

LAW NO. 02/L-79

ON HYDRO-METEOROLOGICAL ACTIVITIES

Kosovo Assembly,

Based on Chapter 5.1 (i) and 9.1.26 (a). of the Constitutional Framework of Self-Government in Kosovo (UNMIK Regulation no. 2001/9, from 15 May 2001)

With the aim of good administration of Kosovo Hydro-Meteorological Institute, and the definition of this activity, policy and standards harmonization with World Meteorological Organization(WMO) and European Union:

Hereby adopts the following:

LAW ON HYDRO-METEOROLOGICAL ACTIVITIES

**Article 1
Purpose**

This law shall regulate the hydro-meteorological works and the manner of their accomplishment.

**Article 2
Definitions**

Weather - represents the physical state of the atmosphere on a certain territory in a given time characterized by a determined combination of meteorological elements.

The climate - is characterized by a many yearlong regime of the weather in which are implied not only the dominant conditions but as well those possible of the weather for a given place or better to say in general the climate is determined as a result of all meteorological occurrences that characterized the average state of the atmosphere with a determined point of earth sphere. The climate represent a legal order of atmospherically processes that are created on a given place, as a result of complex interaction of solar radiation, solar circulation, atmosphere circulation and active covering surface, interaction which determine characteristic regime of the weather for a country.

First Resource - is the area of underground water on a fed up area and with direct contact with land surface.

KHMI - Kosovo Hydro-meteorological Institute

MESP - Ministry of Environment and Spatial Planning

Meteorological Occurrences are: Frost, Clouds, Rainfalls, Freezes etc.

Meteorological elements are: Temperature, wind, absolute and relative dampness, solar, atmospheric pressure etc.

Article 3

Regarding to this law the Hydro-meteorological works considered all the kind of element measurements and observation of the meteorological occurrences, hydrological, bio-meteorological, hydro-biological, elaboration and annunciation of the collected results of these measurements and observations, annunciation of regular and time by time information for weather, state of surface and underground waters, conduction and researching of the changes and occurrences of the atmosphere in hydrosphere with the importance for Kosovo economy, the study and assessment of their environmental impact.

Article 4

Kosovo Hydro-Meteorological Institute should accomplish the hydro-meteorological works.

Article 5

Hydro-meteorological works with interest for Kosovo are as following:

1. Construction and maintenance of the basic network of hydrological and meteorological stations,
2. Measurements and observations of the elements and occurrences: meteorological, hydrological, bio- meteorological, and hydro-biological,
3. Special measurements and observation on the field of radiation, radio-activity (in accordance with the law),
4. Measurements and observations of the electricity atmosphere and air, water pollution and rainfalls, according to the unique program and methodology that is valid for essential network stations,
5. Study, elaboration, conservation, exchange and data's annunciation of the hydro-meteorology and researching results on the monitoring network,
6. Organization, maintenance and calculating development, observation system of data base and accomplishing prognosis of the hydro-meteorological works,
7. Instrument maintenance and calibration for essential network of the stations,
8. The similar institutions that are engaged with the monitoring system are obligated to refer (for data base) to the KHMI,
9. Accomplishing the meteorological measurements and observations by the radar,
10. Accomplishing the systematic hydro-meteorological measurement and observation on the rivers waterfalls in usual cases and in cases of environmental disturbances, state of underground waters on the fed up ground, and on directly contact with the ground and underground, (on further text first resource),
11. The systematical pursuit and ascertainment of air pollution, rainfalls, underground and surface waters of first resource and ground, also the hydro-meteorological studies and conditions prognosis of the environment protection,
12. Publishing of the hydrological, meteorological analyses and short term specification of the: weather, water, ice on rivers, and weather impact on agricultural,
13. Premonition of any hydro-meteorological elementary fatality,
14. Given reports, foresight and premonition of central and local competent authorities on hydro-meteorological occurrences with importance for protection from flooding, ice, changes of water quality, as well as premonition regarding to the destruction and other water presented pollutions,
15. Weather studies, climate studies, underground and surface waters and their impact on the atmosphere,

16. Researching of weather changes, climates, waters discharged from artificial impact and study of the artificial activities methods about weather, climate and waters too,
17. Preparation of hydro-meteorological works and including of hydro-meteorological services for flood protection,
18. Other hydro-meteorological works which are determined by the law that is in interest for Kosovo.

Article 6

6.1. The financial means for financing of the Hydro-Meteorological works envisaged in Article 5 of this law shall be provided by the Kosovo's Consolidated Budget.

6.2. The financial means from paragraph 1 of this article shall be determined based on the yearly program of the work and pre-account for their realization which should be issued by KHMI until 30 September of the following calendar year.

6.3. The consent for yearly organization of the works and pre-account for their realization shall be given by the Government of Kosovo.

Article 7

7.1. The basic network of hydro-meteorological stations shall be determined with administrative order issued by the Government of Kosovo.

7.2. The proposal of basic network of hydro-meteorological station shall be prepared by KHMI, after it has received an Opinion by the competent Ministries for administration of nature resources.

Article 8

8.1. The hydro-meteorological works for their needs may be accomplished by physical and legal entities too, except of weather-forecast.

8.2. The authorities from paragraph 1 of this article are obliged that for the accomplishing of hydro-meteorological works from article 5 of this law for their need to take the consent by MESP, KHMI.

8.3. The legal and physical entities from paragraph 1 of this article are obliged that the acquired results by the monitoring to send to KHMI within 30 days.

Article 9

The researching, information results and data received with the accomplishing of the works from article 4 and 5 of this law are public data, except other cases envisaged by law.

Article 10

10.1. KHMI for the needs of physical and legal entities may accomplish any work envisaged by this article 5 of this law.

10.2. The financial means realized from the accomplishment of the works by legal and physical entities are incomes of Kosovo Consolidated Budget.

Article 11

11.1. Construction, reconstruction of hydro-meteorological buildings, or the accomplishment of other works on the buildings and the land on distance, from where shall be effected on nature regime or existing of the elements which monitored on the meteorological, hydrological stations, stations for monitoring of water, air and soil quality of the basic network may be done based on the competent body of Kosovo and competent Administration for the activities of water Economy.

11.2. Attached with the request for the issuing of the consent from paragraph 1 of this article, the investor is obliged to represent the opinion of KHMI too.

Article 12

12.1. The owners, respectively the land users are obliged to allow the authorized persons to cross on their land, for accomplishing of hydro-meteorological works, in accordance with the law in force.

12.2. The owners, respectively the land users from paragraph 1 of this article have right for the compensation of any damage inflicted by the accomplishing of hydro-meteorological works according to the laws in force.

Article 13

13.1. All the persons that will act against the provisions of this law shall be considered as offences.

- i. Legal entities will be fined from 3.000 until 30.000 Euro,
- ii. Physical entities will be fined from 2.000 until 5.000 Euro,

13.2. If it starts the construction respectively reconstruction of the buildings or accomplishing of other works on the buildings and land on the distance that determine the change of natural regime or existing, Article 11. For the offences from paragraph 1 of this article will be fined the legal and physical person too, from 2.000 until 5.000 euro.

Article 14 Entry into Force

14.1. For the implementation of this law, all sub normative acts will be issued within a year.

14.2. All legal and sub legal acts, and those that are in contradiction with this law, shall not have effect from the day of entry into force of this law.

14.3. The present law shall enter into force after adoption by the Assembly of Kosova on the date of its promulgation by the Special Representative of the Secretary-General.

**UNMIK/REG/2007/2
09.01.2007**

