



Republika e Kosovës
Republika Kosovo - Republic of Kosovo
Kuvendi - Skupština - Assembly

Law No. 04/L-156

ON TOBACCO CONTROL

Assembly of Republic of Kosovo,

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

Approves

LAW ON TOBACCO CONTROL

CHAPTER I
GENERAL PROVISION

Article 1
Purpose

1. In order to protect public health of present and future generations from the devastating health, social, economic, and environmental consequences of tobacco use and exposure to tobacco smoke this law determines the measures for the prohibition, restriction of the use of tobacco products, tobacco ingredients, prevention of harmful consequences from the use of tobacco products and supervision for the implementation of the law.

2. In order to achieve the purpose of the law, there are envisaged the following measures to:

2.1.ensure that all the citizens are equally and efficiently protected from their exposure to the smoke of tobacco in closed areas, working areas, public areas, open special spaces and means of public transport;

2.2. prevent and reduce the smoking of tobacco by determining norms regulating a

smoke-free environment;

2.3. eliminate the encouragements to smoke tobacco which are created from advertisements, by prohibiting all the advertisements, direct or indirect promotions;

2.4. inform the population regarding the risks and specific damage from the use of tobacco products, harmful consequences to the health, additive nature, lethal threat that smoking and exposure to the tobacco smoke present;

2.5. advice against the use of tobacco and encourage to quit the use of tobacco products from those who are already using them;

2.6. prohibit the access and purchase of tobacco products for minor children;

2.7. protect from the damages caused due to the use of tobacco products;

2.8. promote the health and human rights in accordance with the Work Health Organization Framework Convention on Tobacco Control.

Article 2 **Definitions**

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

1.1. **Tobacco** - the plant of the family Nicotiniana of various kinds and types genetically modified or unmodified, with all its parts.

1.2. **Tobacco product** - the tobacco products (genetically modified or unmodified) or partially of tobacco, that are used to smoke, inhale via nose, inhale, chew, or any other kind of consummation.

1.3. **Tobacco control** - the measures for the decrease of the request and damage, in order to improve the health of the population by eliminating or reducing the use of tobacco products and exposure to tobacco smoke.

1.4. **Tar** - the dry residue of tobacco smoke without nicotine.

1.5. **Nicotine** - a poisonous alkaloid which is found in tobacco and has a poisonous activity on the autonomic nervous system and other organism systems.

1.6. **Ingredient** - any type of substance or element, except any part of the plant of the unprocessed natural tobacco which is used in the production of tobacco products and which is present in the final product even if it is changed using here also the letter, filter, colors and sticker.

1.7. **Smoking tobacco** - the use of tobacco products regardless if the emitted smoke of the cigarette is inhaled actively or passively, bearing as a consequence the verified damages to the health of active and passive smokers who are exposed to tobacco smoke.

1.8. **Preventive measures against tobacco smoking** - the actions aiming the advancing, maintaining and improving of health, as well as advancing the citizens' quality of life.

1.9. **Closed area** - any area covered by a roof or ceiling, either movable or immovable, and having two or more side walls, regardless of the material used and regardless if the structure is permanent or temporary.

1.10. **Open area** - any public area that is not closed.

1.11. **Public area** - the closed area which is dedicated to the stay of two or more people and includes the areas where there are performed the activities from the field of health, social issues, education, sports and recreation, cultural, artistic, catering premises, reception areas, meetings, working positions of public or private ownership, all the rooms for the meeting of people and means of public transport.

1.12. **Working area** - any area used by one or more persons during work, regardless whether the works is made with compensation or voluntary, and includes all the areas attached or related that are usually used during the work process or from time to time.

1.13. **Public location** - the location every person has free access to, such as the street, market, park or similar.

1.14. **Means of transport** - any means of public or private transportation used for the transportation of citizens.

1.15. **ISO** - International Standardization Organization ISO is the network of national standardization institutions.

1.16. **Conflict of interest** - the conflict between official duties and private interests of the public position holder or candidate for public position, who is responsible for tobacco control, which could be related to his or his family interests.

1.17. **Remarks and instructions on health** - the written text and the associated photographs with the colors as requested by the ministry to be placed on the pack and the marking of the tobacco that bears the health consequences and other of tobacco use and exposure to tobacco smoke, as well as any other order in writing.

1.18. **Minister** - Minister of Health.

1.19. **Ministry** - the Ministry of Health.

1.20. **Government** - Government of the Republic of Kosovo.

1.21. **Packaging and external labeling** - the packaging and labeling used in retail sale products.

1.22. **Person** - any natural or legal person and all business entities.

1.23. **Person responsible for the area** - the manager, owner, or other responsible

person for the closed, open, public area, work place or means of public transport.

1.24. **Holder of a public position** - the Official Person, the Official Representative, Advisor, Inspector, Police Officer, Customs Officer, or government employee in central or local government level.

1.25. **Seller** - any person who performs retail selling, wholesale, exports and imports tobacco products and his products.

1.26. **Tobacco advertisement and promotions** - any activity with purpose, effect or likely effect of promotion of tobacco products or use of tobacco directly or indirectly.

1.27. **Direct or indirect sponsorship** - any form of contribution to any event, activity, organization, or individual that has the purpose, effect or likely effect of promoting a tobacco product or tobacco use.

1.28. **Tobacco industry** - tobacco manufacturers, wholesale distributors, and importers.

1.29. Mandatory fines – all fines applied instantly by supervisory bodies.

CHAPTER II **ARRANGEMENT, TESTING AND REPORTING TOBACCO PRODUCTS**

Article 3 **Regulating tobacco products**

1. It is prohibited the production and circulation of cigarettes that contain ingredients in the following values:

- 1.1. more than ten (10) mg tar per cigarette,
- 1.2. more than one (1) mg nicotine per cigarette,
- 1.3. more than ten (10) mg carbon monoxide per cigarette.

2. No person is allowed to produce or sell tobacco products that do not meet the values and products standards as determined by this law.

3. Imported tobacco products should meet the standards as determined according to paragraph 1 of this Article, except pure cigarettes, pipe tobacco and cut tobacco for wrapping.

4. Tobacco products that are found in possession or under control of any manufacturer or tobacco seller, or intended for the market, that do not meet the standards will be destroyed, and the expenses shall be carried by the entity, including also the fine.

Article 4

Testing of tobacco products

1. The Ministry, based on scientific details, reserves the right to prohibit the use of various ingredients in tobacco products.
2. All tobacco products that are manufactured or imported for the Kosovo market shall be tested.
3. Tests for tar, nicotine and carbon monoxide per cigarette shall be performed in laboratories licensed and authorized by the Ministry at least once per year.
4. The Ministry reserves the right to request from the manufacturer or importer of tobacco additional tests in order to determine and assess the presence and concentration of other substances that are not included in paragraph 3 of this Article.
5. Tests for the substances included in paragraph 3 of this Article shall be made according to the standards as determined by the Ministry through the implementation of ISO standards. There should be used the following standards: ISO standard 4387 on tar, 10315 on nicotine and 8454 on carbon monoxide. The accuracy of the amount of tar, nicotine and carbon monoxide on the package shall be verified based on ISO standard 8243.
6. Tests and their results shall be submitted within the time period as determined by the Ministry.
7. The Manufacturer or importer of tobacco products shall submit to the Ministry any change of the clinic composition of tobacco products.
8. If the composition of sample taken from one series of tobacco products is certified by the licensed laboratory that it does not comply with the values as envisaged by law, then that series shall be withdrawn from the market.
9. The Ministry shall supervise the order and accuracy of details of ingredients of tobacco products that are manufactured or imported and sold in the Kosovo market.
10. The request for additional tests according to paragraph 3 of this Article may be initiated by the Sanitary Inspectorate.

Article 5

The reporting of the ingredient and broadcast of tobacco products

1. Manufacturers and importers of tobacco products should submit to the Ministry the list of all the ingredients and their amount used for the manufacturing of tobacco products once per year, in the first quarter of the year.
2. The list shall include the reasoning for the use of ingredients in tobacco products and the category of ingredients.
3. To the list there shall be enclosed the toxicological details by the manufacturer or importer

on ingredients of tobacco products, referring to their effects to the health and abilities to cause addiction.

4. The ingredients of tobacco shall be sorted in the list according to their weight.

CHAPTER III **PACKAGING AND LABELING OF TOBACCO PRODUCTS**

Article 6 **Remarks and labeling on the packages of tobacco products**

1. Tobacco products that are sold in the Kosovo market should have labels in accordance with the provisions as envisaged by this law and shall provide information on the negative impacts to the health of humans due to tobacco smoking, in compliance with the Law on Language Use.

2. Any kind of individual packaging of tobacco products that is manufactured, imported and circulated and is sold in the market in the territory of Kosovo should include the following details:

- 2.1. nicotine;
- 2.2. tar;
- 2.3. carbon monoxide;
- 2.4. serial number or its equivalent;
- 2.5. name and address of the manufacturer and importer;
- 2.6. number of units in individual packages of tobacco products;
- 2.7. name and address of the packager, in cases when the manufacturer did not perform the packaging itself.

3. Any package of tobacco products should include the following remarks:

- 3.1. at least one of the general remarks:
 - 3.1.1. "Smoking kills "; or
 - 3.1.2. "Smoking causes premature death";
- 3.2. at least one of the following remarks:
 - 3.2.1. "Smoking damages your health";

- 3.2.2.“Smoking causes cancer”;
- 3.2.3.“Smoking by pregnant women damages the growth of the child”;
- 3.2.4.“Smoking causes heart attacks and brain attacks”;
- 3.2.5.“Smoking shortens your life”;
- 3.2.6.“Let protect our children: don’t let them inhale the smoke of your cigarette”;
- 3.2.7.“Tobacco causes aging of skin”;
- 3.2.8.“Smoking is an addiction”;
- 3.2.9.“Smokers die young”;
- 3.2.10.“Your doctor may help you quit smoking”;
- 3.2.11.“Smoking shortens life”;

3.3. combined remarks:

- 3.3.1. photograph or other illustration and the corresponding text of the additional remark.
- 4. The general and additional remarks should be presented in the way that during the rotation of pack, the remarks are presented continuously and in order.
- 5. The general remark is printed on the front main side of the pack of tobacco products and should comprise thirty two percent (32%) of this visible side, beside the transparent wrap.
- 6. The additional remark shall be printed in the other visible surface, on the back of the pack of tobacco products and should comprise forty five percent (45%) of this surface, beside transparent wrap.
- 7. The combined remark covers forty five percent (45%) of the back side of the pack of tobacco products.
- 8. The text on the general, additional and combined remark is bordered with a line with a thickness of two (2) to three (3) millimeters.
- 9. The text on the details of nicotine, tar and carbon dioxide and the text of remarks should:
 - 9.1. be printed in the font: black, Helvetic, highlighted, bold and on white background. The size of the font should cover the most part of the area envisaged for the remark;
 - 9.2. be in small letters except for the first letter and in conformity with spelling rules;

- 9.3. be placed on the center, parallel to the upper edge of the pack;
- 9.4. the text shall be bordered with a line of thickness from three (3) to four (4) millimeters and it does not meet or cross the text of other remarks or information;
- 9.5. the text should be in the official languages.

10. The printing of the remark is not allowed to be made on the tax banderole of the pack.
11. The printed text should be indelible and cannot be removed without damaging the text, and in no way be hidden with other printing on the packaging unit or removed or damaged during the opening of the package.
12. The packaging should be marked with a serial number or other suitable method that makes possible the easy determination of the place and date of manufacture.
13. Each unit of packaging of tobacco products should have photos that discourage the use of tobacco products as defined by sub-legal of the Ministry.
14. Remarks, photographs and the described messages on health should be continuously displayed in each part of the presentation of all units of tobacco products outside the box and marks.
15. Remarks, photographs or illustrations in color and messages on the harmful effects of tobacco on health must be presented in alternating intervals, so as to provide regular presentation of all additional remarks.
16. Normal opening of the package should not damage, cover, suspend, or otherwise impair the visibility of warnings and messages. Warnings and messages should not be covered by mark, stamp, or any other design.
17. Packages of tobacco products for retail sale must not contain any designed material, varying the package after retail sale, including, but not excluding:
 - 17.1. connections activated by heating;
 - 17.2. colors or lines designed to be presented after a certain period of time;
 - 17.3. colors that have a fluorescent presentation under certain light;
 - 17.4. parts designed to be scratched in order to reveal any text or photograph;
 - 17.5. attached parts;
 - 17.6. parts that are folded.
18. The Ministry of Health reserves the right to change or add general remarks, additional remarks or combined remarks.
19. The Ministry shall determine the combined remarks by sub-legal act.

Article 7

Prohibition of manipulation in the package, marking or design of the product

The unit, package, external marking and the design or appearance of tobacco products should not promote products in no way offering inadequate, manipulative, data or may create a wrong impression regarding the characteristics of the product, impacts to health, risks or emission of tobacco products. Here there is included the use of any term, describer, sign, figure, color or any other sign that directly or indirectly creates or may create the wrong impression, that a certain tobacco product is less harmful than the others, e.g. "soft", "light", "extra light", "extra", "ultra" and other terms in any language, that may confuse the consumers, including also when it is used as part of the name, type.

CHAPTER IV

PROHIBITION OF ADVERTISEMENT, PROMOTION AND SPONSORSHIP OF TOBACCO PRODUCTS

Article 8

The prohibition of advertisement, promotion and sponsorship of tobacco products

1. There are prohibited all the advertisements, promotions, local and international sponsorships of events or activities and no person, either directly or indirectly, is allowed to:
 - 1.1. stimulate any form of advertisement, promotion and sponsorship;
 - 1.2. manufacture, publish or provide access to any advertisement, promotion or sponsorship;
 - 1.3. be involved or take part in any advertisement, promotion or sponsorship as media or organizer of events, famous person or other participant, as receiver of any sponsorship contribution, or as mediator facilitating any such contribution including also the commercial communication, action or practice that promotes or may promote any tobacco manufacturer, wholesaler or direct or indirect importer.
2. There are prohibited all advertising, promotion and sponsorship of tobacco sponsored and initiated by a local or foreign citizen in the territory of the Republic of Kosovo.
3. There is prohibited the advertising of products which by this law are not tobacco products but their appearance, name and purpose of use, encourage the use of tobacco products.
4. It is prohibited the giving of tobacco products by the entities that manufacture, import and trade them.
5. It is prohibited the sponsoring of programs in print and electronic media, events or activities by manufacturers or importers of tobacco products in order to secretly or openly encourage the use tobacco products.

6. Advertisements in accordance with this article, does not include the following notifications:

- 6.1. for prizes and other public awards for the quality of some products, the success of work, manufacturing and other successes that were achieved during the manufacture of tobacco products, but without naming the product by manufacturers and importers of tobacco products through media;
- 6.2. during the specialized fairs and exhibitions within the space of the fair or exhibition, time for the exposition of new products, organized in closed space;
- 6.3. for the health and other characteristics of tobacco products published in professional books, magazines, and other professional publishing that are destined in particular for the manufacturer and importer of such products;
- 6.4. on other characteristics of tobacco products that consumers may receive in the premises where there tobacco products are sold, in conformity with the law.

CHAPTER V **SELLING OF TOBACCO PRODUCTS**

Article 9 **Restriction of the sale of tobacco products**

1. The selling or provision of tobacco products is prohibited in:

- 1.1. all health institutions, including the yard under the administration of the institution;
- 1.2. all educational institutions, including the yard under the administration of the institution;
- 1.3. all types of sport, recreation and cultural facilities, including the yard under the administration of the institution.

2. Tobacco products are not allowed to be placed or be visible in any sales point, but only be visible at the time of the sale transaction, and should not be displayed for commercial purposes in any other place.

3. It is not allowed to place the tobacco products at the places where the consumer may be served with tobacco himself.

4. Selling of tobacco through the selling machines shall be allowed only in closed areas of hotel facilities that meet the conditions according to this Law.

5. No person is allowed to sell tobacco products outside the original package of the manufacturer or importer.

6. The tobacco product may be sold only in closed packages.

Article 10 **Prevention of the access of minors to tobacco products**

1. No person is allowed to sell tobacco products to minors.
2. No minor person is allowed to sell tobacco products.
3. No person is allowed to employ a minor child to sell tobacco products.
4. The retailers of tobacco products are obliged to place on their sales points the signs for the prohibition of sale of tobacco products to persons younger than eighteen (18) years old.
5. No person is allowed to sell:
 - 5.1. candy, toys and other products dedicated to children, which have the form of any tobacco product;
 - 5.2. products that are not tobacco products, but have the name of the tobacco manufacturer, or the name of any type of tobacco product or the trade mark, logo or similar signs, which associate to the tobacco product.
6. The Ministry may undertake additional measures related to the sale of tobacco products in order to avoid the access of young people to tobacco products.

CHAPTER VI **ENVIRONMENTS FREE OF TOBACCO SMOKE**

Article 11 **Protection from the exposure to tobacco smoke**

1. It is prohibited to smoke in:
 - 1.1. public areas;
 - 1.2. work environment;
 - 1.3. means of public transport;
 - 1.4. open areas as defined under paragraph 3 of this Article.
2. In multi-floor buildings, no person is allowed to smoke at any area for the common use of the building.
3. No person is allowed to smoke in the open area that is:

- 3.1. under the administration of educational institutions;
 - 3.2. close to the entries/exits of public areas, the entries/exits of working areas, the entries/exits of health institutions;
 - 3.3. playgrounds for children;
 - 3.4. stadium, arena, or any other show area.
4. Smoking prohibitions set forth in this article shall also apply to the use of any equipment that produces emissions of nicotine or any other substance derived from tobacco, unless the equipment is allowed for use by the ministry as nicotine replacement therapy or for other medical purposes.
 5. With the exception of paragraph 1, 2, and 3 of this Article, smoking is permitted only in designated areas for smoking in institutions where persons without the possibility to move are treated, persons with mental disorders, where there are sheltered the elderly, and in correction institutions. Permission applies to persons who are treated and / or kept in these institutions.
 6. With the exception of paragraph 1, 2, and 3 of this Article, the responsible person of the hotel has the right to dedicate special rooms for guests that consume tobacco.
 7. The Ministry by a sub-legal act shall determine the conditions in the area dedicated for smoking, for the institutions according to paragraph 4 and 5 of this Article.
 8. Any issues that may arise if smoking is allowed in any given situation should be resolved in favor of protecting all workers and members of the public, by creating an environment free from tobacco smoke.

Article 12

Duties of the officer responsible for the area

1. The persons responsible for the areas as specified under Article 11, paragraph 1, 3, 5 and 6 of this Law are obliged to:
 - 1.1. place signs “no smoking and the amount of the fine” based on the format, content, design, size, visibility, location and all other material as defined by the bylaw by the ministry;
 - 1.2. remove all ashtrays from the closed areas where smoking is prohibited;
 - 1.3. supervise if the prohibition of tobacco use is being respected;
 - 1.4. undertake steps to stop the person from smoking in places where it is prohibited, asking the person not to smoke, not to provide service to him/her, require that person to leave the premises or public transport when it is safe to be done, and to contact the relevant authorities for the supervision of law enforcement;

1.5. the employing body decreases fifty (50) Euro of net monthly salary any physical person who smokes in the workplace based on the prior reporting of the responsible person.

CHAPTER VII

PREVENTION, RAISING AWARENESS AND EDUCATION

Article 13

Preventive measures

1. The Government of Kosovo establishes the inter-ministerial Council for tobacco control in order to protect public health.
2. Council will have fifteen (15) members that will include: representatives of the Ministry of Health; Education, Science and Technology; Finance; Labor and Social Welfare; Justice; Internal Affairs; Environment and Spatial Planning; Infrastructure; Agriculture and Rural Development; Culture Youth and Sports; health professionals, representatives of the media and civil society.
3. The minister of health shall be the chairman of the inter-ministerial council for tobacco control.
4. Measures for raising awareness and education:
 - 4.1. The Public Radio Television of Kosovo should broadcast educational programs to explain the harmful effects of tobacco consumption, without any financial compensation for each month at least forty-five (45) minutes. These programs should be broadcasted from 08:00 until 22:00hrs. A copy of the program should be published on the site of the broadcaster and the respective media. Broadcasting of programs and the duration should be monitored by the inter-ministerial Council;
 - 4.2. Private Radio Televisions should broadcast educational programs to explain the harmful effects of tobacco;
 - 4.3. the Ministry of Education, Science and Technology, will prepare the curriculum, to notify and warn children and young people for health damages of tobacco products and exposure to tobacco.
 - 4.4. the Ministry of Health is obliged to undertake necessary activities in order to compile programs that encourage individuals to stop using tobacco products.

CHAPTER VIII

PROTECTION OF TOBACCO CONTROL POLICIES FROM COMMERCIAL INTERESTS AND OTHER INTERESTS OF THE TOBACCO INDUSTRY

Article 14

Restriction of the interaction between the government and tobacco industry

1. Interactions between government and the tobacco industry should be limited to those necessary for effective regulation of the tobacco industry or tobacco products.
2. When any interaction or contact between the government and the tobacco industry is necessary for effective regulation, the government should ensure full transparency.

Article 15

Prohibition of partnerships of the government and the approval or acceptance of initiatives of the tobacco industry

1. The Government should not participate in, support, adopt, or accept:
 - 1.1. partnerships of any kind with the tobacco industry, including initiatives or activities of the tobacco industry described, characterized, understood, or that may be perceived as social responsibility;
 - 1.2. any non-binding, or not applicable agreement, memorandum of understanding, voluntary arrangement, or any code of conduct of the tobacco industry instead of legally applicable measures of tobacco control;
 - 1.3. any grant or any direct or indirect source, or involvement in any way in any initiative, campaign or program directly or indirectly related to tobacco control or public health, including, but not excluding, youth access and educational programs, public education campaigns and other initiatives.

Article 16

Prohibition of voluntary contributions from the tobacco industry

1. The Government is prohibited to accept a voluntary contribution of any kind, financial or otherwise, unless that contribution is the result of any legal action.
2. It is prohibited the accepting any financial voluntary contribution or other contributions of any kind, including any gift or privilege by the holder of public position.
3. It is prohibited the political party, candidate, or through the campaign, or any person acting on their behalf accept any financial voluntary contribution or other kind contribution.

4. The provisions of this Article shall apply to tobacco retailers when offers, contributions, or other actions made on purpose, or may have an impact, or potentially affect stimulation of interests of its tobacco business.

Article 17 Incompatibility

1. The government should not hire, contract, or engage any person to perform work or serve in any capacity with responsibility for tobacco control, if that person is professionally engaged with the tobacco industry, or worked there in the last twelve (12) months or if that person has any other conflict of interest with the responsibilities of the position, contract, or service for tobacco control.

2. The senior officer who finishes the mandate of public function, for one (1) year from the termination of contract, has no right of employment or be appointed to managing positions or be involved in tobacco control of companies, if his duties during the last two (2) years before the end of his public function were directly related to the supervision or control of the business of those companies.

Article 18 Prohibition of the support and privileges of tobacco business

No institution or state body should offer support or privilege to any person or company for wholesale or retail selling, tobacco import, or any support or privilege related to any phase of the import and export of tobacco products.

CHAPTER IX SUPERVISION AND EXECUTION

Article 19 Supervisory and executive bodies

1. The implementation of this law shall be made by central and municipal inspectors and other bodies, based on the competency as determined also by relevant laws, namely:

- 1.1. Sanitary inspectors;
- 1.2. Health inspectors;
- 1.3. Market inspectors;
- 1.4. Labor inspectors;
- 1.5. Education inspectors;

- 1.6. Transport inspectors;
 - 1.7. Anti-corruption agency;
 - 1.8. Kosovo Police.
2. The sanitary inspectorate performs the supervision of the implementation of Articles: 3, 4, 5, 6, 7, 8, 9, Article 10 paragraphs 4 and 5 , Article 11, Article 12, Article 13 paragraph 4.1 of this Law.
 3. The health inspector implements Article 9 paragraph 1.1 and Article 11 paragraph 3.2 of this Law.
 4. The market inspector implements Article 3 paragraph 3.2, Article 9, Article 10 paragraphs 10.1 and 10.5 of this Law.
 5. The labor inspector implements Article 10 paragraph 3, Article 11 paragraphs 1.2 and 3.2 of this Law.
 6. The education inspector implements Article 9 paragraph 1.2, Article 11 paragraphs 3.1 and 3.3 of this Law.
 7. The transport inspector implements Article 11 paragraph 1.3 of this Law.
 8. The Anti-Corruption Agency implements Articles 14, 15, 16, 17, and 18 of this Law.
 9. The Kosovo Police implements Article 11 paragraph 1.3, paragraph 2 and paragraph 3.4, as well as assists the sanitary inspector in supervising the implementation of this Law.
 10. The implementation of paragraph 7 of this Article shall be done by the Kosovo Police in conformity with the procedures as determined by the legal and sub-legal acts regulating the activity of the Police.

Article 20 **Execution**

1. The execution of mandatory fines of supervisory bodies under Article 19 of this Law shall be done based on legal acts that regulate their work, activity and organization.
2. The supervisory bodies shall submit the request for initiation of procedure for minor offence, foreseen by this Law.
3. Upon the request of the competent bodies for the supervision and implementation of the execution, Kosovo Police shall be obliged to support such bodies.

CHAPTER X

MANDATORY FINES AND PENALTIES

Article 21

1. For the violations as noted below, the person shall be fined, as follows:

- 1.1. the manufacturer or importer that violates the provisions of Article 3 and 4 of this Law shall be fined for offence with twenty thousand (20.000) Euro;
- 1.2. the manufacturer or importer that violates the provisions of Article 5 of this Law, shall be fined for offence with seven thousand (7.000) Euro;
- 1.3. the manufacturer, importer or the wholesaler that violates the provisions of Article 6 and 7 of this Law shall be fined for offence with twenty thousand (20.000) Euro;
- 1.4. the retailer that sells or offers for sale the tobacco products in contradiction with Article 3 paragraph 2 of this Law shall be fined for offence with one thousand (1.000) Euro;
- 1.5. a retailer that sells or offers for sale tobacco products in contradiction with Article 6 and 7 of this Law shall be fined for offence with one thousand (1.000) Euro;

2. For the violations as noted below, the person shall be fined, as follows:

- 2.1. manufacturer, seller of tobacco, or their agents, associations, or entities acting on their behalf, or any person responsible for initiating the advertising, promotion, or sponsorships of tobacco as defined in Article 8 of this Law, shall be fined for offence with twenty thousand (20.000) Euro;
- 2.2. the entities manufacturing or publishing advertisement or promotional content as defined under Article 8 of this Law, shall be fined for offence with seven thousand (7.000) Euro;
- 2.3. the entity that distributes advertising, promotional, sponsorship content prohibited by Article 8 of this Law, when logically he/she should have been aware of prohibited material and when he was in position to remove the material or disable access to it, but did not do so, shall be fined for offence with ten thousand (10.000) Euro;
- 2.4. the media or organizer of any event as well as other participants that participate in the advertisement, promotion or sponsorship of tobacco as determined under Article 8 of this Law, shall be fined for offence with ten thousand (10.000) Euro;
- 2.5. natural person that violates Article 8 of this Law, shall be fined for offence with one thousand (1.000) Euro;

3. For the violations as noted below, the person shall be fined as follows:

3.1. legal person- business entity violating Article 9 paragraph 1, 2, 3 and 4 of this Law, shall be fined for offence with three thousand (3.000) Euro;

3.2. natural person violating Article 9 paragraph 1, 2, 3 and 4 of this Law, shall be fined for offence with five hundred (500) Euro;

3.3. legal person-business entity violating Article 9 paragraph 5 and 6 of this Law, shall be fined for offence with two thousand (2.000) Euro;

3.4. natural person violating Article 9 paragraph 5 and 6 of this Law, shall be fined with a mandatory fine two hundred (200) Euro;

3.5. legal person- business entity violating Article 10 paragraph 1, 2, 3, 4 and 5 of this Law shall be fined for offence with two thousand (2.000) Euro;

3.6. natural person violating Article 10 paragraph 1, 2, 3, 4 and 5 of this Law shall be fined with a mandatory fine two hundred (200) Euro;

4. For the following violations the natural and legal person shall be fined as follows:

4.1. legal person-business entity violating the provisions of Article 11 of this Law, shall be fined for offence with three thousand (3.000) Euro;

4.2. natural person violating the provisions of Article 11 of this Law, shall be fined with a mandatory fine fifty (50) Euro;

4.3. the responsible person violating the provisions of Article 12 of this Law, shall be fined for offence five hundred (500) Euro;

4.4. the responsible person violating provisions of Article 13 paragraph 4.1 of this Law shall be fined for offence five thousand (5.000) Euro;

CHAPTER XI **TRANSITIONAL AND FINAL PROVISIONS**

Article 22 **Abrogation**

Upon entry into force of this law, there shall be abrogated the Tobacco Law No.02/L-36 and the Law on the Amending and Supplementing the Tobacco Law No.03/L-157.

Article 23

1. The manufacturers and importers of tobacco products are obliged, within a term of twelve (12) months upon entry into force of this law to place the labeling on the packages of tobacco products as determined by Article 6 paragraph 5 and 6 of this Law.

2. The manufacturers and importers of tobacco products are obliged, within a term of thirty six (36) months upon entry into force of this law to place the labeling of tobacco products as determined by Article 6 paragraph 7 of this Law.

3. The institutions, organizations of any type as well as means of public transportation are obliged, within a term of (4) months upon entry into force of this law to place signs for the prohibition of smoking.

Article 24
Entry into force

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

Law No. 04/L-156
4 April 2013

President of the Assembly of the Republic of Kosovo

Jakup KRASNIQI