inspectorate, at its request, on any action taken to eliminate the risks posed

by products which they have made available on the market.

5. Economic operators shall, in relation to their respective roles in the supply chain, perform other activities prescribed by the technical regulation for a particular product.

#### **Article 24**

##### **Authorized representative**

1. A manufacturer may, by a written mandate, appoint an authorised representative. The obligations of carrying out the prescribed conformity assessment procedure and the drawing up of technical documentation shall not form part of the authorised representative's mandate.

2. An authorised representative shall perform the tasks specified in the mandate received from the manufacturer. The mandate shall allow the authorised representative to do at least the following:

2.1. keep the declaration of conformity and the technical documentation at the disposal of the competent inspectorate for a prescribed period;

2.2. further to a reasoned request from a competent inspectorate, provide it with all the information and documentation necessary to demonstrate the compliance of a product;

2.3. cooperate with the competent inspectorate, at its request, on any action taken to eliminate the risks posed by products covered by their mandate.

#### **Article 25**

##### **Cases in which the obligations of manufacturers apply to importers or distributors**

An importer or distributor shall be considered a manufacturer for the purposes of this Law and he shall be subject to the obligations of the manufacturer under the technical regulation for particular product, where he places a product on the market under his name or trade mark or modifies a product already placed on the market in such a way that compliance with prescribed technical requirements may be affected.

#### **Article 26**

##### **Identification of economic operators**

1. Economic operators shall, on request, identify the following to the competent inspectorate:

1.1. any economic operator who has supplied them with a product;

1.2. any economic operator to whom they have supplied a product.

2. Economic operators shall be able to present the information referred to in the paragraph 1. of this Article for the period prescribed in a technical regulation for a particular product after they have been supplied with a product and for the prescribed period after they have supplied a product.

### **Article 27**

#### **Obligations of owners of technically complex products in use**

1. Owner of a technically complex product for which the technical regulation requires mandatory regular or extraordinary inspection, with the purpose of confirming the product safety throughout its period of use, is responsible to enable operation and use of such product, only if the prescribed inspections confirming its safety have been carried out.
2. Prescribed inspections shall be performed by a designated body.
3. Competent inspectorate shall suspend the operation and use of the product from paragraph 1. of this Article until the prescribed inspections have been carried out and confirmed its safety.
4. Provisions of Articles 13 to 21 of this Law shall apply to the criteria which the designated body has to fulfil and the manner of performing the prescribed inspection referred to in paragraph 1. of this Article.

## **CHAPTER V**

### **VALIDITY OF DOCUMENTS OF CONFORMITY ISSUED ABROAD**

#### **Article 28**

##### **Recognition and acceptance of validity of foreign documents**

1. Documents of conformity issued by a conformity assessment body established outside of the Republic of Kosovo (hereinafter: foreign documents of conformity) shall be valid in the Republic of Kosovo if they were issued in accordance with ratified international agreements to which the Republic of Kosovo is a signatory.
2. Without prejudice to paragraph 1. of this Article, the minister competent for adopting technical regulation for a particular product, may, by a decision, recognize the validity of foreign documents which confirm the conformity of a product with foreign technical regulation, after recommendation of the professional committee, under the condition that requirements of such regulation provide at least the same level of protection of public interests from Article 6 paragraph 2. of this Law, as that provided by the requirements of relevant technical regulations.
3. Documents of conformity issued by a conformity assessment body, which is included in the NANDO database, and when the documents are issued within the scope of the body's notification, are accepted as valid by the competent inspectorates when they perform inspection surveillance.
4. The equivalence of the services delivered by those national accreditation bodies which have successfully undergone peer evaluation, referred to in specific law on accreditation of conformity assessment bodies, are recognized in the scope of successful peer evaluation. Consequently the accreditation certificates of those accreditation bodies and the attestations issued by the conformity assessment bodies accredited by them are accepted as valid by the competent inspectorates when they perform inspection surveillance.
5. The detailed manner of recognition of documents of conformity issued abroad shall be governed by a regulation adopted by the Government.

## **CHAPTER VI**

### **REGISTER AND NOTIFICATION OF TECHNICAL REGULATIONS**

#### **Article 29**

##### **Register**

1. The Ministry responsible for trade and industry issues shall keep the official register of:
  - 1.1. valid technical regulations in the Republic of Kosovo dealing with products as defined in Article 3 of this Law;
  - 1.2. technical regulations under preparation;
  - 1.3. designated conformity assessment bodies;
  - 1.4. conformity documents issued abroad which are valid in the Republic of Kosovo.
2. The content and manner of keeping the register referred to in paragraph 1. of this Article shall be regulated in more details in a regulation adopted by the Government of the Republic of Kosovo.

#### **Article 30**

##### **Notification of technical regulations according to international agreements**

1. The Ministry responsible for trade and industry issues, in accordance to the rules of ratified international agreements to which the Republic of Kosovo is a signatory, shall notify the other parties of such agreements, of the technical regulations under preparation in the Republic of Kosovo and related conformity assessment procedures.
2. The procedure of notification of technical regulations referred to in paragraph 1. of this Article shall be governed by a regulation adopted by the Government of the Republic of Kosovo.

#### **Article 31**

##### **Provision of Information**

1. Upon request of domestic and foreign legal and natural persons, the Ministry shall provide information and relevant documentation with regard to:
  - 1.1. valid technical regulations or technical regulations under preparation;
  - 1.2. valid conformity assessment procedures or conformity assessment procedures under preparation;
  - 1.3. membership of the Republic of Kosovo in international and regional cooperation programs in the field of conformity assessment, or in bilateral and multilateral agreements related to the technical regulations and conformity assessment procedures.
2. The manner of providing information and documentation referred to in paragraph 1. of this

Article shall be governed by a regulation adopted by the Government of the Republic of Kosovo.

## **CHAPTER VII SURVEILLANCE OF PRODUCTS ON THE MARKET**

### **Article 32**

#### **Aim and scope of inspection surveillance**

1. Inspection surveillance shall ensure through compliance assessment that products made available on the market comply with the prescribed requirements which provide for a high level of protection of public interests as identified in Article 7 paragraph 2. of this Law.

2. Inspection surveillance shall cover products assembled or manufactured for the manufacturer's own use where a specific technical regulation provides that its provisions shall apply to such products.

### **Article 33**

#### **Principle of professionalism**

Inspection surveillance shall be performed by the competent inspectorates independently, impartially, and without bias.

### **Article 34**

#### **Principle of confidentiality**

Competent inspectorates shall be bound to observe confidentiality where necessary in order to protect commercial secrets and protect personal data pursuant to the law, subject to the requirement that all relevant information be made public to the fullest extent necessary in order to protect the interests of users in terms of this Law.

### **Article 35**

#### **Principle of proportionality**

Competent inspectorates shall take measures proportional to the defined level of risk in order to ensure safety of products, and/or their compliance with the requirements of the relevant technical legislation.

### **Article 36**

#### **Precautionary principle**

Competent inspectorates shall be bound to take measures as set out by this Law also in the case that there is no conclusive scientific proof regarding the risk that a product may pose, irrespective of whether the consequences of the risk are immediate or deferred, but there is an initial result of scientific research that suggests the seriousness of the risk because of potential consequences to health and safety of users, protection of property and the environment, health and safety at the workplace.

**Article 37****Government's Decree on groups of products**

1. Groups of products which are subject of inspection surveillance carried out by the competent inspectorates shall be defined in a regulation adopted by the Government.
2. The decree specified in paragraph 1. of this Article along with the contact details of the competent inspectorate for each group of products shall be published on the internet page of the Coordination Body referred to in Article 39 of this Law.

**Article 38****Obligations of inspection surveillance authorities**

1. Competent inspectorates, within the scope of their competencies, shall:
  - 1.1. follow up complaints, reports and other statements relating to risks arising in connection with products subject to specific technical regulations;
  - 1.2. monitor accidents and harm to health which are suspected to have been caused by those products;
  - 1.3. draw up and implement their programmes on inspection surveillance of products (hereinafter referred as: sectoral programme);
  - 1.4. immediately inform users on the territory of the Republic of Kosovo about risks related to the product with the aim to reduce the risk of injury or other harm;
  - 1.5. verify that corrective action has been taken;
  - 1.6. follow up scientific and technical knowledge concerning product safety issues;
  - 1.7. draw up and realise training programmes in the area of inspection surveillance;
  - 1.8. at least once a year review and assess results of conducted activities related to inspection surveillance of products.
2. Competent inspectorates shall plan and organise inspection surveillance of products which ensure that effective and efficient measures can be taken in accordance with the law.

**Article 39****Coordination of inspection surveillance**

1. Competent inspectorates shall cooperate with each other and with other bodies and authorities with the aim of effective and efficient inspection surveillance.
2. In order to achieve the cooperation referred to in paragraph 1. of this Article, the Government sets up the Coordination body for inspection surveillance (hereinafter referred to as: the Coordination body).

3. The Coordination body shall comprise of representatives of competent inspectorates, the Kosovo Customs authority and the ministry competent for quality infrastructure.

4. Detailed composition, conditions of appointment as well as other issues of importance to the work of the Coordination Body shall be regulated by its foundation act.

#### **Article 40**

##### **Competences of Coordination body**

1. The Coordination body shall:

1.1. consolidate sectoral programmes into one general programme of inspection surveillance and monitor its realization;

1.2. evaluate reports of competent inspectorates on realisation of the sectoral programme and draw up a general report on inspection surveillance;

1.3. analyse realized activities and taken measures and effects thereof, and in cooperation with competent inspectorates revise inspection surveillance activities;

1.4. gather information on the safety of products on the market;

1.5. initiate adoption of regulations of interest for inspector surveillance of products;

1.6. participate in the drafting of the regulation on groups of products specified in Article 37 of this Law;

1.7. monitor and encourage cooperation with the Kosovo Customs as well as other interested parties, and provide recommendations for improvement of cooperation;

1.8. provide opinion and recommendations for implementation of this Law and technical regulations adopted on the basis of specific laws on requirements for particular groups of products.

2. The Coordination body shall submit an annual report on its work to the Government.

#### **Article 41**

##### **Sectoral and general programme**

1. Each competent inspectorate shall adopt a sectoral programme for products, and/or product groups under its competence, not later than end of October of the current year for the following year.

2. Sectoral programme shall be delivered by the competent inspectorate to the Coordination body within fifteen (15) days from the day of adoption thereof, in order to compile it into the general programme of inspection surveillance.

3. The general programme of inspection surveillance of products shall be adopted by the

Coordination body by January 15 of the year for which the programme is made and shall be published on the internet page of the Coordination body.

4. The Coordination Body shall periodically review and assess the functioning of the inspection surveillance activities. Such reviews and assessments shall be carried out at least every four (4) year and the results thereof shall be published on the internet page of the Coordination body.

#### **Article 42**

##### **Implementation of programme and reporting**

1. Competent inspectorate shall implement the programme and adjust it, if needed, taking into account in particular the complaints and other information relevant for the implementation of the inspection surveillance affecting the assessment of the market situation.

2. Competent inspectorate shall make an annual report on realisation of sectoral programme which in particular shall contain information on the conducted surveillance, the handling of complaints and other relevant information related to the implementation of inspection surveillance of products.

3. The report referred to in paragraph 2. of this Article, shall be finalised by the competent inspectorate until the end of January of the current year for the previous year and delivered to the Coordination body for consolidation into a joint annual report on the inspection surveillance of products.

4. The annual programme specified in paragraph 3. of this Article shall be published on the internet site of the Coordination body.

#### **Article 43**

##### **Implementation of inspection surveillance**

1. Implementation of inspection surveillance of products on the market shall be carried out by competent inspectorate through inspectors.

2. Inspectors shall be bound, in accordance with Article 44 of this Law, to prohibit or restrict the product being made available on the market, or order withdrawal of the product from the market or recall it from the users in the following cases:

2.1. if the product, when in use, in accordance with its intended purpose or conditions that may be reasonably foreseen, and when it is properly installed and maintained, could endanger the health or safety of users, property, environment, the health and safety at the workplace, as well as free movement of goods;

2.2. if that product does not comply with the relevant requirements of technical regulations regulating particular products.

3. Inspectors shall cooperate with economic operators in activities aimed to prevent or reduce the risks caused by products made available on the market by those economic operators.

#### **Article 44**

##### **Powers of inspector**

1. Inspector shall perform appropriate checks on the characteristics of products on the market on an adequate scale, by means of documentary checks and, where appropriate, physical and/or laboratory checks and tests on the basis of adequate samples.
2. When performing checks and tests, specified in paragraph 1. of this Article, inspector shall take into account already performed risk assessment, complaints received and other data relevant for inspection surveillance of products.
3. Economic operator shall let the inspector to enter their business premises and provide him access to documents and information necessary to establish the state of the affairs and take the necessary samples of products.
4. Where economic operator presents test reports or certificates attesting conformity issued by an accredited conformity assessment body, inspectors shall treat such reports or certificates as public documents which content is deemed truthful until proven otherwise.
5. Inspectors may destroy or otherwise render inoperable products presenting a serious risk where he deems it necessary.
6. Competent inspectorate shall take appropriate measures to alert users within their mandate within an adequate timeframe of hazards they have identified relating to any product so as to reduce the risk of injury or other damage.

#### **Article 45**

##### **Methodology of risk assessment**

1. The inspector shall be bound to use the methodology of risk assessment determined at the EU level when performing market surveillance of products.
2. The Methodology of risk assessment, specified in paragraph 1. of this Article, shall be published on the internet page of the Coordination body and the internet page of the competent inspectorate for respective group of products.

#### **Article 46**

##### **Products presenting a serious risk**

1. Inspector shall ensure that products which present a serious risk requiring rapid intervention, including a serious risk the effects of which are not immediate, are recalled, withdrawn or that their being made available on their market is prohibited.
2. The assessment whether or not a product represents a serious risk shall be based especially on a risk assessment in each particular case, which takes into account the nature of hazard, the likelihood of its occurrence and the severity of harm.
3. In carrying out the risk assessment referred to in paragraph 2. of this Article, the fact that higher levels of safety can be achieved or that there are other less safe products shall not constitute grounds for considering a product of a serious risk.

#### **Article 47**

##### **Procedure for dealing with dangerous products**

1. Where the competent inspectorate has taken action pursuant to Article 46 of this Law, or where it has sufficient reason to believe that a product presents a risk to the health or safety of persons or to other aspects of public interest protection covered by this Law, it shall carry out an evaluation in relation to the product concerned covering all the requirements laid down in relevant technical regulation.
2. Where, in the course of that evaluation, the competent inspectorate finds that the product does not comply with the prescribed requirements, it shall without delay require the relevant economic operator to take all appropriate corrective action to bring the product into compliance with those requirements, to withdraw the product from the market, or to recall it within a reasonable period, commensurate with the nature of the risk, as it may prescribe.
3. The relevant economic operators shall cooperate as necessary with the competent inspectorate. Where the relevant economic operator does not take adequate corrective action within the period referred to in the paragraph 2. of this Article, the competent inspectorate shall take all appropriate measures to prohibit or restrict the product's being made available on the market, to withdraw the product from that market or to recall it.
4. The market surveillance authorities shall inform on time for measures taken under paragraph 3. of this Article the relevant designated conformity assessment body.
5. Article 49 of this Law shall apply to the measures taken under paragraph 3. of this Article.

#### **Article 48**

##### **Formal non-compliance**

1. Without prejudice to Article 44 of this Law, where inspectors establishes one of the following formal non-compliances, they shall require the relevant economic operator to put an end to the non-compliance concerned:
  - 1.1. the conformity marking has been affixed in violation of applicable rules;
  - 1.2. the conformity marking has not been affixed;
  - 1.3. the declaration of conformity has not been drawn up;
  - 1.4. the declaration of conformity has not been drawn up correctly;
  - 1.5. technical documentation is either not available or not complete.
2. Where the non-compliance referred to in paragraph 1. of this Article persists, inspectors shall take all appropriate measures to restrict or prohibit the product being made available on the market or ensure that it is recalled or withdrawn from the market.

## **Article 49**

### **Making decision on taking of measures**

1. Any measure taken, pursuant to the relevant technical legislation, to prohibit or restrict the product's being made available on the market, to withdraw it from the market or to recall it, shall be proportionate and shall state the exact grounds on which it is based.
2. Before taking the measures specified in Article 44 of this Law, the inspector shall be bound to enter into the minutes on inspection checks a measure that he intends to take and to provide opportunity to the economic operator to be heard within not less than ten (10) days than the day of delivery of the minutes. Economic operator shall at the same time be informed of the legal remedies available under the law and of the time limits for such remedies.
3. If the measure specified in paragraph 1. of this Article, has to be taken immediately because of protection of health and safety of users, protection of property, environment, health and safety at the workplace or other form of protection of public interest, the inspector shall adopt decision on such measures without the economic operator being previously heard. If measure has been taken without the economic operator being heard, the operator shall be given the opportunity to be heard as soon as possible and the action taken shall be reviewed promptly thereafter.
4. Any measure referred to in paragraph 2. of this Article shall be promptly withdrawn or amended if the economic operator demonstrates that he has taken effective action.

## **Article 50**

### **Costs of inspection surveillance**

The costs of testing and other activities regarding product compliance assessment shall be borne by the economic operator who placed or made available on the market a product that is not compliant with the prescribed technical requirements.

## **Article 51**

### **Exchange of information — RAPEX**

1. Where the competent inspectorate takes or intends to take a measure in accordance with Article 44 of this Law and considers that the reasons which prompted the measure or the effects of the measure go beyond the territory of the Republic of Kosovo, it shall immediately through the Coordination Body notify the Commission of that measure, in accordance with paragraph 4. of this Article. It shall also inform the Commission without delay of the modification or withdrawal of any such measure.
2. If a product presenting a serious risk has been made available on the market, the Coordination Body shall notify the Commission of any voluntary measures taken and communicated by an economic operator.
3. The information provided in accordance with paragraphs 1. and 2. of this Article shall include all available details, in particular the data necessary for the identification of the product, the origin and the supply chain of the product, the related risk, the nature and the duration of the national measure taken and any voluntary measures taken by economic operators.
4. For the purposes of paragraphs 1., 2. and 3. of this Article, the inspection surveillance and information exchange system provided for in a specific law on general product safety shall be used.

## **Article 52**

### **Other information obligations**

1. The Coordination Body shall inform the Commission of the inspection surveillance authorities and their areas of competence.
2. The Coordination Body shall communicate the general market surveillance programme to the other Member States and the Commission.
3. The Coordination Body shall communicate a review and assessment of the functioning of the Kosovo surveillance activities and the results thereof to the other Member States and the Commission.
4. Where the competent inspectorate decides to withdraw a product manufactured in another Member State, the Coordination Body shall inform the economic operator concerned at the address indicated on the product in question or in the documentation accompanying that product.
5. The Coordination Body shall ensure efficient cooperation and exchange of information between the inspection surveillance authorities and those of the other Member States and between their own authorities and the Commission and the relevant Community agencies regarding their inspection surveillance programmes and all issues relating to products presenting risks.
6. For the purposes of paragraph 5. of this Article, the Coordination Body shall give the inspection surveillance authorities of other Member States assistance on an adequate scale by supplying information or documentation, by carrying out appropriate investigations or any other appropriate measure and by participating in investigations initiated in other Member States.
7. Any information provided by an economic operator under Article 48 of this Law shall be included when the Coordination Body notifies other Member States and the Commission of its findings and actions. Any subsequent information shall be clearly identified as relating to the information already provided.

## **CHAPTER VIII**

### **CONTROL OF PRODUCTS ENTERING THE MARKET**

#### **Article 53**

##### **Application of provisions of border controls**

Articles 54, 55 and 56 of this Law shall apply to all products covered by Kosovo technical legislation in so far as specific laws do not contain more specific provisions relating to the organisation of border controls.

#### **Article 54**

##### **Control of products entering the market**

1. The Kosovo Customs shall have the powers and resources necessary for the proper performance of their tasks. They shall carry out appropriate checks on the characteristics of products on an adequate scale, in accordance with the principles set out in Article 44 paragraph

1. of this Law, before those products are released for free circulation.
2. All competent inspectorates in charge of market surveillance and Kosovo Customs in charge of external border controls shall cooperate with each other, by sharing information relevant to their functions and otherwise as appropriate.
3. Kosovo Customs shall suspend release of a product for free circulation on the market when any of the following findings are made in the course of the checks referred to in paragraph 1. of this Article:
  - 3.1. the product displays characteristics which give cause to believe that the product, when properly installed, maintained and used, presents a serious risk to health, safety, the environment or any other public interest referred to in Article 6 paragraph 2. of this Law;
  - 3.2. the product is not accompanied by the written or electronic documentation required by the relevant legislation or is not marked in accordance with that legislation;
  - 3.3. the CE marking has been affixed to the product in a false or misleading manner.
4. The Kosovo Customs shall immediately notify the competent inspectorate of any suspension from the paragraph 3. of this Article.
5. In the case of perishable products, the Kosovo Customs shall, as far as possible, seek to ensure that any requirements they may impose with regard to the storage of products or the parking of vehicles used for transport are not incompatible with the preservation of those products.
6. For the purposes of Articles 54, 55 and 56 of this Law, Article 52 of this Law shall apply in respect of cooperation mechanisms between Kosovo Customs and border controls authorities of other Member States, without prejudice to the application of relevant legislation providing for more specific systems of cooperation between those authorities.

#### **Article 55**

##### **Release of products**

1. A product the release of which has been suspended by the Kosovo Customs pursuant to Article 54 of this Law shall be released if, within three (3) working days of the suspension of release, the Kosovo Customs have not been notified of any action taken by the competent inspectorate, and provided that all the other requirements and formalities pertaining to such release have been fulfilled.
2. Where the competent inspectorate finds that the product in question does not present a serious risk to health and safety or cannot be regarded as being in breach of relevant legislation, that product shall be released, provided that all the other requirements and formalities pertaining to such release have been fulfilled.

## **Article 56**

### **Restrictive measures**

1. Where the competent inspectorate finds that a product presents a serious risk, it shall take measures to prohibit that product from being placed on the market and shall require the Kosovo Customs to include the following endorsement on the commercial invoice accompanying the product and on any other relevant accompanying document or, where data processing is carried out electronically, in the data-processing system itself:

*“Dangerous product” - release for free circulation not authorised- Law on Technical Requirements for Products and Conformity Assessment*

2. Where the competent inspectorate find that a product does not comply with relevant legislation, they shall take appropriate action, which may, if necessary, include prohibiting the product's being placed on the market.

3. Where placing on the market is prohibited pursuant to the paragraph 2. of this Article, the competent inspectorate shall require the Kosovo Customs not to release the product for free circulation and to include the following endorsement on the commercial invoice accompanying the product and on any other relevant accompanying document or, where data processing is carried out electronically, in the data-processing system itself:

*“Product not in conformity “— release for free circulation not authorised —Law Technical Requirements for Products and Conformity Assessment*

4. Where that product is subsequently declared for a customs procedure other than release for free circulation and provided that the market surveillance authorities do not object, the endorsements set out in paragraphs 1. and 2. shall also be included, under the same conditions, on the documents used in connection with that procedure.

5. The competent inspectorate may destroy or otherwise render inoperable products presenting a serious risk where they deem it necessary and proportionate.

6. The competent inspectorate shall provide the Kosovo Customs with information on product categories in which a serious risk or non-compliance within the meaning of paragraphs 1. and 2. of this Article has been identified.

## **CHAPTER IX**

### **PENALTY PROVISIONS**

#### **Article 57**

1. Legal persons shall be fined in an amount from three thousand (3.000,00€) to fifteen thousand (15.000,00€) if they:

1.1. as a conformity assessment body perform conformity assessment without being a designated body if so provided by a technical regulation pursuant to the Article 10 paragraph 1. of this Law,

1.2. as a designated body does not fulfil its obligations regarding subsidiaries and subcontracting pursuant to the Article 17 of this Law,

1.3. as a designated body does not fulfil its operational obligations when performing conformity assessment procedure pursuant to the Article 19 of this Law,

1.4. as a designated body does provide prescribed information to the designating authority and other designated bodies pursuant to the Article 20 of this Law,

1.5. as a manufacturer, importer or distributor makes available on the market a product that is not in compliance with all applicable legislation pursuant to the Article 23 paragraph 1. of this Law,

1.6. as an economic operator does not immediately take the corrective measures if it considers or have reason to believe that a product which it has made available on the market is not in compliance with applicable legislation or does not immediately inform the competent inspectorate that the product presents a risk, giving details, in particular, of the non-compliance and of any corrective measures taken pursuant to the Article 23 paragraph 3. of this Law,

1.7. as an owner of technically complex product enables operation and use of such product even though the prescribed inspection confirming its safety has not been carried out pursuant to the Article 27 of this Law.

2. The responsible person in the legal person shall be fined for the violations referred to in paragraph 1. of this Article in an amount from five hundred (500,00 €) to two thousand (2 000,00€).

3. Natural persons who are traders/craftsmen and persons engaged in other independent activities shall be fined for the misdemeanours, referred to in paragraph 1. of this Article, committed in relation to the performance of their trade/craft or independent activity in an amount from three hundred (300,00€) to nine hundred (900,00€).

### **Article 58**

1. Legal persons shall be fined in an amount from three thousand (3.000, 00€) to fifteen thousand (15.000,00€) if they:

1.1. as an economic operator affix conformity marking to product in contravention to general principles and conditions for affixing conformity marking pursuant to the Article 12 of this Law,

1.2. as an economic operator does not ensure that all information it provides with regard to its product is accurate, complete and in compliance with the applicable rules pursuant to the Article 23 paragraph 2. of this Law,

1.3. as an economic operator does not provide the competent inspectorate with all the information and documentation necessary to demonstrate compliance of a product or does not cooperate with the inspectorate, at its request, on any action taken to eliminate the risk posed by a product that it made available on the market pursuant to the Article 23 paragraph 4. of this Law,

1.4. as an economic operator does not, in relation to its own respective role in the supply chain, perform any other activity prescribed by the technical regulation for a particular product pursuant to the Article 23 paragraph 5. of this Law,

1.5. as an authorized representative does not perform the tasks specified in the mandate received from the manufacturer pursuant to the Article 24 of this Law,

1.6. as an economic operator does not present to the competent inspectorate data on identification of other economic operators who have supplied it with a product or to whom it has supplied a product pursuant to the Article 26 of this Law.

2. The responsible person in the legal person shall be fined for the violations referred to in paragraph 1. of this Article in an amount from five hundred (500,00€) to two thousand (2.000,00€).

3. Natural persons who are traders/craftsmen and persons engaged in other independent activities shall be fined for the misdemeanours, referred to in paragraph 1. of this Article, committed in relation to the performance of their trade/craft or independent activity in an amount from three hundred (300,00€) to nine hundred (900,00€).

## **CHAPTER X TRANSITIONAL AND FINAL PROVISIONS**

### **Article 59**

#### **Transitional provisions**

1. Provisions of Article 54 paragraph 3. of this Law on the obligation to affix CE marking on products shall be applied from the day of accession of the Republic of Kosovo to the European Union.

2. Articles 22, 51 and 52 of this Law which relate to obligations to inform the European Commission and the EU Member States on specific requirements under this Law, shall be applied from the day of accession of the Republic of Kosovo to the European Union.

### **Article 60**

#### **Issuance of sub-legal acts**

The Government and the Ministry shall issue sub-legal acts determined by this Law in Article 28, 29, 30, 31 and Article 37 within one (1) year from the day of entry into force of this Law.

### **Article 61**

#### **Sub-legal acts applicable until the issuance of new sub-legal acts**

1. Provided that they are not in contradiction with this Law and until the issuance of new sub-legal acts for the proper implementation of this Law, applicable sub-legal acts will continue to remain in force as follows:

1.1. Regulation No. 03/2017 on Safety of Lifts;

- 1.2. Regulation No. 02/2017 on Safety Toys;
- 1.3. Regulation No.01/2017 on Electromagnetic Compatibility;
- 1.4. Regulation No.05/2016 on Electrical Equipment Designed for Use Within Certain Voltage Limits;
- 1.5. Administrative Instruction No.04/2016 on the Manner Authorization of Conformity Assessment Bodies;
- 1.6. Regulation No.03/2016 on Footwear Labeling;
- 1.7. Regulation No.08/2014 on the Manner of Exchange of Information and Notification of Technical Regulations, Conformity Assessment Procedures and Standards;
- 1.8. Regulation No.04/2014 on Equipment and Protective Systems Intended for Use in Potentially Explosive Atmospheres;
- 1.9. Regulation No.03/2014 on Aerosol Dispenser;
- 1.10. Regulation No.01/2014 on principal requirements and assessment of conformity of household electrical appliances for freezing, refrigerators and their combinations, regarding the requirements of energy efficiency;
- 1.11. Regulation No.06/2013 on Conformity Mark;
- 1.12. Regulation No.04/2013 on Safety of Machinery;
- 1.13. Regulation No.01/2013 on Technical Requirements for Wood Panels;
- 1.14. Regulation No. (MTI) No.01/2018 on Labeling and Marking of Textile Products;
- 1.15. Regulation No.08/2012 on Personal Protective Equipment;
- 1.16. Regulation No.06/2012 on Gas Appliances;
- 1.17. Regulation No.05/2012 on Cableway Designed to Carry Persons;
- 1.18. Regulation No.04/2012 on Crystal Glass Products;

**Article 62**  
**Repealing provisions**

1. With the entry into force of this Law, the Law No.04/L-039 on Technical Requirements for Products and Conformity Assessment shall be repealed.

2. With the entry into force of this Law the technical regulations in the meaning of Article 4 of this Law which are applied in the Republic of Kosovo in accordance with Article 145 paragraph 2. of the Constitution of the Republic of Kosovo shall be repealed if they regulate the following products:

- 2.1. Electrical appliances regarding safety and electromagnetic compatibility;
- 2.2. Machinery;
- 2.3. Lifts;
- 2.4. Gas appliances;
- 2.5. Toys;
- 2.6. Personal protective equipment;
- 2.7. Labelling of textile, footwear and crystal glass.

**Article 63**  
**Entry into force**

This Law shall enter into force fifteen days (15) after its publication in the Official Gazette of the Republic of Kosovo.

**Law No. 06/L-041**  
**30 March 2018**

**Promulgated by Decree No.DL-012-2018, dated 20.04.2018, President of the Republic of Kosovo Hashim Thaçi.**