



**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**

QEVERIA E KOSOVËS - GOVERNMENT OF KOSOVO - VLADA KOSOVA

Based on articles 1.3 indent (c), 1.6 and 1.7 of UNMIK Regulation No 2001/19, on Executive Branch of Provisional Institutions of Self Government in Kosova,

Regarding indent 1 and 3 of Decision No 13/277 of Kosova Government, issued on 31.10.2007;

On purpose of favorable pension insurance for contribute payer pensioners' and with pensional insurance period, Minister of Ministry of Labour and Social Welfare;

Issues this:

**ADMINISTRATIVE INSTRUCTION NO. 11/2007
FOR
EXECUTION OF DECISION
OF GOVERNMENT
NO 13/277**

Article 1
Purpose

This Administrative Instruction intents regulation of right recognition on increasing basic pension and determination of practice rules, conditions, criteria and procedures for realization of Government decision no. 13/277 issued on 31.10.2007 through which is decided that basic pensions, for pensioners with insurance period, to increase from 40 to 75 euros, starting from 01.01.2008.

Article 2
The right on basic pension increase

(1) The right to benefit an increase of basic pension from 40 to 75 euros has:

1. All present pension users who have been insured and contribute payers, based on work relation and
2. All persons who in the future apply for basic pension, who offer proofs that have been insured and contribute payers in Kosovo and ex republic of Yugoslavia state in according of reciprocity according to applicable laws from employment field and Pensional and Invalidity Insurance.

(2) Beneficiaries according to indent 1 and 2 of this article, the right on pension increase from 40 to 75 euros would start will realize from date 01.01.2008., if it give the requirement until 28.02.2008.

The expound of requirement after this date will say that the justice for benefit in advance will known from the month of delivery of complication documents.

Article 3
General conditions and criteria for increase of basic pension benefit

Present users of basic pension and persons who in future will apply for this pensions, to benefit from this increase, according to Government decision no. 13/277, have to fulfill these general conditions and criteria:

1. Request submitter has to have 65 years and minimum 15 years of probation pensional of insurance according to provision of IPH (insurance pensional handicapped)
2. Has to be permanent resident of Kosova.
3. Has to have UNMIK ID, and
4. Shouldn't be a user of any social - pensional scheme applicable in Kosova or any pension abroad based on past work or invalidity, excluding pensional scheme for war values of KLA.

Article 4
Special conditions and criteria for increase of basic pension benefit

(1) For realization of basic pension increase from 40 to 75 euros, the beneficiary of pension increase has to fulfill these special conditions and criteria:

1. To have proofs that in the past have been insured based on work relation and user of elderly contribute payer pension, based on pensional insurance according to legal provisions of pensional and invalidity insurance of Kosova. (The criterion is executed for present users of basic pension).

2. In the moment of reaching 65 years the request submitter in the moment of basic pension appliance must to offer proofs that has been insured based on work relation and to posses pensional insurance period, in the minimum of 15 years according to provision of IPH in Kosovo (the criterion is executed for new appliers who will apply in future for basic pensions).

Article 5

Administrative procedures for realization of basic pension increase

- (1) Every current user of basic pension and every person who reaches pension age of 65 years, who fulfill conditions and criteria, according to provisions of this administrative instruction, can apply to benefit in basic pension increase, according to rules and procedures determined in article 2 of this sub legal act.
- (2) Request submitter who fulfills Conditions and criteria according to provisions of Government decision no. 13/277 and this administrative Instruction, can apply to benefit basic pension increase, in the closest regional Office of Department of Pensional Administration (DPAK) of MLSW, fulfilling the applying form prepared by DPAK.
- (3) Request submitter, together with The request – form, has to present necessary documents to confirm that fulfills the conditions and criteria for realization of basic pension increase.
- (4) DPAK after receiving the request and Valid documentation, in term of 60 days, decides with administrative act, regarding to presented request for benefiting of basic pension increase.
- (5) The request submitter the right in basic pension increase will realize from day of request enunciation article 2 indents 2.
- (6) The term for appliance regarding the realization of the right in basic pension increase, is from 01.01.2008 and still.

Article 6

Necessary documentation for appliance

- (1) Together with the request the request submitter according to indent 1 of article 4 has to deliver these proofs:
 1. The decision that has been a pension user according to previous legal provisions of pensional and invalidity insurance of Kosova, or

2. The check for payment of contribute payer pension.
- (2) When delivering the application, the request submitter according to indent 2 of article 4 has to deliver these proofs:
 1. Workbook with matrix number of the insurer or
 2. To offer proofs that has paid his contributions himself and the employer where has worked, which proofs will be verified by the officials of DPAK according to applicable provisions from pensional and invalidity insurance in Kosova until year 1989.

Article 7

Receiving and verifying documentation

- (1) Responsible official of DPAK will receive all filled applications with respective documents for pension increase, in accordance with Administrative Procedures.
- (2) After receiving and verifying other valid application and documentation, the responsible official of DPAK should release a certification on application delivery.
- (3) Received application according to indent 2 of article 4 with all proofs for basic pension contribute payer, is verified by responsible official of matrix evidence of pensional and invalidity insurance. 'for payee contributions of documentary in blank M-4, and delivered according by law of IPH according provision from insurance verification of probationary.
- (4) After verification and ascertaining by Official supervisor of matrix evidence, that applier fulfills the conditions and criteria for pension increase determined with this Administrative Instruction, the documentation proceeds in following procedures within DPAK of MLSW.

Article 8

Additional documents of Administrative Instruction

Composing part of this Administrative Instruction is Government Decision no. 13/277, appliance form prepared by DPAK and every other necessary document which will serve for proper and efficient realization of basic pension increase according to provisions of this sub legal act.

Article 9

Execution of Administrative Instruction

For proper and efficient execution of this Administrative instruction will take care the Ministry of Labour and Social Welfare and Ministry of Economy and Finances, respectively responsible departments of these two ministries.

Article 10
Entry into force

This Administrative Instruction enters into force the day of signing by Minister of MLSW meanwhile will apply from 01 January 2008.

Date : 06.11.2007

Pristina

Minister of MLSW

Ibrahim Selmanaj