

The National Council for Economy and Investments in Kosova, pursuant to the Decision no. 14/200 of the Government of the Republic of Kosova dated 18.04.2024, and based on the Memorandum of Understanding entered between the Government of the Republic of Kosova and the European Bank for Reconstruction and Development (EBRD) on 05 of May 2017, hereby adopts:

Rules and Procedures of the Operation of the National Council for Economy and Investments

Article 1 - Purpose of the Rules and Procedures of the National Council for Economy and Investments

1. These Rules and Procedures intend to define:
 - a. The operation, duties and responsibilities, and decision-making procedures of the National Council for Economy and Investments (the “NCEI”); and
 - b. The responsibilities, duties, and competencies of NCEI’s Secretariat, and the procedures based on which the Secretariat exercises its duties.

Article 2 - Legal Status and Mission of the NCEI

1. The NCEI is an independent consultative body, chaired by the Prime Minister of the Republic of Kosova, consisting of members of the public and private sectors of the Republic of Kosova.
2. NCEI’s mission is to enhance the business climate in Kosova through the fostering of a constructive public-private dialogue between private-sector representatives and the Government of the Republic of Kosova.
3. NCEI’s overarching goal is to enhance foreign investments, promote exports, align skills development with industry demands, and ensure data-driven, transparent, and inclusive decision-making toward creating a favorable environment for sustainable economic growth in Kosova.
4. These Rules and Procedures of the NCEI are intended for advisory purposes only and are not legally binding.

Article 3 - Scope of work of the NCEI

1. The NCEI intends to facilitate dialogue and dynamic exchange of perspectives between the Government of the Republic of Kosova and the private sector. This collaboration is designed to improve the country’s business climate and stimulate both domestic and foreign investments in the Republic of Kosova.
2. In line with the Government’s decision establishing the NCEI, the NCEI shall achieve its mission by:

- a. Enabling sustainable economic growth for Kosova through a productive public-private dialogue;
- b. Identifying and addressing with the public institutions the most prevalent issues faced by the private sector through a well-established methodology;
- c. Providing recommendations and proposals in line with country's National Development Plan and international good practices;
- d. Monitoring the implementation of reforms, decisions, or action plans decided in the NCEI meetings;
- e. Raising awareness on private sector's importance for sustainable economic growth;
- f. On an as-needed basis, recruiting external experts to contribute to the analysis regarding public-private dialogue findings.

Article 4 - Competencies, duties, and responsibilities of the NCEI

1. The NCEI meets on a quarterly basis, however, it may meet more frequently upon the request of the Government of Kosova, or the simple majority of its permanent members.
2. The Secretariat of the NCEI shall propose dates and frequency of the meetings in cooperation with the Chair of the NCEI. Such information shall be shared with the NCEI members during the NCEI meetings, or by online means.
3. Upon the request of the Chair or any permanent member of the NCEI, additional topics can be discussed, depending on the agenda or the necessity to discuss any concrete newly emerged topic.
4. The Secretariat shares with the NCEI members the full calendar of events for the public-private dialogue for the consecutive year, no later than 15th of December of each year.
5. The activities shall be coordinated by the Secretariat of NCEI, an organizational structure, professionally independent in its activity.

Article 5 - NCEI Regular Meetings

1. NCEI meetings will be attended by the full complement of the NCEI, chaired by the Prime Minister of the Republic of Kosova, concluding a quarter's public-private dialogue. In cases when the Prime Minister is absent, the NCEI is chaired by the first Deputy Prime Minister.
2. Regular meetings serve as platforms to discuss the outcomes of the public-private dialogue and present recommendations and proposals deriving from it. The proposals, supported by robust legal and economic foundations, will aim to address and resolve the identified issues relating to Kosova's business environment.
3. Attendance of the members in NCEI meetings is mandatory. Absence in the meeting must be justified by submitting it in writing to the Secretariat of the NCEI in advance. In case of absence, upon promptly notifying the Secretariat, the respective Minister can be substituted

in the meeting by the Deputy Minister, and the Executive Director of the chamber or business association can be replaced by the respective Chairman of the Board.

4. The NCEI constitutes the quorum when more than half of the members of the NCEI are present.

Article 6 - Modality of the Meetings

1. The meetings shall be moderated by the Secretariat of the NCEI.

Agenda

2. The Secretariat will submit the agenda, invitation, and draft proposals of each regular meeting to the NCEI members no later than ten (10) days before the meeting. In cases of extraordinary meetings, these materials shall be sent no later than four (4) days before the meeting.
3. Each agenda item shall derive from proposals and input received from the following:
 - a. The private sector (comments received by the Secretariat either from sectoral forums, or from the NCEI website);
 - b. NCEI members; and
 - c. Reports from international institutions on the investment climate.
4. The agenda prepared by the Secretariat of the NCEI, shall be adopted by a majority of those present at the meeting of the NCEI, provided that at least two (2) Government representatives and two (2) private sector representatives vote in favor of its adoption.
5. Upon request of over half of the NCEI members present in the meeting, an additional agenda item not included in the pre-approved agenda can be included for discussion, following the Secretariat's approval of it. The NCEI, reasonably and at its discretion, may decide to postpone any item on the agenda for the following meeting.
6. The sponsor of each agenda item under review shall explain the matter being presented. The sponsor has a reserved right of speech only once during the meeting and one reserved rebuttal.

Meeting Minutes

7. Minutes of the meetings of the NCEI shall be recorded by the Secretariat of NCEI.
8. Seven (7) days following the regular meeting, the Secretariat will distribute to all NCEI members the meeting minutes and a summary of recommendations presented. These materials shall be published on NCEI's official website as well, within ten (10) days after the meeting.

Article 7 - Composition and Organizational Structure of the NCEI

1. The NCEI is composed of:
 - a. The Chair of the NCEI;
 - b. Permanent NCEI members;
 - c. Non-permanent NCEI members;
 - d. The Secretariat of the NCEI.

Chair

2. The Prime Minister of the Republic of Kosova shall serve as chair of the NCEI.
3. The Chair of the NCEI is entitled to:
 - a. Approve the date and the time of the next NCEI meeting;
 - b. Approve extraordinary meetings;
 - c. Approve the proposed draft agenda for every NCEI meeting based on the proposal received from the Head of the Secretariat;

Secretariat

4. The Secretariat operates as an independent, professional, and technical entity, established pursuant to the Memorandum of Understanding signed between the Government of the Republic of Kosova and the European Bank for Reconstruction and Development (EBRD).
5. The Secretariat's primary objective is to help identify and address the most prevalent issues the business community faces, through legally and economically sound solutions. This shall be achieved by bridging the channels of communication between public sector stakeholders and private sector representatives.
6. The Secretariat will actively support and aim to further the Government's National Strategy for Development, assisting the NCEI to achieve the following:
 - a. Foster a fairer, more adaptable, and competitive business environment;
 - b. Promote export-oriented investment growth;
 - c. Increase productivity among Kosova's business owners by ensuring that their voices are heard.

Members

7. The NCEI members are categorized into three groups:
 - a. Permanent members, with a voting right;
 - b. Permanent members without a voting right;
 - c. Members with non-permanent and non-voting status.

8. Members who participate in the NCEI meetings shall have no right to receive any form of remuneration related to such activity.
9. The NCEI members list, as it may be amended, is determined through the Government's decision.

Permanent members with a voting right

10. Members with permanent and voting status belong in one of the following categories:
 - a. Members whose votes count for two (2) points – comprising public institutions and cross-sectoral business chambers;
 - b. Members whose votes count for one (1) point – encompassing sector-specific business associations;
 - c. Members whose votes count for one (1) point – which include coalitions of non-public organizations (formally represented by a credible organization), which in their portfolio commit to economic empowerment and demonstrate capacity to contribute to the work of NCEI.

**In case the members from point c) of this subsection reach more than two (2) members, whereas the demand for membership increases, they will serve as rotating members, for every two (2) years.*

Permanent members without a voting right

11. This category includes representatives from foreign Embassies in Kosova and representatives of international organizations operating within Kosova. Although they lack voting rights during NCEI meetings, they hold guaranteed seats, allowing them to actively participate in discussions by raising questions or providing comments.

Members with Non-Permanent, Non-Voting Status

12. A number of non-permanent membership seats is designated for guests pertinent to the topics discussed in the meeting.

Article 8 – Private Sector Membership Selection Methodology

1. Upon application for membership to the NCEI, private sector representatives shall demonstrate adherence to the following criteria:
 - a. Submit the association's charter (statute);
 - b. Demonstrate a solid reputation, with no final judgment against the executive director, or any other member of the board/council of the organization within the past three (3) years;
 - c. Maintain a minimum number of 30 members paying a membership fee on an annual basis for at least two (2) consecutive years (for cross-sectoral business chambers);

- d. Maintain a minimum number of 20 members paying a membership fee on an annual basis for at least two (2) consecutive years (for sole-sector business associations);
- e. Submit audited financial statements for at least the past two (2) consecutive years, which prove the payment of the annual membership fee, in accordance with the statement referred to in point (c) and (d) above;
- f. Demonstrate representation of a considerable number of economic sectors, of a significant industry, or businesses with a vested interest in Kosova;
- g. Demonstrate its commitment and capacity to contribute to the work of the NCEI and its working groups;
- h. Submit the evidence of registration of the organization in the Republic of Kosova.

Selection process and appointment of Private Sector Representatives

- 2. To appoint members representing the private sector, the Secretariat of the NCEI initiates the membership application process by issuing an open call on its official website. Applicants are provided a minimum of 14 days to submit their applications.
- 3. The Secretariat reviews the applications and compiles a short-list of candidates. Preference is given to organizations or membership candidates with a track record of more than two (2) years of active engagement before applying for membership.
- 4. Shortlisted candidates undergo a vote by members with permanent status. Those receiving a majority of votes of the quorum are deemed recommended for membership by the NCEI. The list of recommended candidates is submitted to the Chair of the NCEI for ultimate approval and final appointment.

Conditions for Expulsion from the NCEI

- 5. A member may face expulsion from NCEI membership through a simple majority vote of members with permanent membership present in the meeting, based on one of the following grounds:
 - a. Failure to attend three (3) consecutive NCEI meetings;
 - b. Failure to provide audited financial statements for at least two (2) consecutive years, upon Secretariat's request;
 - c. Inconsistency of the membership list provided with the number of members paying regular membership as per the financial statements;
 - d. The existence of any final judicial decision against the representatives of the member by state bodies;
 - e. If the member's representative has been sentenced to at least six (6) months imprisonment;
 - f. With the simple majority vote of the permanent members.
- 6. A NCEI member representing the private sector can leave the NCEI at any time providing prior written notice.

Article 9 - Composition and Responsibilities of the Secretariat of the NCEI

Composition of the Secretariat of the NCEI

1. The Secretariat is composed of the following full-time staff members:
 - a. Head of the Secretariat of the NCEI;
 - b. 1 (one) Administrative and Communications Officer;
 - c. 1 (one) Legal Expert;
 - d. 1 (one) Economic Expert.
2. Additional consultancy services may be employed depending on the Secretariat's working needs and available funds from the donor.

Secretariat's Responsibilities

3. The Secretariat's primary objective is facilitating a constructive dialogue between the Government of Kosovo and the private sector stakeholders. The Secretariat's duties encompass:
 - a. Coordinating regular sectoral forums with representatives of the private and public sectors to discuss their business concerns and proposals;
 - b. Helping organize at least two flagship annual events: the recognition of most competitive and promising businesses in the first half of the year, and Public-Private Dialogue conference in the second half of the year.
 - c. Assisting the NCEI in deliberating and reviewing specific sectoral matters, as well as legal and administrative procedures stemming from these activities, in order to ensure well-reasoned decisions;
 - d. Coordinating the NCEI activities with the respective Ministers, arranging for consultation meetings with the business regarding their proposals, which will be subject to discussions at the NCEI meetings;
 - e. Preparing and presenting conclusions and recommendations to the NCEI based on its findings;
 - f. Drafting and distributing the NCEI meeting agenda and other relevant materials, in accordance with article 6.
 - g. Preparing the calendar of public-private dialogue activities for the consecutive year and distributing it accordingly to the NCEI members;
 - h. Regularly reporting to the NCEI members on the progress toward set objectives, and the results of the conducted activities.

Article 10 - Work Methodology of the Secretariat of the NCEI

Overview of the Methodology

1. The Secretariat will structure the public-private dialogue through of the following activities:
 - a. Sectoral Forums or Working Groups;
 - b. Surveys;
 - c. NCEI Meetings;
 - d. Annual Recognition Event for Most Competitive and Promising Businesses, and the PPD Conference.
2. The Secretariat is tasked with collecting and analyzing the technical input received during sectoral forums or working groups, as well as by other means of communication with the private sector. The objective is to develop a comprehensive understanding of the challenges and issues encountered by the private sector. Subsequently, the findings are forwarded to relevant public institutions for their comments and insights.
3. The conclusive findings, encompassing both the initial concerns raised by participants and insights from public institutions, will be summarized, filtered, and presented in the form of recommendations during the NCEI meetings.

Surveys

4. The Secretariat will draft and distribute surveys to the business community. The survey responses will serve the Secretariat to further identify and collect data on the business climate in Kosovo, particularly on the private sector's effectiveness and the need for potential reforms.
5. Upon collecting and analyzing the survey responses, the Secretariat will share a summary of the findings with the participating business entities and NCEI members at least ten (10) days before the following NCEI meeting, as well as make the data public in the official website.

Sectoral Forums or Working Groups

6. The primary purpose of the sectoral forums and working groups is to facilitate open and constructive discussions, encouraging businesses to express their concerns and recommendations on enhancing the business environment in Kosovo.
7. The sectoral forums and working groups are regularly held meetings, comprising members from both the private and public sectors, as well as stakeholders, such as international partners, representatives from the academia, civil society, grouped into categories of industries operating in Kosovo, or selected topics.
 - a. The Secretariat will select the attending companies based on data from the Kosovo Tax Administration, using the methodology outlined in Annex 1.

Article 11 - Coordination of the Secretariat's work with the Prime Minister's Office

The NCEI Secretariat coordinates its activities with the Office for Strategic Planning, the Legal Office and the Coordinating Secretariat of the Government, within the Prime Minister's Office. All four of these mechanisms provide assistance to NCEI in drafting, implementing and monitoring reforms to improve the business environment in Kosovo.

Article 12 - Reporting

1. The NCEI is responsible for presenting to the Government of the Republic of Kosova an annual report prepared by the Secretariat.
2. The Report will encompass:
 - a. A summary of the Secretariat's activities and initiatives throughout the year;
 - b. Progress made in implementing the recommendations set forth earlier in the year, or in the previous year;
 - c. An evaluation of the expected and realized impact of these activities on Kosova's business climate.

Article 13 - Validity and Effectiveness of the Rules and Procedures of the NCEI

1. Upon enactment of these Rules and Procedures of the NCEI, any previous regulation serving the same purpose shall be repealed.
2. In case of differences between the NCEI Rules and Procedures in Albanian and English, the version in Albanian will prevail.
3. The NCEI, assisted by the Secretariat, shall be responsible for implementing these Rules and Procedures of the NCEI.
4. The Rules and Procedures are voted on and may be amended by a simple majority vote of the NCEI members that are present, provided that two (2) of the members who vote in favor are representatives of the Government.
5. These Rules and Procedures of the NCEI become effective seven (7) days after being signed by the Chair of the NCEI. The signed document will be made public on the NCEI's official website, which is managed by the Secretariat.

Prime Minister Albin Kurti

Chair of the National Council on Economy and Investment

Prishtina, Kosova

Annex 1: Methodology of Selection of Most Competitive Companies

The following table outlines the methodology for selecting the most competitive companies to attend the sectoral forums of the industry pertaining to their work:

Step 1	Each sectoral forum will invite about twenty (20) companies to discuss their sectorial issues accordingly.
Step 2	Five (5) seats are reserved for micro-enterprises.
Step 3	Tax Administration of Kosovo's dataset allows for the classification of companies belonging in one of the two following datasets: <ul style="list-style-type: none"> - Companies with revenues greater than 1 million Euro/year in one of the years during the past three fiscal years; - Micro-enterprises.
Step 4	Both datasets are grouped into sectors.
Step 5	The sectors are categorized either based on TAK's Classification of Sectors or Forum Sector groups.
Step 6	To determine the share of companies' contribution to each category, the following factors shall be taken into account: <ul style="list-style-type: none"> - Turnover; - Level of export; - No. of employees; - Payments / Taxes; - Investments; - Revenues / employees ; - Revenues / exports (international exposure)
Step 7	Regional weight is calculated as follows: The regional weigh shall be the result of comparing the accumulated turnover share of the municipality, in report to the total turnover for each sector.
Step 8	Weights for each of indicators are assigned as follows: <ul style="list-style-type: none"> - For each of the indicators 1-7, the weights are assigned manually; - Regional weight will be assigned to each company within the sector as calculated by the 7th step.
Step 9	Total score is calculated as the sum of all indicators multiplied by their respective weight. Companies gaining top scores for each sector are selected and invited to attend sectoral forums.