



Republika e Kosovës
Republika Kosova/Republic of Kosovo
Akademia e Drejtësisë/Akademija Pravde/Academy of Justice

The Steering Council of the Academy of Justice,

Pursuant to Article 10, paragraph 1, subparagraph 1.1 of Law No. 05/L-095 on Academy of Justice, as well as Article 6, paragraph 3 of Law No. 08/L-294 on amending and supplementing the Law No. 08/L-197 on Public Officials, at the meeting held on 30 July 2026, hereby approves:

REGULATION No.04/2026

ON THE TRANSFER OF EMPLOYEES OF THE ACADEMY OF JUSTICE

Article 1
Purpose

This Regulation defines the rules and procedures for the temporary transfer, permanent transfer and transfer in the event of restructuring of civil servants in the Academy of Justice.

Article 2
Scope

The provisions of this Regulation shall apply to all civil servants with special status in the Academy of Justice.

Article 3
Definitions

1. The following expressions, terms and abbreviations shall have the following meanings:
 - 1.1. Responsible Officer – means the Senior Human Resources Official.
2. Other expressions, terms and abbreviations used in this Regulation shall have the same meaning as defined in the Law on Public Officials.
3. The use of words in one gender shall imply the other gender as well.

CHAPTER I

TEMPORARY TRANSFER

Article 4

Temporary transfer

1. The civil servant may be temporarily transferred to another civil service position of the same category in the following cases:

- 1.1. when it is in the interest of the institution, from six (6) to twelve (12) months during two (2) years;
- 1.2. for the improvement of the work results of the civil servant who has been assessed according to the level “Needs improvement” or “Unsatisfactory”, from six (6) to twelve (12) months during two (2) years;
- 1.3. for temporary health reasons, as far as it is necessary according to the decision of the relevant commission.

2. The temporary transfer as in paragraph 1 of this Article can be done:

- 2.1. within the institution where the civil servant has been appointed;
- 2.2. to another institution within the civil service.

3. Temporary transfer to another civil service institution shall be carried out through a prior agreement between the institution where the civil servant is currently employed and the institution to which the civil servant is transferred.

4. Temporary transfer shall be mandatory, except in the following cases:

- 4.1. when the civil servant's health condition, certified by a medical certificate, makes the transfer impossible;
- 4.2. if the place of transfer is located more than one hundred (100) km from the residence of the civil servant.

5. A civil servant who is temporarily transferred shall enjoy all rights provided for in the LPO and shall return to the previous position upon the expiry of the temporary transfer period.

6. Temporary transfer in the cases provided for in paragraph 1, subparagraphs 1.1 and 1.2 of this Article shall not be applied to civil servants who are serving a probationary period.

Article 5

Temporary transfer in the interest of the institution

1. A civil servant may be transferred in the interest of the institution, upon the request of the institution.

2. Temporary transfer in the interest of the institution may be proposed by the civil servant's immediate supervisor or by the senior administrative manager of the institution.

3. The decision to transfer shall be a reasoned decision of the senior administrative manager of the institution.

4. The justification of the decision on temporary transfer in the interest of the institution shall include an assessment that the civil servant meets the criteria of the position to which he/she is transferred. This assessment shall be carried out by the responsible officer of the AoJ.
5. The responsible officer of the institution where the civil servant is employed shall notify in writing the civil servant to be transferred regarding the transfer decision.
6. The transfer under this Article may be carried out for a period of six (6) to twelve (12) months within two (2) years.

Article 6

Temporary transfer for the improvement of work results

1. A civil servant may be transferred for the improvement of his/her work performance where he/she has been evaluated at the level of “Needs Improvement” or “Unsatisfactory”.
2. The recommendation for transfer under this Article shall be made by the immediate supervisor, in cooperation with the responsible officer.
3. The decision on transfer under this Article shall be taken by the senior administrative manager of the institution.
4. The transfer under paragraphs 1 and 2 of this Article may be carried out for a period of six (6) to twelve (12) months during two (2) years.

Article 7

Temporary transfer due to health reasons

1. Temporary transfer due to health reasons shall be made upon the request of the civil servant, following the decision of the competent medical commission.
2. The decision of the commission referred to in paragraph 1 of this Article shall determine the necessary duration of the temporary transfer for health reasons.
3. Upon receipt of the decision of the Commission referred to in paragraphs 1 and 2 of this Article, the senior administrative manager of the institution shall issue the transfer decision.

Article 8

Temporary transfer to another institution or an international organization

1. A civil servant may be temporarily transferred, by decision of the senior administrative manager, for the needs of the institution or the state, to an international organization in which the Republic of Kosovo is a member or to an international institution.
2. The duration of the temporary transfer referred to in paragraph 1 of this Article can be done in the duration as defined in the relevant agreement or the applicable special legislation.

Article 9
Reimbursements for travel expenses of temporary transfer

A civil servant who is transferred to another workplace at the request of the institution, in another municipality from the municipality where his/her regular workplace is located, shall be entitled to reimbursement of travel expenses by the institution to which the civil servant is transferred.

CHAPTER II
PERMANENT TRANSFER

Article 10
Permanent Transfer

1. Permanent transfer is the mandatory assignment of a civil servant to another civil service position in the following cases:

- 1.1. incapacity due to health reasons to perform the duties of the previous position;
- 1.2. avoidance of a constant conflict of interest, as defined by law;
- 1.3. upon the termination of the suspension, at the request of the civil servant, when he/she cannot return to the previous position;
- 1.4. imposition of transfer as a measure due to professional inadequacy;
- 1.5. imposition of transfer as a disciplinary measure.

2. Permanent transfer pursuant to subparagraphs 1.1 and 1.3 of paragraph 1 of this Article is a decision of the Executive Director and shall be made upon the request of the civil servant.

3. Permanent transfer pursuant to subparagraph 1.2 of paragraph 1 of this Article is a decision of the Executive Director.

4. Permanent transfer pursuant to subparagraph 1.4 of paragraph 1 of this Article is a decision of the Executive Director, upon the consent of the immediate supervisor.

5. Permanent transfer pursuant to subparagraph 1.5 of paragraph 1 of this Article shall be imposed by the Disciplinary Commission of the AoJ.

6. Permanent transfer under this Article may be carried out within the AoJ where the civil servant is employed.

7. By way of exception to paragraph 1 of this Article, permanent transfer in the interest of the institution shall be carried out to a position of the same category within the civil service.

Article 11

Permanent transfer for the interest of the institution

1. A civil servant may be permanently transferred, for the interest of the institution, to another workplace for the performance of the same or different functions, within the same category or in a different category, without any reduction of salary as a result of the transfer.
2. Where the civil servant holds a lower management, middle management or senior management position, the transfer under this Article shall be made for the remaining period of the mandate for which he/she was appointed.
3. Permanent transfer may be carried out to another administrative unit within the same institution or to another institution employing civil servants.
4. The transfer of a civil servant within the same institution shall be carried out in agreement with the immediate supervisor, the Executive Director and with the consent of the civil servant.
5. The transfer of a civil servant to another institution employing civil servants shall be carried out with the consent of the civil servant and upon agreement between the institutions.
6. Refusal of permanent transfer may be made only in the following cases:
 - 6.1. where the civil servant's health condition, certified by a medical certificate, makes the transfer impossible;
 - 6.2. where the place to which the civil servant is to be transferred is located more than one hundred (100) km from the civil servant's place of residence; and
 - 6.3. for proven objective reasons that make the transfer impossible.
7. The objective reasons for refusing the transfer referred to in subparagraph 6.3 of paragraph 6 of this Article shall be assessed on a case-by-case basis by the Executive Director of the institution and shall be supported by the relevant evidence submitted by the civil servant.
8. The justification of the decision on permanent transfer in the interest of the institution shall include an assessment that the civil servant fulfils the requirements of the position to which he/she is transferred. Such assessment shall be carried out by the Responsible Officer of the Academy.
9. In cases of transfer outside the institution, the assessment referred to in paragraph 8 of this Article shall be carried out in cooperation between the Responsible Officers of both institutions.

CHAPTER III

TRANSFER DUE TO DISSOLUTION OR RESTRUCTURING

Article 12

Transfer due to the dissolution or restructuring of the institution

1. If due to the dissolution or restructuring of the institution, the previous position of a civil servant is closed, he/she may be transferred to another civil service position.
2. The transfer referred to in paragraph 1 of this Article may be carried out:
 - 2.1. within the same institution;
 - 2.2. to the institution where the dissolved institution has been merged, to the institution created through division, or to the institution that has assumed the functions previously performed by the civil servant.
3. The transfer shall be carried out in the order determined in paragraph 3 of this Article. Where there are no vacant positions of the same category, or where the civil servant does not fulfil the requirements of the position within the same institution referred to in subparagraph 3.1 of this Article, the transfer may be carried out to another institution in accordance with the order established in paragraph 3.
4. Civil servants of the restructured institution shall be individually notified by the Responsible Officer of the Academy of the commencement of the transfer procedure due to the dissolution or restructuring of the institution. The notification shall be made immediately after the adoption of the act on the restructuring of the institution.

Article 13

Restructuring Commission

1. In cases of the dissolution or restructuring of the institution, the Responsible Officer of the Academy shall, within thirty (30) days from the approval of the restructuring act, establish a Restructuring Commission, which shall examine the possibilities for assigning each civil servant to existing vacant positions and shall propose the transfer of the civil servant to a vacant position for which he/she fulfils the requirements of the position.
2. The Commission shall be chaired by the representative of the Responsible Officer of the Academy and shall consist of two (2) other members with considerable work experience from the Academy of Justice.
3. Within forty-five (45) days from the date of its establishment, the Commission shall submit to the HRMU, in writing, a proposal for the transfer of the civil servant as provided for in paragraph 3 of Article 12 of this Regulation.
4. In its proposal for the transfer of civil servants due to the restructuring of the institution, the Commission shall rely on the job descriptions of the vacant or newly established positions, as well as on the qualifications and records of the civil servants.

5. A separate decision shall be issued for each civil servant.
6. In transferring civil servants due to the restructuring of the institution, the Commission shall determine the order of priority for transfer on the basis of the following criteria:
 - 6.1. the civil servant's experience in the civil service;
 - 6.2. the average work performance evaluation results of the civil servant for the last three (3) years;
 - 6.3. the professional qualifications of the civil servant; and
 - 6.4. the training completed by the civil servant.
7. The Restructuring Commission shall determine the specific weight of the criteria set out in paragraph 6 of this Article and the methodology for the assessment of each criterion.

Article 14

Transfer procedure in case of restructuring

1. Within fifteen (15) days from the date of receipt of the proposal from the Restructuring Commission, the Responsible Officer of the Academy shall decide on the transfer of the civil servant and shall notify the civil servant of the decision.
2. The civil servant may refuse the transfer only on the following grounds:
 - 2.1. where his/her health condition, certified by a medical certificate, renders the transfer impossible;
 - 2.2. where the place to which the civil servant is transferred is located more than one hundred (100) km from the civil servant's place of residence.
3. The civil servant shall have the right to refuse the decision referred to in paragraph 2 of this Article within five (5) days from the receipt of the decision on transfer.
4. The Responsible Officer of the Academy shall verify the grounds for refusal and may revoke the decision where the conditions set out in paragraph 2 of this Article are met and may decide on the transfer of the civil servant to another position.
5. Refusal of the transfer on grounds other than those set out in paragraph 2 of this Article shall constitute grounds for dismissal from the civil service.
6. Civil servants who, following the dissolution or restructuring of the institution, could not be transferred to another civil service position due to the lack of vacant positions or because they do not fulfil the requirements of the positions of the respective category shall be placed on the waiting list.

Article 15

Salary in case of transfer due to restructuring of the institution

1. A civil servant transferred to a position of the same category, as a result of the restructuring of the institution, shall receive the salary of the position in the salary class to which he/she has been transferred.

2. Until the completion of the transfer procedure referred to in Article 14 of this Regulation, the civil servant shall receive the same salary that he/she received prior to the completion of the transfer.

Article 16
The right to appeal

A civil servant shall have the right to lodge an appeal, within thirty (30) days from the receipt of any decision issued pursuant to this Regulation, with the Independent Oversight Board for the Civil Service of Kosovo, in accordance with the provisions of the Law on General Administrative Procedure.

Article 17
Entry into force

This Regulation shall enter into force on the date of its approval.

Fejzullah Rexhepi

Chairman of the Steering Council
Academy of Justice