



**Republika e Kosovës**

**Republika Kosova - Republic of Kosovo**

*Qeveria – Vlada - Government*

*Ministria e Industrisë, Ndërmarrësisë dhe Tregtisë - Ministarstvo Industrije, Preduzetništva i  
Trgovine - Ministry of Industry, Entrepreneurship and Trade*

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**ADMINISTRATIVE INSTRUCTION (MIET) No. 07/ 2024**

**ON**

**SETTING THE ADMINISTRATION AND MANAGEMENT METHOD OF  
INDUSTRIAL AND TECHNOLOGICAL PARKS**

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Administrative Instruction (MIET) No. 07/2024 On setting the administration and management method of industrial and technological parks, was approved by the decision No. 3848/01, date 07.08.2024

**The Minister of the Ministry of Industry, Entrepreneurship and Trade,**

Pursuant to Article 10 paragraph 5 and Article 11 paragraph 7 of Law No. 08/L-208 on Industrial and Technological Parks (Official Gazette No. 24, dated 30 November 2023), Appendix 12 of Regulation (GRK) No. 14/2023 on Areas of Administrative Responsibility of the Office of the Prime Minister and Ministries as well as Article 38 paragraph 6 of Regulation on Rules and Procedure of Government No. 09/2011 (Official Gazette No. 15, dated 12.09.2011),

**Approves:**

**ADMINISTRATIVE INSTRUCTION (MIET) No. 07/ 2024**

**ON**

**SETTING THE ADMINISTRATION AND MANAGEMENT METHOD OF  
INDUSTRIAL AND TECHNOLOGICAL PARKS**

**Article 1**

**Purpose**

This administrative instruction shall define the administration and management method of industrial and technological parks.

**Article 2**

**Scope**

This administrative instruction shall apply to the public authority, commercial organizations, non-governmental organizations, public-private partnerships, administrators and managers of industrial and technological parks.

**Article 3**

**Definitions**

1. The terms used in this administrative instruction shall have the following meaning:

**1.1 Ministry** – the relevant ministry of industry, entrepreneurship and trade;

**1.2 KIESA** – the relevant agency for developing, administering and promoting industrial and technological parks as well as business incubators;

**1.3 Industrial and Technological Park** - separated and fenced real estate where economic activities are carried out according to the conditions defined by Law No. 08/L-208 on industrial and technological parks.

**1.4** Industrial and Technological parks shall include:

1.4.1 The space of necessary services for the users;

1.4.2 Common infrastructure including roads, electricity network, telecommunication network, water supply and sewerage and other facilities according to the legislation in force.

**1.5 Business incubator** – space inside or outside the industrial or technological park, designed to accelerate the growth of start-ups through supporting services.

**1.6 Administrator** - the team dealing with the administration of industrial and technological parks, including business incubators within industrial and technological parks;

**1.7 Manager** – the manager is responsible for the obligations of the park, respectively meeting the requirements and obligations of the park users in relation to the use of the park in terms of spatial and technical aspects, security measures at work, environmental protection measures, rights and obligations of park users in terms of the park founder, etc.

#### **Article 4**

##### **Administration method of the industrial and technological park**

1. KIESA shall administer the park together with the proposer for the establishment of the industrial and technological park, in cases when the investment is made by the Government.

2. Notwithstanding paragraph 1 of this Article, the municipality or the investor may administer the industrial or technological park in cases when it funds its construction and functionalization.

#### **Article 5**

##### **Responsibilities of the industrial and technological park administrator**

1. The industrial and technological administrator shall have the following responsibilities:

1.1 Ensure the smooth operation of the industrial and technological park through promotion and supervision;

1.2 Select the economic operator for the construction of the industrial and technological park according to the relevant law on public procurement;

1.3 Select the manager according to Article 11 of the relevant Law No. 08/L-208 on Industrial and Technological Parks and the criteria of this instruction.

1.4 Promote the industrial and technological park alone and in cooperation with the manager;

- 1.5 Arrange services within the industrial and technological park, including incubator services, utility services and other services necessary for the users, as well as sets the method of dispute resolution and fees proportionate to the services;
  - 1.6 Keep notes of the number and type of activities, investment value and number of employees of the users, and produces the required statistics;
  - 1.7 Report to the Ministry on the number and type of activities, investment value and number of employees of the users and other requirements for industrial and technological parks within the parks, if required,
  - 1.8 Draft and publish the performance report of the industrial and technological park;
  - 1.9 Supervise implementation and initiate procedures for punitive measures under Article 18 of the relevant Law No. 08/L-208 on industrial and technological parks.
2. Administrator defines the rent for using the industrial and technological park per surface unit, in an amount that:
- 2.1. covers the cost of the proper functioning and maintenance of the park;
  - 2.2. ensures reasonable income for the management of the park;
  - 2.3. does not threaten the scale of the park usage.
3. KIESA shall perform the secretariat services for the Administrator under paragraph 1 of this article.

**Article 6**  
**Management of the industrial and technological park**

1. The industrial and technological manager may be:
  - 1.1. Public authority;
  - 1.2. Commercial organization;
  - 1.3. Non-governmental organization;
  - 1.4. Public-private partnership.

**Article 7**  
**Selection of the manager**

1. The manager shall be selected by the industrial park administrator through an open call or according to the request of the managers defined in Article 6 of this Instruction, adhering to the relevant criteria to this administrative instruction. Selection shall be transparent.
2. Management of the industrial and technological park from public authority may include the Ministry, Investment and Export Agency or the Municipality where the industrial and technological park is located.

3. Management from commercial organizations or non-governmental organizations shall be done according to the following criteria:

- 3.1. The organization is registered in the Republic of Kosovo;
- 3.2. Provide a park management plan;
- 3.3. Their activity should be in the field of management, advising as well as other activities necessary for management, with at least 3 years of work experience;
- 3.4. The organization should have sufficient staff and assets to manage a park for a duration of at least 5 years, with a possibility of extension for another 5 years;
- 3.5. The organization should have experts of the fields with at least 3 years of work experience in economy, management, construction and other fields according to the park specifics;
- 3.6. Annual calendar turnover for the last 3 years,
- 3.7. TAK certificate of no outstanding tax debts, or an agreement with TAK for debt repayment.
- 3.8. Proof that the company is not in bankruptcy or under enforced judicial administration issued by the competent Court.
- 3.9. In addition to the general criteria defined in this paragraph, the Administrator may define additional criteria required by the public call.

4. For public-private partnerships, the procedures shall develop according to the legislation on public-private partnerships.

## **Article 8**

### **Responsibilities of the manager of the industrial and technological park**

1. The Manager shall meet the organizational and technical requirements for performing the activities in the park, such as:

- 1.1. The manager is responsible for the obligations of the park, respectively fulfilling the requirements and obligations by the users of the park in relation to the use of the park in terms of spatial and technical aspects, safety measures at work, environmental protection measures, the rights and obligations of the users of the park in relation to the founder of the park, maintenance of park premises, and physical infrastructure.
- 1.2. The Manager shall oversee that the contract conditions are adhered to by the users.
- 1.3. The manager shall oversee and collect the rent from the users, take care of the services inside the park such as: utilities, other services and in case, of non-implementation of the contract, notify the administrator.

## **Article 9**

### **Publication of the call and application method**

1. The administrator shall publish the call for applications for the selection of the manager on its official website, and, if necessary, on other online platforms.
2. The call should remain open for fifteen (15) working days.
3. At the time when the public call is open, the interested entity may ask for clarifications and additional information about the call via email, but not later than five (5) days before the public call closes.
4. Applications will not be accepted after the public call is closed, except for those sent by mail or that were mailed until the last day set in the public call.

### **Article 10 Evaluation Commission for the Manager**

1. Once the application deadline closes, the administrator shall establish the evaluation commission accordingly, consisting of 3 members.
2. In cases where the industrial or technological parks are administered by KIESA or the Municipality or the Investor, the members of the evaluation commission are appointed by the administrator, while in cases where the administrator is KIESA and the Municipality, the commission is formed by the KIESA, which appoints (2) members from the KIESA and (1) member from the Municipality.
3. In addition to the evaluation commission members from paragraph 1 of this article, the Administrator shall also appoint one (1) back-up member, who will replace the evaluation commission member, if necessary, if there is a conflict of interest or when, for other reasons, they cannot be present in the evaluation commission.
4. The appointed members of the Evaluation Commission shall ensure in advance that their participation in this commission is in accordance with the legislation in force on the prevention of conflict of interest, signing a statement by which they declare that there is no conflict of interest.
5. In the event of a conflict of interest, or if the commission members cannot attend for other reasons, the members shall ask the Administrator to replace them.
6. In a period of 30 (thirty) days after the closing date of the public call, the Evaluation Commission shall evaluate the applications, according to the criteria in Article 7 of this instruction and other criteria defined in the public call.
7. The final report with the recommendation for the selection of the manager shall be signed by all members of the Evaluation Commission.

8. The Administrator shall publish the winning list on the website within 2 (two) working days following the evaluation of the evaluation commission.

9. This commission shall also review the requests received for park management.

### **Article 11 Appeals Commission**

1. The applicant who is not selected as a manager may file an appeal with the Appeals Commission, within 10 (ten) working days after the announcement of the winner.

2. The Administrator shall establish the commission accordingly, consisting of 3 (three) members for reviewing appeals.

3. In cases where the industrial or technological parks are administered by KIESA or the Municipality or the Investor, the members of the appeals commission are appointed by the administrator, while in cases where the administrator is KIESA and the Municipality, the commission is formed by the KIESA, which appoints (2) members from the KIESA and (1) member from the Municipality.

4. In addition to the members of the appeals commission from paragraph 2 of this article, the Administrator shall also appoint one (1) a back-up member to replace, when necessary the member of the appeals commission who has a conflict of interest or may not be present in the commission for other reasons.

5. The appointed members of the Appeals Commission shall ensure in advance that their participation in these commissions is in accordance with the legislation in force for the prevention of conflict of interest, signing a statement by which they declare that there is no conflict of interest.

6. If there is a conflict of interest, or if the members cannot be present in the commission for other reasons, they shall ask the Administrator to replace them.

7. The Commission shall make a decision about the appeal within a period of 15 days after receiving it.

8. The commission shall work independently, honourably, responsibly, and impartially.

9. The final report shall be submitted to the Administrator, whereby they shall announce the winning candidate for the management of industrial and technological parks, and sign the contract.

10. If the commission does not decide within the specified period or returns an answer with which the party is dissatisfied, the party may initiate an administrative dispute in the competent Court according to the relevant law for administrative conflict.

## **Article 12**

### **Reporting**

1. The manager, in addition to the criteria defined by Administrative Instruction (MIET) no. 04/2024 for determining the form and content of the register, for industrial, technological parks and business incubators, is obliged to, within ninety (90) days after the calendar year, submit to the Administrator the report of activities in the park, which must contain the following data:

- 1.1. Financial statement of the manager;
- 1.2. Number of users and activities they perform;
- 1.3. Total value of goods produced and services provided in the park;
- 1.4. Overall volume of imports and exports in the park;
- 1.5. Amount of foreign and domestic capital contributions;
- 1.6. Number of persons employed by the users and other data about the park, as requested by the administrator.

## **Article 13**

### **Entry into force**

This Administrative Instruction shall enter into force seven (7) days after publication in the Official Gazette of the Republic of Kosovo.

**06.08.2024**

**Rozeta Hajdari**

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**Minister**