

UNMIK/REG/1999/16

6 November 1999

REGULATION NO. 1999/16

ON THE ESTABLISHMENT OF THE CENTRAL FISCAL AUTHORITY OF KOSOVO AND OTHER RELATED MATTERS

The Special Representative of the Secretary-General, Pursuant to the authority given to him under United Nations Security Council Resolution 1244 (1999) of 10 June 1999, Taking into account United Nations Interim Administration Mission in Kosovo (UNMIK) Regulation No. 1999/1 of 25 July 1999 on the Authority of the Interim Administration in Kosovo, For the purposes of establishing the Central Fiscal Authority in Kosovo and other related matters, Hereby promulgates the following:

Section 1

Central Fiscal Authority

The Central Fiscal Authority, acting under the authority of the Special Representative of the Secretary-General, is responsible for the overall financial management of the Kosovo Budget and the budgets under the responsibility of the municipalities, which together form the Kosovo Consolidated Budget. This budget will be developed, adopted and executed separately from the budget of the United Nations Interim Administration Mission in Kosovo (UNMIK) that is adopted by the General Assembly of the United Nations.

Section 2

Functions

2.1 The Central Fiscal Authority, having consulted the responsible central and municipal spending authorities, shall make recommendations to the Special Representative of the Secretary-General concerning:

formulation of an overall fiscal strategy for the Kosovo Consolidated Budget, in the light of macroeconomic conditions and the effect that fiscal policy may have on economic conditions;

development of a public revenue and expenditure programme for the Kosovo Consolidated Budget and formulation of plans for the control and execution of spending under that revenue and expenditure programme;

formulating policies for the raising and collection of revenues including, but not limited to, direct and indirect taxes, customs and excise taxes, sales taxes, service charges and donor contributions;

controlling and executing the raising of revenues and spending under the Kosovo Consolidated Budget;

e) the establishment of appropriate internal audit arrangements for the Kosovo Consolidated Budget; and,

f) managing the bank accounts of the Kosovo Consolidated Fund.

2.2 The Central Fiscal Authority shall:

develop the Kosovo Consolidated Budget and present this budget to the Special Representative of the Secretary-General for approval and adoption by regulation;

ensure that the budgets of the Municipalities are developed, approved and executed by Municipal Administrators in a manner consistent with assessed macroeconomic conditions

and with the Kosovo Consolidated Budget;

record and report to the Special Representative of the Secretary-General on expenditures and revenues of the Kosovo Consolidated Budget;

arrange for the establishment of an information technology environment to support the functions; and,  
perform any other functions necessary for the above mentioned activities.

### Section 3

#### Head of the Central Fiscal Authority

3.1 The Special Representative of the Secretary-General shall appoint the Head of the Central Fiscal Authority who, as chief executive officer under the day to day supervision of the Deputy Special Representative of the Secretary-General for Economic Reconstruction, Recovery and Development, shall be responsible for managing the Central Fiscal Authority and ensuring that the functions entrusted to it are implemented.

3.2 The Head of the Central Fiscal Authority shall staff, organize and administer the Central Fiscal Authority and shall issue administrative instructions and operating guidelines relating to administration of the Kosovo Consolidated Budget and on any matters pertaining to the functions of the Central Fiscal Authority.

### Section 4

#### Kosovo Consolidated Budget Accounts

4.1 Except as otherwise determined the Special Representative of the Secretary-General, the fiscal year is a year of 12 months, starting on first January and ending on thirty-first December of each calendar year.

The Head of the Central Fiscal Authority shall open and maintain one or more bank accounts for the receipt, custody, payment or transmission of moneys raised or received relating to the Kosovo Consolidated Budget.

Moneys raised or received shall constitute the Kosovo Consolidated Fund, irrespective of whether such monies are initially received into Cash Payment Offices of the Public Payment Service of Kosovo or into bank accounts. With regard to moneys received from the UN Trust Fund for the UN Interim Administration in Kosovo, allocation and reporting arrangements with regard to the transfer shall be entered into by the Controller of the United Nations and the Special Representative of the Secretary-General.

4.4 No expenditure shall be made from the Kosovo Consolidated Fund except by means of appropriations contained in a regulation promulgated by the Special Representative of the Secretary-General.

### Section 5

#### Independent Audit

The Special Representative of the Secretary-General shall ensure that appropriate independent audit arrangements are established for the Kosovo Consolidated Budget. The auditors shall report to the Secretary-General.

### Section 6

#### Personnel and Employment Policy

The Head of the Central Fiscal Authority shall implement non-discriminatory personnel policies designed to ensure that the composition of the staff of the CFA reflects the multi-ethnic character of communities of Kosovo.

#### Section 7

##### Applicable Law

The present regulation shall supersede any provision in the applicable laws which are inconsistent with it.

#### Section 8

##### Implementation

The Special Representative of the Secretary-General may issue administrative directions in connection with the implementation of the present regulation

#### Section 9

##### Entry into Force

The present regulation shall enter into force on 6 November 1999.

Bernard Kouchner

Special Representative of the Secretary-General