



REPUBLIKA E SHQIPËRISË  
MINISTRY OF JUSTICE  
MINISTER

No.7276 prot.

Tirana, on 29.12.2023

**ORDER**

No.746, dated 29.12.2023

**FOR**

**APPROVAL OF THE REGULATION “ON THE ORGANIZATION AND  
FUNCTIONING OF THE MINISTRY OF JUSTICE”**

Pursuant to point 4, of Article 102, of the Constitution of the Republic of Albania, as amended, Article 3 and point 2, of Article 7, of Law no.8678, dated 14.05.2001 “Për organizimin dhe funksionimin e Ministrisë së Drejtësisë”, as amended, as well as Order no.582, dated 06.10.2023 “Për ngritjen e grupit të punës për zbatimin e rekomandimeve të raportit përfundimtar të KLSH për Ministrinë e Drejtësisë”;

**I O R D E R:**

1. Approval of the Regulation “Për organizimin dhe funksionimin e Ministrisë së Drejtësisë” according to the text attached to this Order and as an integral part thereof.
2. The Internal Regulation “Për organizimin dhe funksionimin e Ministrisë së Drejtësisë”, approved by Order no.116, dated 30.03.2022, of the Minister of Justice, is abrogated.
3. The general directorates of the Ministry of Justice, the minister’s cabinet, and the subordinate structures are charged with the implementation of this Regulation.
4. The Secretary General is charged with the monitoring of the implementation of the Regulation.

This Order enters into force immediately.

**MINISTER**

**ULSI MANJA**

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**REGULATION**

**“ON THE ORGANISATION AND FUNCTIONING OF THE MINISTRY OF  
JUSTICE”**

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Approved by order no. 746, dated 29.12. 2023 of the Minister of Justice

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## **CHAPTER I**

### **GENERAL PROVISIONS**

#### **Article 1**

##### **Subject matter**

The subject matter of this regulation is the determination of detailed rules regarding the organization and functioning of the Ministry of Justice.

#### **Article 2**

##### **Scope of application**

This regulation extends its effects to all employees of the Ministry of Justice.

#### **Article 3**

##### **The mission of the Ministry of Justice**

1. The Ministry of Justice provides technical support to the Minister of Justice for the fulfillment of the legal mission.

2. The Ministry of Justice, in accordance with the Constitution and laws, exercises functions and is competent for the drafting and supervision of policies, the preparation of legal and sub-legal acts, as well as the provision of necessary services related to the judicial system, the system for the execution of criminal or civil decisions, the system of free juridical-professional services, international cooperation in the civil and criminal field, the fight against corruption, other areas of justice and its competence according to the law, as well as for the coordination, harmonization, and reform of the entire Albanian regulatory framework.

3. The Ministry of Justice exercises competencies, supports, cooperates, and coordinates its activities, according to this regulation, in relation to the governing bodies of the justice system, the institutions of the prison system, the probation service, and the free professions, except in cases where special laws provide otherwise.

#### **Article 4**

## **Principles of organization and functioning of the Ministry**

1. The Ministry of Justice is organized and operates according to the principles of legality, unity and hierarchy, accountability, impartiality, effectiveness, deconcentration, as well as internal institutional cooperation.

2. According to the principle of legality, the Ministry exercises its activities in accordance with the Constitution of the Republic of Albania, ratified international agreements, and the applicable legislation in the Republic of Albania, within the limits of its competencies and in accordance with the purpose for which these competencies have been granted.

3. According to the principle of unity and hierarchy, the Ministry is organized in such a way that each directorate reports to a superior structure or body.

4. According to the principle of accountability, the Ministry is organized in such a way that the employee is subject to the direction and supervision of the relevant superior, both for their own activities and for those of the employee under their supervision, if any.

5. According to the principle of effectiveness, the Ministry is organized in such a way as to fulfill the assigned duties and established objectives with professionalism, dedication, and effectiveness.

6. According to the principle of deconcentration, the performance of administrative functions related to private individuals is organized so as to be carried out as close to them as possible, in order to facilitate their access to information, public services, as well as to ensure their participation in administrative proceedings according to the law.

7. According to the principle of impartiality, every employee of the Ministry who participates in an administrative decision-making procedure acts in accordance with the rules for preventing conflicts of interest, pursuant to the legislation in force.

8. According to the principle of internal institutional cooperation, every employee cooperates with the employees within the administrative unit to which they belong, as well as with employees of other structures within the Ministry, for the fulfillment of objectives.

### **Article 5**

#### **The organizational structure of the Ministry**

1. The Ministry of Justice operates according to the organizational structure, approved by order of the Prime Minister.

2. The organizational structure in the Ministry is divided into political officials, civil servants, as well as administrative employees, as follows:

a) Political officials:

- i. Minister;
- ii. Deputy Minister;
- iii. Cabinet;

b) Civil servants:

- i. Secretary General;
- ii. Director General;
- iii. Director;
- iv. Head of Sector;
- v. Specialist;

c) Administrative employees:

3. Magistrates may be seconded to the civil service of the Ministry in accordance with the provisions set out in the applicable legislation on the status of judges and prosecutors in the Republic of Albania. The rights and obligations provided for in this regulation for civil servants also apply to seconded magistrates, except in cases where otherwise provided in special laws.

## **CHAPTER II**

### **ORGANIZATION AND FUNCTIONING OF THE STRUCTURES OF THE MINISTRY OF JUSTICE**

#### Article 6

##### **Minister of Justice**

The Minister is the political management body who, under his responsibility and within the main directions of state policy, leads the activities of the Ministry's apparatus and its subordinate institutions in fulfilling their mission.

#### Article 7

##### **Deputy Minister**

1. The Deputy Minister directs, monitors, and is accountable to the Minister for the proper conduct of work and for matters within the scope of activities covered according to the provisions set out in the Minister's order.

2. The Deputy Minister substitutes for the Minister in carrying out duties in cases of absence, inability, or physical incapacity to act. The substitution procedure is conducted in accordance with the Administrative Procedures Code.

3. The Deputy Minister is part of the administrative hierarchy only when substituting for the Minister.

4. With the Minister's authorisation, signs acts and correspondence addressed to the state administration bodies.

#### Article 8

##### **The Cabinet**

1. The minister's Cabinet is a support structure for the minister, which directly assists him or her in pursuing the relevant policies, achieving the objectives, as well as assessing their implementation.

2. The Cabinet is composed of:

- a) Director of the Cabinet;
- b) Advisors;
- c) Secretaries.

3. The Cabinet is not part of the hierarchical structure of the Ministry. Cabinet officials do not exercise managerial competence or administrative competences over the employees of the Ministry.



## Article 9 **Cabinet Duties**

1. The minister's Cabinet has the mission of directly assisting the minister in fulfilling governmental policies and the Minister's priority reforms in the field of justice.
2. The Cabinet is specifically responsible for:
  - a) coordination, within the assigned attributes, of relations with state institutions and other public and private entities;
  - b) public relations, communication with electronic and print media, through press conferences, interviews, and various reports;
  - c) the organization, preparation, and protocol of meetings, activities, and appointments chaired by the Minister, personally or on his behalf;
  - ç) implementation of the official protocol;
  - d) reserved mail for the minister;
  - dh) any other duties assigned by the minister.

## Article 10 **Director of the Cabinet**

1. The main function of the Director of the Cabinet is to ensure the necessary conditions for the minister's engagement in matters of political management.
2. The Director of the Cabinet performs the following duties:
  - a) directly assists the Minister in the drafting of policies within the Ministry's area of responsibility;
  - b) monitors the fulfillment of the Minister's priority reforms in the field of justice;
  - c) formally communicates the tasks and instructions given by the Minister to the relevant structures, and monitors their implementation within the specified deadline;
  - ç) requests information and reports on the implementation of the minister's priority policies;
  - d) is responsible for preparing the minister's statements at ministerial meetings or forums, for the timely completion of files for national or international conferences, materials for the press, analyses, articles and other documents, and ensures their compliance with the minister's policies;
  - dh) guides, organises and harmonises the group activity of the Minister's Cabinet;
  - e) keeps the Cabinet informed and distributes work within the Cabinet, depending on the technical expertise of the advisors, as well as requests information regarding the work of the advisors;
  - ë) coordinates work with the minister's advisors for the smooth running of the Minister's activities and for the management of his agenda;
  - f) coordinates processes for communication with the written and electronic media for the coverage of the minister's activities;
  - g) performs any other duty assigned by the minister.

## Article 11 **Advisors**

1. The advisors assist the Minister of Justice in all his duties, providing their support in the respective areas they cover, for the review, analysis, monitoring or drafting of orders, guidelines, methods for the effective management of the institution, speeches, articles, as well as any other duty assigned by the minister or the director of the Cabinet.

2. Depending on the issues for which they are assigned by order of the minister or the director of the cabinet, the advisors have the right to request information and cooperation from each of the Ministry's structures.

## Article 12

### **Minister's secretary**

1. The minister's secretary operates under the direct supervision of the minister and is responsible for assisting the activities of the minister's office and the interaction between the minister and the employees of the Ministry.

2. The secretary performs the following duties:

a) takes care of the minister's agenda and correspondence, as well as the minister's meetings with other public and private entities due to his institutional duties;

b) assists the minister in the activities in which he participates;

c) performs other specific duties assigned by the minister.

3. This provision also applies to the secretary of the Deputy Minister and the Secretary General.

## Article 13

### **Secretary General**

1. The Secretary General is the highest-ranking civil servant in the Ministry. He exercises his functions in accordance with the applicable legislation concerning civil servants, the organisation and functioning of the state administration, the management of the budget system in the Republic of Albania, the financial management and control system, as well as any other legal or bylaw act in force, insofar as it is applicable.

2. The Secretary General reports and is directly accountable to the minister.

3. In the exercise of his functions, the Secretary General performs the following duties:

a) monitors the implementation of approved policies in the field of activity of the Ministry of Justice;

b) ensures the management, supervision, and coordination of the Ministry, in order to fulfill its mission;

c) in accordance with the requirements set forth in law and other bylaws, as well as orders or tasks received from the minister, takes measures for the efficient and effective management of the Ministry's human resources and assets;

ç) the preparation, implementation, internal financial control, monitoring, reporting, accounting, and internal auditing of the Ministry's budget;

d) monitors the implementation of the rules of ethics and the internal regulations of the institution;

dh) convenes meetings, gatherings or working groups of all employees of the Ministry and subordinate institutions, and assigns specific tasks to these employees or structures;

e) supervises and requests reporting and information on the general administrative activity and internal management, as well as on specific administrative issues from the civil servants and administrative staff of the Ministry;

ë) monitors the process of preparing draft normative acts within the area of responsibility of the Ministry and provides opinions, based on the annual programs approved by the Council of Ministers;

f) represents the Ministry in relations with third parties, in accordance with his functional duties, as well as the delegations and authorizations given by the minister;

g) ensures cooperation with other ministries and independent institutions and bodies;

gj) establishes working groups composed of civil servants from the ministry and subordinate institutions, for the completion of temporary and complex tasks that require an intersectoral approach;

h) in case of delegation by the minister, exercises supervision over the subordinate institutions;

i) distributes the incoming files from within and outside the ministry to the directorates of the Ministry and subordinate structures, designating the responsible structure for handling the file, according to competence;

j) assigns other temporary tasks to the employees of the Ministry;

k) assigns other temporary tasks to the employees of the subordinate structures, with the consent of the head of the respective subordinate structure;

l) any other duty, as defined in the applicable regulatory framework, as well as assigned by the minister.

4. The Secretary General is replaced, in case of absence or short-term incapacity, by one of the general directors of the Ministry.

#### Article 14

#### **The General Director**

1. The General Director is a senior level civil servant, responsible for determining the objectives and tasks of the constituent directorates, for monitoring their activity, and for ensuring coordination between them and with the other general directorates of the Ministry.

2. The General Director performs the following duties:

a) manages, supervises, and reports directly to the Secretary General regarding the activity of the general directorate that he/she leads;

b) reports periodically to the Secretary General on the work and activity of the general directorate;

c) prepares reports and makes proposals for the proper functioning of the general directorate;

ç) determines the annual work objectives and ensures the efficient administration of the financial, material, and human resources of the directorate he/she leads;

d) is responsible for discipline in the directorate he/she leads and, based on the legislation in force for the civil service, within the legal competencies, takes measures for any employee who does not comply with the rules;

dh) performs any other duty assigned by the minister or the secretary general.

3. The General Director is replaced in case of absence or temporary incapacity by one of the directors of the general directorate, according to the provisions of the law on the organization and functioning of the state administration.

4. With the authorization of the Secretary General, signs covering letters for acknowledgement and competence addressed to individuals or bodies of state administration.

## Article 15

### **Director of the directorate**

1. The director of the directorate is a civil servant of middle management level, responsible for determining the objectives of the directorate, if they are not determined by a higher hierarchical level, for planning the activities of the directorate and fulfilling its tasks, by providing guidance and instructions, as well as by monitoring the activities of the sectors and the personnel within them.

2. The director of the directorate coordinates work vertically with the structures under his/her subordination and is responsible for:

- a) the fulfillment of tasks assigned by the applicable regulatory framework or by the respective superiors, within the deadline and reporting thereon;
- b) the legality of the activities of the directorate he/she manages;
- c) ensuring ethics and discipline in the directorate he/she manages;
- ç) the fair and proportional allocation of tasks;
- d) conducting the analysis of training needs for the staff of the directorate, as well as assessing the impact of these trainings on the improvement of the directorate's performance;
- dh) conducting the annual analysis of institutional performance, within the scope covered by the directorate, in implementation of the annual work objectives;
- e) carrying out any other task assigned by the superiors.

3. The director of the directorate is replaced in the case of absence or temporary incapacity by one of the heads of sector, according to the provisions of the law on the organization and functioning of the state administration.

## Article 16

### **Head of Sector**

1. The head of sector is a low-level managerial civil servant, responsible for the proper functioning and coordination of work in the respective sector.

2. The head of sector coordinates the work within the sector with the specialists under his/her supervision and is responsible for:

- a) the fulfillment of tasks assigned by the applicable regulatory framework or by the relevant superiors, within the deadline and reporting on them;
- b) the legality of the sector's activity;
- c) the fair and proportional allocation of tasks;
- ç) carries out any other task assigned by the superiors.

3. The head of sector is replaced, in case of absence or temporary incapacity, by the higher-level civil servant of the same sector, according to the provisions of the law on the organization and functioning of the state administration.

## Article 17

### **Specialist**

1. The specialist is an executive-level civil servant.
2. The specialist is responsible for:
  - a) the implementation of tasks assigned by the superior, within the deadlines, in accordance with the job description and the provisions of these rules;
  - b) cooperates, under the supervision of the superior, with other structures of the Ministry for the pursuit of assigned tasks;
  - c) performs any other task assigned by the superiors.

## Article 18

### **Administrative employee**

1. The administrative employee is an employee who performs administrative, secretarial, maintenance, service, and security activities and does not exercise a public function.
2. The administrative employee is responsible for:
  - a) the performance of tasks assigned by the regulatory framework in force or by the relevant superiors, within the deadline and reporting on them, in accordance with the job description and the provisions of these rules;
  - b) performs any other task assigned by the superiors.

## **CHAPTER III**

### **FUNCTIONS OF THE STRUCTURES OF THE MINISTRY OF JUSTICE**

## Article 19

### **General Directorate of Codification and Harmonisation of Legislation**

1. The General Director of the General Directorate of Codification and Harmonisation of Legislation is responsible for:
  - a) Drafting legal and sublegal acts in the field of justice, except for legal and sublegal acts that are within the competence of other state bodies, according to the provisions of special laws;
  - b) Providing specialised opinion on draft legal and normative sublegal acts of the Council of Ministers, of ministers and of the heads of other central institutions, as well as on the implementation of the reform of legislation in general;
  - c) providing specialised opinion on the content of draft international agreements, which are concluded in the name of the Republic of Albania or the Council of Ministers;
  - d) Providing opinions on draft normative acts proposed by other directorates within the organisational structure of the Ministry or by subordinate institutions, on issues related to the field of justice which fall within the area of responsibility of the Minister of Justice;
  - e) Preparation and monitoring of the implementation of the unified Albanian methodology for the legislative process, drafting normative acts and legal terminology;

- f) Monitoring and implementation of policies and activities related to issues of approximation of the justice system to relevant international initiatives and structures, as well as coordination of work with other structures of the Ministry, and with other institutions, for the purpose of aligning Albanian legislation with that of the European Union and its Member States;
- g) To take care of and support scientific activities in the field of justice, in cooperation with faculties of law, bodies governing the justice system, courts and prosecution offices, technical assistance missions, national and international organisations, as well as any other party whose aim is the development of scientific activities in the field of justice, through the preparation of manuals, commentaries, monographs or informational bulletins on jurisprudential developments in domestic or international law.

2. The General Directorate of Codification and Harmonisation of Legislation comprises the following directorates:

- a) Directorate of Public Law;
- b) Directorate of Criminal and Civil Law.

#### Article 20

##### **Directorate of Public Law**

1. Director of the Directorate of Public Law based on the legislation in the field of public law, according to the indicative list attached as Annex A to this regulation or for any other act designated by the Director General, shall perform the following duties:
  - a) Organises the work for the preparation of studies, analyses, and interpretations of the legal framework, regulations, and policies for the purpose of the work of the Directorate of Public Law;
  - b) Organises the work for drafting policies aimed at deepening and accelerating legal reforms for the purpose of European integration;
  - c) Organises the work for the preparation of legislation with the aim of harmonising Albania's domestic legislation in the field of Public Law and its alignment with international standards;
  - d) Responsible for carrying out activities related to the drafting of legislative and bylaw acts of the justice system, as well as draft agreements in the field of Public Law;
  - e) Identifies, analyses, and proposes the drafting of policies aimed at improving the methodology and unified standards for drafting legislation in the field of Public Law;
  - f) Organises the work for the drafting of the legal opinion for draft bylaw acts of the Council of Ministers and agreements in the field of Public Law;
  - g) Provides guidance for the process of coordinating work with other institutions to reflect the comments of the Ministry of Justice on bylaw initiatives and agreements in the field of Public Law that are entered into on behalf of the Republic of Albania or the Council of Ministers;
  - h) Carries out ex ante and ex post analysis of acts in the field of Public Law together with the sector;

- i) Oversees, organises, and controls the work with sector managers and coordinators, as well as the responsible structures of the subordinate institutions of the Ministry of Justice, when applicable, for providing an accurate and clear legal opinion, in accordance with the legislation in force;
- j) Assesses the contribution in the preparation of defense submissions before the Constitutional Court, in the examination of the constitutionality of legal and bylaw acts in the field of administrative law and judicial authority, in accordance with the area of responsibility of the Ministry of Justice;
- k) Assesses the provision of opinions on matters of administrative law and judicial authority that are raised for the unification of judicial practice in the High Court, in accordance with the area of responsibility of the Ministry of Justice.

2. The Directorate of Public Law is composed of the following sectors:

- a) Sector of Administrative Law and Judicial Authority;
- b) Sector of Social Law, Education and Child;
- c) Sector of Economic, Financial, Industrial Law and Entrepreneurship.

3. The Head of the Sector of Administrative Law and Judicial Authority has the following duties:

- a) Is responsible for supervising and carrying out activities for preparing the review of draft acts in the field of Administrative Law and Judicial Authority, according to the indicative list of legislation included in annex A, as well as for contributing to the drafting of policies and strategies in this field, according to the indicative list of legislation included in annex A;
- b) Coordinates and supervises the preparation of studies, analyses, and interpretations of the legal framework, regulations, and policies for the purpose of the work of the Sector of Administrative Law and Judicial Authority;
- c) Coordinates and supervises the drafting of policies aimed at deepening and accelerating legal reforms in the function of European integration;
- d) Coordinates and supervises the preparation of legislation with the aim of harmonizing domestic Albanian legislation in the field of Administrative Law and Judicial Authority and aligning it with international standards;
- e) Is responsible for carrying out activities related to the drafting of legislative and bylaw acts of the justice system, as well as draft agreements in the field of Administrative Law and Judicial Authority;
- f) Identifies, analyzes, and proposes the drafting of policies aimed at improving the methodology and unified standards for drafting legislation in the field of Administrative Law and Judicial Authority;
- g) Coordinates and supervises the drafting of legal opinions for draft bylaw acts of the Council of Ministers and agreements in the field of Administrative Law and Judicial Authority;
- h) Contributes to and facilitates the process of coordinating work with other institutions for the reflection of the comments of the Ministry of Justice on bylaw initiatives and agreements in the field of Administrative Law and Judicial Authority that are signed on behalf of the Republic of Albania or the Council of Ministers;

- i) Carries out, together with the sector, *ex ante* and *ex post* analysis of acts in the field of Administrative Law and Judicial Authority;
  - j) Coordinates the work with coordinators and superiors as well as the responsible structures and subordinate institutions of the Ministry of Justice, as applicable, for providing accurate and clear legal opinion, in accordance with the legislation in force;
  - k) Supervises the provision of contributions in the preparation of defense submissions before the Constitutional Court, in the review of the constitutionality of legislative and bylaw acts in the field of administrative law and judicial authority, in accordance with the area of responsibility of the Ministry of Justice;
  - l) Supervises the provision of opinion on matters of administrative law and judicial authority that are raised for the harmonisation of judicial practice in the High Court, in accordance with the area of responsibility of the Ministry of Justice;
4. The Coordinator of the Administrative Law and Judicial Authority Sector has the following duties:
- a) Is responsible for carrying out activities related to the preparation for the review of draft acts in the field of administrative law and judicial authority, according to the indicative list of legislation included in annex A, as well as for contributing to the drafting of policies and strategies in this field, according to the indicative list of legislation included in annex A;
  - b) Prepares studies, analyses, and interpretations of the legal framework, regulations, and policies, for the purposes of the work of the Administrative Law and Judicial Authority Sector;
  - c) Drafts draft acts for the implementation of policies aimed at deepening and accelerating legal reforms in the framework of European integration;
  - d) Reviews and prepares legislation with the aim of harmonising Albanian domestic legislation in the field of administrative law and judicial authority and aligning it with international standards;
  - e) Is responsible for carrying out activities related to the drafting of legal and sub-legal acts of the justice system, as well as draft agreements in the field of law administrative law and judicial authority;
  - f) Identifies, analyses, and proposes the drafting of policies aimed at improving the methodology and unified standards for drafting legislation in the field of administrative law and judicial authority;
  - g) Drafts legal opinions on the draft sub-legal acts of the Council of Ministers and agreements in the field of administrative law and judicial authority;
  - h) Coordinates work with other institutions for the reflection of the Ministry of Justice's comments on sub-legal initiatives and agreements in the field of administrative law and judicial authority which are concluded on behalf of the Republic of Albania or the Council of Ministers;
  - i) Carries out analyses *ex ante* and *ex post* of acts in the field of administrative law and judicial authority;
  - j) Coordinates work with colleagues and superiors, as well as the responsible structures and subordinate institutions of the Ministry of Justice, where applicable, for providing accurate and clear legal opinions, in accordance with the legislation in force;



- k) Contributes to the preparation of defensive submissions before the Constitutional Court, in the review of the constitutionality of legal and sub-legal acts in the field of administrative law and judicial authority, in accordance with the area of responsibility of the Ministry of Justice;
- l) Provides opinions on matters of administrative law and judicial authority that are raised for the unification of judicial practice in the High Court, in accordance with the area of responsibility of the Ministry of Justice.

5. The Head of the Social Law, Education, and Child Sector has the following duties:

- a) Is responsible for supervising and carrying out activities related to the preparation and review of draft acts in the field of social law, education, and the child, according to the indicative list of legislation included in Annex A, as well as for contributing to the drafting of policies and strategies in this field, according to the indicative list of legislation included in the annex. Coordinates and supervises the preparation of studies, analyses, and interpretations of the legal framework, regulations, and policies for the purposes of the work of the Social Law and Education Sector;
- b) Coordinates and supervises the drafting of policies aimed at deepening and accelerating legal reforms in the function of European integration;
- c) Coordinates and supervises the drafting of legislation with the aim of harmonizing the domestic Albanian legislation in the field of Social Law, Education, and the Child, and aligning it with international standards;
- d) Is responsible for carrying out activities related to the drafting of legal and bylaw acts of the justice system, as well as draft agreements in the field of Social Law, Education, and the Child;
- e) Identifies, analyzes, and proposes the drafting of policies aimed at improving the methodology and unified standards for drafting legislation in the field of Social Law, Education, and the Child;
- f) Coordinates and supervises the drafting of legal opinions for draft bylaw acts of the Council of Ministers and agreements in the field of Social Law, Education, and the Child;
- g) Contributes to and facilitates the coordination process with other institutions for the reflection of comments from the Ministry of Justice on bylaw initiatives and agreements in the field of Social Law, Education, and the Child that are related in the name of the Republic of Albania or the Council of Ministers;
- h) Carries out, together with the sector, ex ante and ex post analyses of acts in the field of Social Law, Education, and the Child;
- i) Coordinates work with coordinators and superiors as well as the responsible structures and subordinate institutions of the Ministry of Justice, where applicable, for providing accurate and clear legal opinion, in accordance with the applicable legislation;

6. The Coordinator of the Sector of Social Law, Education, and the Child has the following duties:

- a) Is responsible for carrying out activities for the preparation and review of draft acts in the field of social law, education, and the child, according to the indicative list of legislation included in annex A, as well as for contributing to the drafting of policies

and strategies in this field, according to the indicative list of legislation included in annex A.

- b) Prepares studies, analyses, and interpretations of the legal framework, regulations, and policies, for the purposes of the work of the Sector of Social Law, Education, and the Child;
- c) Drafts draft acts in implementation of policies aiming at deepening and accelerating legal reforms for the purpose of European integration;
- d) Reviews and prepares legislation with the aim of harmonizing Albanian domestic legislation in the field of Social Law, Education, and the Child and aligning it with international standards;
- e) Is responsible for carrying out activities related to the drafting of legal and bylaw acts of the justice system, as well as draft agreements in the field of Social Law, Education, and the Child;
- f) Identifies, analyzes, and proposes the drafting of policies aimed at improving the methodology and unified standards for drafting legislation in the field of Social Law, Education, and the Child;
- g) Drafts legal opinions for bylaw draft acts of the Council of Ministers and agreements in the field of Social Law, Education, and the Child;
- h) Coordinates work with other institutions for the reflection of the Ministry of Justice's comments on bylaws initiatives and agreements in the field of Social Law, Education, and the Child that are entered into on behalf of the Republic of Albania or the Council of Ministers;
- i) Carries out ex ante and ex post analyses of acts in the field of Social Law, Education, and the Child;
- j) Coordinates work with colleagues and superiors, as well as the responsible structures and subordinate institutions of the Ministry of Justice, when necessary, for providing accurate and clear legal opinions, in accordance with the applicable legislation.

7. The Head of the Economic, Financial, Industrial, and Entrepreneurship Law Sector fulfills the duties set forth in Article 20, point 5, of this regulation, for the legislation in the field of economic, financial, industrial, and entrepreneurship law according to the indicative list attached as Annex A of this regulation or for any other act designated by the Director of the Directorate of Public Law.

8. The Coordinator of the Economic, Financial, Industrial, and Entrepreneurship Law Sector fulfills the duties set forth in Article 20, point 6, of this regulation, for the legislation in the field of economic, financial, industrial, and entrepreneurship law according to the indicative list attached as Annex A of this regulation or for any other act designated by the Director of the Directorate of Public Law.

#### Article 21

#### **Directorate of Criminal and Civil Law**

- 2. The Director of the Directorate of Criminal and Civil Law, based on legislation in the field of criminal and civil law, according to the indicative list attached as Annex A of this regulation or for any other act designated by the Director General, performs the following duties:

- a) Ensures and evaluates the execution of activities related to the preparation and review of draft acts in the field of criminal and civil law, according to the indicative list of legislation included in Annex A, as well as evaluates the contribution made towards the drafting of policies and strategies in this field, according to the indicative list of legislation included in Annex A;
- b) Organizes the work for preparing studies, analyses and interpretations of the legal framework, regulations and policies, for the purpose of the work of the Directorate of Criminal and Civil Law;
- c) Organizes the work for drafting policies aimed at deepening and accelerating legal reforms for the purpose of European integration;
- d) Organizes the work for the preparation of legislation with the aim of harmonizing internal Albanian legislation in the field of Criminal and Civil Law and aligning it with international standards;
- e) Responsible for the execution of activities related to the drafting of legal and bylaw acts of the justice system, as well as draft agreements in the field of Criminal and Civil Law;
- f) Identifies, analyzes and proposes the drafting of policies aimed at improving the methodology and unified standards for drafting legislation in the field of Criminal and Civil Law;
- g) Organizes the work for drafting the legal opinion on draft bylaw acts of the Council of Ministers and agreements in the field of Criminal and Civil Law;
- h) Provides guidance on the process of coordinating work with other institutions for the reflection of the comments of the Ministry of Justice on bylaw initiatives and agreements in the field of Criminal and Civil Law that are entered into on behalf of the Republic of Albania or the Council of Ministers;
- i) Conducts, together with the sector, ex ante and ex post analysis of acts in the field of Criminal and Civil Law;
- j) Supervises, organizes and controls the work with sector managers and coordinators, as well as the responsible structures and subordinate institutions of the Ministry of Justice, as appropriate, in order to provide accurate and clear legal opinion, in accordance with the applicable legislation;
- k) Evaluates the contribution in preparing the defense submissions before the Constitutional Court, in the review of the constitutionality of legal and bylaw acts in the field of criminal and civil law, in accordance with the scope of responsibility of the Ministry of Justice;
- l) Evaluates the provision of opinions on criminal and civil law matters that are submitted for unification of judicial practice at the High Court, in accordance with the scope of responsibility of the Ministry of Justice.

2. The Directorate of Criminal and Civil Law is composed of the following sectors:

- a) Civil Law Sector;
- b) Criminal Law Sector.

3. The Head of the Civil Law Sector fulfills the tasks specified in Article 20, point 3, of this Regulation, for the legislation in the field of civil law according to the indicative list attached as Annex A to this Regulation or for any other act designated by the Director of the Directorate of Criminal and Civil Law.

4. The Coordinator of the Civil Law Sector fulfills the tasks specified in Article 20, point 4, of this Regulation, for the legislation in the field of civil law according to the indicative list attached as Annex A to this Regulation or for any other act designated by the Director of the Directorate of Criminal and Civil Law.

5. The Head of the Criminal Law Sector fulfills the tasks specified in Article 20, point 3, of this Regulation, for the legislation in the field of criminal law according to the indicative list attached as Annex A to this Regulation or for any other act designated by the Director of the Directorate of Criminal and Civil Law.

6. The Coordinator of the Criminal Law Sector fulfills the tasks specified in Article 20, point 4, of this Regulation, for the legislation in the field of economic, financial, industrial, and entrepreneurship law according to the indicative list attached as Annex A to this Regulation or for any other act designated by the Director of the Directorate of Criminal and Civil Law.

#### Article 22

### **General Regulatory Directorate of Justice Affairs**

1. The Director General of the General Regulatory Directorate of Justice Affairs ensures the fulfillment of the following tasks:

a) is responsible for the organization and functioning of services related to the judicial system and justice, except for those services which fall under the competence of state bodies, according to the provisions of special laws;

b) evaluates the information obtained from institutions, citizens, media, as well as data generated by respective electronic systems in relation to the applicable legal provisions, and concludes whether there are reliable data indicating that the magistrate has committed disciplinary violations;

c) submits for approval to the Minister of Justice, the complaint addressed to the High Justice Inspector for alleged disciplinary violations by magistrates, or the request addressed to the High Justice Inspector for the conduct of institutional and thematic inspections in courts and in the prosecution offices;

ç) submits for approval to the Minister of Justice the substantiated request addressed to the High Justice Inspector for inspection, only after having assessed all the information obtained, in relation to the applicable legal provisions, indicating that there are reliable data that the magistrate has committed disciplinary violations;

d) supervises the functioning of the criminal judgment enforcement system, the civil judgment enforcement system and the enforcement of executive titles, as well as the activity of the Official Publications Center, the State Archive of the Judicial System, state-guaranteed legal aid, as well as any other activity determined according to the applicable legislation;

dh) ensures and supports the exercise, organization, and functioning of the profession of lawyer, notary, mediator, insolvency practitioner, and other liberal professions related to the justice system, in accordance with the provisions of the applicable special legislation in the respective field;

e) supervises, controls, inspects and undertakes disciplinary proceedings for the profession of notary, private bailiff, mediator, insolvency practitioner, and other liberal professions related to the justice system, in accordance with the provisions of the applicable special legislation in the respective field;

ë) supports the realization of activities in the field of juvenile justice, for the protection of their rights and legitimate interests, legal education and prevention of violations of the law by them, as well as for the provision of services to minors by the relevant structures of the justice system, according to the provisions of the applicable special laws in the respective field;

f) directs forensic services;

gj) follows international cooperation in the criminal and civil field and, in accordance with international agreements to which the Albanian state is a party, the establishment of jurisdictional relations with the competent authorities of other states, as well as with international bodies;

h) supervises the work for maintaining and administering electronic and physical format registers authorized by the applicable regulatory framework;

i) prepares recommendations for the prosecution, within the framework of the fight against crime;

j) prepares proposals for taking organizational measures, with the purpose of fulfilling recommendations in the fight against crime, based on the assessment of information transmitted by the General Prosecutor's Office and the Head of the Special Prosecutor's Office;

k) handles complaints against judicial activities, as well as complaints submitted against subordinate institutions or liberal professions.

2. The General Regulatory Directorate of Justice Matters comprises the following directorates:

a) Directorate for Jurisdictional Relations and Interjudicial Cooperation;

b) Directorate of Justice Matters and Monitoring of Subordinate Institutions;

c) Directorate for Monitoring of Liberal Professions.

## Article 23

### **Directorate for Jurisdictional Relations and Interjudicial Cooperation**

1. Director of the Directorate for Jurisdictional Relations and Interjudicial Cooperation has the following duties:

a) carries out mutual judicial cooperation between Albanian and foreign judicial authorities, in implementation of International Conventions to which Albania is a party, in accordance with domestic legislation;

b) directs and coordinates the implementation of institutional policies and guidelines provided by the head in the subject matter of the directorate's activity;

c) prepares reports on the implementation of international judicial cooperation agreements and relations with various states within the framework of the integration process;

2. Directorate for Jurisdictional Relations and Interjudicial Cooperation is composed of the following sectors:

a) Sector of Jurisdictional Relations with Foreign Countries in the Criminal Field;

b) Sector for International Agreements for Interjudicial Cooperation;

c) Sector for Official Translation for Interjudicial Cooperation and Certification of International Agreements.

3. The Head of the Sector of Jurisdictional Relations with Foreign Countries in the Criminal Field has the following duties:

- a) Supervises and follows procedures related to requests for extradition, recognition of decisions, transfer of proceedings or letters rogatory, etc.;
- b) Supervises and follows procedures related to requests for international judicial cooperation;
- c) Ensures the correct implementation of international agreements in the criminal field and verifies the alignment of the provisions of international conventions with domestic legislation in the documents handled by the specialists;
- d) Prepares information memos for superiors on issues encountered by the Sector during the implementation of conventions or domestic legislation;
- e) Ensures compliance with the legal deadlines set for handling requests by the specialists;
- f) Provides opinions and participates in interministerial and international meetings held within the framework of international judicial cooperation;
- g) Prepares correspondence in response to Institutions regarding requests for information or various complaints;
- h) Handles requests for international judicial cooperation of a confidential or secret nature;
- i) Handles requests from the new vetting bodies such as KPK, KPA or ONM;

4. The Specialist of the Sector for Jurisdictional Relations with Foreign Countries in the Criminal Field has the following duties:

- a) Carries out the communication and cooperation between Albanian judicial authorities and foreign authorities, with the aim of fulfilling mutual requests for extradition from abroad and to abroad of citizens declared internationally wanted;
- b) Carries out the communication and cooperation between Albanian authorities and foreign judicial authorities, with the aim of fulfilling mutual requests, from abroad and to abroad, for the recognition and enforcement of criminal judgments;
- c) Carries out the communication and cooperation between Albanian authorities and foreign judicial authorities, with the aim of fulfilling mutual requests, from abroad and to abroad, for the transfer of criminal proceedings or for the prosecution of offences;
- d) Carries out the communication and cooperation between Albanian authorities and foreign judicial authorities, with the aim of executing the requests of the General Prosecutor's Office, SPAK, in the context of the process of decriminalization and verification of the integrity of officials.
- e) Carries out the communication and cooperation between Albanian authorities and foreign judicial authorities, with the aim of obtaining information in the context of the requests from the vetting bodies such as KPK, KPA, and ONM;
- f) Carries out the communication and cooperation with foreign judicial authorities, with the aim of fulfilling mutual requests, from abroad and to abroad, for legal assistance in the criminal field (letter rogatory);
- g) Carries out, upon request of domestic or foreign judicial authorities, the exchange of criminal records through the General Directorate of Prisons;
- h) Prepares informative reports on specific issues in the activity of DMJBN;
- i) Implements and updates developments in international law in accordance with changes to domestic legislation;
- j) Ensures the necessary statistics within the framework of reporting related to the Integration process.

5. The Head of the International Agreements Sector for Judicial Cooperation has the following duties:

- a) Follows the procedure regarding the negotiation and signing of new agreements for international judicial cooperation;
- b) Supervises and ensures the implementation of international agreements for judicial cooperation in accordance with domestic legislation;
- c) Provides opinions and assessments on new agreements signed in the field of international judicial cooperation;
- d) Coordinates work with judicial bodies, as well as relevant institutions regarding the implementation of agreements in the field of international judicial cooperation;
- e) Follows and coordinates activities for reporting on the implementation of international judicial cooperation agreements and relations with different states within the framework of the Integration process;
- f) Provides opinions within the framework of relevant policies, on the identification of needs for approximation of international judicial cooperation agreements with domestic legislation, within the framework of the European integration process in the field of judicial cooperation;
- g) Provides opinions regarding the modalities of participation of the Ministry's representatives in regular meetings, inter-ministerial and international meetings held within the framework of international judicial cooperation;

6. The Specialist of the International Agreements Sector for Judicial Cooperation has the following duties:

- a) Conducts analysis and provides opinions on international agreements in the field of international judicial cooperation;
- b) Conducts judicial cooperation between Albanian and foreign judicial authorities in the civil field, such as: requests for legal assistance, notification and delivery of acts, notification for appearance at judicial hearings in civil matters, etc.
- c) Conducts judicial cooperation between Albanian and foreign judicial authorities in civil, family, and child matters, such as: international child abduction, maintenance obligations, exercise of parental responsibility, etc.
- d) Implements duties related to activities for reporting on the implementation of agreements and relations with different states and statistics;
- e) Handles letters rogatory in the criminal field to meet the work needs of the Jurisdictional Relations with Foreign Countries Sector in the Criminal Field;
- f) Provides support and gives opinions regarding negotiated agreements in the criminal and civil field, applicable by this directorate;
- g) Cooperates with the General Directorate of Codification and Harmonization of Legislation in following the procedures for the signing of negotiated agreements in the criminal and civil field, applicable by this directorate;

7. The Head of the Official Translation Sector for Judicial Cooperation and Certification of International Agreements has the following duties:

- a) Coordinates and oversees the administrative activity of external translations for implementation in accordance with the law and within the required legal deadlines;

- b) Judges within the framework of the relevant policies, for the management of work related to contacting official translators of the Ministry of Justice, who have contracted with the MoJ;
  - c) Follows up and implements the translation within legal deadlines of the official documentation or acts drafted by the Sector for Jurisdictional Relations with Foreign Countries in the Criminal Field and the Sector for International Agreements and Judicial Cooperation;
  - d) Supervises and coordinates the administrative activity for the certification of the Albanian text of various agreements, between the Council of Ministers of the Republic of Albania and Foreign Counterparts;
8. The Specialist of the Official Translation Sector for Judicial Cooperation and Certification of International Agreements has the following duties:
- a) Implements duties for translation from and into foreign languages within legal deadlines of official documentation, related to the extradition of Albanian and foreign nationals, letters rogatory and legal assistance, judicial acts, acts of the prosecution offices, courts, in the framework of executing letters rogatory, transfer of sentenced Albanian or foreign nationals, acts of foreign judicial authorities addressed to Albanian authorities, courtesy letters of the institution's head;
  - b) Follows and implements the translation within the legal deadlines of the official documentation or acts drafted by the Sector of Jurisdictional Relations and Judicial Cooperation.
  - c) Implements duties related to the official certification of the Albanian text of various agreements between the Council of Ministers of the Republic of Albania and foreign governments;
  - d) Implements duties based on the law for official translation and the bylaws issued for its implementation;
  - e) Provides technical support in the management of work related to contacting official translators, which consists in delivering and receiving materials, tracking the required deadlines for translations, drafting minutes for each material that needs translation, etc.
  - f) Communicates with official translators regarding various issues in the field of translation;
  - g) Handles practices assigned by superiors for specific issues in the field of translation.

## Article 24

### **Directorate of Justice Affairs and Monitoring of Dependent Institutions**

1. The Director of the Directorate of Justice Affairs and Monitoring of Dependent Institutions has the following duties:
- a) Evaluates and approves recommendations for taking necessary measures related to violations identified during inspections carried out in the Dependent Institutions in the Civil and Criminal Fields;
  - b) Evaluates information regarding the taking of necessary concrete measures in the framework of services related to Dependent Institutions, as well as the forwarding of recommendations for them.



- c) Monitors the activity of Dependent Institutions through the handling of complaints, statistics, evaluation of work analyses for each institution, and resolved issues;
- d) Follows and evaluates procedures for the verification or handling of complaints/requests related to justice issues and dependent institutions;
- e) Evaluates the process of updating the Justice Reform within the meetings of the High Judicial Council and the High Prosecutorial Council;
- f) Represents the Directorate at the institutional level, cooperates, establishes and maintains continuous contacts with other state institutions;

2. The Directorate of Justice Issues and Monitoring of Dependent Institutions is composed of the following sectors:

- a) The Sector of Relations for Justice Issues;
- b) The Sector for Monitoring Dependent Institutions in the Civil Field;
- c) The Sector for Monitoring Dependent Institutions in the Criminal Field

3. The Head of the Sector of Relations for Justice Issues has the following duties:

- a) Guides the specialists and follows the activity of the sector for the proper conduct of the process of preliminary administrative investigation of complaints related to courts and prosecutor's offices, by identifying the issues;
- b) Supervises the process of updating the Justice Reform within the framework of plenary meetings of the High Judicial Council and the High Prosecutorial Council;
- c) Supervises the process of reviewing applications for court experts, the complaints of experts, and the process of verifying the legal criteria for registered experts;
- d) Supervises and finalizes the drafting process of the Priority Recommendations of the Council of Ministers for the Prosecutor General and the Head of SPAK;
- e) Assesses the complaints received from institutions or citizens in relation to the information obtained and the applicable legal provisions, indicating that there is reliable information that the magistrate has committed a disciplinary violation, by submitting a request to the High Inspector of Justice for thematic inspections or nominal inspections of magistrates.

4. The Specialist of the Sector for Relations on Justice Issues has the following duties:

- a) Collects and analyses the information and statistical data transmitted by the prosecution authority for the purpose of drafting the Priority Recommendations of the Council of Ministers for the Prosecutor General and the Head of SPAK;
- b) Conducts the preliminary administrative investigation of complaints regarding the prosecution and the judiciary, and reports the issues identified;
- c) Carries out the administrative investigation of requests for compensation of former political persecuted persons within the legal deadlines, as well as drafts draft acts within the framework of approving the compensation lists;
- d) Updating the Justice Reform within the framework of monitoring, as an observer, the plenary meetings of the High Judicial Council and the High Prosecutorial Council;
- e) Administers and updates the Electronic Registry of Experts, through the verification of existing/new applications, and handles complaints and any issues related to it;
- f) Ensures the receipt of information from the court/prosecution confirming that the magistrate has committed a disciplinary violation, and drafts the request addressed to the High Justice Inspector for carrying out thematic/nominal inspections of magistrates;

5. The Head of the Sector for Monitoring of Subordinate Institutions in the Civil Field has the following duties:

- a) Supervises, coordinates, and monitors the administrative activity of the Sector for Monitoring of Subordinate Institutions in the Civil Field, and reports to the Director of the Directorate;
- b) Guides the specialists and follows the activity of the sector for the proper conduct of the administrative investigation process of complaints/requests related to subordinate institutions in the civil field;
- c) Assesses the complaints/requests of subordinate institutions in the civil field and the recommendations for taking necessary measures to resolve the issues;
- d) Follows and supervises the actions for monitoring the subordinate institutions in the civil field of the Ministry of Justice, and assesses the need for legal changes for each institution in the context of the identified issues;
- e) Carries out administrative investigations at the subordinate structures whenever necessary, based on the category of issues referred by individuals/interest groups or by the subordinate structures themselves, and evaluates the inspection report with the relevant recommendations;
- f) Supervises and evaluates the process of gathering information and data from subordinate institutions in the civil field, and finalizes proposals on technical and legal issues, as well as other matters related to the sector's area of responsibility;

6. Specialist of the Sector for Monitoring Subordinate Institutions in the Civil Field.

- a) Carries out actions for monitoring the subordinate institutions in the civil field of the Ministry of Justice, as well as performs analysis of the legislation on which the activity of each institution is based;
- b) Follows up, evaluates the issues presented in requests/complaints, and requests information or the taking of necessary measures for their execution from the subordinate institutions in the civil field;
- c) Drafts recommendations for taking the necessary measures to resolve the issues identified during the monitoring of the activity of subordinate institutions in the civil field;
- d) Carries out administrative investigations at subordinate structures in every necessary case, based on the category of issues encountered as referred by individuals/interest groups or by the subordinate structures themselves, and prepares the inspection report with the relevant recommendations;
- e) Collects and manages the information and reports of subordinate institutions in the civil field, as well as the proposals on technical and legal issues submitted by these institutions.

7. The Head of the Sector for Monitoring Subordinate Institutions in the Criminal Field has the following duties:

- a) Evaluates the recommendations/proposals of the institutions for legal and organizational measures regarding the functioning of subordinate institutions in the criminal field, resolving issues, violations identified during inspections/controls, as well as monitors their activity;
- b) Follows, supervises, and controls the process of administrative investigation regarding

the handling of complaints submitted by citizens and institutions related to the activity of subordinate institutions in the criminal field, violations of the rights of minors, convicts, and detainees;

- c) Evaluates the adoption of legal and administrative measures in the context of Juvenile Criminal Justice, the functioning of the Integrated Data System of Juvenile Criminal Justice, as well as the guarantee of the rights of minors;
  - d) Supervises and guides the specialists during the handling of requests from the Special Prosecutor's Office against Corruption and Organized Crime for placing prisoners under the special regime of the exercise of rights in the high security prison, as well as handling requests for sentence pardon;
  - e) Supervises and guides the specialists during the fulfillment of the functions of the technical secretariat at commissions such as: the Disciplinary Measures Appeals Commission, the Criminal Sentence Execution Commission, as well as other commissions established in implementation of legal provisions and bylaws in force.
8. Specialist of the Sector for Monitoring Dependent Institutions in the Criminal Field:
- a) Conducts administrative investigation of complaints submitted by citizens and institutions, which are related to the activity of dependent institutions in the criminal field, violations of the rights of minors, convicts, and detainees, and drafts recommendations at the conclusion of the investigation;
  - b) Evaluates and provides an opinion to the Institution of the Presidency regarding requests for sentence pardons;
  - c) Handles requests from the Special Prosecution against Corruption and Organized Crime for the placement of prisoners under the special regime for the exercise of rights in the high-security prison;
  - d) Drafts the relevant documents and paperwork, records the decisions, takes measures, and maintains correspondence for the conduct of meetings in the role of the technical secretariat regarding the review of prison police complaints at the Disciplinary Measures Appeals Commission at the Ministry of Justice;
  - e) Drafts the relevant documents and paperwork for the recording of decisions, taking of measures, and maintains correspondence for the conduct of meetings in the role of technical secretariat at the Commission for the Execution of Criminal Decisions;
  - f) Drafts recommendations for legal and organizational measures regarding the functioning of subordinate institutions in the criminal field, the resolution of issues, violations identified during inspections/checks, as well as monitoring of their activities;
  - g) Monitors and addresses various aspects of the functioning of the Integrated Data System of Juvenile Criminal Justice, coordinating activities with the responsible structures and institutions.

## Article 25

### **Directorate for the Monitoring of Liberal Professions**

1. The Director of the Directorate for the Monitoring of Liberal Professions has the following duties:

a) ensures the effective and professional exercise of control and the respective reporting in order to guarantee the supervision of compliance with the Constitution, laws, the realization and protection of dignity, human rights and fundamental freedoms, as well as contributing to the prevention of violations of the law, in accordance with and in function of the requirements of democratic development and European integration by professionals who practice liberal professions;

b) proposes and drafts policies that aim, in accordance with the law, to support and monitor liberal professions;

c) is responsible for preparing and drafting specific measures within the framework of improving necessary services related to the system of free legal-professional services, etc.

d) Is responsible for maintaining and administering the respective registers.

2. The Directorate for the Monitoring of Liberal Professions is composed of the following sectors:

a) Sector for the Monitoring of Notarial Activity;

b) Sector for the Monitoring of Private Judicial Enforcement Activity;

c) Sector for the Monitoring of Other Liberal Professions.

3. The Head of the Sector for the Monitoring of Notarial Activity has the following duties:

a) Conducts and coordinates inspections regarding the functioning of the activity of professionals practicing notary services, as well as prepares recommendations for the Minister of Justice regarding the taking of necessary measures for the resolution of problems and for the violations found during inspections;

b) Prepares recommendations regarding legal and organizational measures for the functioning of notarial activity in order to elevate them towards European standards;

c) Follows and handles practices related to notary services;

d) Is responsible for maintaining and administering the respective registers.

4. The Specialist of the Sector for the Monitoring of Notarial Activity has the following duties:

a) Conducts inspections regarding the functioning of the activity of professionals practicing the notary profession, as well as prepares recommendations for the Minister of Justice regarding the taking of necessary measures for the resolution of problems and for the violations found during inspections;

b) Prepares recommendations regarding legal and organizational measures for the functioning of notarial activity in order to elevate them towards European standards;

c) Handles practices related to notary services;

5. The Head of the Sector for the Monitoring of Private Judicial Enforcement Activity has the following duties:

a) Conducts and coordinates inspections regarding the functioning of the activity of professionals practicing enforcement activity, as well as prepares recommendations for the Minister of Justice regarding the taking of necessary measures for the resolution of problems and for the violations found during inspections;

b) Prepares recommendations regarding legal and organizational measures for the functioning of private judicial enforcement activity in order to elevate them towards European standards;

c) Follows and handles practices related to private judicial enforcement activity;

d) Takes care of the maintenance and administration of the relevant registers.

6. The Specialist of the Sector for the Monitoring of Private Judicial Enforcement Activity has the following duties:

- a) Conducts inspections regarding the functioning of the activity of professionals practicing enforcement activity, as well as prepares recommendations for the Minister of Justice regarding the taking of necessary measures for the resolution of problems and for the violations found during inspections;
- b) Prepares recommendations regarding legal and organizational measures for the functioning of notarial activity in order to elevate them towards European standards;
- c) Handles practices related to private judicial enforcement agents, as well as assistant enforcement agents;

7. The Head of the Sector for Monitoring Other Liberal Professions has the following duties:

- a) Conducts and coordinates inspections regarding the functioning of the activity of professionals exercising other liberal professions such as real estate intermediaries, dispute resolution intermediaries, and lawyers, as well as prepares recommendations for the Minister of Justice regarding the taking of necessary measures for the resolution of problems and for the violations found during inspections;
- b) Prepares recommendations regarding legal and organizational measures for the functioning of the activity of the liberal professions;
- c) Monitors and handles practices related to real estate intermediaries, dispute resolution intermediaries, and lawyers;
- d) Takes care of the maintenance and administration of the relevant registers.

8. The Specialist of the Sector for Monitoring Other Liberal Professions has the following duties:

- a) Carries out verifications, checks, and inspections regarding the functioning of the activity of professionals exercising liberal professions (real estate intermediaries, dispute resolution intermediaries, and lawyers), as well as prepares recommendations for the Minister of Justice regarding the taking of necessary measures for resolving problems and for violations found during inspections;
- b) Carries out the process for administering and making available to the public an electronic register for real estate intermediaries and dispute resolution intermediaries;
- c) Prepares recommendations regarding legal and organizational measures for the functioning of liberal professions and for raising them towards European standards;
- d) Handles practices related to liberal professions (real estate intermediaries, dispute resolution intermediaries, and lawyers);

## Article 26

### **General Directorate of Anti-Corruption**

1. The General Director of the General Directorate of Anti-Corruption has the following duties and responsibilities:

- a) Directs and organizes the activity of the General Directorate of Anti-Corruption;

- b) Reports to and answers to the Minister of Justice/National Anti-Corruption Coordinator;
  - c) Proposes to the National Anti-Corruption Coordinator policies for improving anti-corruption mechanisms within the framework of prevention, awareness, and punishment;
  - d) Coordinates the work for drafting and developing policy documents, reflecting the approach of the National Anti-Corruption Coordinator in these documents;
  - e) Coordinates the work for preparing proposals for the improvement of the strategic and legal framework in the field of anti-corruption;
  - f) Coordinates the work process for concluding cooperation agreements for the purpose of combating corruption, with public administration institutions, according to areas of responsibility, for promoting cooperation on issues of combating corruption, as well as with structures of other countries responsible for anti-corruption matters;
  - g) Proposes changes to the internal structure, regulations, and job descriptions of the General Directorate of Anti-Corruption;
  - h) Coordinates the work for identifying issues by recommending to the National Anti-Corruption Coordinator the cases for which referral of the matter to the Prosecutor's Office is required;
  - i) Oversees the cooperation of the Network with the institutions that are part of the Network, in fulfillment of the mission defined in the decision of the Council of Ministers on the organization and functioning of the Network of Anti-Corruption Coordinators;
  - j) Oversees the cooperation of the Anti-Corruption Coordinators with the officials of the General Directorate of Anti-Corruption;
  - k) Identifies issues and recommends measures for improving the activity of the directorate that he/she leads, by recommending the standardization of practices followed by this directorate and by the Anti-Corruption Coordinators;
  - l) Participates in the six-month evaluation of the Anti-Corruption Coordinators;
  - m) Represents the directorate for all its functions before peer structures in central institutions, as well as before peer structures abroad;
  - n) Cooperates and coordinates activities with foreign institutions regarding administrative investigation matters;
  - o) Manages the electronic system for managing reports of corrupt records;
2. The General Directorate of Anti-Corruption represents the Network of Anti-Corruption Coordinators (hereinafter, the Network).
3. The General Directorate of Anti-Corruption is composed of the following directorates:
- a) Directorate of the Network of Anti-Corruption Coordinators;
  - b) Directorate of Anti-Corruption Programs and Projects;
  - c) Operational Directorate for Anti-Corruption Issues.

## Article 27

### **Directorate of the Network of Anti-Corruption Coordinators**

1. The Directorate of the Network of Anti-Corruption Coordinators has the following duties:

- a) Represents the Ministry/Network in working groups, with approval from KKA;
- b) Follows and monitors the activity of the Network and the progress of relations with other institutions;
- c) Conducts the performance evaluation of the Anti-Corruption Coordinators;
- d) Directs and organizes the work for identifying issues by recommending to the General Director the cases for which an in-depth investigation is required in support of the Anti-Corruption Coordinator or the carrying out of thematic verifications/control plans in the institutions that are part of the Network;
- e) Prepares concrete proposals in service of work and improvement of standards and presents them to superiors;
- f) Coordinates the work of the directorate with the institutions that are part of the Network;
- g) Presents and gives recommendations to the General Director for measures and interventions aimed at improving the legal framework or respective anti-corruption regulations;
- h) Participates in the drafting of legal and bylaw acts in the fight against corruption;
- i) Accesses the electronic system for managing reports of corrupt records;

2. The Directorate of the Anti-Corruption Coordinators' Network consists of the following sectors:

- a) The Anti-Corruption Network Monitoring Sector;
- b) The Analysis and Reporting Sector.

3. The Head of the Anti-Corruption Network Monitoring Sector has the following duties:

- a) Supports the activities of the Coordinators who are part of the Network, in fulfillment of the mission of the anti-corruption structure;
- b) Participates in administrative investigations, pursuant to the order of the National Coordinator Against Corruption;
- c) Monitors reports on the progress of the implementation of activities for the Network, by collecting and coordinating information from all institutions that are part of the Network;
- d) Reports on the performance of the Network, on information and data in the field of anti-corruption, as well as on technical issues of the sector;
- e) Proposes the initiation of administrative investigations or the closure of the specific case;
- f) Checks and analyzes the necessary information for preliminary corruption investigations;
- g) Collects, analyzes, and coordinates all information on corrupt cases referred by various sources and forwards it to the respective coordinator;
- h) Accesses the electronic case management system for records of corruption and ensures that all documentation or additional correspondence related to complaints/cases delegated by superiors is uploaded into the system;
- i) Participates in in-depth investigations in institutions that are part of the Network, pursuant to the orders of superiors;
- j) Represents the Ministry of Justice in court for cases related to reports received in the capacity of the National Coordinator against Corruption;

4. The Specialist of the Anti-Corruption Network Monitoring Sector has the following duties:
  - a) Monitors, pursuant to the instructions of superiors and the division of duties, the activity of the Coordinator against Corruption;
  - b) Collects, analyzes, and coordinates all information on corrupt cases referred by various sources;
  - c) Participates in administrative investigations, according to the division of duties by superiors;
  - d) Monitors the implementation of the measures recommended by reports approved by the KKA, the enforcement of disciplinary measures, and the conduct of criminal investigations;
  - e) Prepares proposals for initiating administrative investigations or proposals for the closure of a specific case;
  - f) Accesses the electronic system for managing whistleblowing on corrupt records and ensures that every documentation or additional correspondence related to complaints/cases delegated by superiors is uploaded to the system;
  - g) Represents the Ministry of Justice in court for matters related to reports received in the capacity of National Coordinator against Corruption;  
Participates in in-depth investigations in institutions that are part of the Network, pursuant to the orders of superiors;
5. The Head of the Department of Analysis and Reporting has the following duties:
  - a) Evaluates and prepares periodic reports on the progress of the Network;
  - b) Evaluates and prepares analyses on processes or directorates with high risk in institutions that are part of the Network;
  - c) Evaluates and prepares special reports for each institution that is part of the Network;
  - d) Evaluates and prepares risk analyses for each institution that is part of the Network;
  - e) Guides and directs the Coordinators on risk analyses;
  - f) Evaluates and prepares periodic reports on the implementation of measures recommended by the reports approved by KKA, for the execution of disciplinary measures and criminal investigations;
  - g) Analyzes and conducts assessments of the Network's performance report;
  - h) Participates in in-depth investigations, according to the division of tasks by superiors;
  - i) Reports to the director of the directorate on the progress of reports and risk analyses;
  - j) Accesses the electronic system for managing reports of corrupt records and ensures that any documentation or additional correspondence related to complaints/cases delegated by superiors is uploaded to the system;
  - k) Represents the Ministry of Justice in court for matters related to the reports received in the capacity of the National Coordinator against Corruption;
  - l) For the purpose of proper management of the work of the General Directorate, carries out other duties assigned by the Director of the Directorate or the Director General.
6. The Specialist of the Analysis and Reports Sector has the following duties:
  - a) Drafts periodic reports on the progress of the Network of Coordinators against Corruption;
  - b) Drafts analyses on processes or directorates with high risk in the institutions that are part of the Network;



- c) Drafts special reports for each institution;
- d) Drafts and participates in the preparation of the risk analysis for each institution that is part of the Network;
- e) Drafts statistics for each sector, coordinator, and institution that is part of the Network;
- f) Drafts periodic reports on the implementation of the measures recommended by the reports approved by KKA, the execution of disciplinary measures and criminal investigations;
- g) Analyses and participates in the preparation of the performance report of the Network of Coordinators against Corruption;
- h) Participates in administrative investigations, according to the orders of superiors;
- i) Reports to the head of the sector on the progress of reports and risk analyses;
- j) Accesses the electronic management system for corruption reports and ensures that any additional documentation or correspondence related to complaints/cases delegated by superiors is uploaded to the system;
- k) Represents the Ministry of Justice in court for matters related to reports received in the capacity of the National Coordinator against Corruption.

## Article 28

### **Directorate of Anti-Corruption Programmes and Projects**

1. The Director of the Directorate of Anti-Corruption Programmes and Projects has the following duties:

- a) Directs the work of the directorate for the anti-corruption strategic framework, the legal framework of the field, and anti-corruption instruments;
- b) Is responsible for drafting and developing policy documents, represents the approach of the NACC in these documents;
- c) Coordinates work processes for the development of anti-corruption initiatives and activities, conferences, projects, reporting, analyses, and initiatives for legislative proposals related to the anti-corruption field;
- d) Prepares concrete proposals in service of the work and improvement of standards in support of field programmes and presents them to the superior;
- e) Cooperates and coordinates activities with foreign institutions regarding the development and implementation of projects and programmes in the field of anti-corruption;
- f) Submits and provides recommendations to the Director General regarding measures and interventions for the improvement of reforms for the development of anti-corruption policies;
- g) Participates in the drafting of the PBA for the field of anti-corruption projects and programmes;
- h) Participates in the drafting of legal and bylaw acts in the fight against corruption.

2. The Directorate of Anti-Corruption Programmes and Projects is composed of the following sectors:

- a) The Sector of Strategic Planning and Monitoring in the Anti-Corruption Field;
- b) The Sector of Research, Analysis and Communication in the Anti-Corruption Field.

3. The Head of the Sector of Strategic Planning and Monitoring in the Anti-Corruption Field has the following duties:

- a) Manages the work of the sector for the development and drafting of policy documents in the field of anti-corruption (strategies), drafting of action plans, implementation of anti-corruption policy measures, drafting of monitoring reports;
- b) Supervises and coordinates the drafting and monitoring of anti-corruption instruments (integrity plans) in all public authorities, with the approval of the superior;
- c) Prepares technical information in the anti-corruption field and makes concrete proposals to serve the work;
- d) Participates in cooperative initiatives with domestic and foreign authorities (partners) in the anti-corruption field, with the approval of the Director General;
- e) Supervises and coordinates the technical secretariat of the Anti-Corruption Thematic Team, with the approval of the Director;
- f) Cooperates and coordinates activities with foreign institutions (partners) regarding the development and implementation of policy instruments in the anti-corruption field, with the approval of the Director;
- g) Prepares, reports, and represents data in the anti-corruption field to governmental and intergovernmental institutions, with the approval of the Director;
- h) Prepares, reports, and represents data in the anti-corruption field to homologous authorities of partner countries, international and regional organizations, with the approval of the Director of the Directorate;
- i) Coordinates and evaluates the basic input prepared by the sector specialists for field reports to other and international institutions and informs the supervisor;
- j) Participates in the drafting of the MTEF for the field of Anti-Corruption Programs and Projects;
- k) Represents the activity of the sector it covers, within the framework of drafting, reporting of field information, implementation, and internationalization of data and field policies, with the approval of the Director of the Directorate;

4. The Specialist of the Sector for Strategic Planning and Monitoring in the Field of Anti-Corruption has the following duties:

- a) Follows the work processes for the development of anti-corruption initiatives and activities and the entire activity of the Directorate in the field of anti-corruption preventive policies;
- b) Prepares concrete recommendations within the framework of relevant policies and contributes to the drafting of legal documents, bylaws, action documents, work plans, anti-corruption instruments, and field reports;
- c) Monitors, according to supervisors' instructions, the implementation of strategic documents and action plans in the field and drafts monitoring reports;
- d) Prepares reporting information for other governmental and intergovernmental institutions and foreign partners;
- e) Manages, reports, and evaluates information on the field of anti-corruption, provides proposals on technical issues and other matters related to the sector's areas;
- f) Prepares the organisation of Anti-Corruption Thematic Team meetings at the technical and political level;

- g) Prepares and monitors the completion of questionnaires and descriptive information for counterparts and organizations where Albania has obtained membership;
  - h) Conducts research and develops and drafts policy documents in the field of anti-corruption, including drafting anti-corruption action plans, implementing anti-corruption policy measures, and drafting monitoring reports;
  - i) Drafts/Prepares the basic input for reporting in the field against reporting documents to other institutions and international bodies in the field of anti-corruption;
  - j) Monitors the implementation of tasks within the framework of anti-corruption sector programs;
  - k) Ensures that the sector's activity is open and transparent for collaborators and the public;
  - l) Collaborates with institutions under the dependency of the Ministry of Justice and beyond for acts in the field of anti-corruption;
5. The Head of the Research, Analysis, and Communication Sector in the Field of Anti-Corruption has the following duties:
- a) Supervises the work of the sector for the development of policy documents in the field of anti-corruption, analytical documents, and the addressing of interventions;
  - b) Coordinates work processes for researching issues and drafting analyses, concluding with reports for superiors;
  - c) Proposes interventions in the regulatory acts in force through research and field analyses;
  - d) Conceptualizes and collaborates in the development of initiatives and activities with awareness-raising effects such as conferences, meetings, production of materials, products, publications, broadcasts, and their dissemination;
  - e) Coordinates and presents anti-corruption communication and visibility with governmental and intergovernmental organizations, inside and outside the country, with the approval of the superior;
  - f) Participates in cooperative initiatives with domestic and foreign authorities (partners) in the field of anti-corruption in the area of anti-corruption research policies, with the approval of superiors;
  - g) Prepares, reports, and represents data in the field of anti-corruption within the framework of visibility and communication to counterpart structures, inside and outside the directorate, with the approval of superiors;
  - h) Is responsible for anti-corruption visibility and communication by periodically informing the superior;
  - i) Participates in the drafting of the Annual Work Plan (PBA) for the area of Anti-Corruption Programs and Projects.
6. The Specialist of the Sector of Research, Analysis, and Communication in the Field of Anti-Corruption has the following duties:
- a) Follows work processes for the development of research and analytical work in accordance with the territorial area of responsibility and within the timeframe of the activity of the National Anti-Corruption Coordinator;
  - b) Prepares specific recommendations within the framework of governmental policies in the field and contributes through them to the drafting of legal, strategic, action documents, and anti-corruption instruments;

- c) Drafts and implements the Annual Communication and Visibility Plan in the field of anti-corruption, as well as conceptualizes, proposes, and maintains constant communication and visibility in this field, carefully preparing various communication tools;
- d) Ensures that the activity of the sector is open and transparent for collaborators and the public;
- e) Coordinates the work for the implementation of awareness campaigns with national and international partners, as well as maintains relationships with CSOs by informing superiors;
- f) Carries out work processes for the development of anti-corruption initiatives and activities and the entire activity of the National Anti-Corruption Coordinator;
- g) Conducts surveys and polls for the purpose of collecting information;
- h) Prepares summary reports, various information, and specific proposals in support of the work and in support of projects and programs in the field of communication and visibility, and presents them to the head of the sector;
- i) Contributes to working groups organized by the Ministry in the field of anti-corruption communication and visibility projects and programs;
- j) Prepares, coordinates, and ensures the distribution of the information bulletin (e-bulletin) with information from the Network, on a monthly basis with the approval of superiors.

## Article 29

### **Operational Directorate for Anti-Corruption Issues**

1. The Director of the Operational Directorate for Anti-Corruption Issues performs the following duties:

- a) Directs and organizes the work of the Operational Directorate for Anti-Corruption Issues;
- b) Reports and responds to the director general regarding the activity of the directorate it covers;
- c) Supervises and conducts in-depth administrative investigations in institutions that are part of the Network;
- d) Carries out the entire administrative investigation procedure, in the line ministries, when requested by the Prime Minister;
- e) At the conclusion of the investigations carried out, identifies the issues by recommending to the director general their referral to the relevant law enforcement authorities;
- f) Prepares and presents recommendations to the director general for measures and interventions in order to improve the relevant legal framework in the field of anti-corruption;
- g) Monitors the implementation of the functional duties of the specialists of this directorate and evaluates their work;
- h) Participates in the drafting of legal and sublegal acts in the fight against corruption;

- i) Accesses the electronic management system for reports of corrupt records and ensures that any additional documentation or correspondence related to complaints/cases delegated by superiors is uploaded to the system.
2. Specialist of the Operational Directorate for Anti-Corruption Issues has the following duties and responsibilities:
- a) Conducts in-depth investigations in the institutions that are part of the Network;
  - b) Participates in the administrative investigation procedure, in the line ministries, when requested by the Prime Minister;
  - c) Supports the activity of the Coordinators who are part of the Network, in fulfillment of the duties assigned to the Minister of Justice, in the capacity of National Coordinator Against Corruption;
  - d) Prepares the final reasoned report, as well as recommendations for the progress of the treatment of the case under inspection;
  - e) Identifies issues and recommends to superiors, according to the hierarchy, the adoption of measures of a recommendatory or disciplinary nature, or the referral to law enforcement authorities;
  - f) Carries out duties by coordinating work with other directorates within the general directorate and with institutions that are part of the Network;
  - g) Carries out duties for the coordination and harmonization of activities with foreign institutions related to administrative investigation issues, pursuant to the agreements concluded for this purpose;
  - h) Coordinates the administrative activity of the working group during in-depth investigations and reports to superiors according to the hierarchy;
  - i) Represents the Ministry of Justice in court for matters related to reports received in the capacity of National Coordinator Against Corruption;
  - j) Performs the role of Coordinator Against Corruption in those structures where the position of coordinators is vacant;
  - k) Accesses the electronic system for managing complaints related to records of corruption and ensures that any additional documentation or correspondence related to complaints/cases delegated by superiors is uploaded to the system.

#### Article 30

#### **General Directorate of Policies and Projects in the Field of Justice, Integration and Negotiations**

1. The General Directorate of Policies and Strategies in the Field of Justice has the following duties and responsibilities:

- b) Ensures support for the holders in the drafting and coordination of policies in the field of justice and their evaluation, as well as analyzes policy proposals and ensures coordination with other policies at the national level;
- c) Coordinates with the responsible unit in the Prime Minister's Office for policies in the field of justice, ensures the establishment and implementation of monitoring and evaluation systems within the justice sector, as well as coordinates the monitoring and evaluation of the implementation of policies in the field of justice;

c) Leads and manages the work for coordination with structures within the Ministry and its subordinated institutions, the KKIPA structure in the ministry responsible for Europe and foreign affairs, as well as SASPAK, for Assistance projects provided by the European Union, as well as projects with donations from institutions or international organizations;

d) Leads and coordinates the process of integration into the European Union, within the framework of the Political Criteria and Chapter 23 of the *acquis* “Judiciary and fundamental rights”, as well as other chapters, where the Ministry of Justice is a contributing institution;

dh) Leads and coordinates the process of preparation for the drafting of the Rule of Law Roadmap for the areas covered by Chapter 23 and for the Roadmap for the Functioning of Democratic Institutions, as well as the process of preparation for negotiating positions for Chapter 23 and for the Functioning of Democratic Institutions.

2. The General Directorate of Policies and Projects in the Field of Justice, Integration and Negotiations comprises three directorates:

a) Directorate of Policies and Strategies in the Field of Justice;

b) Directorate of Projects in the Field of Justice;

c) Directorate of Integration and Negotiations.

#### Article 31

#### **Directorate of Policies and Strategies in the Field of Justice**

1. The Director of the Directorate of Policies and Strategies in the Field of Justice performs the following duties:

a) Leads and coordinates work processes related to the drafting of policies and strategies in the field of justice, with other structures of the Ministry, subordinate institutions, line ministries, new justice governance institutions, other institutions, etc.;

b) Responsible for achieving objectives, through identifying and analyzing monitoring reports on the existing situation and the goals to be achieved in the field of justice;

c) Responsible for coordinating work processes related to the drafting of action plans and the indicator passport for strategies in the field of justice;

ç) Follows the implementation of tasks within the framework of policies, strategies, and their monitoring in the field of justice;

d) Conducts assessments regarding various strategic documents that affect the area of responsibility of the Ministry of Justice;

dh) Responsible for fulfilling the directorate's obligations within the framework of Albania's European integration for the political criterion and Chapter 23 “Judiciary and fundamental rights”, as well as for other chapters where the Ministry of Justice is a contributor (Economic Criterion, Chapter 7, Chapter 18, Chapter 24 of the *acquis*); *acquis*);

e) Responsible for drafting the Statistical Yearbook;

ë) Prepares summary reports, various information, evaluation analyses, and concrete proposals in support of the work and in support of the directorate, and submits them to the General Director.

2. The Directorate of Policies and Strategies in the Field of Justice is composed of two sectors.

a) Sector of Policies and Strategies in the Field of Justice;

b) Sector for Monitoring the Implementation of Priorities and Statistics.

3. The Head of the Sector of Policies and Strategies in the Field of Justice has the following duties:

- a) Supervises and coordinates the work processes related to the drafting of policies and strategies in the Field of Justice, with the MD-dependent Institutions, Line Ministries, the new Institutions of Justice Governance, other institutions, etc.
- b) Supervises the implementation of tasks for the achievement of objectives, through the identification and analysis of monitoring reports on the existing situation and the goals to be achieved in the field of justice;
- c) Conducts research, develops and drafts policy documents, strategies, as well as action plans in the field of justice;
- d) Follows the implementation of tasks within the framework of policies and strategies in the field of justice.
- e) Provides opinion/assessment regarding various strategic documents that affect the area of responsibility of the Ministry of Justice;
- f) Prepares summary reports, various information, evaluation analyses and concrete proposals in support of the work and in support of the sector, and presents them to the Director of the Directorate.

4. The Specialist of the Sector for Policies and Strategies in the Field of Justice has the following duties:

- a) Drafts policy documents, strategies, action plans in the field of justice, with the aim of developing the justice system;
- b) Coordinates and harmonizes the work for drafting policies, strategies and action plans in the Field of Justice, with structures within the MoJ, the subordinate institutions of the MoJ, with the independent institutions of the justice system, with Line Ministries, International Organizations, NGOs and Civil Society;
- c) Prepares reports, legal analyses, proposals in accordance with the objectives of the sector's work activity and reports to the responsible officer of the sector.

5. The Head of the Sector for Monitoring the Implementation of Priorities and Statistics has the following duties:

- a) Is responsible for and oversees the implementation of monitoring, the realization of priorities and statistics, in fulfillment of the policy vision and strategic objectives and action plans in the field of justice;
- b) Coordinates and oversees the process of reporting, processing and analyzing statistical data in the field of justice with the aim of drafting the final statistical information, which is transmitted through the Statistical Yearbook;
- c) Advises and drafts programs for improving mechanisms regarding the collection of statistical data;
- d) Coordinates and is responsible for drafting monitoring reports for the Strategies and their Action Plans, in the field of justice, according to the deadlines specified in each strategy;
- e) Is responsible for and oversees the fulfillment of obligations within the framework of European integration for the political criterion and chapter 23 "Judiciary and

fundamental rights”, as well as for other chapters in which the Ministry of Justice is a contributor.

6. The Specialist of the Sector for Monitoring the Realization of Priorities and Statistics has the following duties:

- a) Coordinates with line ministries, independent institutions, the judiciary, the prosecution, and subordinate institutions, NGOs, regarding the progress of the implementation of respective measures in the Strategies within the field of justice;
- b) Prepares monitoring reports for the Strategies and their respective action plans in the field of justice according to the deadlines specified in each strategy;
- c) Cooperates and coordinates work processes related to the realization of priorities in fulfillment of the vision of policies and strategic objectives in the field of justice;
- d) Collects, processes, and analyzes statistical data of the justice system periodically based on the law of the Ministry of Justice, as well as special laws;
- e) Coordinates, monitors, and reports statistical data in the field of justice;
- f) Carries out obligations within the framework of Albania’s European integration for the political criterion and chapter 23 “Judiciary and fundamental rights”, as well as for other chapters in which the Ministry of Justice is a contributor;
- g) Drafts the statistical yearbook.

## Article 32

### **Directorate of Projects in the Field of Justice**

1. The Director of the Directorate of Projects in the Field of Justice performs the following main duties:

- a) Oversees the process of coordination and implementation of the general policy in the field of justice for the programming and monitoring of IPA projects, or projects financed by other donors, with the aim of consolidating the justice reform, as well as facilitating and managing integration processes;
- b) Oversees the process of coordination with other justice institutions for the purpose of conducting analyses, drafting reports on the programming, monitoring, or coordination of projects funded by the EU and other donors, with the aim of fulfilling institutional priorities and objectives;
- c) Oversees the coordination and communication between donors, structures of the Ministry of Justice, subordinate institutions and independent institutions of the Ministry of Justice;

2. The Directorate of Projects in the Field of Justice consists of the following sectors:

- a) Programming and Drafting Sector for IPA and Donor Projects in the Field of Justice;
- b) Sector for the Monitoring of IPA and Donor Projects in the Field of Justice.

3. The Head of the Programming and Drafting Sector for IPA and Donor Projects in the Field of Justice performs the following main duties:

- a) Oversees and coordinates work with institutions subordinate to the Ministry of Justice, to identify their needs, with the aim that their needs are translated into projects;
- b) Oversees the programming of IPA projects in the field of justice, in coordination with the directorates within the Ministry and the subordinate institutions;



- c) Organizes and coordinates the planning of ready-to-be-presented projects for the donor, the financier, with the status of projects;
- d) Oversees and coordinates the work for drafting programming documents for various programs in the field of justice in consultation with the directorates that will benefit from foreign assistance, with the National IPA Coordinator, as well as with international partners providing foreign assistance;
- e) Consults and reviews programming documents upon the request of the National IPA Coordinator;
- f) Maintains contacts with the structures of the Ministry of Justice, the subordinate institutions, as well as with the line ministries involved in the project programming process.

4. The Specialist of the Sector for Programming and Drafting IPA Projects and Donors in the Field of Justice performs the following main duties:

- a) Contributes and participates in the consultative process with the National IPA Coordinator and the beneficiary institutions regarding the programming and drafting of documents in the field of justice;
- b) Coordinates with the institutions subordinate to the Ministry of Justice to identify their needs, with the aim that their needs are translated into projects;
- c) Programs IPA projects in the field of justice in coordination with the directorates within the Ministry, the subordinate institutions, and other independent justice institutions;
- d) Prepares and reviews programming documents, upon the request of the State Agency for Strategic Programming and Coordination of Foreign Aid, in cooperation with the structures of the Ministry of Justice, the institutions subordinate to it, and the independent institutions of the justice system, and follows the finalisation of the approval of the projects;
- e) Plans ready-to-submit projects to the donor, financier, with the status of the projects;
- f) Drafts and prepares the documentation in cooperation with HIPAU on IPA structures and sends the documentation according to the Procedures Manual, to the General Directorate of Financing and Contracting for EU Funds, the World Bank and other donors, to the ministry responsible for finance and economy;
- g) Cooperates and drafts programming documents for various programs in the field of justice in consultation with the directorates that will benefit from foreign assistance, with the National IPA Coordinator, as well as with international partners providing foreign assistance.

7. The Head of the Sector for Monitoring IPA Projects and Donors in the Field of Justice performs the following main duties:

- a) Supervises and coordinates the preparation of materials and information on the monitoring and reporting of the progress of IPA and other donor projects for all projects in the field of justice for the Ministry of Justice, the line ministries involved in the process, the managerial structures for IPA projects in the Prime Minister's Office such as: (State Agency for Strategic Programming and Coordination of Foreign Aid), for the KKIPA structure, as well as the ministry responsible for finance and economy;

- b) Supervises and organizes the work for monitoring and gathering information from all independent institutions that are involved in the implementation of projects financed by the EU or other donors in the field of justice;
  - c) Supervises and coordinates with beneficiary institutions for reporting the issues that arise during the implementation of projects financed by the EU and other donors, with the aim of identifying and resolving these issues;
  - d) Coordinates the work for monitoring the implementation of projects and contributes to the preparation of the Annual IPA Monitoring Report;
  - e) Coordinates and cooperates with the structures of the justice system in the framework of preparing the Final Report for the IPA Sectoral Committee, according to the reporting formats of the State Agency for Strategic Programming and Coordination of Foreign Aid;
  - f) Coordinates and cooperates with the structures of the Ministry of Justice, subordinate institutions, and independent institutions of the justice system for monitoring projects funded by other donors, according to the deadlines and formats required by the State Agency for Strategic Programming and Coordination of Foreign Aid;
8. The Specialist of the Sector for Monitoring IPA Projects and Donors in the Field of Justice performs the following main duties:
- a) Prepares materials and information on the monitoring and reporting of the progress of IPA projects and other donors for all projects in the field of justice for the Ministry of Justice, the line ministries involved in the process, the managerial structures for IPA projects in the Prime Minister's Office such as: (State Agency for Strategic Programming and Coordination of Foreign Aid), for the KKIPA structure, as well as the ministry responsible for finance and economy;
  - b) Monitors and collects information from all independent institutions that are involved in the implementation of projects funded by the EU or other donors in the field of justice;
  - c) Coordinates with beneficiary institutions for reporting issues that arise during the implementation of projects funded by the EU and other donors, with the aim of identifying and resolving these issues;
  - d) Monitors the implementation of projects and contributes to the preparation of the IPA Annual Monitoring Report;
  - e) Coordinates with the structures of the justice system and prepares the Final Report for the IPA Sectoral Committee, according to the reporting formats of the State Agency for Strategic Programming and Coordination of Foreign Aid;
  - f) Coordinates with the structures of the Ministry of Justice, subordinate institutions, and independent institutions of the justice system for the monitoring of projects funded by other donors, according to the deadlines and formats required by the State Agency for Strategic Programming and Coordination of Foreign Aid;
  - g) Updates the project map based on information collected from the structures of the Ministry of Justice, subordinate institutions, and independent institutions of the justice system.

1. The Director of the Directorate of Integration and Negotiations performs the following duties:

a) Leads and oversees the process of integration into the European Union, within the framework of the Political Criterion and Chapter 23 of the *acquis* “Judiciary and Fundamental Rights”, as well as other chapters where the Ministry of Justice is a contributing institution (Chapter 1, 3, 4, 7, 11, 18, 20, 24, 27, 28, 31, 32), as well as the Economic Criterion;

b) Coordinates the “screening” process for identifying deficiencies in Albanian legislation (legal gap analysis and conformity tables) and the assessment of deficiencies in the institutional and administrative capacities of Chapter 23, as well as any other specific requests according to the instructions of the Minister of State and Chief Negotiator;

c) Coordinates, monitors, and finalizes the contributions of the Albanian Government for the European Commission’s report on Chapter 23 and the Political Criterion; for the Stabilization and Association Committee; the Justice, Freedom and Security sub-committee, as well as other EU-Albania sub-committees for those issues which fall within the area of responsibility of the Ministry of Justice;

ç) Monitors and finalizes the process of drafting the National Plan for European Integration for the Political Criterion and Chapter 23;

d) Prepares materials within the framework of meetings carried out by the negotiator of Chapter 23 and the Political Criterion;

dh) Prepares materials and reports for the Department of Policy and European Integration in the Prime Minister’s Office and collaborates with all institutions regarding preparations for the opening of accession negotiations with the European Union;

e) Attends the meetings of the Interinstitutional Working Group for European Integration for Chapter 23 and the Political Criterion (The staff of the Directorate of Integration and Negotiations is a permanent member of the IWGIE for Chapter 23 and the Functioning of Democratic Institutions);

ë) Collaborates with civil society, the business community, and academia within the framework of the Partnership Platform for European Integration;

g) Coordinates the process for preparing and finalizing the Rule of Law Roadmap for Chapter 23 and the Roadmap for the Functioning of Democratic Institutions, as well as monitors the implementation of the measures provided for in the roadmap;

gj) Coordinates the process for preparing and finalizing the negotiating position for Chapter 23 and for the Functioning of Democratic Institutions;

h) Assists in the process of concluding agreements in the field of justice related to the EU accession process;

2. The Directorate of Integration and Negotiations consists of the following sectors:

a) European Integration Sector;

b) Support and Assistance Sector in the Negotiation Process;

4. The Head of the European Integration Sector has the following duties:

b) is responsible for fulfilling institutional obligations within the framework of European Integration;

c) follows the European Union integration process, within the framework of Chapter 23 of the *acquis* “Judiciary and Fundamental Rights”, as well as for other chapters where the Ministry

of Justice is a contributing institution (chapter 1, 3, 4, 7, 11, 18, 20, 24, 27, 28, 31, 32), as well as the Economic Criterion;

ç) Oversees and informs on the implementation of the Stabilization and Association Agreement;

d) Coordinates the “screening” process to identify gaps in Albanian legislation (analysis of legal deficiencies and conformity tables) according to the instructions of the Minister of State and Chief Negotiator;

dh) Monitors the process of assessing deficiencies in the institutional and administrative capacities of Chapter 23 of the *acquis* “Judiciary and Fundamental Rights”, as well as any other specific request according to the instructions of the Minister of State and Chief Negotiator;

e) Coordinates, monitors, and finalizes the contributions of the Albanian Government for the European Commission Report for Chapter 23; for the Stabilization and Association Committee, the Justice, Freedom, and Security subcommittee, for other EU-Albania subcommittees, as well as any information or contribution related to the process of integration into the European Union;

ë) Coordinates, monitors, and finalizes the process of drafting the National Plan for European Integration for Chapter 23;

f) Assists in the process of concluding agreements in the field of justice related to the EU accession process;

g) Coordinates the process for the preparation and finalization of the Rule of Law Roadmap for the part of Chapter 23 and for the negotiating position for Chapter 23;

gj) Monitors and informs about all documents/reports/studies or guidelines of the European Union Agency for Fundamental Rights;

5. The Specialist of the European Integration Sector has the following duties:

a) Monitors the process of integration into the European Union, within the framework of Chapter 23 of the *acquis* “Judiciary and Fundamental Rights”, as well as for other chapters where the Ministry of Justice is a contributing institution (chapter 1, 3, 4, 7, 11, 18, 20, 24, 27, 28, 31, 32), as well as the Economic Criterion;

b) Coordinates the “screening” process for identifying gaps in Albanian legislation (legal gap analysis and tables of compliance) and of institutional and administrative capacities according to the instructions of the Minister of State and Chief Negotiator;

c) Coordinates, monitors, and finalizes the contributions of the Albanian Government for the European Commission Report for Chapter 23; for the Stabilisation and Association Committee, the Justice, Freedom, and Security subcommittee, other EU-Albania subcommittees, as well as any information or contribution related to the process of integration into the European Union;

ç) Coordinates, monitors, and finalizes the process of drafting the National Plan for European Integration for Chapter 23, and carries out its monitoring after approval by the Council of Ministers;

d) Coordinates the process for the preparation and finalization of the Rule of Law Roadmap for the part of Chapter 23 and for the negotiating position for Chapter 23. Monitors the implementation of the measures provided in the roadmap;

dh) Coordinates, organizes, and notifies institutions regarding the meetings of the Interinstitutional Working Group for European Integration for Chapter 23 and prepares the minutes of the meeting;

7. The Head of the Support and Assistance Sector in the Negotiation Process has the following duties:

b) Monitors the process of integration into the European Union, within the framework of the Political Criterion;

c) prepares materials within the framework of the meetings conducted by the negotiator of Chapter 23 of the *acquis* “The Judiciary and Fundamental Rights” and the Political Criterion with foreign missions or representations or with foreign assistance and projects;

ç) Cooperates with the Department of Policy and European Integration, as well as with all line institutions within the framework of preparations for the membership negotiation process with the European Union;

d) Coordinates the process for the preparation and finalization of the Roadmap and negotiating position for the Functioning of Democratic Institutions;

dh) Cooperates with civil society, the business community, and the academic world within the framework of the European Integration Partnership Platform;

e) Coordinates, monitors, and finalizes the process of drafting the National Plan for European Integration for the Political Criterion;

ë) Coordinates, monitors, and finalizes the contributions of the Albanian Government to the European Commission’s Report on the Political Criterion;

8. The Specialist of the Support and Assistance Sector in the Negotiation Process has the following duties:

a) Monitors the process of integration into the European Union, within the framework of the Political Criterion;

b) Cooperates with the Department of Policy and European Integration in the Prime Minister’s Office, as well as with all line institutions within the framework of preparations for the membership negotiation process with the European Union;

c) Coordinates the process for the preparation and finalization of the Roadmap and the negotiating position for the Functioning of Democratic Institutions, as well as monitors the implementation of the measures provided in the roadmap;

ç) Coordinates and finalizes the process of drafting the National Plan for European Integration for the Political Criterion;

d) Coordinates, organizes, and informs institutions about the meetings of the Inter-Institutional Working Group for European Integration for the Political Criterion and prepares the meeting minutes;

dh) Cooperates with civil society, the business community, and the academic world within the framework of the European Integration Partnership Platform;

e) Coordinates, monitors, and finalizes the contributions of the Albanian Government for the European Commission Report on the Political Criterion.

#### Article 34

#### **General Directorate of Economic and Support Services**

1. The Director General of the General Directorate of Economic and Support Services has the following duties and responsibilities:

a) Monitoring and coordinating activities for the fulfillment of procedures and planning of budgetary requirements of the Ministry of Justice and its subordinate institutions, as well as monitoring and reporting in accordance with the law;

b) Ensuring and implementing the approved budget, for the realization of funds in the areas of activity of the Ministry;

c) Monitoring and implementation of activities in the field of human resources and enforcement of the relevant legal and bylaw acts;

ç) Monitoring and administration of the immovable assets of the institutions subordinate to the Ministry of Justice;

d) Administration, inventory, and maintenance of the movable and immovable property of the Ministry, as well as the operation of means of communication and fulfillment of other necessary services for the activity of the Ministry's structures;

ë) Guiding, advising, and following up on the representation of the Ministry before judicial bodies, in the areas covered by the Ministry;

f) Organizing and carrying out procurement procedures, in accordance with the legislation in force;

g) Ensuring the implementation of standards for the creation, preservation, use, and protection of documentary heritage.

2. The General Directorate of Economic and Support Services consists of the following directorates:

a) Directorate of Proper Management of Human Resources, Assets, and Services;

b) Directorate of Budget and Financial Management.

## Article 35

### **Directorate of Proper Management of Human Resources, Assets and Services**

1. The Director of the Directorate of Proper Management of Human Resources, Assets and Services has the following duties:

a) Organizes the process of planning the needs of the ministerial system for increase, decrease or reallocation of human resources capacities;

b) Directs, coordinates and supervises processes related to human resources, according to the procedures defined in the civil servant legislation and the Labor Code or in other specific laws (job description, recruitment, evaluation, disciplinary measures, restructuring, transfer, suspension, dismissal, etc.);

c) Directs, coordinates and supervises processes related to the integrated proper management of necessary assets and the general operational services of the ministry;

d) Manages judicial processes for employment relationship matters in the Ministry.

e) Supervises the implementation of archive-protocol services;

f) Supervises the implementation of procurement procedures, in accordance with the applicable legislation.

2. The Directorate of Proper Management of Human Resources, Assets and Services consists of the following sectors:

- a) Human Resources Sector;
- b) Asset Management and Support Services Sector;
- c) Archive-Protocol Sector;
- c) Procurement Sector;
- d) Judicial Representation Sector.

3. The Human Resources Sector Manager performs the following duties:

- a) Organizes, coordinates and supervises the process of planning human resource needs in the ministerial system and their qualification;
- b) Guides, coordinates and supervises the implementation of legal procedures regarding human resource management related to recruitment, parallel movement, promotion, temporary and permanent transfers, suspensions, dismissal, performance evaluation, etc.;
- c) Guides, coordinates and supervises the implementation of legal procedures regarding human resource management related to the administration of personnel files and the HRMIS system;
- d) Drafts and provides guidelines for appointments and dismissals according to the Labour Code and specific legal and bylaw acts for employees of the Dependent Institutions, as well as, as the case may be, for employees of the Ministry's apparatus;
- e) Provides guidelines for project proposals for the establishment of structures and staffing of the Ministry's apparatus and subordinate institutions;
- f) Drafts and provides guidelines for the handling of delegated practices, the handling of complaints/requests, and for other acts and materials within the scope of activities of the Sector;
- g) Creates, manages and updates the Ministry's employee database according to the structure, for human resource administration purposes;
- h) Prepares informational materials upon request of the Director of the Directorate and the Director General, regarding the personnel data of the ministerial system.

4. The Specialist of the Sector of The Human Resources Sector performs the following duties:

- a) Follows and implements legal procedures on human resource management regarding recruitment, parallel movement, promotion, temporary and permanent transfers, suspensions, dismissal, completion of probation period, assignment of TND members to regular positions, etc.
- b) Identifies the needs of the ministerial system for human resources and their qualification, by cooperating with other structures of the Ministry and drafts the relevant acts and materials for planning the needs for recruitment and training;
- c) Assists and guides the institution's organizational units regarding the processes foreseen in the legislation for civil servants, for the assessment of work results, disciplinary measures, drafting of job descriptions, etc.
- d) Implements legal procedures related to the administration of personnel files and the human resource management system HRMIS;
- e) Drafts and prepares acts for appointment, dismissal, and any other act for the establishment, modification, or termination of financial and employment relationships,

for the employees of the Ministry of Justice for whom employment relationships are not regulated by the civil servant legislation;

- f) According to the competence foreseen in the legislation in force for Subordinate Institutions, drafts and prepares acts for appointment, dismissal, and any other act for the modification or termination of financial and employment relationships, for employees for whom employment relationships are not regulated by the civil servant legislation;
  - g) Handles complaints and requests related to issues within the scope of the sector's activity;
  - h) Drafts acts related to correspondence with institutions in the field of civil service administration, subordinate institutions, or other public administration institutions regarding human resource management issues;
  - i) Prepares and monitors the annual schedule of annual leaves and other leaves of the employees of the Ministry, in implementation of the legislation in force;
  - j) Monitors the training process of the Ministry's employees according to the ASPA training calendar, the mandatory trainings for employees in the probation period, and keeps the data on employee trainings up to date;
  - k) Prepares informative materials on matters related to human resources, upon request of the superiors;
  - i) Drafts the respective acts and materials for project proposals regarding amendments to the structures and staff establishments of the Ministry and its subordinate institutions;
  - l) Drafts job descriptions in cooperation with the relevant directorates for positions within the Ministry and, as applicable, for new institutions subordinated to the Ministry, and provides guidance to the responsible units within the subordinate institutions for drafting their job descriptions, in accordance with legal provisions;
  - m) Implements the duties of the Technical Secretariat of the Special Commission for reviewing the possibility of placing the Ministry of Justice court winners in a regular civil service position;
  - n) Implements the duties of the Responsible Authority of the Ministry of Justice.
5. The Head of the Assets Administration and Support Services Sector has the following duties:
- a) Oversees the proper administration of logistics for organizing activities within the institutional framework;
  - b) Oversees the logistics of the Ministry and the maintenance, cleaning, and transportation services, as well as is responsible for the timely and quality delivery of services to the employees of the Ministry;
  - c) Monitors and is responsible for the maintenance of the Ministry's premises and any other asset used jointly by the Ministry;
  - d) Monitors the implementation of contracts for the maintenance service of the building, of means, for the guarding and cleaning service, etc;
  - e) Coordinates the accurate preparation of documentation for services inside and outside the country;



- f) Oversees the administration of the warehouse and the implementation of the rules for the receipt of material valuables and the documentation of their exit from the warehouse.
6. The Specialist of the Assets Administration and Support Services Sector has the following duties:
- a) Assists in creating suitable working conditions for the employees of the Ministry's staff;
  - b) Monitors the implementation of contracts for the maintenance service of the building, of means, for the guarding and cleaning service, etc.;
  - c) Ensures the proper administration of logistics and services for the institution.
  - d) Drafts the relevant acts for services inside and outside the country;
  - e) Drafts requests for the needs of the Ministry's staff for goods and services at the beginning of the budget year and plans the deadlines for completing supplies, in coordination with the procurement unit and the sector manager;
  - f) Drafts and maintains records for the expenses of consumable materials;
  - g) Prepares records on fuel consumption and maintenance expenses, ensuring efficiency in the use of assets;
  - h) Follows the necessary procedures for vehicle inspection, insurance, and other taxes for the Ministry's vehicles;
  - i) Covers the administration of assets and services for the institutions subordinated to the Ministry of Justice, according to needs;
  - j) Covers the administration of properties and lands that have been transferred by Decision of the Council of Ministers to the administrative responsibility of the Ministry of Justice.
7. The Head of the Archive-Protocol Sector has the following duties:
- a) Properly manages the documentation that enters and is produced in the ministry in accordance with the legislation in force;
  - b) Is responsible for following procedures for the administration of documentation concerning classified information;
  - c) Is responsible for the registration of the institution's correspondence and any other official documentation of the institution;
  - d) Analyses the documents to determine the retention periods according to the relevant legal and bylaw acts;
  - e) Oversees the indexing of documents and the updating of the inventory;
  - f) Organizes the work and prepares for review the decision lists for the destruction of documents that have fulfilled their retention period;
  - g) Is responsible for the administration of the institution's official seals;
  - h) Oversees the distribution of documents in the electronic document management system and updates the system of acts.
8. The Specialist of the Archive-Protocol Sector has the following duties:
- a) Registers the correspondence and any other official documentation of the institution;
  - b) Processes the archival documentation from a technical-scientific point of view, according to the documentation list with retention periods;

- c) Requests, retrieves, and makes available documents according to the various requests submitted to the Sector;
  - d) Follows procedures for the administration of documentation for classified information;
  - e) Follows procedures for the administration of documentation for international relations and judicial cooperation;
  - f) Follows and carries out official actions related to the archiving of documentation within the specified deadlines in accordance with legal and sublegal acts;
  - g) Prepares for review the separation list for the destruction of documents that have fulfilled their retention period;
9. The Head of the Procurement Sector has the following duties:
- a) Responsible for the drafting of the annual procurement register, in implementation of the applicable legal and sublegal acts;
  - b) Responsible for carrying out procurement procedures in accordance with the requirements of the applicable legislation on public procurement;
  - c) Supervises and coordinates the activity so that the tender documents are prepared according to the legislation and specified formats;
  - d) Responsible for the drafting and administration of the procurement procedure file;
  - e) Responsible for the drafting of periodic reports, or upon request, for the Public Procurement Agency and other institutions involved in the process, on compliance with the procedure and the progress of contracts;
  - f) Prepares reports on the execution of procurements for all needs foreseen in the budget fund, planned for goods, services, and works necessary for the institution, and reports to the Director of the Directorate.
10. The Procurement Sector Specialist has the following duties:
- a) Prepares and completes the register of projections/execution of public procurements, according to the form and manner specified in the guideline of the Public Procurement Agency;
  - b) Participates in the conduct of procurement procedures for works, goods, and services needed by the structures of the Ministry of Justice according to public procurement legislation;
  - c) Drafts and administers the minutes of the procurement procedures, creating a special file for each of them and checking compliance with the applicable legislation;
  - d) Collects and administers all documentation related to the conduct of the procedure up to the determination of the winner, including the minutes of meetings, where applicable;
  - e) Communicates and drafts periodic reports, or upon request, to the Public Procurement Agency regarding compliance with procedure and the progress of contracts;
  - f) Drafts reports for superiors on the realization of procurements for all needs foreseen in the state budget, planned for goods, services, works necessary for the institution;
  - g) Collects the necessary data and sends the request for centralised procurement to the central purchasing bodies;
  - h) Drafts and updates the registry of contracts concluded during the year.
11. The Head of the Judicial Representation Sector has the following duties:
- a) Ensures the supervision and representation of the institution's interests in judicial proceedings;

- b) Reviews lawsuits filed against the institution, by employees or third parties, collaborating also with other structures within the Ministry or with subordinate institutions, in cases where they are co-defendants;
- c) Distributes incoming cases and judicial proceedings to subordinates in a proportional manner;
- d) Ensures the systematic updating of the database of judicial cases where the ministry is a party;
- e) Coordinates work with all other directorates, for the resolution of any complaint or lawsuit addressed to the Ministry;
- f) Creates and updates the list of all judicial cases submitted and handled within the Sector;
- g) Reviews the responses to judicial correspondence prepared by the staff under his/her supervision and discusses them with the superior;
- h) Assists or prepares the statement of defense, rebuttals, appeals, recourses, and all other procedural acts to guarantee the representation and protection of the institution's interests;
- i) Supervises and ensures the preparation of the weekly information on judicial proceedings to be delivered to the Minister or superiors;
- j) Ensures the appeal of all judicial proceedings lost in full or in part at all levels of adjudication, in cases where the institution is a party to the trial;
- k) Verifies the lists of hearings announced in the courts of appeal of general and administrative jurisdiction.

12. The Specialist of the Judicial Representation Sector has the following duties:

- a) Represents the interests of the institution in judicial proceedings where the Ministry is a party;
- b) Follows procedures and ensures the proper conduct of judicial proceedings received by the institution, collaborating also with other structures within the Ministry, or with subordinate institutions, in cases where they are co-defendants in the proceedings;
- c) Prepares within the deadlines the statement of defense, objections, appeals, recourses, and all other procedural acts to ensure the representation and protection of the institution's interests;
- d) Systematically updates the database of judicial cases that arrive at the Ministry;
- e) Coordinates the work with the Head of the Judicial Representation Sector, as well as with all other directorates, for the resolution of any judicial complaint addressed to the Ministry;
- f) Maintains contacts and collaborates with all structures within and outside the Sector or Directorate, as well as with subordinate institutions, for the addressing and resolution of various issues related to judicial cases;
- g) Represents the Ministry or the Judicial Representation Sector, with authorization from superiors, in administrative processes, seminars, conferences, and work meetings on matters related to the management of the Sector, when assigned by the superior;
- h) Participates in working groups, as well as performs other institutional representation duties assigned by superiors;

- i) Verify the trial lists published in the courts of appeal of general and administrative jurisdiction;
- j) Prepares the weekly information on judicial processes that is submitted to the Minister or superiors;
- k) Files appeals against all judicial decisions that have been fully or partially lost at all levels of adjudication, in cases where the institution is a party to the proceedings;
- l) Prepares memos for superiors regarding final judicial processes that have been lost by the institution, mainly concerning labor relations;
- m) Collaborates with the finance sector and with other structures (Special Commission), for the proper implementation of the process of executing judicial decisions regarding labor relations that have become final.

#### Article 36

#### **Directorate of Budget and Financial Management**

1. The Director of the Directorate of Budget and Financial Management has the following duties:

- a) Coordinates, evaluates, and leads the process of drafting the PBA, according to the requests of the generating structures of the Ministry, in cooperation with other directorates;
- b) Carries out the distribution and detailing of budgetary funds, according to the funds approved in the state budget for the Ministry;
- c) Organizes, monitors, and oversees the implementation of the Ministry's budget, ensuring the necessary periodic data for the achievement of its indicators;
- c) Participates in the preparation of draft legal and bylaw acts, and formulates and gives opinions on new draft projects prepared by ministries and other state institutions;
- d) Monitors the implementation of policies and strategies defined for ensuring the most effective management of material and monetary assets, as well as the organization, maintenance, and completion of financial and accounting documentation in accordance with the relevant legal provisions;
- dh) Prepares and submits the annual financial statements from the subordinate structures, up to the compilation of the Consolidated Financial Statements of the Ministry, for their submission to the ministry responsible for finances;
- e) Conducts analyses, studies, and takes measures for the implementation of government and Ministry of Justice policies related to all matters concerning the organizational structure, the national list of professions, salaries and salary supplements for employees, financial treatment of budgetary and non-budgetary employees, as well as the submission of legal proposals for their improvement or modification;
- ë) Reviews and assesses the requests of the directorates of the Ministry's apparatus and its subordinate institutions for the preparation of the annual draft budget and the PBA of the Ministry's apparatus, according to the standard PBA guideline and specific instructions;
- f) Performs the detailing of budgetary funds for current expenditures and approved capital expenditures for the Ministry.

2. The Directorate of Budget and Financial Management consists of the following sectors:

- a) Budget Sector;

b) Finance Sector.

3. The Head of the Budget Sector has the following duties:

- a) Proposes to the director of the directorate the objectives and annual work plan for the sector he/she leads and monitors its implementation;
- b) Carries out Medium-Term Budget Planning through providing assistance and cooperation with other structures of the Ministry of Justice's apparatus and its subordinate institutions, at all stages of budget planning;
- c) Participates together with the Program Management Teams (PMTs) in the meetings of the Strategic Management Group (SMG) for the consultation of the Medium-Term Budget Program (MTBP), as well as in the consultation meetings according to the calendar of hearing sessions set by the Ministry of Finance and Economy;
- d) Drafts the summary report for the preparation of the Medium-Term Budget Program, providing detailed explanations for proposals related to the planning of budget funds for the ministry's apparatus and its subordinate institutions;
- e) Details the budgetary funds approved by the annual budget law by program and activates in the ORACLE system the funds for the Ministry of Justice;
- f) Details the number of employees approved by the annual budget law, reviews requests for the number of employees with temporary contracts and details them by program;
- g) Prepares a narrative analysis with respective arguments for the monitoring annexes generated by the MTBP module in the AFMIS system for four-month/eight-month/annual periods and reports to the Ministry of Finance and Economy according to the requirements of the standard guideline for budget monitoring in the Central Government Units;
- h) Reviews the planned quantities of products in cases of transfer of budget funds and completes with factual information the respective formats in the AFMIS system, for the quantities of products and the data of performance indicators;
- i) Publishes on the official website of the institution the Medium-Term Budget Program document and the monitoring Reports according to the requirements and within the deadlines specified in the Guidelines of the Minister of Finance and Economy;
- j) Ensures compliance with the deadline specified in the standard guidelines and supplementary guidelines for budget implementation, regarding the reporting of revenues generated by subordinate institutions, the forecasting and realization of the currency plan, fiscal risks, work indicators regarding the number of employees and the wage fund, as well as other reports related to the achievement of budgetary indicators;
- k) Reports periodically on a weekly/monthly basis and whenever requested, on the realization of Investments with domestic financing and foreign financing;
- l) Analyzes/reviews requests for transfers or redistribution of budgetary funds in the current and capital expenditures approved by the annual budget law, based on the justification provided by the structures of the ministry's apparatus and subordinate institutions regarding the necessity and the priorities where the funds should be addressed;
- m) Coordinates with the Directorate of Budget at the Ministry of Finance and Economy, regarding the budget plan (initial plan, changes, and the revised plan);

- n) Represents the Ministry of Justice in relations with third parties, when assigned by the supervisor.
  - o) Collaborates and contributes to the working groups where assigned by Order of the Minister of Justice, as well as to the working groups for the costing of measures in sectoral strategies and intersectoral strategies where the Ministry of Justice is the responsible institution.
4. The Budget Sector Specialist has the following duties:
- a) Plans daily and weekly activities based on the annual work plan, in order to ensure timely and quality achievement of the sector's objectives;
  - b) Participates in the preparation of the Medium-Term Budget Program document according to the requests submitted by the structures of the ministry's apparatus, subordinate institutions, and the budget ceilings approved by the Council of Ministers;
  - c) Prepares documents for the detailing of funds approved by the annual budget law, for the number of staff in the organizational chart and the number of staff with temporary contracts for the ministry's apparatus and subordinate institutions;
  - d) Prepares for the Ministry of Finance and Economy the requests for transfers or reallocations of budgetary funds by programs for current expenditures and capital expenditures, based on the requests and arguments of the structures of the ministry's apparatus and subordinate institutions, as well as within the applicable legal framework;
  - e) Checks the 4-month/8-month/annual budget monitoring reports regarding the realization of budget funds and performance indicators by programs, as well as integrates the monitoring report of subordinate institutions into the summary report of the Ministry of Justice;
  - f) Monitors periodically and whenever requested the realization of budgetary funds, cooperates and receives information and reports from other structures of the ministry's apparatus and subordinate institutions, regarding the realization of the budget;
  - g) Prepares information and reports periodically every 3 months to the Ministry of Finance and Economy regarding the plan and realization of expenditures in foreign currency for the Ministry of Justice and subordinate institutions;
  - h) Prepares periodic 6-month reports for the Ministry of Finance and Economy, regarding revenues from the leasing of state-owned property;
  - i) Prepares periodic 3-month reports for INSTAT regarding employment indicators for the number of employees and the payroll fund, for the ministry apparatus and subordinate institutions;
  - j) Prepares periodic 4-month reports and upon request of the Ministry of Finance and Economy, regarding fiscal risks;
  - k) Prepares weekly/monthly informative memos and whenever requested regarding the realization of budgetary funds for current and capital expenditures and provides explanations for the non-realization of funds based on the justification of the structures of the ministry's apparatus and subordinate institutions;
  - l) Cooperates with the relevant structures of the ministry apparatus and reports every 6 months on the realization of budgetary funds related to the respective measures of sectoral strategies and intersectoral strategies where the Ministry of Justice is the responsible institution;

- m) Prepares responses within the deadline, for other correspondence addressed to the budget sector/specialist;
  - n) Coordinates periodically with the relevant directorate regarding the progress of foreign financing and co-financing of projects;
  - o) Collaborates and provides contributions within the legal framework of the field, in working groups where appointed by Order of the Minister of Justice.
5. The Head of the Finance Sector performs the following duties:
- a) Proposes to the director of the directorate the objectives and the annual work plan for the sector he/she leads and monitors its implementation;
  - b) Is responsible for the proper administration, efficient, economic, and effective use of the budgetary funds approved by the annual budget law, based on the legal framework of the field for the sector he/she leads;
  - c) Ensures/is responsible for the registration in accounting (SIFQ) of the institution's assets, with the aim of protecting them from loss, misuse, or unauthorized use, ensures the registration of changes (entries, exits) in the asset register for the ministry's apparatus and the calculation of depreciation according to the applicable legal framework;
  - d) Details the budgetary funds allocated for the operational expenses (art 602) of the ministry's apparatus and monitors their actual implementation;
  - e) Cooperates with the budget sector and prepares informative memos for the Secretary General regarding changes in the procurement register and analyses of operational expenses;
  - f) Monitors and is responsible for the performance of transactions with the institution's cash register, related to receipts, payments, and the cash balance on a monthly basis/or whenever necessary, ensuring that the performed transactions and supporting documentation are in accordance with the applicable legal framework;
  - g) Monitors and reconciles transactions with the warehouse, and ensures the maintenance of cards according to items and respective prices;
  - h) Issues the receipt/invoice for the collection of revenues and ensures their deposit/collection in the unified treasury account;
  - i) Ensures/is responsible for the entry in the Government Financial Information System of single/multi-year contracts (with all references) and compliance with the deadlines based on standard and supplementary guidelines for budget implementation, as well as specific instructions for the use of the respective modules in the Government Financial Information System;
  - j) Monitors the documentation/requests for expenditures, compares them with the planned level of funds, legal compliance, and ensures the registration of the commitment in the Government Financial Information System, the generation of the electronic expenditure order, and the parallel submission of the supporting documentation to the treasury branch;
  - k) Monitors the periodic reconciliation of revenues and expenditures and the confirmation with the treasury branch of the revenue accrual and the expenditure situation for monthly periods;

- l) Reconciles the information entered in the Government Financial Information System by the subordinate structure with the information generated by the treasury branch for the annual individual financial statements of the Ministry's apparatus and prepares the consolidated annual financial statements for the Ministry of Justice, based on the applicable legal framework;
- m) Coordinates the work of the sector related to the preparation of documentation for carrying out the inventory of the institution's assets once a year/or as requested by the Head of the institution, based on the applicable legal framework;  
Ensures the settlement within the legal deadline of short-term obligations to third parties for goods and services/employee salaries/temporary incapacity/and obligations for employment income tax and social and health insurance, etc.

5. The Finance Sector Specialist performs the following duties:

- a) Plans daily and weekly activities, based on the annual work plan, to ensure the timely and quality achievement of the sector's objectives;
- b) Implements the annual budget of the ministry's apparatus and all administrative acts with financial effect, controls the documentation by ensuring compliance with the applicable legal framework, for the proper administration of budgetary funds approved by the annual budget law;
- c) Records the institution's assets in the accounting system (SIFQ), updates the asset register with information on entries, exits, and the calculation of their depreciation;
- d) Periodically carries out all transactions with the institution's cash desk regarding receipts, payments, and its balance at the end of each month and whenever necessary, as well as controls and administers, in accordance with the applicable rules/legal framework, the supporting documentation of the cash desk;
- e) Keeps the warehouse diary and periodically updates the entries, exits, and maintenance of cards according to items and corresponding prices;
- f) Performs legal compliance control and compares the planned level of funds, records in SIFQ the contracts for goods and services with all relevant references and within the 5-day deadline, periodically establishes the expenses in the accounting system and follows all steps determined in the specific guideline as a SIFQ user, simultaneously with performing actions in the system sends supporting documentation to the treasury branch and proceeds with the creation of the electronic expenditure order;
- g) Monitors the expenditure of budgetary funds and the realization of the institution's revenues, reconciles with the treasury system and confirms the reconciliation of revenues and the status of expenditures, on a monthly basis;
- h) Prepares each month the payroll documentation generated by the system (HRMIS), the payment order and the contribution list for social security, health insurance, and employment income tax, and updates the payroll register with information for each employee;
- i) Generates from the platform the electronic invoice for goods and services to the address of the institution and prepares the expenditure order for the settlement of the obligation within the legal deadline;
- j) Performs the tasks delegated by the Risk Coordinator;



- k) Prepares responses to the correspondence addressed to the sector/specialist, based on accounting data and the legal framework of the field;
- l) Reconciles the information entered in the Government Financial Information System with the information generated by the treasury branch for the individual annual financial statements of the Ministry's apparatus and prepares the consolidated annual financial statements for the Ministry of Justice, based on the applicable legal framework;
- m) Manages the documentation for inventory, movements within and outside the system, as well as the withdrawal from use of assets and other material values;
- n) Registers receipts and payments, maintains accounting for all foreign-funded and co-financed projects administered by the Ministry of Justice;
- o) Maintains contact with other structures of the ministry, the treasury branch, and second level banks;
- p) Collaborates and contributes within the legal framework of the field, in the working groups to which he/she is assigned by Order of the Minister of Justice.

#### Article 37

#### **Directorate of Audit**

1. The mission of the Directorate of Audit is to independently and reasonably provide objective assurance and security to the institution's head, in improving the activities and performance of all structures of the Ministry of Justice, in the functioning of internal control systems, to systematically assist and advise on the effective use of material and monetary values, as well as to assess risk, the performance of control systems, and management systems.

2. The Directorate of Audit carries out its activity in accordance with the provisions of the applicable law on internal audit in the public sector, the Decision of the Council of Ministers approving audit procedures, the Code of Ethics, and the Charter of Public Internal Audit.

3. The Directorate of Audit performs the following duties:

- a) prepares strategic and annual plans for internal audit, based on an objective risk assessment, and conducts audits in accordance with the approved plan;
- b) assesses the suitability and effectiveness of systems and controls, focusing mainly on:
  - i) the identification, assessment, and management of risk by the head of the public unit;
  - ii) the compliance of the activity of the public unit with the regulatory framework;
  - iii) the safeguarding of assets;
  - iv) the reliability and comprehensiveness of financial and operational information;
  - v) the conduct of the activity of the public unit with economy, effectiveness, and efficiency;
  - vi) the fulfilment of duties and achievement of objectives;
- c) provides recommendations for improving the activity and the effectiveness of the internal control system of the public unit;
- ç) follows up on the implementation of the recommendations given.

### **CHAPTER IV**

### **ADMINISTRATIVE ACTS, THEIR DRAFTING AND CIRCULATION**

## Article 38

### Types of acts

1. The types of administrative acts in the executive and directive activity of the Ministry of Justice, which are used for the fulfilment of its functions, are:

a) “Order”, is the bylaw of the Minister of Justice, which has an internal character, establishes general conduct rules or may regulate a specific relationship;

b) “Guideline”, is the bylaw of the Minister of Justice with an explanatory character that elaborates all instructions of the law or of the decision of the Council of Ministers.

2. Administrative acts may be acts with normative, collective, or individual character.

3. The group of administrative acts also includes work programmes, according to the respective structures within the Ministry of Justice, cooperation programmes with various countries and any other document which requires the commitment of human and financial resources. These acts are approved by order of the Minister of Justice. These acts, as appropriate, may require signature on each sheet.

4. Except in cases where administrative acts are issued on the basis of and for the implementation of specific laws, other types of administrative acts may also be initiated by another directly interested party or by the initiative of the competent authority within the Ministry of Justice, depending on the political, economic, and social conditions or circumstances that may influence the issuance of an administrative act.

5. Except where otherwise provided by law, the administrative act may be in written form, on paper or electronic, verbal, or any other appropriate form and in these cases is confirmed according to the rules of the Code of Administrative Procedures.

6. Administrative acts must contain the necessary elements, as defined by the Code of Administrative Procedures.

7. When, in accordance with this regulation and the functional duties of the structures of the Ministry of Justice, a case must be submitted for review and approval also to other structures within the institution, the structure preparing the case must include this structure as well in the accompanying memorandum, placing it according to its hierarchical order within the organizational structure of the Ministry.

## Article 39

### Drafting and circulation of administrative acts and documents

1. The drafting of draft laws and draft decisions of the Council of Ministers and their submission for review and approval to the Council of Ministers shall be carried out in accordance with the applicable legislation regulating the organization and functioning of the Council of Ministers.

2. The format of the minister's order, as well as any other document prepared by the structures of the Ministry during the exercise of their activities, shall be in accordance with the Unified Regulation for document management in public authorities of the Republic of Albania, approved by the High Council of Archives, and as defined in the order of the Minister of Justice for the unification of administrative documents.

3. Documents or administrative acts, before being sent for signature to the minister, must follow this procedure:

a) the structures within the Ministry, on the basis of the duties defined in legislative and sublegal acts and the duties specified in this regulation, propose documents/administrative acts, such as: draft laws, draft decisions, draft orders, draft guidelines, or other documents, accompanied by an explanatory memo. In every case where the procedure is accompanied by an attached memo, it must summarize the explanatory or clarifying facts of the document/administrative act, the subject matter, the purpose of the act, the financial effects if any, as well as concrete solutions to the issue. This proposal, after being drafted by the relevant sector, is signed by the head of the sector, the director of the directorate, and by the general director, if there is one;

b) In every case, documents or draft administrative acts, except those of an individual character, are sent for evaluation to the General Directorate of Codification and Harmonization of Legislation, which expresses itself regarding the legality of their form and content, and, as applicable, makes the necessary interventions in the draft act, suggesting concrete reformulations when deemed necessary;

c) In every case, documents produced at the Ministry of Justice, after horizontal-level communication and after obtaining the opinion of the General Directorate of Codification and Harmonization of Legislation solely for normative acts, are forwarded for signature to the Secretary General;

ç) The Secretary General, upon receipt of the file, if there are no remarks, forwards the file for signature to the Minister of Justice. If the Secretary General has remarks, the file is returned for revision, together with the relevant suggestions;

d) after the minister's signature, the administrative act is communicated to the interested parties. A copy of the administrative act of a normative character, after being signed by the head, is sent to the General Directorate of Codification and Harmonization of Legislation.

4. For the handling of urgent matters authorized by the Minister, the material is prepared by following the same procedure provided in point 3 of this Article, based on the timeframes determined by the Minister, within which action must be taken for their prompt resolution.

5. For the handling of specific matters authorized by the Minister, the right to draft administrative acts is also granted to the Minister's cabinet. These draft acts follow the path of vertical consultation with the general directorates, directorates, or relevant structures for obtaining their opinion, in accordance with their mission or area of activity.

6. In every document, administrative act, memo, or letter drafted by the structures of the Ministry, before being sent for signature by the head, the names of the responsible persons who have collaborated, as well as their signatures, must be listed according to hierarchy. These are placed on the first copy, which is deposited with the corresponding signature in the structure responsible for archive-protocol in the Ministry.

7. The memo is prepared only in one copy, while other written practices are, as a rule, prepared in two copies or in as many copies as the number of parties to whom they are addressed. The structure that has drafted the memo/written practice or any other structure assigned with tasks related to this memo/practice may obtain, from the structure responsible for archive-protocol, copies of the signed memo/practice.

8. More detailed rules for drafting, circulation, and handling of administrative acts and written and electronic documents in the Ministry of Justice are provided in the official document handling manual, approved by order of the Minister of Justice.

## Article 40

### **Administrative acts or documents received at the address of the Ministry of Justice and their circulation**

1. All official letters, requests or various complaints sent by citizens, different information and messages addressed to and arriving at the institution, regardless of the manner of their delivery, are submitted for registration to the structure responsible for archive-protocol.

2. Documentation in the Ministry is deposited and kept in the sector responsible for archive-protocol, in accordance with the legislation in force.

3. Incoming practices are recorded in the correspondence register by the structure responsible for archive-protocol, which notes on them the protocol number, date of receipt, and subject matter. When this structure finds deficiencies in the incoming documents, a report is drawn up and the sending entity is notified.

4. Envelopes addressed to the Minister of Justice with the notation “personal” or a certain category of documents with a specific designation approved in writing, are delivered to the minister unopened, against signature.

5. Incoming practices containing classified information are managed according to the legislation in force regarding classified information.

6. Incoming documents, after registration, are forwarded immediately to the Secretary General. The Secretary General, after reviewing the incoming practice, distributes the incoming mail within 24 (twenty-four) hours in the Ministry of Justice, specifying the relevant deadline, the responsible structure(s) for handling the practice, and, as appropriate, specific tasks, against signature.

7. The head of the responsible structure distributes the documents to the relevant directorates or sectors, respecting the deadline set by the Secretary General and designates the responsible person(s) for handling the practice, and, as appropriate, specific tasks. This point also applies to tasks assigned by heads verbally. The structure responsible for the archive-protocol is obligated to distribute and collect incoming correspondence in the Ministry to the relevant directorates, which are assigned to follow up and handle the document, at least twice a day.

8. Within the deadline specified in the practice, the material must be handled by the responsible person and initialed by the drafter, the head of the sector, the director of the directorate, and the general director, if applicable, and then submitted to be forwarded for signing in the other structures in the hierarchy.

9. In cases where the structure/person to whom the practice has been delegated finds that they are not the structure/person responsible for handling the practice, they forward it, through the general director, to the responsible structure, making the relevant note in the accompanying file. The note must specify the name of the structure being addressed, the date, and the name of the person making the note. In case of a disagreement regarding the responsible structure, the practice is forwarded to the direct superior, who determines the competent structure.

10. Documents arriving at the address of a specific directorate of the Ministry, in electronic or written form, and which request information on various matters, such as: reports on specific issues, various data, invitations to participate in seminars or various activities, and other matters

of this nature, must be dealt with and responded to, after obtaining the prior approval of the secretary general, who is made aware of the final document.

11. In every document, administrative act, memo or letter sent to the address of the Ministry, before being signed by the head, the names of the responsible persons according to their areas, who have collaborated in providing the response, must be listed in order of hierarchy, as well as their signatures. These are placed on the first copy with the respective stamp, which is deposited with the structure responsible for the archive-protocol, while another copy without the stamp is sent to the institution that initiated the procedure and for which the Ministry's response is being requested.

12. The person(s) who have drafted a document are responsible for its form and content. The head (general director, director, head of sector) who signs it, in addition to being responsible for the content of the document that is prepared, is also responsible for the work performed by his subordinates. Responsibility for the drafting of procedures in every case is in accordance with the respective duties of the structures involved in preparing the acts.

13. After the procedure is signed by the Minister, the respective secretary, on the date specified in the procedure, hands it over against signature to the structure responsible for the archive-protocol in the Ministry.

14. By way of exception to what is provided in point 6 of this article, incoming documents containing complaints, denunciations, or information regarding cases of corruption, abusive or arbitrary practices are forwarded to the General Director of the General Directorate of Anti-Corruption, who distributes the procedure according to the rules set out in this regulation.

#### Article 41

##### **Deadlines**

1. Documents or administrative acts circulate and are reviewed by the structure(s) responsible for processing the procedure within the deadlines specified in the delegation of duties. These deadlines are:

- a) normal (within 7 days);
- b) priority (within 3 days);
- c) urgent (within 24 hours).

2. In the case of draft laws, international agreements, voluminous bylaws, as well as other voluminous and/or complex procedures that require more time for processing, the deadlines specified in point 1 of this article may be exceeded, with the prior approval of the respective superior.

3. In cases where the procedure has not been completed within the specified deadline, the responsible structures must inform in writing the authority that delegated the task, providing the reasons for the delay in processing the procedure, as well as proposing another possible deadline for the fulfillment of the task.

#### Article 42

##### **Electronic communication**

1. All directorates of the Ministry of Justice, during the process of cooperation at both the horizontal and vertical level, may use electronic means of communication and circulation of documents.

2. The final procedure is printed on paper and signed by the responsible structures, according to Article 39 of this regulation, except in cases where the communication between directorates does not result in an administrative act or when it is expressly determined by the superiors.

3. Electronic communication must be made only through the official email of Ministry employees and has the same value as the written form, except in cases where a special law requires the written form.

#### Article 43

##### **Document signing and initialing**

1. The copy of the document kept in the responsible archive-protocol structure is initialed by the specialist, the sector head, the director of the directorate, the general director and then it is submitted to the responsible official for signature, according to the provisions of the Unified Regulation for Document Management in Public Authorities of the Republic of Albania, approved by the High Council of Archives and the order of the Minister of Justice for the standardization of administrative documents.

2. In the absence of the Minister, documents are signed by the Deputy Minister authorized in writing by the Minister. In this case, the official act bears the note: “Në mungesë dhe me urdhër”. Constitutional or legal attributes recognized solely to the Minister of Justice cannot be delegated nor signed in the absence of the Minister of Justice.

3. In the absence of the Secretary General, documents are signed by the General Director authorized in writing by the Secretary General, noting in the official document as appropriate “Në mungesë dhe me urdhër”.

#### Article 44

##### **Incoming and outgoing electronic documents in the Ministry of Justice and their circulation**

1. In the Ministry of Justice, the electronic document is used and managed; it enters, is registered in the respective systems, circulates through them, and is issued again through the electronic signature of authorized persons.

2. The Archive-Protocol Sector records, circulates, and prepares for use the electronic document created or registered in the EDRMS, SQDNE, REE, M-File, and e-aktet systems.

7. The document is registered electronically upon entry and exit with the same indicators as in the correspondence books, circulates within deadlines, and is archived in accordance with legal provisions for the electronic document.

#### Article 45

##### **Administrative documents that are not recorded and not submitted to the responsible archive-protocol structure**

1. Documents of a simple nature, such as for vehicle movements, bulk accounting or warehouse documents, invoices, payment orders, entry-exit sheets, travel forms, and other documents of this kind, are not recorded and not submitted to the responsible archive-protocol structure in the Ministry.

2. These documents are kept in the relevant sectors of the Ministry and, after they lose their operational value for retention, are removed for destruction according to the rules in force for archives by the sectors themselves.

#### Article 46

##### **Public consultation**

1. The Ministry of Justice takes all necessary measures to create opportunities for the participation of the public and all interested parties in the process of notification and public consultation of draft laws, draft national and local strategic documents, as well as policies of high public interest, including:

a) the publication in the electronic register of the draft act, the consultation notice, and the data related to the consultation of draft acts;

b) the publication in the transparency program, according to the legislation on the right to information, of the annual plans of public bodies related to the decision-making process;

c) providing information related to the process of notification and public consultation at all stages, starting from the publication of the draft act, the receipt of comments and recommendations for its improvement, the organization of public debates up to the approval of the final act.

2. The Ministry, after publishing the notification in the electronic register, may organize direct consultations and public meetings with interested parties. Direct consultations and public meetings with interested parties are documented by minutes.

3. For the purpose of coordinating and generally administering the work to guarantee the right to notification and public consultation according to the legislation in force, the Ministry appoints a person as the coordinator of notification and public consultation.

4. In exercising the powers assigned by the legislation in force, the coordinator of notification and public consultation collaborates with all relevant structures responsible for handling issues of notification and public consultation and for guaranteeing compliance with the legislation in force. For the performance of his duties, the coordinator uses and manages the electronic address dedicated for this purpose.

#### **CHAPTER V**

##### **RELATIONS BETWEEN THE STRUCTURES OF THE MINISTRY AND INSTITUTIONS UNDER ITS DEPENDENCE AND LEGAL REPRESENTATION**

#### Article 47

##### **Relations between the structures of the Ministry**

1. The relations between the Minister, Deputy Minister, Minister's cabinet, Secretary General and other structures of the civil service of the Ministry function in accordance with the

legal provisions in the area of the civil service, those concerning the organization of the Council of Ministers and the provisions of this regulation.

2. The structure of the Ministry of Justice also determines the order of hierarchy and responsibility of functions in relations with each other.

3. Relations between parallel structures or at the horizontal level are cooperative relations. In these relations, the structure which covers the relevant area of management stands out in the leading role. This cooperation is always developed based on the approved annual programs of the Ministry of Justice. The directorates of the Ministry are obliged to cooperate with each other on common issues.

4. Relations between the directorates and sectors follow the same reasoning, after obtaining the approval of the head of the respective directorates.

5. Each structure informs and reports periodically to the Secretary General and the Minister whenever required, in implementation of legal obligations or assigned duties.

6. For carrying out temporary, complex tasks that require an intersectoral approach, working groups may be established consisting of civil servants from the ministry and its subordinate institutions. They may also include external experts. The working groups are established by order of the minister or the secretary general. Unless otherwise provided in the relevant establishment order, the working group is chaired by the member who has the highest level of civil servant.

#### Article 48

##### **Subordinate institutions and their supervision**

1. The subordinate institutions of the Ministry of Justice are:

- a) General Directorate of Prisons;
- b) General Directorate of Enforcement;
- c) Official Publications Center;
- ç) Institute of Forensic Medicine;
- d) Agency for Property Treatment;
- dh) Albanian Adoption Committee;
- e) State Archive of the Judicial System;
- ë) National Insolvency Agency;
- f) Directorate of Free Legal Aid;
- g) General Directorate of Probation Service;
- gj) Directorate of Internal Inspection Service in the Prison System;
- h) Center for the Prevention of Juvenile and Youth Crime;
- i) Any other institution established by law or by decision of the Council of Ministers.

2. The subordinate institutions are supervised and report on:

- a) the achievement of the approved political and management objectives;
- b) the legality and appropriateness of their administrative actions, the administration of human resources, budget execution, administration of property, and financial management.

3. The responsible supervising official has the right:

- a) to request regular and special reporting and information on general administrative activity and internal management, as well as on specific administrative issues;



- b) to conduct on-site inspections and to inspect files;
- c) to determine the policy objectives of the subordinate institution and autonomous agencies;
- ç) to give general instructions and orders regarding administrative activity and issues of internal management;
- d) to order the fulfillment of duties or the undertaking of specific measures;
- dh) to preliminarily approve the draft budget of the subordinate institution and to make the proposal for financing of the autonomous agency from the State Budget, in accordance with the law.
- e) to order the initiation, ex officio, of a specific administrative procedure by the subordinate structure;
- ë) to instruct the subordinate structure to suspend the execution of an administrative act issued by itself;
- f) to order the subordinate institution or autonomous agency to amend or revoke an administrative act.

4. In cases where a subordinate institution does not implement the instructions referred to in subpoints “e”, “ë”, and “f” of point 3 of this Article within a reasonable period, the official responsible for supervision directly exercises the competencies of the subordinate institution and acts in its stead.

5. The institutions subordinate to the Ministry of Justice periodically inform the Minister of Justice and the Secretary General regarding their activity, in implementation of the legal provisions and bylaws in force.

#### Article 49

#### **Legal representation of the Ministry of Justice**

1. The legal representation of the Ministry of Justice in judicial proceedings is carried out by the Judicial Representation Sector, within the Directorate of Good Administration of Human Resources, Assets, and Services.

2. The authorization for legal representation is issued by the head of the institution or by a person authorized in writing by him.

3. The representative in the judicial proceedings provides information to the immediate superior and to the person who issued the respective authorization regarding the progress of the proceedings, as well as the assessment of whether or not to appeal the court's decision to other instances in order to protect the interests of the Ministry of Justice institution.

4. In addition to the information specified in point 3 of this Article, the Judicial Representation Sector provides information to the immediate superior, the Secretary General, and the person who issued the respective authorization for every judicial case for which a final decision has been issued.

### **CHAPTER VI**

#### **SERVICES INSIDE AND OUTSIDE THE COUNTRY, OFFICIAL CEREMONIES, VISITS AND FOREIGN DELEGATIONS**

## Article 50

### **Services inside and outside the country**

1. Services inside and outside the country are carried out based on the annual activity program of the Ministry of Justice or based on other activities outside this program.

2. Services outside the country are scheduled for all types of activities.

3. For various activities carried out outside the activity program within the framework of bilateral and multilateral relations, their managers must determine the financial cost for each activity in August of each year. After the approval of the justice budget by the Parliament, and its detailing, activities should be rescheduled according to the possibilities created within January of each year. On this basis, the program for the following year is redefined and submitted for approval to the Minister of Justice. After this procedure, reconfirmation is made for participation in activities for which financial support is possible.

4. The proposal for the approval of the activities specified in point 3 of this article is sent for approval to the Minister of Justice, through the Secretary General and the minister's cabinet.

5. For participation in activities during the year, at director level and above, the proposal for the approval of activities is sent through the minister's cabinet, in order to conduct a preliminary programmatic and political assessment of them, in accordance with the platform for cooperation relations abroad or other priorities.

6. When activities are unscheduled, prior approval from the minister must be obtained for their implementation.

7. All relevant structures, after the completion of the service, inside or outside the country, must send the relevant information according to the nature of the issue for which they must inform the responsible structure for support services in the Ministry and the Secretary General for in-country services, within a period of 5 days. For activities at director level and above, a copy of the information on the activity is sent to the minister's cabinet, in order to assess whether further commitments will be undertaken by the Ministry of Justice.

8. Services within and outside the country must be carried out in accordance with the rules of communication with the party where the service will be performed. For this reason, it is necessary to notify the host party in advance of the time, route, means, and number of persons traveling. A business trip cannot be made without obtaining prior consent for its implementation.

9. The service personnel receive an advance before the start of the trip.

10. The subject matter of the service is made known to the relevant superior, who may provide additional instructions.

11. For all services carried out by a group of persons, priority for leadership is given to the area of responsibility of the subject matter of the service.

12. If a business trip, for substantiated reasons, is not carried out or is postponed to a later period, written approval from the person who authorized this business trip is required.

13. If during a business trip it becomes necessary to extend the period of service, consent must be obtained from the person who authorized it, but always before the end of the authorized time.

14. Business trips within the country are carried out using the Ministry's means of transport.

15. The calculation of travel expenses must be done immediately after the completion of the trip.

16. Special expenses, such as: service telephones, use of taxis, etc., must be documented and substantiated.

17. For service payments made by credit card, in order to determine travel expenses, copies of the payment made with the credit card must be retained to determine the currency exchange rate.

18. If expenses for overnight stays are included in trips abroad, the hotel bill for the entire duration of the trip and service must also be submitted for the calculation of costs.

19. After the completion of the service, the necessary documentation is prepared and the justification of the expenses incurred is made with supporting documents confirming the execution of these expenses.

20. The structure responsible for services in the Ministry is responsible for preparing all relevant documentation and communicating with diplomatic representations regarding personnel appointed for service abroad.

21. In addition to the provisions of point 7 of this Article, representatives of the Ministry of Justice and its subordinate structures who have participated in an activity from which they have undertaken political commitments must inform, by official letter, the director of the cabinet of the Minister of Justice, within 7 days from the conclusion of the activity.

#### Article 51

##### **Official ceremonies**

1. Ceremonies in the Ministry are conducted by the structure responsible for support services, in accordance with the rules of protocol activities defined in the Official Ceremony of the Republic of Albania.

2. The escort of dignitaries is carried out according to the rules of protocol activities defined in the Official Ceremony of the Republic of Albania.

#### Article 52

##### **Visits and foreign delegations**

1. Official invitations for visits of delegations or foreign representatives to our country are administered by the structure responsible for support services, which distributes them according to the designation. For invitations that may arrive at other addresses, the structure responsible for the services is notified. In every case, the minister's cabinet is informed.

2. Official notifications for the acceptance of invitations are addressed to the Minister of Justice or, as the case may be, other senior management of the Ministry. The preparations and execution of official visits of foreign delegations to the Ministry are determined by the type and importance of the visit. Visits are divided into:

- a) official visits;
- b) unofficial visits;
- c) informative visits;
- c) working visits.

3. Official visits of specific persons, of the high levels of foreign countries, are carried out after the sending or receipt of an official invitation. Invitations must be approved by the Minister of Justice before they are sent. As a rule, the invitation is addressed to persons holding positions roughly equivalent to that of the sender of the invitation. Official invitations are issued for work-related matters and are accompanied by a work program approved by the Minister of Justice.

4. Unofficial visits are visits of a person or group of high-level persons, for whom there is no official invitation from the Ministry, but are made at the request of the other party. These visits are usually conducted for reasons of courtesy, respect, or congratulations. Protocol honors in this case are to a lesser extent than in official visits.

5. Informative visits, such as: conferences, workshops, seminars, symposiums, short training courses, etc., are visits of specific persons or a group of persons who are invited by the Ministry of Justice. During these visits, the visitors are given an overview of the activities that will be carried out in the institution they will visit.

6. Working visits are conducted for discussions according to the respective agenda or for reaching an agreement with the other party.

7. Persons or groups of persons who, within the framework of the visits mentioned above, request to visit the Ministry of Justice, are received, accommodated, and accompanied by the personnel of the structure responsible for services. This structure has the responsibility to implement the measures set out for the aforementioned visits.

8. Official visits:

a) The Minister of Justice invites delegations from foreign countries for official visits;

b) the structure responsible for support services prepares the annual plan of visits and presents it for approval to the minister, through the minister's cabinet;

c) in cases where the positions of previously planned personnel change, or in other cases, a request must be made again for the renewal and approval of the invitation;

ç) in cases where, for important work interests, it becomes necessary to issue another invitation that is not planned in the long-term plan, then the invitation for the additional official visit must be sent no later than 2 months before the scheduled visit. Such a procedure is also followed in cases where one of the persons authorized to make official invitations is on a visit in a foreign country and, during contacts with their counterpart, agrees to continue the dialogue in our country;

d) the structure responsible for services prepares a preliminary draft program for the teams of foreign delegations and sends it to the invited party for the visit. If the foreign party agrees with the draft program, then the final program is prepared;

dh) travel, lodging, and accommodation expenses, as the case may be, are foreseen in the bilateral and multilateral cooperation program, as well as in other acts;

e) the Ministry's party must be at the same level of representation as the invited delegation.

9. Informal visits are administered by the structure responsible for services in the Ministry, which, together with the structure that made the invitation, take the necessary organizational and protocol measures for the realization of the visit, notifying the minister's cabinet.

10. Informative visits and working visits have the organizational character of an official visit, differing only in their subject matter, and as such require treatment as an official visit.

## **CHAPTER VII**

### **EMPLOYMENT RELATIONSHIPS AND RULES OF ETHICS**

#### Article 53

##### **General rules**

1. The employee of the Ministry of Justice acknowledges and applies the rules set out in this regulation and the relevant legislation in force governing employment relationships.
2. In fulfilling their duties and responsibilities, the employee of the ministry performs their duty with honesty and responsibility, taking into account the public interest and respecting the regulatory framework in force.
3. The employee of the Ministry maintains reputation, dignity, and refrains from any action, attitude, or behavior that may undermine the good name of the employee and the institution they represent.
4. The employee of the Ministry must be honest in relationships with superiors, colleagues, subordinates, and third parties.
5. The employee of the Ministry, while performing their duties, must not act arbitrarily in relationships with superiors, colleagues, subordinates, and third parties, and must respect their rights.
6. In fulfilling their functional duties, the employee of the Ministry guarantees equal treatment for all persons in relation to the Ministry of Justice.

#### Article 54

##### **Official working hours and presence during working hours**

1. The weekly duration and daily working hours are defined in the legislation in force regarding the duration of work in state institutions.
2. During official working hours, the official is required to use the time solely for work purposes and the execution of their functional duties.
3. During official working hours, the civil servant and other employees of the Ministry may leave for work reasons, health reasons, or other justifiable personal reasons. In such cases, the civil servant must notify the direct superior, as well as obtain their approval for any exit from the Ministry institution.
4. In case of inability to be physically present, every official is required to notify their direct superior.
5. In the absence of the direct superior, the obligation to notify and obtain approval passes to the superior of a higher hierarchy, except the general director and the secretary general, who in this case notify the Minister of Justice directly.
6. The written notification and approval of exits are reflected in the movement register created for this purpose.
7. The register must contain the following fields:
  - a) name of the employee/civil servant;
  - b) duration and reason for the movement;
  - c) signature of the employee/civil servant;
  - c) name of the superior who approved the movement.

8. The structure responsible for human resources, whenever requested by the secretary general, carries out verification of the presence at work of the Ministry's employees and prepares the relevant report.

9. The above-mentioned report must contain the names of employees who:

- a) have not shown up during official working hours;
- b) are not present in the Ministry's premises during the inspection;
- c) have left the Ministry, in violation of the rules set out in this article.

## Article 55

### **Principles of ethics**

1. In the performance of duties, the employee of the Ministry of Justice must respect the principles of ethics, as follows:

- a) carry out duties, in accordance with the legislation in force;
- b) act independently from a political standpoint and not obstruct the implementation of policies, decisions, or lawful actions of public administration authorities;
- c) in the performance of duties must be honest, impartial, efficient, considering only the public interest;
- ç) be courteous in relations and in written and verbal communication with the citizens to whom he/she provides services, as well as with superiors, colleagues, and subordinates;
- d) must not act arbitrarily to the detriment of any person or organization and must show due respect for the rights and personal interests of third parties;
- dh) not allow his/her private interests to conflict with his/her public position, avoid conflicts of interest, and never use his/her position for private interest;
- e) always behave in such a manner that the public's trust in the integrity, impartiality, and effectiveness of the public service is maintained and strengthened;
- ë) preserve the confidentiality of the information in his/her possession, without prejudice to the implementation of obligations arising from the legislation on the right to information.

2. The employee of the Ministry of Justice is obliged to adhere to the norms and principles of ethics both during working hours and outside working hours.

## Article 56

### **Entry and presence in the workplace**

1. The employee of the Ministry must strictly respect the official working hours.

2. During every entry and exit from the institution, the employee of the Ministry must use the electronic entry sheet. In case of loss of the electronic entry sheet, the employee shall immediately notify the supervisor and the responsible human resources structure. Until provided with an electronic entry sheet, the employee is allowed to enter the institution by recording his/her data in the relevant register.

3. The consumption of alcoholic beverages is strictly prohibited in all premises of the Ministry of Justice.

4. Smoking is strictly prohibited in all premises of the Ministry of Justice. Smoking may only be allowed in designated open areas for this purpose.

5. The use of the internal telephone line for private purposes is not allowed, except in cases of family emergency.

6. In work meetings, meetings with the heads of the Ministry, during reporting to supervisors, the mobile phone device must be switched off or set to silent mode.

7. In daily communication within the institution, officials must respect the hierarchical level. During communication, each official must be characterized by ethics and mutual respect towards one another and towards superiors of a higher hierarchical level. Verbal communication in the premises of the Ministry must not be conducted in a loud voice.

8. The civil servant of the Ministry must not publicly express his political beliefs or preferences.

#### Article 57

##### **External appearance**

1. All employees of the Ministry of Justice must care for their external appearance, to ensure a dignified representation of both themselves and the institution they represent.

2. The attire of employees in the Ministry of Justice must be formal.

3. For male employees, in the position of director of directorate and other functions higher in hierarchy than this position, the minimum attire must be formal trousers, jacket, shirt and tie, whereas for other male employees the minimum attire must be formal trousers and shirt.

4. For female employees, attire must be formal, not extravagant, with skirts that are not very short or shirts and blouses with low necklines.

5. Male and female employees must not appear on any day of the week in other attire of a sporty nature, except in cases when travelling for business purposes within or outside the country.

#### Article 58

##### **Use of social networks during the exercise of duty**

1. During the exercise of duty, the employee is prohibited from using social networks.

2. The employee of the Ministry must not publish materials or data related to the exercise of duty or record audio or video of meetings or discussions held within the internal or external premises of the institution, except in cases when, for work-related reasons, authorization is granted by the secretary general.

#### Article 59

##### **Whistleblowing**

1. An employee of the Ministry who becomes aware of suspected acts or practices of corruption, during work or in relation to his or her work activities, has the right to report this fact to the responsible whistleblowing unit within the Ministry or to the High Inspectorate for

Declaration and Audit of Assets and Conflict of Interests, as applicable, in accordance with the legislation in force regarding whistleblowing and the protection of whistleblowers.

2. After receiving the whistleblowing report, the responsible unit conducts an administrative investigation of the report, in accordance with the procedure set forth in the legislation in force regarding whistleblowing and the protection of whistleblowers.

#### Article 60

#### **Confidentiality and safeguarding of information**

1. The employee of the Ministry must not exploit or benefit from information obtained while performing his or her official duties.

2. The employee of the Ministry must maintain the confidentiality arising from the law regarding information and official documents that he or she becomes aware of and obtains during the performance of duties, in accordance with the legislation in force on the right to information and on classified information.

3. The employee, during and after the performance of duties, must not make inappropriate public comments regarding the policies and activities of the Ministry, nor make personal statements that could be interpreted as personal.

#### Article 61

#### **Conflict of interest**

1. Every employee of the Ministry, pursuant to the provisions of point 2, Article 5, of this regulation, who supervises or uses public funds, enters service or investment contracts, represents the Ministry in relations with third parties, in the exercise of his or her powers or in the performance of his or her official duties, or who is temporarily assigned such duties, is required to make a prior, case-by-case self-declaration regarding the existence of his or her private interests, which may give rise to a conflict of interest.

2. The case-by-case declaration of the employee's private interests is made whenever it is required by the responsible authority according to the applicable regulatory framework. The declaration, as a rule, must be requested and made in advance. When this is not possible or has not occurred, the declaration is requested and made as soon as possible.

3. Self-declaration or declaration upon request is made in writing when the employee is involved in decision-making regarding an act.

4. The responsible authority, based on the employee's self-declaration, as well as on the information they possess, takes the necessary measures to avoid his appointment to positions in which conflicts of interest may arise or exist. In such cases, measures are taken so that the employee is not assigned tasks that could lead to the appearance of a potential conflict of interest and, when this is not possible, steps are taken for the removal of the employee from the position.

5. For the registrations of case-by-case conflicts of interest of the employees of the Ministry, a register with the same name is created, which is administered by the Responsible Authority.

6. The Responsible Authority, for each case of occurrence of a case-by-case conflict of interest, records the identity of the employee, his private interests, the cause of the conflict of interest, the substance of the conflict, the interested parties, the source of the data, the manner



of obtaining and verifying them, as well as the decision that has been made, based on this data, including decisions taken by superiors, superior institutions, or by the courts.

7. The handling of situations of conflict of interest is carried out in accordance with the legislation in force for the prevention of conflicts of interest in the exercise of public functions.

#### Article 62

##### **Gifts and favors**

1. Every employee of the Ministry, according to the provisions of point 2, Article 5, of this regulation, must not request or accept, directly or indirectly, for himself, his family, relatives, natural or legal persons with whom he has a relationship, gifts, favors, hospitality, or any other benefit, as well as promises thereof, which are given due to his official position, with any kind of benefit to the donor or third parties, that influence or appear to influence the impartiality of the performance of duty or are or appear to be reward for the manner of performing the official duty.

2. The employee of the Ministry must not, directly or indirectly, give gifts or mediate the giving of gifts to an official of a higher level or his relative, nor seek or accept gifts from an official of a lower level or his relative, due to their qualities and official relationships.

3. The employee of the Ministry may accept gifts from foreign governments or international organisations, within the normal limits of hospitality and treatment arising from such occasions, courtesy or protocol, provided that the limits of tradition and customs of the country in which they are given are not exceeded, and they do not call into question his objectivity, integrity and impartiality as an employee of the Ministry of Justice and do not compromise the image and integrity of the Republic of Albania.

4. The employee of the Ministry may keep permissible gifts without being required to declare them, if they do not exceed the value of 10,000 (ten thousand) ALL per gift, whereas if the gifts are more valuable, he must declare them, within 30 days, to his direct superior and submit them to the Ministry's responsible human resources structure.

#### Article 63

##### **External activities**

1. The employee of the Ministry must not engage in any external activity that hinders the performance of his official duties or requires a mental or physical commitment that makes the fulfillment of his duties difficult, or is a continuation of such duty, which in any way affects his image as an employee of the Ministry of Justice.

2. Activities carried out within the framework of trade union activities or employee representation, or teaching activities, are permissible when they do not interfere with the performance of duties.

3. The conduct of external activity must be notified to the direct superior and the responsible human resources structure of the Ministry, in accordance with the applicable legislation in force.

4. During the daily working hours, employees may engage in teaching activities after approval from the head of the institution, but not more than 4 (four) hours per week, which are compensated as working hours within the week, after the daily working hours. An employee

engaged in teaching is required to submit, to the human resources unit of the institution in which they are employed, a copy of the contract concluded with the education establishment.

#### Article 64

##### **Handover of duty**

Upon termination of the employment relationship, the employee is required to hand over all equipment, tools, and documentation to the unit responsible for services and the direct superior within 5 (five) days.

#### Article 65

##### **Rules for the use of the network and computer equipment**

1. The unit responsible for information technology in the Ministry is responsible for the administration, monitoring, and ensuring the sustainability of all ICT systems installed in the Ministry of Justice.

2. All ICT systems that are property of the Ministry of Justice must be used only for work purposes. Their use for personal needs is prohibited.

3. Communication in the Ministry's ICT systems, whether of a normal or confidential nature, must be considered as any other type of communication and, in its entirety, represents the Ministry of Justice; therefore, the information exchanged must be ethical and as professional as possible.

4. The computer, laptop, programs, peripheral devices, or any other type of computer equipment provided to a user by the Ministry of Justice, at the conclusion of the fulfillment of the duty, shall be returned to the Ministry and remain its property.

5. Only those programs that the user needs to perform their duties shall be installed on the Ministry's computer equipment. The list of programs permitted for installation is approved by the Secretary General of the Ministry, upon the proposal of the unit responsible for information technology.

6. Installation of *"software"*, *their upgrading*, *installation of devices*, *their configuration*, *"download"-ing* from the internet, *"update"-ing* of systems and any other actions that affect the configurations of the Ministry's ICT systems shall be the exclusive competence of the unit responsible for information technology in the Ministry, which is responsible for the administration of this process.

7. All ICT equipment or systems that are connected to or added to existing systems must be inspected by the unit responsible for information technology before they are put into operation.

8. Upon receiving the user credentials for the use of ICT systems, the user shall be responsible for all activities and actions undertaken during the use of these systems in accordance with the rights they have in each system.

9. The distribution of computer equipment within the Ministry shall be carried out only after written or electronic approval by the Secretary General.

#### Article 66

##### **Electronic mail**

1. The electronic mail system is to be used only for work purposes.
2. The unit responsible for information technology is responsible for the administration, monitoring, and ensuring the operational stability of the electronic mail of the Ministry of Justice.
3. The right to privacy in the creation, sending, or receipt of a document in the electronic mail systems of the Ministry is guaranteed.
4. In accordance with system limitations and space constraints, no photograph, graphic, film, or any attachment file in an email shall be used in the system without a valid work-related reason.

## **CHAPTER VIII**

### **HUMAN RESOURCES MANAGEMENT, APPOINTMENT AND TERMINATION OF EMPLOYMENT RELATIONSHIPS**

#### Article 67 **Personnel file**

1. The personnel file is individual and contains data of a technical and professional nature, disciplinary measures, data regarding the periodic evaluation of individual work results, as well as other employee data.
2. The personnel file is administered by the human resources unit of the Ministry, which is responsible for the retention, completion, organisation, and administration of personnel files for each employee, in accordance with the applicable legal provisions.
3. The personnel file is updated every year with new data such as the annual evaluation, qualifications, and various certificates, which enrich the file and the personnel record.
4. The personnel file is confidential in nature. Persons who have the right to access the civil personnel file are:
  - a) the employee to whom the file pertains;
  - b) the direct supervisor;
  - c) the employees of the human resources unit who are responsible for their retention and organisation;
  - ç) the head of the Ministry institution;
  - d) the Secretary General;
  - dh) The Commissioner for Civil Service Oversight;
  - e) The Department of Public Administration; as well as
  - ë) other institutions assigned by law.
5. The use of data is carried out in accordance with the legislation in force on the protection of personal data.
6. The data and documents of the personal file are reflected in the electronic human resources management system.
7. The employee of the Ministry is obliged to immediately respond to the requests of the human resources unit for all requested data, as well as to immediately notify any changes by submitting the relevant document that verifies these changes.

8. The employee of the Ministry bears individual legal responsibility for the accuracy of the data provided for the completion of the personnel file.

9. Upon termination of the employment relationship, the personal file is returned to the employee and the Ministry retains a copy of it.

#### Article 68

##### **Job descriptions**

1. Every job position, as part of the structure and staffing of the Ministry, must have a job description, as well as process maps for work processes.

2. For civil service positions, job descriptions are drafted and approved according to the rules set out in the legislation in force for the civil service.

3. For other positions, in drafting job descriptions, the criteria and procedures followed for civil service positions are taken into consideration, as far as possible.

4. The work process map is a document that details the work processes carried out by each directorate and contains:

- a) identification of the activities carried out by the directorate;
- b) responsibilities for carrying out an activity;
- c) the deadlines within which these activities must be carried out;
- c) the manner of carrying out the activity;
- d) the documentation used during their course.

5. Work process maps are drafted by the general directorates, according to the respective areas they cover, and are approved by order of the secretary general, except for the work manual for the official document in the Ministry of Justice, which is approved by order of the Minister of Justice, upon the proposal of the structure responsible for the archive-protocol.

#### Article 69

##### **Appointment, release, and dismissal/removal of employees**

1. The appointment, release, and removal of civil servants of the Ministry is carried out in accordance with the applicable legislation on the civil service.

2. The appointment, release, and dismissal of members of the Minister's Cabinet is carried out by order of the Minister of Justice.

3. The appointment and release of administrative employees of the Ministry is carried out in accordance with the provisions of the Labour Code of the Republic of Albania.

4. The appointment and release for the position of "secretary" of the secretary general and the deputy minister is carried out in accordance with the provisions of the Labour Code of the Republic of Albania.

## **CHAPTER IX PUBLIC INFORMATION**

#### Article 70

##### **Public information**

1. Every individual enjoys the right to access public information held by the Ministry of Justice, in accordance with the provisions of the legislation on the right to information.

2. The Ministry creates, maintains, and makes public a special register of requests and responses, reflecting all requests for information and the information provided in response to them. This register is updated every 3 months and published on the website of the Ministry, as well as in the public reception areas of the Ministry's offices. The identity of information requesters is not reflected in the register.

3. The request for information is made in writing and submitted in person, by mail or by email, accurately presenting the identity of the requester and their signature. In every case, the request is registered in the special register and handled according to the provisions of the legislation on the right to information.

4. The Ministry handles the request for information, providing the requested information as quickly as possible, but no later than 10 working days from the date of its submission, except in cases where a special law provides otherwise. This deadline may be extended by no more than 5 (five) working days for one of the following reasons:

- a) the need to search for and review multiple and voluminous documents;
- b) the need to extend searches to offices and facilities that are physically separate from the central office of the Ministry;
- c) the need to consult with other public authorities before making a decision on whether or not to fulfil the request.

5. The decision to extend the deadline is immediately communicated to the applicant.

6. In any case, failure to handle the request for information within the aforementioned deadlines shall be considered a refusal.

## Article 71

### **Coordinator for the Right to Information at the Ministry of Justice**

1. The Ministry of Justice appoints one of the civil servants as the coordinator for the right to information, with the purpose of coordinating work to guarantee the right to information within the implementation framework of the legislation on the right to information.

2. The civil servant of the Ministry, in the capacity of coordinator for the right to information, exercises the following powers:

- a) enables any applicant to exercise the right to access public information, in accordance with the legislation on the right to information, either by consulting the original document or by obtaining a copy thereof;
- b) creates, maintains, publishes and updates the register of requests and responses within the legal deadline;
- c) coordinates the work for fulfilling requests for information within the deadlines and in the manner provided for in the legislation on the right to information;
- ç) registers requests for information and assigns a sequential number to each of them;
- d) forwards the request for information to another public authority, within the deadlines provided for in the legislation on the right to information, when it is established that the Ministry does not possess the requested information;

dh) verifies cases for the free provision of information to citizens, in accordance with the legislation on the right to information;

e) performs preliminary notifications, in accordance with the legislation on the right to information, and communicates with the applicant, as necessary for handling the request for public information.

3. For the exercise of the competences designated by the applicable legislation, the coordinator for the right to information cooperates with all the relevant structures assigned for handling information requests. For performing his duties, the coordinator uses and administers the dedicated electronic address for this purpose.

4. When the request for information is submitted in writing, alongside the notation of the structure that will handle it, it is also noted for follow-up by the coordinator for the right to information and sent to them as soon as possible. When the request for information is sent via email to the dedicated address, the coordinator forwards it for handling to the relevant structure, informing the secretary general.

5. The request for information is treated as a priority by the relevant structures, giving special attention to the implementation of the applicable legislation on the right to information. The relevant structure sends the response to the coordinator for the right to information at the electronic address, who, as the case may be, may submit suggestions on the compliance of the response with the applicable legislation on the right to information.

6. The written response to the request for information is forwarded to the requester by the relevant structure, which notifies the coordinator of the date and protocol number of the response letter. Responses to requests for information sent via email are forwarded by the coordinator for the right to information after the response has been sent to the requester.

7. When the Commissioner for the Right to Information and Protection of Personal Data submits a request for submissions regarding the complaint filed by the requester in accordance with applicable legislation, points 4 and 5 of this article shall apply. Legal representatives of the Ministry of Justice in the administrative procedure for reviewing the complaint are one official from the relevant structure that has handled the request and the coordinator for the right to information.

## **CHAPTER X**

### **ENTRY INTO THE MINISTRY AND SECURITY**

#### **Article 72**

##### **General rules for entry and exit**

1. Entry and exit in the Ministry of Justice is conducted in compliance with the requirements of protection and security.

2. Entry into the Ministry of Justice is permitted for work-related needs, service, and various meetings.

3. Entrances to the Ministry are under surveillance by cameras and the institution's security personnel.

4. Entry into the institution of the Ministry of Justice is conducted as follows:

a) at entrance gate no. 1 "main gate", entry is permitted for: the Minister of Justice, his escorts, the Deputy Minister, the minister's cabinet, the Secretary General, general directors, heads of institutions dependent on the Ministry, high state personalities, foreign officials/functionaries, and foreign delegations;

b) at entrance gate no. 2 "regular gate", entry is permitted for Ministry of Justice personnel equipped with electronic entry passes;

c) at entrance gate no. 3 "citizens' reception entrance", entry is permitted for persons who are not Ministry of Justice personnel.

5. Entry and parking of vehicles in the external premises of the Ministry is carried out according to the following rules:

a) parking of vehicles in the internal courtyard of the Ministry is permitted for the Minister, the Deputy Minister, and other vehicles of the Ministry of Justice administration;

b) parking of all other vehicles is regulated by the Secretary General, on a case-by-case basis, through his approval;

c) in front of the Ministry building at entrance no. 1 "main gate", a designated parking area is assigned for vehicles of the respective subjects permitted to enter;

#### Article 73

##### **Entry and exit of Ministry employees**

1. Ministry employees enter the Ministry premises by placing the electronic entry card on the electronic reader at the entrance of the institution.

2. The electronic entry card is used for each entry and exit from the institution, individually by each employee.

3. Upon termination of the employment relationship, the employee is required to return the electronic entry card to the IT structure, which performs the deactivation and informs the responsible human resources sector.

#### Article 74

##### **Entry of high-ranking state personalities and foreign officials**

1. The President of the Republic, the Speaker and Deputy Speaker of Parliament, the Prime Minister, ministers, heads of independent institutions and other central institutions, prefects of the districts, mayors, ambassadors, foreign delegations, and the persons accompanying them according to the approved program, may enter the premises of the Ministry without presenting an identification document.

2. The accompanying persons of the above-mentioned personalities are determined according to the pre-prepared meeting protocol.

3. The Ministry, in its capacity as the host institution, must at all times prepare a list of the persons who will receive these personalities, as well as information on the persons with whom this meeting will take place within the Ministry.

4. The above-mentioned persons must be accompanied upon entry and exit by the internal security service employee, by the host official or by the person authorized by them, as appropriate.

5. The host official or the person authorized by them must notify the security service in advance of the visitor's first name, surname, and the institution from which they come, in order to expedite the control procedures.

#### Article 75

##### **Entry of employees of subordinate institutions and other citizens**

1. The employee of the subordinate institutions of the Ministry is allowed to enter the Ministry for work purposes only after confirmation from the head of the responsible structure of the Ministry.

2. Persons called for meetings or work appointments at the Ministry are allowed to enter on the basis of a list previously submitted by the organizer of the activity.

3. External persons, who seek to meet for work-related or personal matters with the minister, deputy minister, members of the minister's cabinet, the secretary general, general directors, and directors of directorates, must present themselves to the information and reception employee, where they provide the necessary information for the meeting, which is communicated to the aforementioned persons and, based on their guidance, the meeting is organized.

4. Other employees of the Ministry hold meetings in the public information and reception office, according to the designated schedule.

5. Other employees of the state administration who seek to enter the premises of the Ministry for justified reasons may enter after confirmation from the respective structure of the Ministry and upon submission of an official identification document.

6. Journalists and media employees, when attending press conferences or interviews, are allowed to enter the Ministry's premises with the approval of the authority that will hold the press conference or interview. They are escorted to the designated location by employees of the responsible service structure. In such cases, the employees of this structure submit the nominal list of journalists to the person in charge of the security service at the Ministry entrance.

#### Article 76

##### **Physical security of the Ministry**

1. The security and guarding personnel provide continuous service at the Ministry and monitor and record with cameras all movements of persons around the Ministry building and those entering its internal premises.

2. The security and guarding personnel, for justified reasons, have the right to inspect the bags, packages, and luggage of persons entering or exiting the institution and to record them in the event of any irregularity or violation.

3. The service personnel who guard and secure the Ministry building fulfill their responsibilities according to legal provisions and professional service standards.



4. All employees of the Ministry are required to be familiar with and implement the internal security rules of the institution, including the application of IT rules, fire protection measures, securing doors and windows, etc.

5. Additionally, employees of the Ministry must fulfill the following obligations:

a) at the end of the workday, before leaving the workplace, employees secure their workspaces, close the windows, doors, lights, air conditioning system, as well as comply with fire safety rules;

b) at the start of official working hours, they check the security of their premises and, if they observe any interference or changes from outside, they halt all activity and immediately notify the security service supervisor about the observation;

c) in all cases, they secure documentation, computers, and other equipment whenever they leave their work environment.

## **CHAPTER XI OTHER PROVISIONS**

### *Article 77*

#### **Updating the official website of the Ministry**

1. The updating of the official website of the Ministry of Justice is overseen by:

a) the relevant advisor, who monitors and oversees the process of data updating;

b) the advisor appointed by the Minister, who categorizes the ordinary data deposited by the directors of the ministry, as well as urgent data that must be published immediately;

c) the relevant directorates that possess the data, information, or various acts that need to be published;

2. The updating of the official website is carried out by the structure responsible for information technology.

### *Article 78*

#### **Implementation of the Regulation**

1. This regulation is mandatory for implementation by all employees of the Ministry of Justice.

2. Violation of the provisions of this regulation by employees of the Ministry constitutes grounds for initiating disciplinary proceedings and taking the appropriate disciplinary measures, in accordance with the special legislation regulating the employment relationship.

3. The monitoring of the implementation of this regulation is carried out by the Secretary General and the General Directorate of Economic and Support Services at the Ministry of Justice.

ANNEX A  
**Indicative list of legislation**

**Directorate of Civil and Criminal Law**

**Criminal Law Sector**

Criminal Code (general part and special part)
Criminal Procedure Code
Criminal Justice Code for Juveniles
Organisation and functioning of the Prosecutor's Office
Organisation and functioning of institutions for combating corruption and organised crime
Organisation and functioning of the judicial police
Criminal offences provided for in special laws
Law on pardon and related procedures
Law on amnesty and related procedures
Compensation for unjust imprisonment
Legislation in the penitentiary field, including the probation service
Forensic medicine
Legislation related to jurisdictional relations with foreign entities in criminal matters
Prevention of money laundering and financing of terrorism
Compensation for former political prisoners of the communist regime as well as their integration
Measures of violence in family relationships

EU criminal law
International criminal law
Legislation regulating public order and safety (legislation on the state police, use of firearms, the Republican Guard, etc.)

### **Civil law sector**

Civil Code (general part and special part)
Code of Civil Procedure
Family law/Family Code, including matters of adoption
Arbitration and mediation
Private international law
Legislation regulating the field of property (cadastre, legalisation, restitution and compensation of property, etc.), including state ownership over property
Legislation regulating property relations with agricultural land and its protection
Legislation regulating commercial companies
Legislation in the field of industrial property and copyright law
Legislation regulating the activity of entities under the supervision of the Bank of Albania and the Financial Supervisory Authority (banking and non-banking financial legislation)
Legislation in the field of consumer protection, including effective market supervision to ensure the compliance of consumer products with the legal requirements relating thereto, with the aim of safeguarding: health, safety or other aspects of the protection of the public interest;
Legislation on competition protection
Legislation in the field of insolvency
Legislation in the field of statutory audit
EU legislation in all of the above fields
Legislation related to jurisdictional relations abroad in civil matters
Legislation related to urban planning and development, including urban standards in construction
Legislation regulating the protection and security of territory and constructions
Legislation on non-profit organisations
Legislation on real estate intermediaries

### **Directorate of Public Law**

#### **Sector of administrative law and the judiciary**

The Constitution and, in particular, legislation governing fundamental rights/ECHR
Organisation and functioning of constitutional bodies, independent bodies, and those established by law

Organisation and functioning of the judiciary (including legislation on the status of judges and prosecutors, organisation of the judiciary, prosecution (related to criminal law), constitutional court, governance bodies of the justice system, etc.)
Code of Administrative Procedure and legislation on adjudication of administrative disputes
Legislation regulating the organisation and functioning of legal aid
Legislation regulating the organisation and functioning of the notary system
Legislation regulating the organisation and functioning of the enforcement service
Legislation regulating the civil service
Legislation regulating the protection of personal data, as well as the right to information
Legislation regulating the activity of intelligence agencies
Legislation regulating information technology
Legislation regulating the field of media
Legislation regulating the activity of the armed forces, including combat armaments
Legislation regulating civil emergencies, including state material reserves
Legislation regulating the activity of the prefect
Legislation regulating local self-government and local autonomy
Legislation regulating civil status services
Legislation regulating fire protection
Legislation regulating the foreign service
Legislation regulating the procedures for concluding international agreements (procedural matters)
Legislation regulating the protection of the rights of national minorities
EU procedural law (the organisation and functioning of the Union and its decision-making institutions)
Legislation regulating aliens in the Republic of Albania
Legislation regulating citizenship
Legislation regulating activities with the diaspora
International law, international organisations, international jurisdictions, and the law of treaties

### **Sector of Financial, Economic, Industrial Law and Entrepreneurship**

Legislation regulating public procurement and auctions
Legislation in the field of taxes and customs administration
Legislation relating to the administration of the state budget and public debt
Legislation in the field of financial management and control
Legislation in the field of internal audit in the public sector, including public financial inspection as well as the activity of the Supreme State Audit
Legislation in the field of employment, in the field of labour emigration and immigration
Legislation in the field of education and vocational training

Legislation in the field of employment relationships (Labour Code), inspection, safety and health at work
Legislation in the field of social insurance and social protection schemes
Legislation in the field of foreign investments, strategic investments, protection of domestic enterprises and businesses
Legislation in the field of concessions and public-private partnerships
Legislation in the field of accreditation and standardisation
Legislation in the field of maintenance, calibration and inspection of measuring instruments;
Legislation regulating the field of waste (urban waste, hospital waste, etc.)
Legislation regulating the field of road transport, including the development of road transport infrastructure
Legislation regulating the field of maritime transport, including the development of maritime transport infrastructure
Legislation regulating the field of air transport, including the development of air transport infrastructure
Legislation regulating the field of railway transport, including the development of railway transport infrastructure
Legislation related to the field of telecommunications and postal service
Legislation regulating the management of water resources, including the sector of water supply and the discharge and treatment of wastewater
Legislation regulating the energy sector, energy resources, including renewable energy sources, energy efficiency and climate change.
Legislation regulating the hydrocarbons sector (oil and gas).
Legislation regulating the mining and geology sector.
Legislation regulating the non-food industry sector.
Legislation regulating the tourism sector
Legislation regulating agricultural matters (including irrigation and drainage, protection of animal and plant health, agro-processing, etc.)
Legislation regulating issues of rural development
Food safety legislation
Legislation regulating matters of fisheries and aquaculture
Legislation regulating the environment sector (air, water, noise, industrial pollution, climate change, strategic environmental assessments, environmental impact assessments, etc.)
Legislation regulating nature and biodiversity, including flora and fauna, protection of land from erosion and degradation, protection of natural landscape, protection of wildlife and endangered species, and protected areas;
Legislation regulating the forestry and pasture sector

### **Sector of Social Law, Education and Children**

Legislation regulating pre-university and higher education, including scientific research, as well as regulated professions
Legislation regulating matters of youth

Legislation regulating the field of sports
Legislation regulating cultural heritage
Legislation regulating the field of art and culture
Legislation regulating the field of archives
Legislation regulating the field of healthcare services, including hospital services
Legislation regulating the field of public health (protection from tobacco, use of alcohol, mental health, etc.)
Legislation regulating the social welfare of individuals, families, and communities in need;
Legislation regulating issues of gender-based violence, abuse against children, women, and other groups, gender equality, protection of children's rights, and protection from discrimination