

**Republika e Kosovës**

**Republika Kosova-Republic of Kosovo**

***Qeveria-Vlada-Government***

***Ministria e Industrisë, Ndërmarrësisë dhe Tregtisë***

***Ministarstvo Industrije, Preduzetništva i Trgovine - Ministry of Industry, Entrepreneurship and Trade***

CONSULTATION DOCUMENT ON DRAFT-ADMINISTRATIVE INSTRUCTION (MIET) NO.00/2021 FOR SETTING THE CONDITIONS FOR PLACING ON THE MARKET FOR TERRAZZO TILES

Brief summary for drafting the following sub-legal acts:

The rationale for drafting this sub-legal act is to create a functional and easily applicable legal basis for determining the basic requirements and specific characteristics that must be met by the products covered by this act (**terrazzo tiles**), before being placed in the market in the Republic of Kosovo.

This Administrative Instruction has been drafted in order to further supplement the Law 06/L-033 on Construction Products, in accordance with Article 50 and 55 paragraphs 4-6 of Law No. 06/L-033 on Construction Products which clearly defines the competence of the Ministry for drafting delegated acts and sub-legal acts which determine the specific conditions for production and trading of the construction products including harmonized technical specifications-standards to be applied, the characteristics which must be declared as well as the drafting of the declaration of performance and marking of these products with the conformity mark "CE" or Kosovo`s conformity mark.

In this context, one of the main tasks of the Ministry of Industry, Entrepreneurship and Trade (MIET) is to ensure proper implementation of adopted legislation that is already harmonized with EU principles. In November 2018, the Assembly of Kosovo has approved the new Law No. 06/L-033 on Construction Products which is designed with four main purposes:

1. *its harmonization with EU provisions on trade from EU and to EU,*
2. *providing a national regulatory system, allowing Kosovo producers to continue selling products in the Kosovo market, implementing national requirements and enabling more competitiveness with imported products,*
3. *allowing a long transition period during which Kosovo will develop its production capacity and procedures in order to eventually be able to adopt EU provisions, and*
4. *ensuring that legal provisions can be implemented immediately, without imposing burdens on local producers.*

**Brief description of the matter**

The Ministry of Industry, Entrepreneurship and Trade (MIET) while drafting this Administrative Instruction has cooperated and engaged external experts from European Union countries who have prepared the scheme of procedures to be followed for drafting this sub-legal act. During this period, the following steps have taken place, first by consulting the Ministry of Environment, Spatial Planning and Infrastructure regarding the definition of regulatory requirements, then with the General Director of Kosovo Accreditation for assessing the technical capacities of accredited CABs (Conformity Assessment Bodies) if they can provide certification or testing services to determine the system for assessment and verification of constancy of performance that will be implemented, and finally communication by e-mail and visits to several economic operators (manufacturers and importers) **for terrazzo tiles** to inform them of the mandatory and optional characteristics which must be declared by the manufacturers of these products as well as their obligation to draw up the performance statement.

**The aim of consulting**

The main purpose of consulting this Administrative Instruction is to obtain opinions, remarks and recommendations from certain parties of interest dealing with this activity. A special contribution may be provided by institutions that are related to this important area, mostly the Ministry of Environment, Spatial Planning and Infrastructure which is responsible for drafting and implementing legislation on regulatory requirements for construction works.

The Ministry of Industry, Entrepreneurship and Trade (MIET) is looking for your opinion on the proposal for setting the following specific conditions for the placing **terrazzo tiles** in the Kosovo market. These construction products are not currently subject to specific regulatory requirements for their placement on the Kosovo market, other than those of Article 55 paragraphs 1-3 of the Law.

The Ministry believes that this proposal is justified because according to this proposal the products produced in Kosovo must reach the level of EU products, so Kosovar manufacturers who manage to apply the CE conformity marking or the national marking on their products, be more competitive to imported products (and to potentially export their products). Therefore, it is also desirable and possible for Kosovo to establish equivalent requirements for **terrazzo tiles** as applied in the European Union (EU).

The consultation process with the groups of interest will be in written form, in which case questions will be asked by us as a proposing body in detail on the proposed issues. In addition to the questions set by us as a proposing body, groups of interest will have the opportunity to propose other issues that they consider important and necessary for discussion. Offering clear and substantiated responses would directly contribute in improving the quality of the proposed Draft – Administrative Instruction. We as a proposing institution will analyse all comments, recommendations, and your alternatives proposed in this Draft – Administrative Instruction, and as soon as possible we will try to incorporate them without impinging their subject matter. The final draft along with the information table will be forwarded to all groups involved in the consultation.

The deadline for submitting responses

The deadline for submitting a written contribution within the consultation process for the Draft-Administrative Instruction is until **13.08.2021**.

All comments received by this deadline will be summarized by the responsible person

All written contributions must be submitted electronically at the e-mail address: gurakuq.kastrati@rks-gov.net or doruntina.shala@rks-gov.net.

In your written contribution, please clearly specify your position you are contributing to this consultation process (e.g., as a representative of an organization, the company, or as an individual, etc.)

Organization`s comments

Please, provide your comment as shown in instruction below:

**Name of organization providing a comment:**

**Organization’s main scope of activity:**

**Organization’s contact information (address, e-mail, telephone):**

**Date of sending the comment:**

Form of inputs is open, but preferable is to include your comments within the table which is attached below to this document, which includes the key issues of this document.

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| --- | --- | --- | --- |
|  | **Key issues**  | **Comments in regard to actual draft** | **Additional Comments** |
| **1** | Do you support this draft Administrative Instruction, yes or no?If not, please comment. |  |  |
| **2** | Do you have a production control / quality control system, yes or no, and do you currently produce based on any technical specifications, yes or no? (*Question for manufacturers*) |  |  |
| **3** | Are you able to provide / import products that meet the requirements in these proposals, yes or no (*Question for importers)* |  |  |
| **4** | Do you believe that your product is likely to achieve the level (s) of performance against the features specified in this Administrative Instruction? |  |  |
| **5** | Do you think that you can easily test the characteristics that you will declare? (*questions for manufacturers*) |  |  |
| **6** | Will you need technical assistance to meet the requirements of the instruction and draft the performance statement? (*questions for manufacturers*) |  |  |

Attached to this document, find:

1. Draft-Administrative Instruction (MIET) No. 00/2021 for setting the conditions for placing on the market for terrazzo tiles.