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**INSTITUCIONET E PËRKOHSHME TË VETËQEVERISJES  
PROVISIONAL INSTITUTIONS OF SELF-GOVERNMENT  
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 SOCIJALNE ZAŠTITE**

In accordance with Article 1, paragraph 3, indent (ç) of Regulation No 2001/19 on Executive Branch of Provisional Institutions of Self-Government in Kosovo,

Having into consideration the Memorandum of Understanding of October 2003, and, also Government's decision dated on 10.09.2003,

With a purpose of ensuring a better social welfare for workers of "Trepça" complex and other subterranean **mines**, Minister of Ministry of Labour and Social Welfare issues this:

**ADMINISTRATIVE INSTRUCTION No 10/2007  
ON  
EARLY PENSION FOR WORKERS OF  
"TREPÇA" COMPLEX UNDER UNMIK ADMINISTRATION  
AND  
SUBTERRANIAN MINES IN KOSOVA**

**Article 1  
Purpose of Administrative Instruction**

**(1)** Issuing this Administrative Instruction aims determination of conditions and criteria and also regulation of procedures and other rules on realization of early pensions for workers of "Trepça" Complex and other subterranean mines.

**Article 2**  
**Conditions and criteria for benefiting from early pensions**

(1) Beneficiaries of early pension shall be all workers of Trepça under UNMIK administration and other subterranean mines who meet following conditions and criteria:

1. Attained the age of 50-65 years old.
2. Workers employed in the mine who became disabled for work (invalid) because of change in their health condition, which changes can not be cured with further medication, where the ability for work is decreased at the level of more than a half of the general ability for work.
3. Have ten (10) or more years of experience in “Trepça” complex or other mines.
4. Be a permanent resident of Kosova.
5. Should not be beneficiary of any other financial scheme paid from Kosova Consolidated Budget.
6. That does not ensure any other incomes from regular employment in Kosova, and also abroad, even in any other form of self-employment.
7. Have terminated working contract with “Trepça” complex and other mines and also had apostasy from benefits or further payments from employer.
8. In person should withdraw early pension from corresponding bank account,
9. To prove working disability by presenting the Medical Committee evaluation of Pension Administration Department of MLSW.

(2) Persons who do not fulfill these conditions and criteria at the enforcement day of this Instruction, they will gain the right when they meet conditions and criteria of selection.

**Article 3**  
**Applying procedures for early pension**

(1) Each worker of “Trepça” complex and subterranean mines in Kosova, who meets conditions and criteria for an early pension according to the preceding article, shall submit a request to “Trepça” complex Management.

(2) “Trepça” complex Management in accordance with conditions and criteria determined by this Administrative Instruction carries out selection of early pension gainers.

(3) For selected persons, “Trepça” complex Management compiles beneficiaries’ registry for present pension, of which in foreseen deadline proceeds it to the Pension Administration Department of MLSW.

(4) No one can be added to the registry of selected persons during the process of this program if conditions and criteria determined by present Administrative Instruction are not met.

(5) Registry of selected persons as gainers of early pensions should contain: name and surname of pension gainer, birthday, exact address of residence and UNMIK personal ID card.

#### **Article 4**

##### **Procedures of early pensions administration**

(1) After receiving the requests of applicants for early pensions, the complex management “Trepça” is obliged that completed files for each applicant of early pension, to proceed them for further administration and verification in Regional Centers of DPAK in Mitrovica, Prishtina, Gjilan and other centers in competence.

(2) For proceeding and delivery of user’s files for early pensions, in Regional Centers of DPAK of MLSW, from the beginning of this pensional scheme until entry into force of this Administrative Instruction. MLSW and “Trepça” management will form a mutual commission which will take care for classification, collation, registration and transportation procedures of files in Regional Centers of DPAK in accordance with Law for archive and archival matters of Kosova.

(3) Dynamics of work accomplishment of initial files proceeding in Regional Centers of DPAK from administration of “Trepça” complex is 15 working days from the day of mutual commission forming of both institutions.

#### **Article 5**

##### **Financial resources for early pension**

(1) Kosova Government will finance early pensions by monthly transfer of money from Ministry of Labour and Social Welfare in one of commercial banks in accordance with timelimits and determined conditions in the Memorandum of Understanding.

(2) For effective realization and successful scheme of early pensions, Management of “Trepça” complex for any change of situation, should inform the Pension Administration Scheme of MLSW.

(3) Payment of early pensions will be subject to financial control according to applicable rules of budgetary expenses.

## **Article 6**

### **Early pension payments**

(1) Early pension is paid from Kosova Consolidated Budget; therefore this early benefit is foreseen because of impossibility of engaging at work of Trepça workers and not based on previous work.

(2) Monthly payment amount of early pension is 50€(euro).

(3) These payments of early pension will be administered from Ministry of Labour and Social Welfare.

(4) Payments of early pension will be paid in monthly bases and the means delivered through authorized Bank where pensioners have their individual accounts will be paid in these amounts until the regulation of this issue by other legal or sub legal act issued from Kosova Government or Assembly.

## **Article 7**

### **Responsibilities for verification of early pensions**

(1) Ascertaining authority of the data presented from “Trepça” Management side and subterranean mines for beneficiaries of early pensions are officials of KPAD respectively officials of corresponding Regional Office of KPAD.

(2) Commercial banks are obliged to report on duration of the process of early pension payment in written forms until the 15-th of the following month.

## **Article 8**

### **Deletion from the beneficiaries’ data of early pension register**

(1) The beneficiary of an early pension who doesn’t withdraw his pension within the time limit of 15 to 30 days, the pension will be returned to the Ministry bank account.

(2) The beneficiary of pension who) does not withdraw pension in time limit starting from one to three months will be deleted from the beneficiaries register of early pension.

(3) If the beneficiary of the pension who is erased from the register due to delay on withdrawal of the pension for the period of 3 monthly requests again to be a beneficiary of the pension he shall undergo all procedures determined by present Administrative Instruction.

### **Article 9** **Authorizations on early pension withdrawal**

The beneficiaries that can not withdraw pension in personal due to their impaired health conditions, their pension can be withdrawn from their authorized person only when illness is proved from a medical competent institution.

### **Article 10** **Disinherit of early pensions**

Early pension of “Trepça” workers is voluntary and worker gains this right only if he/she applies.  
Early pension is personal which means that after the death of the beneficiary the right to pension is not transferred to his/her family members.

### **Article 11** **Conditions and criteria on gaining early pension**

For workers that are doubtful about them being abroad, besides personal ID card should be required from them also the declaration ascertained from the Court through which they prove that they are permanent Kosova residents.

### **Article 12** **Other valid documents on this issue**

Besides this Administrative Instruction, concurrent and valid document on this issue will be also the Memorandum of Understanding achieved between Ministry of Labour and Social Welfare and “Trepça” Management under UNMIK Administration and Kosova Governmental Decisions on this issue.

**Article 13**  
**Abrogation of sub legal acts**

With entry into force of this Administrative Instruction, A.I no. 02/2006 and A.I no. 03/2003 is abrogated and every other provision that is in contradiction with this Administrative Instruction.

**Article 14**  
**Entry into force**

Present Administrative Instruction will enter into force the day of endorsement from Minister of MLSW

**Minister of MLSW**

**Ibrahim Selmanaj**

**Pristina, November 2007**