



UNMIK



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INSTITUCIONET E PËRKOHSHME TË VETËQEVERISJES  
PROVISIONAL INSTITUTIONS OF SELFGOVERNMENT  
PRIVREMENE INSTITUCIJE SAMOUPRAVLANJA  
**QEVERIA E KOSOVËS - GOVERNMENT OF KOSOVO - VLADA KOSOVA**  
MINISTRIA E PUNËS DHE MIRËQENIES SOCIALE  
MINISTRY OF LABOUR AND SOCIAL WELFARE  
MINISTARSTVO RADA I SOCIALNE ZASTITE

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In accordance with article 1 of regulation No.2001/19 on Executive Branch of Kosova Provisional Institutions of Self-Government;

Having into consideration provisions of Regulation No.2001/35 on pensions in Kosova;

Aiming at avoiding and elimination of misapplication of the families in relation to utilizing the basic pensions, after death of pension beneficiary;

Minister of Ministry of Labour and Social Welfare issues this:

**ADMINISTRATIVE INSTRUCTION No.08/2007**  
**REGARDING**  
**DISCONTINUE OF BASIC PENSION PAYMENTS IN CASES OF**  
**PENSIONERS DEATH**

Article 1

Administration of basic pensions

1.1. Ministry of Labour and Social Welfare is responsible for administration of basic pensions. Ministry of Labour and Social Welfare has authorized Kosova Pension Administration Department (KPAD) for day to day pension administration.

1.2. Basic Pension is paid to those personsthat meet conditions and criteria according to applicable legislation and who are alive.

1.3.KPAD has a legal obligation to ensure that pensions are not paid to those persons that loose the right to such payment. This means that every KPAD official shall protect very carefully the legitimacy of basic pensions. KPAD officials shall try to find cases of pensioners' death. This means that every office of RCKPA shall actively collect details of pensioners who died and to send these data in verification sector of DPAK, in order to discontinue the payments.

Article 2  
Pensioners' death

2.1 Basic pension is not paid to those persons who died.

2.2 When a pensioner dies, the basic pension payment has to be discontinued from the beginning of the month, (for example if a pensioner dies in August, then the pension is discontinued from September and on).

2.3 In some cases bank accounts can also have names of other persons (ex. family members). However, after death of pensioner nobody is allowed to get the payment of basic pension.

2.4 If a person draws money after pensioner's death, it is considered fraudulence and the person has to return the amount that taken. Against these persons legal means are foreseen to be taken.

Article 3  
Notification of the death case

3.1 KPAD obligation is to request information for persons that have been beneficiaries of basic pension and at the meantime they died. This means that central KPAD and regional centers will keep contacts with municipalities and other public organizations (hospitals, clinics) in order the information in KPAD are validated / invalidated. KPAD will keep close contacts with central Office of registration to get all details of pensioners' death in order to react immediately.

3.2 All KPAD regional Offices have to collect information for (confirmed and unconfirmed) deaths and have to send them every week in KPAD verification sector in Prishtina.

3.3 Forms that have to be used for this purpose are attached in appendix A (D-Form 1 and D-Form 2).

Article 4  
Certification of pensioner's death to confirm the pensioner's death

4.1. Regional Office of KPAD will request information from the following sources:

- Death certification
- Death announcement in newspapers
- Death announcement in public places (ex. in walls, trees)
- Death announcement in RCKPA by family members of pensionist,
- Death announcement in RCKPA by police, doctors, hospital, municipal authorities and by any other public body.
- Information for death cases published in newspapers.

If abovementioned sources contain date (even year) of pensioner's death then regional center of KPAD will report central office of KPAD as confirmed death announcement.

4.2. Regional Office of KPAD will notify central office of KPAD through Form-D 1 in appendix A.

4.3 Central Office of KPAD will verify information with IT data (information technology) and if it is needed also with the requests file. If data (name, address etc) match, then central office of KPAD will discontinue the payments.

Central Office of KPAD will send to all regional Offices a list (every month) of payments terminated forever (see Form-D 4 Appendix A). This list will include pensioner's name, address, UNMIK ID and the date of pension discontinuance.

## Article 5

### Unconfirmed pensioner's death

5.1 If information received by abovementioned sources in paragraph 4.1, don't include death date, then announcement will be considered as unconfirmed. Below are given examples of unconfirmed announcements:

- Death announcement in newspapers – this doesn't give enough details to be sure that the pensioner is dead (ex. year of birth is not given),
- Death announcement in public places (ex. Walls or trees) this doesn't give enough details to be sure that the pensioner is dead (ex. year of birth is not given),
- Unofficial death announcement in RCKPA (except when CRKPA is sure that pensioner died )
- Not responding to RCKPA investigations or inspectors' inspections,
- Other information that makes the RCKPA to suspect that a pensioner died.

5.2 Regional Center of KPA will notify central office of KPAD through Form 2 in appendix A.

5.3. Central Office of KPAD will:

- Check the data with IT notes and requests file,
- Suspend basic pension and
- Possibly to send a notification in pensioner's address, or in impossibility to send a notification in pensioner's address, it's enough as a notification not transfer of forbid pension sum in his bank account. From the moment of transfer discontinuation in the bank account, it starts to flow the due term in accordance with data for suspense which are followed by informative technology sector.

5.4. In notification sent by KPAD will be requested information verification that caused payment suspension.

5.5. Central Office of KPAD will send (every month) to every Regional Office a list of suspended payments (see Form – D 5 in appendix A). This list will include pensioner's name, address, UNMIK ID and the date of pension suspension.

5.6 If the pensioner responds to the letter of KPAD then he is asked to go to Regional Office of KPAD, and bring UNMIK ID in order to be identified positively. The payment will not start until the pensioner goes to Regional Center of KPAD or until RCPKA official doesn't identify the data UNMIK ID as positive. Regional Center of KPA will use the Form D 3 (attached in appendix A) when it identifies the

pensioner as positive, with the right to pension payment.

5.7 If Regional Office of KPAD investigates and confirms that the pensioner died, then it has to inform Central Office of KPAD for this matter, through Form – D 1 (attached in appendix A).

## Article 6 Show of pensioners

6.1 Beneficiaries of the basic pension are obliged to show up in person or through an authorized person twice a year (once in six months) to regional offices of Pension Administration Department of MLSW.

6.2 In the occasion of showing up, beneficiaries of basic pension are obliged to sign in person the respective registry indicating show up of pensioners together with official of RCKPA authorized for keeping and managing the evidence of pensioners show up.

In this occasion the pensioner shall bring these identification documents:

- UNMIK ID card;
- Authorization letter, if the pensioner has authorized his/her representative,
- Certification that the pension beneficiary is alive issued by municipal competent body (when the pension beneficiary authorizes his representative for withdrawing the pension).

6.3 If the basic pension beneficiary will Not show up to regional office of KPAD, as specified in paragraph 6.1. of this article, his/her basic pension will be temporarily suspended by KPAD

6.4 For again continuation of basic pension payments, the pensioner should address with request to respective Office of KPAD in accordance with provisions of the Regulation 2001/35 on pensions in Kosova and the rules determined by KPAD of MLSW.

6.5 Users of suspense pension will be acknowledged in again continuance payment of basic pension:

1. If due to 6 months declares from suspension date in respective Office of KPAD, the unpaid pensions will be paid to them.
2. If due to 6 months the pensioner does not declare from the suspension date then his request will be taken as reappliance.

## Article 7 Bank accounts

7.1 Basic Pension is paid only through bank accounts.

7.2 Basic pension, from the legal side, will not be paid to dead pensioners.

7.3 In cases when a pensioner died and the payments have continued to be made after his/her

death, then the Central Office of KPAD shall request from the bank to return the payments given to the pensioner's family from the date when the basic pension beneficiary has died.

7.4 In cases when bank officials declare to

have made the basic pension payment after pensioner's death, then KPAD shall request from the bank to indicate to whom the pension payment has been made (ex. to other person in his/her bank account). KPAD will then request from the person who has received the pension payment, to return it back.

7.5 Pension Administration Department

and Regional Offices of KPAD shall contact the banks each month and request information regarding pensioners found out to be dead or for whom they requested to be removed from the bank account.

## Article 8

### Data on persons who have died

8.1. KPAD shall keep evidence for each pensioner whose death was announced to it.

8.2. Each Regional Office of KPAD shall keep evidence for such persons in their regions.

8.3. KPAD shall keep evidence for each person to whom was sent a letter, requesting information about the death of

## Article 9

### Responsibility to report

9.1 It is a duty of KPAD regional offices officials to ensure that the basic pension is not paid to persons who have died. If the official of KPAD fails to report the information which he/she knows about the death of the pensioner, then this shall be treated as serious disciplinary breach that can result to initiation of disciplinary procedure towards the official who did not inform regarding pensioner's death.

## Article 10

### Fail to correspondence

10.1 When KPAD makes a decision to give or to suspend a payment, it sends a written announcement to the applicant.

10.2 When the letter is returned to KPAD, this is the first indication that the payment shall be reviewed, in order to assure that the applicant is alive and that he/she is living in the address to which the payment is made.

10.3 Each letter that is returned shall be forwarded to KPAD.

10.4 Central office of KPAD shall send these letters in each Regional Office of KPAD, requesting the confirmation if the pensioner is still alive.

10.5 If the pensioner is still alive, then Regional Center of KPAD shall inform KPAD regarding the data, if the address of the pensioner is accurate.

10.6 If the applicant has died, then Regional Office of KPAD shall inform the Central office of KPAD through the Form D1.

Article 11  
Management of Control

11.1 Verification sector of Central office of KPAD shall oversee and control each Regional office of KPAD, through:

- Inspections,
- Identification of the number of discontinued pensions due to pensioner's death
- Savings from pensions cost.

11.2 Central office of KPAD shall enable (ensure the transport) Officials for doing these controls.

Article 12  
Reports

12.1 Head of Pension Scheme Division of KPAD shall prepare a weekly report which indicates the number of payments that are:

- a) terminated forever,
- b) suspended due to not complete confirmation of pensioner's death,

12.2 the report shall contain information for each region that regional office covers and shall be sent to the Director of Kosova Department Pensions Administration and Lider of payments Divisions of KPAD.

Article 13  
Entry into force

13.1 By entry into force of this Administrative Instruction, shall be nullified:

- a) Administrative Instruction No2/2003 and
- b) Administrative Instruction No 7/2006.

13.2 This Administrative Instruction enters into force the day of signature from Minister of MLSW.

Minister of MLSW

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Ibrahim Selmanaj

Date : 21.09.2007

Prishtina