



Republika e Kosovës
Republika Kosova-Republic of Kosovo
Qeveria - Vlada - Government

REGULATION (OPM) - NO. 14/2024
ON THE INTERNAL ORGANIZATION AND SYSTEMATIZATION OF
JOBS AT THE AGENCY FOR THE ADMINISTRATION OF
SEQUESTERED AND CONFISCATED ASSETS¹

¹ Regulation (OPM) - No. 14/2024 on the Internal Organization and Systematization of Jobs at the Agency for the Administration of Sequestered and Confiscated Assets, has been approved by the Prime Minister, with Decision No.126/2024, dated 16.07.2024.

Prime Minister of the Republic of Kosovo,

Pursuant to Article 94 (10) of the Constitution of the Republic of Kosovo, Article 28 (paragraph 3) of Law no. 06/L-113 on the Organization and Functioning of State Administration and Independent Agencies of the Republic of Kosovo, in accordance with Article 9 (paragraph 1, subparagraph 1.11) of Law no. 08/L-117 on the Government of the Republic of Kosovo, as well as in accordance with Article 9 par. 7 of Regulation GRK-No. 01/2020 on standards of internal organization, the systematisation of jobs and cooperation in the institutions of the State Administration and Independent Agencies,

Issues:

REGULATION (OPM) - NO.14/2024 ON THE INTERNAL ORGANIZATION AND SYSTEMATIZATION OF JOBS AT THE AGENCY FOR THE ADMINISTRATION OF SEQUESTERED AND CONFISCATED ASSETS

**CHAPTER I
GENERAL PROVISIONS**

**Article 1
Purpose**

This Regulation aims to determine the internal organization and systematization of jobs in the Agency for the Administration of Sequestered and Confiscated Assets (hereinafter: AMSCA).

**Article 2
Scope**

This Regulation shall be implemented by the Agency for the Administration of Sequestered and Confiscated Assets.

**CHAPTER II
INTERNAL ORGANIZATION OF THE AGENCY**

**Article 3
Mission of Agency**

The Agency for Administration of Sequestered and Confiscated Assets has for its mission the administration of Sequestered and confiscated assets.

**Article 4
The organizational structure of the Agency**

1.The organizational structure of AMSCA shall be as follows:

1.1. Office of the General Director;

1.2. Departments;

1.3. Divisions.

2.The number of employees in AASCA is twenty six (26).

Article 5 Office of the General Director

1.The Office of the General Director consist of:

1.1. General Director;

1.2. Two (2) professional civil servant;

2.The duties and responsibilities of the General Director shall be determined by the Law on the Organization and Functioning of the State Administration and Independent Agencies, by the Law on the Management of Sequestered and Confiscated Assets and by other applicable legislation.

3.The duties and responsibilities of the support staff of the Office of the Executive Director are determined according to the relevant legislation for public officials.

4. The number of employees in the office of the General Director is three (3).

Article 6 Agency Departments and Divisions within the Agency

1.The Departments and Divisions of AMSCA-s are:

1.1. Department for the Handling of Sequestered and Confiscated Assets;

1.1.1.Division for admission and valuation of assets;

1.1.2. Division for preservation of the value of assets.

1.1.3.Division for the sale of sequestered and confiscated assets;

1.2. Department for legal Matters, Administration of Sequestered and Confiscated Income and Statistics:

12.1.Division for legal matters of sequestered and confiscated assets;

1.2.2. Division for administration of income from sequestered and confiscated assets and statistics.

Article 7 Department for the Handling of Sequestered and Confiscated Assets

1. The Mission of Department for handling of Sequestered and Confiscated Assets is the acceptance of property, evaluation and preservation of the value, sale, leasing, use, return and disposal of sequestered and confiscated assets.

2. The duties and responsibilities of the Department for the Handling of Sequestered and Confiscated Assets are:

2.1. handling and administration of sequestered and confiscated assets used for, or obtained from, criminal offenses, including assets from terrorism, with the exception of assets confiscated for the realization and collection of tax obligations;

2.2. assessing the value of the sequestered and confiscated assets, as well as determination of the way of preserving these assets;

2.3. determination of the way for preserving the value of the property under the administration;

2.4. drafting of the program for the training of public officials in the field of Sequestration and Confiscation of Assets, which is obtained through the criminal offense in cooperation with IKAP and international partners;

2.5. the sale of the sequestered and confiscated assets, according to the decision of the competent court, by transferring the income collected from the sale into the budget of Kosovo or handing over the assets for use by the Government;

2.6. recording of sequestered and confiscated assets by keeping records in a centralized computer system;

3. The Director of the Department for the treatment of Sequestered and Confiscated Assets reports to the General Director of the Agency for the administration of Sequestered and Confiscated Assets.

4. This department shall consist of the following divisions:

4.1. Division for admission and valuation of assets;

4.2. Division for preservation of the value of assets;

4.3. Division for the sale of sequestered and confiscated assets;

5. The number of employees in the Department for Administration of Sequestered and Confiscated Assets is sixteen (16).

Article 8

Division for Admission and Valuation of assets

1. The mission of Division for the evaluation and assessment of sequestered and confiscated assets is accepting the property and undertake the necessary action for the administration of the property

2. The duties and responsibilities of the Division for admission and valuation of assets are:

2.1.on the basis of court decisions carries out the admission of sequestered and confiscated assets used for, or obtained from, criminal offenses, including assets from terrorism, with the exception of assets confiscated for the realization and collection of tax obligations;

2.2.cooperates and coordinates with the police officers responsible for the execution of the court decision, so that they are present during the admission-handover of the asset which is not yet under the control of the Agency;

2.3.assess the value of the sequestered and confiscated assets;

2.4.for the needs of the procedure, follows the market movement related to the value of the sequestered or confiscated assets in order that the prices of the valued assets are close to the market prices;

2.5.drafting of the professional reports on the valuation of assets, thus conveying the independent opinion regarding on the market value of these assets;

2.6.administering physical and electronic files of sequestered and confiscated assets, recording every change in assets;

2.7. organise the Warehouse and the storage of Sequestered and Confiscated by type;

2.8. drafting of the training program for public officials in the field of acceptance and the evaluation of the property of sequestered and confiscated assets obtained from criminal offences in cooperation with IKAP and the international partners;

2.9.support the execution of court decisions sequestered and confiscated assets according to the needs;

2.10. keeping records and managing data related to sequestered and confiscated assets in a centralized computer system.

3. The head of the Division for admission and valuation of assets reports to the Director of the Department for the Handling of Sequestered and Confiscated Assets.

4. The number of employees in the Division for admission and valuation of assets is six (6).

Article 9

Division for preservation of the value of assets

1. The mission of Division for preservation of the value of assets is to control and preserve the value of sequestered and confiscated property.

2. The duties and responsibilities of the division for preserving the value of the property, are:

- 2.1. the determination of the manner of preservation of assets under the administration of AMSCA;
 - 2.2. determining the actions undertaken for the supervision, adequate preservation and securing the value of the sequestrated or confiscated movable and immovable assets;
 - 2.3. in order to preserve the assets as adequately as possible, conducts regular visits to the assets, as well as takes the necessary measures to minimize the decrease in the value of both movable and immovable assets which are under the administration of the Agency.
 - 2.4. prepare the reports on the maintenance of assets which are administered;
 - 2.5. completes the forms placed on movable and immovable assets;
 - 2.6. classification of vehicles according to categories as well as the preparation of vehicles depending on the court decisions (preservation, sale, return or use, etc.);
 - 2.7. provides advice, assistance and cooperates with asset administrators, as well as other personnel on all issues related to the activity of this field;
 - 2.8. prepare the training program in the field of preserving the value of property of sequestrated and confiscated, obtained by the criminal offense in cooperation with IKAP and International Partners
 - 2.9. keeping records and administering assets data stored in a centralized computer system;
3. The head of the Division for preservation of the value of the assets reports to the director of the Department for the Handling of Sequestrated and Confiscated Assets.
 4. The number of employees in the Division for the valuation and sale of assets is five (5).

Article 10

Division for Sale of Sequestrated and Confiscated Assets

1. The mission of the Division for the sale of sequestrated and confiscated assets, is the sale of sequestrated and confiscated assets after the decision to sell and begins the procedure for the sale or lease of the assets under administration
2. The duties and responsibilities of the Division for sale of sequestrated and confiscated assets are:
 - 2.1. sale of sequestrated and confiscated assets, according to the decision of the court or competent body;
 - 2.2. ensuring that the sale of the assets is not below the value and level of the sale price in the market;
 - 2.3. prepares and coordinates procedures for the public sale of sequestrated and confiscated assets;

- 2.4. coordination with institutions, relevant officials for asset valuation within the Agency or experts engaged in special professional asset valuation;
 - 2.5. development of procedures for the sale of sequestrated and confiscated assets in accordance with the legislation in force;
 - 2.6. after the sale of the sequestrated and confiscated assets, based on the court decision; announce the competent Court about the result of the sale;
 - 2.7. execution of the Court's decision to return the property the party in the procedure.
 - 2.8. to participate in the process of handing over the confiscated assets using by the Government;
 - 2.9. coordination of the work with the relevant officials for the disposal of any property, that is not suitable for public sale, after the recommendations or advice of officials and experts, that the disposal will be in accordance with the legislation in force for the protection of the environment, health and public safety;
 - 2.10. providing technical support to all bodies which are responsible for the execution of Court decisions as well as for the alienation of sequestrated and confiscated assets;
 - 2.11. prepare the training program in the field of sale of sequestrated and confiscated assets, obtained from the criminal offense in cooperation with IKAP and International Partners
 - 2.12. assist in the execution of court decisions on sequestrated and confiscated assets;
 - 2.13. keeping records and data administration of the assets sold in a centralized computer system.
3. The head of the Division for the sale of sequestrated and confiscated assets reports to the director of the Department for the Handling of Sequestrated and Confiscated Assets.
4. The number of employees in the Division for valuation and sale of assets is four (4).

Article 11

Department for legal matters, administration of sequestrated and confiscated income and statistics

1. The Department for Legal Affairs, administration of sequestrated and confiscated assets, as well as the statistical data, has as it's mission the handling of court orders, the provision of advice to the prosecution, the court and other Institutions above specific nature of the administration process of assets
2. The duties and responsibilities of the department for legal treatment, administration of sequestrated and confiscated income and statistics are:

2.1. handles the court order for the temporary measure to secure the assets, the final judgment of the court according to the legislation in force;

2.2. coordinates with the relevant department in providing international legal assistance for all cases involving sequestrated and confiscated assets, administering the sequestrated or confiscated assets based on the request made by another state;

2.3. provides advice to the Prosecutor's Office, the Court and other institutions on the specific nature of the process of administration of sequestrated and confiscated assets, in order to provide assistance in planning possible sequestrations or confiscations;

2.4. keeping evidence on the court decisions handled in which it was decided about the sequestrated and confiscated assets, as well as the conclusion of memorandums of cooperation with partner bodies and institutions;

2.5. administrate and generates funds from confiscated income, deposits, sale through public auctions, leasing of sequestrated assets, as well as cash in the coordination with the operational Department;

2.6. collection and processing of statistical data that help in the design, implementation and review of the development plan of the Agency or other documents at the Agency level.

3. The Director of the Department for legal treatments, administration of sequestrated and confiscated income and statistics, reports to the general director of the agency for the administration of sequestrated and confiscated assets

4. This department consists of the following divisions:

4.1. Division for legal treatment of sequestrated and confiscated assets; and

4.2. Division for income from sequestrated and confiscated assets and statistics.

5. The number of employees in the Department for legal treatments, administration of sequestrated and confiscated income and statistics is seven (7).

Article 12

Division for legal treatment of sequestrated and confiscated assets

1. The Division for Legal Treatment of Sequestrated and Confiscated assets has its mission the acceptance, examination and processing of court orders, as well as providing advice to the prosecution, the court and other institutions on the specific nature of the asset administration process.

2. The duties and responsibilities of the division for legal treatment of sequestrated and confiscated assets are;

2.1. deals with the court order for the temporary measure to secure the assets, the final judgment of the court according to the legislation in force;

2.2. coordinates with the operational department in providing international legal aid for all cases involving sequestrated and confiscated assets, administering the sequestrated or confiscated assets based on the request made by another state.

2.3. provides advice to the Prosecutor's Office, the Court and other institutions on the specific nature of the process of administration of sequestrated and confiscated assets, in order to provide assistance in planning possible sequestrations or confiscations;

2.4. prepares the cases for submission to the prosecutor's office, to propose the decision for the sale of the assets in the sequestration phase for the assets that is replaceable and may lose value in case of storage or if it is estimated that the storage costs are disproportionate to the value of the assets sequestrated;

2.5. cooperates with courts and prosecutors or other institutions in order to complete the necessary documentation for assets under administration;

2.6. keeps evidence on the court decisions handled in which it was decided about the sequestrated and confiscated assets, as well as the conclusion of cooperation memoranda with partner bodies and institutions.

3. The head of the Division for legal treatment of sequestrated and confiscated assets reports to the director of the Department for legal treatment, administration of sequestrated and confiscated income and statistics.

4. The number of employees in the Division of legal treatment of sequestrated and confiscated property is three (3).

Article 13

Division for Income from Sequestrated or Confiscated Assets and Statistics

1. The mission of the division for income from sequestrated and confiscated assets and the statistics is the administration, generation of funds from confiscated income and seized deposits, as well as the collection and processing of statistical data

2. The duties and responsibilities of the Division for income from sequestrated, confiscated and statistical property are;

2.1. records all incomes and reports the state of incomes;

2.2. generates funds from confiscated income and sequestrated deposits administered by AASCA;

- 2.3. performs the administration of confiscated income from cash, sale through public auctions, also from the rent in cooperation with the Department for Handling of Sequestrated and Confiscated Assets in cooperation with the Department for handling of sequestrated and Confiscated Assets;
 - 2.4. makes reconciliation of sequestrated and confiscated income with the treasury in monthly periods;
 - 2.5. funds from deposits sequestrated from cash, sale through public auctions and from rent are administered according to the Law, the funds in cash are kept in a separate account of the Agency until the moment when the decision becomes final;
 - 2.6. issuing rent receipts for sequestrated and confiscated assets, tracking payments based on rental contracts, issuing invoices for cash deposits and issuing invoices for sale through public auctions.
 - 2.7. summarize statistical data that help to design, implement and review the Development Plan of the Agency or other documents at the Agency level;
 - 2.8. coordination and alignment for matching the Agency's data based on real statistics;
 - 2.9. provide statistical data on issues related to the sequestrated and confiscated assets
 - 2.10. provides statistical data and analytical reports, also various advice on various opportunities related to the scope of the Agency;
 - 2.11. drafting the reports with statistical data on sequestrated and confiscated assets.
3. The head of the Division for income from sequestrated or confiscated assets and statistics reports to the Director of the Department for Legal Treatment, Administration of Sequestrated and Confiscated Income and Statistics.
 4. The number of employees in the Division for income from sequestrated or confiscated assets and statistics is three (3).

Article 14 **Final provisions**

1. The movement of personnel in accordance with the legislation on civil service within the institution is allowed, if it is considered necessary for the smooth running of the work.
2. The increase or decrease in the number of personnel in accordance with the annual budget law shall not create a need to supplement-amend this regulation, except in cases where organizational structures are created and/or extinguished.
3. Annex no.1 shall be an integral part of this Regulation, containing the total number of all employees in the Agency and the specific number for each unit, as well as Annex no.2, containing the visual organizational chart.

Article 15
Entry into Force

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

Albin KURTI

Prime Minister of the Republic of Kosovo

16 July 2024

Appendix No.1 – Classification and systematization of jobs

Structure	Position	Category and Class	Group of positions	Number of executors
1.Office of the General Director	General Director	Senior Manager 2	N/A	1
	Senior Executive Assistant	Professional 1	63. General Administration Group	1
	Administrative Officer	Professional 3	64. General Administration Group	1
			Total	3
2.Department for Treatment of Sequestrated and Confiscated Assets	Director of the Department	Middle Manager	N/A	1
2.1.Division for the Admission and Valuation of Assets	Head of Division	Lower Manager	N/A	1
	Senior Asset Admission Officer	Professional 1	12. Social Science Group	3
	Senior Official for Assessing Wealth	Professional 1	12. Social Science Group	2
			Total Division	6
2.2.Division for Preservation of Value of Assets	Head of Division	Lower Manager	N/A	1
	Senior Asset Valuation Officer	Professional 1	63. General Administration Group	1

	Asset Valuation Officer	Professional 2	63. General Administration Group	1
	Officer for maintenance and preservation of property	Professional 2	63. General Administration Group	1
	Senior officer for Information Technology?	Professional 1	49. Information Technology Gr	1
			Total Division	5
2.3 Division for Sale of Sequestrated and Confiscated Assets	Head of Division	Lower Manager	63. Gr. General administration specialist	1
	Senior Asset Sale Officer	Professional 1	63. Gr. General Administration specialist	2
	Asset Sale Officer	Professional 2	63. Gr. General Administration specialist	1
			Total Division	4
			Total Department	19
1. Department for Legal Treatment, Administration of Income of Sequestrated or Confiscated Assets and Statistics	Director of the Department	Middle Manager	N/A	1

2.1.Division for Legal Treatment of Sequestrated and Confiscated Assets	Head of Division	Lower Manager	N/A	1
	Senior Legal Officer	Profession 1	1.Legal Group	1
	Legal Officer	Profession 2	1.Legal Group	1
			Total Division	3
1.1 Division for the Administration of Income of Sequestrated or Confiscated Assets and Statistics	Head of Division	Lower Manager	N/A	1
	Senior Income Administration Officer	Professional 1	1. Budget and Finance Group	1
	Senior Financial and Statistical Officer	Professional 1	2.Budget and Finance Group	1
			Total Division	3
			Total Department	7
	TOTAL NUMBER OF POSITIONS IN THE AGENCY			26

Appendix No.2 - Organogram

