

**LAW No. 04/L-005
ON AMENDING AND SUPPLEMENTING THE LAW NO. 2004/18 ON INTERNAL TRADE**

Assembly of Republic of Kosovo;

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

Approves

LAW ON AMENDING AND SUPPLEMENTING THE LAW NO. 2004/18 ON INTERNAL TRADE

Article 1

1. Article 2 of the basic Law, the definition "**Consumer**" is reworded as follows:

"**Consumer**" – means any natural person who buys and uses goods or services to fulfill his/her own needs, but not for trade purposes.

2. Article 2 of the basic Law, the definition "**Ministry**" is reworded as follows:

"**Ministry**" – means the Ministry of Trade and Industry.

3. Article 2 of the basic Law, the definition "**seller or supplier**" is deleted at all, and two new definitions are reworded as in the following text:

"**Seller**" – means natural and/or legal person that sells goods or offers services to the consumer.

"**Supplier**" – means natural and/or legal person that offers goods to the seller in compliance with his/her trade activity or profession.

4. Article 2 of the basic Law, after the definition "**Unfair influence**", there is added a new definition as follows:

"**Commission**" – means the portion of the profit acquired by the agent as a result of a completed transaction.

Article 2

Article 16 of the basic Law is deleted from the text of the Law and in all this Law deleted the words "working permit".

Article 3

Article 20 of the basic Law, paragraph 20.2 point c. the word "principal" remains unchangeable in English version.

Article 4

Article 35 and 37 of the basic Law are deleted from the text of the Law.

Article 5

Article 38 of the basic Law, paragraphs 38.3, 38.4, 38.5, 38.6, 38.7 and 38.8 are deleted from the text of the Law.

Article 6

Article 39 of the basic Law is deleted from the text of the Law.

Article 7

Article 45 of the basic Law, points h. and i. are deleted from the text of the Law.

Article 8

1. Article 55 of the basic Law, paragraph 55.1 is reworded as follows:

55.1. Inspector, by a decision, shall temporary prohibit merchant's activity if during an inspection he ascertains that:

2. The points of paragraph 55.1 of the Law remain unchangeable.

3. Article 55 of the basic Law, paragraph 55.2 is deleted from the text of the Law.

Article 9

Article 57 of the basic Law, paragraph 57.1. is reworded as follows:

57.1. If the authorized inspector during inspection ascertains that the person does not fulfill requirements stipulated by Article 38 of this Law, or that the trader does not respect the determined working hours foreseen in Article 40 of this Law, shall prohibit the trader's business in contravention with the determined working hours.

Article 10

Article 58 of the basic Law is reworded as follows:

58.1. The claim against the decision of the inspector based on Articles 53, 54, 55, 56, and 57 of this Law, shall be addressed to the Chief Inspector of the Ministry of Trade and Industry within eight (8) days.

58.2. Chief Inspector shall decide concerning the claim filed in term of thirty (30) days from the date of submission of the claim.

58.3. Against the decision of Chief Inspector may be filed indictment at the competent Court in a term of thirty (30) days.

Article 11

1. Article 60 of the basic Law, paragraph 60.1 is reworded as follows:

- 60.1 With fine in amount of one thousand (1000) € up to three thousand (3000) € shall be punished legal person, while with fine in amount of two hundred (200) up to five hundred (500) € the natural person.
2. Article 60 of the basic Law, paragraph 60.1, points of this paragraph remain unchangeable, except the point h. which is deleted from the text of the Law.
3. Article 60 of the basic Law, paragraph 60.2 after the words “**responsible person**” there are added the words “**of legal person**”.

Article 12

1. Article 61 of the basic Law is reworded as follows:

61.1. With fine in amount of two thousand (2.000) € up to six thousand (6.000) € shall be punished the legal person who sales goods in open environment, and who is not registered, respectively who does not have permit to develop such trade activity or sale of goods that can not be sold in open environment.

61.2. With fine in amount of two hundred (200) € up to six hundred (600) € shall be punished responsible person of legal person according to paragraph 1 of this Article.

61.3. With fine in amount of five hundred (500) € up to one thousand (1.000) € shall be punished any natural person who sales goods in open environment, and who is not registered, respectively does not have permit to develop such trade activity or sale of goods that can not be sold in open environment.

61.4. With fine in amount of four thousand (4.000) € up to eight thousand (8.000) € shall be punished the legal person for minor offence caused because of sale in an open environment , after imposing the first fine according to paragraph 1 of this Article.

61.5. With fine in amount of five hundred (500) € up to one thousand and five hundred (1.500) € shall be punished responsible person of legal person according to paragraph 4 of this Article.

61.6. With fine in amount of three thousand (3.000) € up to nine thousand (9.000) € shall be punished any natural person who sales in open environment even after the inspector's warning.

61.7. With fine in amount of one thousand (1.000) € up to three thousand (3.000) € shall be punished legal person if during developing his/her trade activity does not respect the working hours according to Article 40 of this Law.

61.8. With fine in amount of two hundred (200) € up to six hundred (600) € shall be punished the responsible person of the legal person according to paragraph 7 of this Article.

61.9. With fine in amount of three hundred (300) € up to one thousand (1.000) € shall be punished any natural person if during developing his/her trade activity does not respect the working hours based on Article 40 of this Law.

Article 13
Entry into Force

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

Law No. 04/ L-005
23 June 2011

Promulgated by Decree No.DL-004-2011, dated 08.07.2011, President of the Republic of Kosovo Atifete Jahjaga.