



REPUBLIKA E SHQIPËRISË

**ENERGY REGULATOR AUTHORITY**

**APPROVED WITH ERE BOARD DECISION NO. 199  
dated 27.11.2020**

**INTERNAL REGULATION ON THE ORGANIZATION AND OPERATION OF  
ENERGY REGULATOR AUTHORITY**

**PART I  
GENERAL PROVISIONS**

**Article 1  
Authority**

This regulation is drafted based on Law no.43/2015 “On Power Sector” as amended, Law no. 102/2015, “On Natural Gas Sector” as amended, Law no. 9131, dated 08.09.2003 “On the Rules of Ethics in Public Administration”, Law no. 8480 dated 27.05.1999 “On the functioning of collegial bodies of state administration and public entities”, law no. 153/2013 “On the Civil Servant” as amended with Law no. 7961, dated 12.07.1995 “Labor Code of the Republic of Albania”, as amended.

**Article 2  
Object**

This regulation sets the general norms that regulate the work organization and operation at the institution by ERE Chairman, as the executive administrator, the Board and other ERE structures, as well as general and specific functional duties of any organizational unit and ERE employee, the procedures and communication form between them, as well as maintenance and discipline at work and professional ethics during the execution of the duties. The chairman according to the case issues specific orders on the rules of discipline at work.

**Article 3  
Definition**

On this Regulation the following terms shall have the meaning as follows:

1. "ERE" shall mean the Energy Regulator Authority, that operates according to Law no. 43/2015 "On Power Sector" as amended, Law no. 102/2015 "On Natural Gas Sector" as amended.
2. "Chairman" shall mean one of the Board members appointed according to the procedures provided on the Law, that governs even ERE executive activity.
3. "Board of Commissioners", here in below "the Board", shall mean ERE decision taking body composing of five members appointed according to the procedures provided on the law.
4. "Technical staff" shall mean ERE employees appointed on duty according to the civil servant legislation.
5. "Other employees" shall mean the support staff and secondees within the meaning provided on Law no. 9584, dated 17.7.2006, "Law on the salaries, remunerations and structures of independent constitutional institutions and other independent institutions, established by law", from the Advisor, Secretary and support employee level appointed on duty according to the Labor Code of the Republic of Albania.
6. "Support staff" shall mean the employees, whose work relations are regulated with the Labor Code and shall perform the duties of supporting character, such as the sanitary or the driver.
7. "Secondees staff" shall mean the employees, whose working relations are regulated by the Labor Code and that perform the duties such as Board Advisor or Board Secretary.
8. "ERE structures" shall means any organizational unit as defined in the organizational structure of the institution.
9. The following abrogation's, when they are not completely (fully) used, shall have the meaning as follows:
  - i. DLAM = License, Authorizations and Supervision Directory
  - ii. DJZM = Legal and Settling the Disputes Directory
  - iii. DTÇ = Tariffs and Prices Directory
  - iv. DGN = Natural Gas Directory
  - v. DEF = Economy and Finance Directory
  - vi. DMKPS = Customer Protection, Performance and Standards Directory
  - vii. DMT = Market Monitoring Directory
  - viii. SBNj = Human Resources Sector

## **PART II**

### **Article 4**

#### **ERE Organization**

1. The constituent structures of the ERE are: the Chairman, ERE Board, the technical staff, as well as other support and secondee staff.
2. The Chairman and the Board members are appointed in conformity with Law no. 43/2015 “On Power Sector”, as amended.
2. The technical staff is appointed, promoted, and dismissed in conformity with the provisions that regulate Law no. 152/2013 “On Civil Servant” and the by-legal acts issued for its implementation. In conformity with the procedures of this Law, the appointment of the Secretary General at ERE is performed with Board approval.
4. The advisor is appointed with ERE Board Decision.
5. The other staff that is not subject to civil servant law is appointed in conformity with ERE Chairman Order, in conformity with the provisions of the Labor Code in the Republic of Albania.

### **Article 5**

#### **Governing Bodies**

1. Energy Regulatory Authority (ERE) operates as a legal public person composed from ERE Board, from the technical, support and secondee staff.
2. The Board is composed from the Chairman and four members.
3. The Board as the decision-taking body defines:
  - a) The main directions of ERE activity, including the participation schedule of ERE staff in activities abroad and staff qualifications during the calendar year, prepared by the Secretary General advised by the Directors, not later than December 15 of the previous year.
  - b) Within March 31 of each year shall be approved ERE draft budget, prepared from the Economy and Finance Directory and the Secretary General not later than January 31 of each year. The draft budget approved from the Board, accompanied with the legal audit is part of ERE annual report according to Law No. 43/2015 “On Power Sector”, as amended as well as Law no.102/2015 “On Natural Gas Sector”.
  - c) Takes decisions regarding ERE organization chart definition, if it observes the need for amending the previous year organization chart,
  - d) Approves not later than March 31 the annual report and ERE objectives for the current year.
  - e) Defines the financial and not financial treatments for ERE employees
  - e) Monitors the implementation of the objectives for the ERE organizational units and of the activity progress reports prepared from ERE organizational units;

- f) Specific issues according to the case may be led by one of the Board members in conformity with the chairman approach or the Board decision
- g) Shall have the right to require information any ERE organizational unit in conformity with the respective field of responsibility.
- h) Requires information from any organizational unit at ERE for the implementation and the measures undertaken to realize the obligations within the framework of the audit reports and the Parliament Resolution etc.

4. The Chairman of the Board is ERE general administrator. He is responsible for the administration of the institution and chairs the Board meetings. When the Chairman of the Board is missing, he authorizes one of the board members to exercise the chairman duty during this period. The chairman as the general administrator performs any duty related to daily administration of the institution, exercises all the competences provided on the law and the by-legal acts and has the signature authority during the execution of the general administration of the institution and represents ERE in the relations with the third parties.

5. The Chairman, through the responsible units at ERE provides:

- a) the publication of ERE Board Decisions at the Official Gazette,
- b) held Board meetings when accessed necessary to exercise the powers by ERE; or when this is required by the Board members
- c) shall take care that the organizational units shall respect the law and work standards in the Republic of Albania;
- d) shall ensure through the organizational units the preparation of the activity progress reports, as well as other reporting and publication obligations, obligatory according to the laws, based on which ERE exercises the activity,
- e) shall ensure the financial and legal audit at least once in a year from an authorized, independent accounting expert, and the audited report shall be available to all Board members for review before the Board approves the Annual Report.
- f) Establishes the working groups for handling specific practices, ERE object.
- g) issues specific orders and rules on which it is supported ERE activity in conformity with the legislation in force.
- h) Performes other actions defined by the law.

#### **Article 5/1**

#### **Appointment of the technical and support staff**

The technical support and secondee staff shall help the Board in exercising the regulatory competences. With the approval of the organizational chart of ERE from the Parliament, based on the conditions defined on Law no. 152/2013 “On Civil Servant”, as amended, shall be held the procedures to select ERE technical staff.

The technical staff that exercises the regulatory duties at ERE shall be mainly composed of Engineers, Economists and Layers according to the work profile of any organizational unit at ERE.

After the completion of the competition phase, the decision on the appointment and confirmation in duty, or dismissal is taken by the chairman as defined in the legislation on civil servants, while the appointment and dismissal of the Secretary General and Board Advisor, is done with ERE Board Decision.

The support and secondee staff, provided on point 3.6 and 3.7 of this regulation, except of the Board Advisor, is appointed for the works defined with Chairman order according to the legislation in force.

## **Article 5/2**

### **Participation on activities and issue the opinions for the third parties**

For all cases when various institutions or organizations inside and outside the country, notify ERE with requests to participate in activities, the Secretary General shall provide the notification for the Board members who case-by-case decide whether or not to participate at the activity.

The chairman, in consultation with the Board members and according to the needs of the directories and other ERE structures, decides on unplanned activities that shall be followed from the institution.

In case of participation on training, conferences or other meetings of this nature, the participating employee shall prepare a detailed information about the nature of the activity and other handled issues and submits it at the Protocol office of the institution, to the knowledge of the Secretary General, the charged employee from the International Affairs Department and to the respective Directory/Sector, within 10 days from the termination of the activity. In any case of participation in activities based on which it is required ERE decision, for the implementation of regulatory acts in the framework of engagements inside and outside the country, shall be prepared the information for the Board, which is then discussed at the Board meeting. Case by case the Chairman or any Board member may decide which information shall be discussed at Board meetings. The information accompanied with any document available from the participant at the activity shall be kept of a specific folder at ERE server, accessible from any ERE employees. The Board members shall inform their colleagues regarding the activity that they shall follow.

For all the cases when it is required ERE opinion or the attitude from other institutions, this opinion shall reflect the Board opinion after discussing the prepared practice with the units that have analyzed the request for opinion addressed to ERE. For other duties regarding the internal organization of ERE work, the Chairman case by case may delegate to the Secretary General but he may not delegate the rights regarding the signature of the correspondence with the third parties or the issuance of orders.

The chairman appoints ERE staff that shall be engaged on inter – institutional working groups. The follow – up of the duties shall be performed by the Secretary General.

## **Article 5/3**

### **Public and media relations**

1. Update of ERE website and of social media shall be executed by the Tecnology and Information employee according to the information prepared by the public relations employee.
2. The update of ERE website is followed and supervised by the Advisor.
3. Every Friday the technical Directories shall prepare updated weekly data Reports that shall be published on ERE website and social media according to the provisions defined on ERE Chairman Order. The respective directories for the publication of the data, based on their competence according to the duties defined on this regulation, send to the public Relations employee the data that shall be published at any time.
4. The relation with the media / communication at any case shall be permitted with the Chairman's authorization.  
Any ERE employee shall not communicate with the jornalists without prior authorization from the Chairman.

### **Article 5/3**

#### **Entrance at ERE premises**

The entrance at the institution shall be permitted only for work needs, for different services and meetings confirmed by ERE and under camera surveillance, the security service employee of the institution that permit the entry in the institution only accompanied by an ERE employee that reflects this action at the entry in the institution register accompanied with the personal identification data of the visitor. The chairman approves the specific rules for the entry and exit to the Institution.

## **Article 6**

### **Work principles during exercising the authority by the Board**

1. The Board must show impartiality in exercising ERE responsibilities, distancing itself from the public expression of opinions that may cause doubt on their impartiality. In particular, they shall avoid their personal political opinions, as well as their participation in organizations where they may be required to hold political positions on issues within ERE area of activity.
2. The Board member during exercising the mandate shall behave with dignity and be reserved as well as distance himself from making any kind of declaration or performing any activity that conflicts with his function.
3. The Board member shall not have direct or indirect interests with any of the licensee or any other organization if these interests conflicts with the interests and his duties at ERE, as defined on the legislation for conflicts of interests.
4. The Board Member shall respect the confidentiality of any document or information for which they are informed during the exercise of their duties and shall not use them per personal purposes.
5. The Board member during the decision taking shall access the ensurance of equal treatment for all the requests that are reviewed by ERE.
6. The Board member shall be coherent in professional knowleges to ensure the appropriate professional skills and the quality of his work maintenance.

## **Article 7**

### **The working principles in exercising the authority/ power by ERE staff**

1. The ERE employee shall show commitment at work that includes assessment and competences:
  - a. The assessment obligation requires that the employees shall be present at work, (including with the distance communication means as defined on Chairman's order, shall perform the duties, shall respect the working hours and shall not absent without justification reasons or without a medical report. The employee shall inform the Secretary General and shall obtain his approval for any exit from the institution and after his approval shall inform his Director and the Human Resources. The Secretary General shall perform the daily verification for the entry and exits of the employees/civil servants during the official working hours according to the daily information prepared by the human resources unit. In any case of violating the rules on entry or exit from the institution, the Secretary General shall inform the Chairman daily and proposes appropriate measures.
  - b. The competence obligation requires that the technical staff and other employees shall comply their duties with competence and professional ethics, providing the required, sufficient and satisfied service for the Board. They shall respect the professional standands, avoid negligence and respect the set deadlines to perform their duties. On any case shall implement the work ethics and principles during exercising their operation in conformity with the effective legislation.

2. The employees need to continuously improve and increase their knowledge, using efficiently the tools and equipment available for them to have the right proficiencies to implement their duties on time.
3. The technical staff and other ERE employees in performing their duties shall act honestly.
4. Honesty principle requires:
  - a. The technical staff and the employees shall avoid any form of corruption or attempted corruption and shall not be involved in any act of breach of trust.
  - b. The technical staff and employees shall not require or accept for themselves or for another person, presents or other benefits that may influence the judgement or performance of the duties assigned to them.
  - c. Also the honesty principle, provides that the technical staff and other employees shall show intellectual honesty in confronting the challenges encountered during performing their duty.
  - d. It is forbidden that the technical staff and other employees to accept payments or benefits in any circumstance, when they directly relate with the duties regarding the execution of competences at ERE. In specific circumstance a symbolic gift, in traditional holidays may be accepted, but in such a case the employee is obliged to inform his supervisor.

In any case the acceptance and assessment of the presents shall be according to the rules defined on Article 23 of Law no. 9367, dated 07.04.2005, as amended and Council of Ministers Decision no. 714, dated 22. 10. 2004

4. The employee shall avoid unfair preferences or prejudices, that do not comply with justice and equality and shall not undertake actions that put ERE Board in a difficult position. He shall also not make recommendations from prejudices regarding the gender, ethnicity, skin, color, religion, or political beliefs of an individual.

5. The employee shall not act regarding from his personal interest but having into consideration only the public interest.

6. The technical staff and other employees shall not allow the familiar, social, or professional relations to influence on their behaviour or judgement and on each case shall be subject to the responsibility according to the provisions of the Conflict-of-Interest Law as well as "Power Sector" Law.

7. Any employee shall have good and humane behavior in relations with the public, colleagues, licensees and parties involved in a process at ERE and avoid all forms of discrimination prohibited by law.

8. The employee during the exercise of his duty shall be patient, dignified and polite on the relations between the colleagues and the relations with the other parties.

9. The employee shall always behave as such to show to the public reliability in exercising the duty with professionalism, sincerity and impartiality.

10. The employee shall maintain order and ethics on the procedures that he follows. The dress code shall be in conformity with the official ethics of the public administration.

11. Any ERE employee is subject of the disciplinary measures to the dismissal, for the violations that he performs during exercising the duties at ERE.



**Article 8**  
**Confidentiality**

1. The Board Member and any employee shall maintain the confidentiality of all facts, secondary legislation and information for which he is informed during the execution of his duty. This obligation shall also mean that the employee shall have a reserve attitude regarding any fact or information for which he is informed because of the duty or classified from the Board as confidential.
2. When the information is part of a file that is under review, and by decision of the Board is treated in terms of confidentiality, the employee must first fill in the declaration form attached to these rules and in any case notify the Secretary General when required for the recognition of the file that is treated with confidentiality. In any case, each ERE employee will comply with the "Rules on Confidentiality" approved by the Board.
3. On each case it is forbidden the issue of the information, relating to the interpretation of the legal and by-legal acts according to which ERE exercises the official activity, of the third parties without the approval of ERE Chairman, which defines the approach of issuing the response for the required information after being consulted with the Board members.
4. Any employee part of ERE technical staff, except as provided on this regulation, shall have the rights and obligations defined on Law No. 153/2015 "The status of Civil Servant" and other issued by legal acts implementing the Code of Ethics of ERE. The other employees, shall be handled according to the provisions of Law No. 7961, dated 12.07.1995 "Labor Code of the Republic of Albania".

## **PART IV**

### **GENERAL RULES ON HOLDING THE BOARD MEETINGS**

#### **Article 9**

##### **Procedure to hold a Board meeting**

1. The issues of the agenda, to be discussed at a Board meeting, are set by the Chairman of ERE Board. As a rule, the meetings are held at ERE premises, but may be held even in other premises or online communication as defined by the Chairman in the notification of the meeting in accordance with the effective legislation.
2. ERE Board shall hold the decision taking meetings on the date and hour defined on the meeting notification, prepared and accompanied with the material/ materials defined according to the ERE Rules on Organization and Procedures. The materials for the Board meetings are send by the Board Secretary electronically to the Board members as a rule within 3 (three) working days before the date defined for the hold of the meeting where shall inform about the staff that have prepared the materials. If any member of the working group objects the material submitted for the meeting, or has a different opinion, he/she shall submit in the written form for the Board his/her opinion for that opinion. Before submitting the final material to the Board, with this one last mentioned approval shall be held consultative sessions with the Board to discuss regarding the issues that the Directories have different opinions for issues that are object of review by the Board. At any case the practice submitted for Board approval is accompanied even with the different opinion if any.
3. The meeting is lead by ERE Chairman and on his absence by the Board member on duty, authorized from ERE Chairman to exercise the duty, that after verifying the presence of the Board Members, the Advisor, the Secretary General, the Board Secretary and the representatives from the respective directories, initiates the Board meeting. According to the points of the agenda, for each point if not decided otherwise, shall be present at the Board meetings even the technical staff represented as a rule by the Directors and a representative from the working group that has worked for the issues that shall be handled at the Board meeting. During a Board meeting, the Chairman proceeds as follows:
  - a. At the beginning of the Board meeting the Chairmen himself or by the Board Secretary reads the agenda and asks the Board members if they have any comment about the agenda and the order to proceed at the meeting.
  - b. After the approval of the agenda and the possible declaration in case of conflict of interest from any of the Board members, the Chairman requires to submit the prepared material shortly or in details from the charged persons to review the issue that is on the agenda.

- c. At the end of this presentation the reporting person responds to the different questions from the Board. Then the Chairman asks the reporting person if he/she has anything else to add or to clarify at the Board meeting. After that the Board members are asked to make questions or require other clarifications about the material.
- d. If at the Board meeting are invited even the Stakeholders, to them shall be given the opportunity to hear regarding the issue that is object of decision making, if it is found that to them it is limited the opportunity to hear during the administrative process before the decision-taking.
- e. The employees from the Directory/Directories that have prepared the material, shall explain to the Board insofar as they are informed for the questions asked by the Board Members.
- f. After the handling of each issue from the agenda, according to the procedure defined on this article, the Chairman asks the Board to vote.
- g. At the end of the procedure defined on letter “e”, the Chairman proceeds with the handling on the same way for the other issue according to the agenda, when the issues to be discussed in a meeting are more than one.
- h. The technical staff shall be present only at the issues of the agenda that they are charged to submit the material and as required to give explanations.

Any Stakeholder that participates on the Board meeting shall submit to the Board Secretary the authorization/ document that allows him/her to represent the Stake holder at the meeting.

## **Article 10**

### **SPECIFIC CIRCUMSTANCES**

With the proposal of a Board member, and if the Board agrees, the deadlines and the procedures provided on Article 9, may be different according to the case, if it is necessary for any case the Board shall be informed within 24 hours from the scheduled meeting with the proposal of the practice for review.

The procedure defined on Article 9 is such that it does not contradict the other procedures required for the held of the Board meetings which may change according to the case.

## **GENERAL RULES ON THE ORGANIZATION OF THE DIRECTORIES AND THEIR COOPERATION**

### **Article 11**

#### **Hierarchy**

1. The Secretary General follows up ERE daily activity. He reports to the Chairman for the work progress and the encountered problems. The Director is obliged to participate at the Board meeting. On his absence, the Directory is represented to the Board meeting with one of the employees of the structure appointed by the Director depending on the issues for which it is required the Directory representation.
2. At any time, with his own initiative or with the request of a Board member, the Secretary General shall ensure information on the realization of the duties from the organizational units or other issues regarding the exercise of ERE competences. If required, this last one mentioned draft the opinion of the observed issues.
3. Any Director or head of the sector, when the unit is not organized in a directory, is responsible for the administration and maintenance of the organizational unit work. The director/head of the sector organizes, leads and responds for the work of the structure that he governs.
4. The specialist is obliged to implement the charged duties according to the effective regulations and the job description as well as approved work schedules. The specialist is obliged to directly inform his supervisor on the results of the on-going works as well as the encountered issues regarding their realization and propose a solution. When there is no solution after the discussion with the supervisor, the employee (the specialist) shall have the right to inform the Secretary General, or the Board Advisor.
5. In any case the hold of not public hearing sessions, the minutes of the hearing session shall be kept by the Public relations specialist, which ensures the clarification of the minutes shall be not later than three days from the held of the hearing session and on his absence the Public Relations Specialist, this duty shall be performed by the youngest specialist at the Directory that relates more with the object issue of the hearing session. After the clarification of the hearing session a copy of the minutes shall be informed to the leading structure of the hearing session, to the Secretary General and the Board Advisor.

### **Article 12**

#### **The report and the periodic work**

##### **schedules**

1. Any organizational unit at ERE on Monday of each week shall submit to the Chairman, the Board, Board Advisor and to the Secretary General a report of the realized works and at the beginning of each month to the ERE Chairman a report of the directory activity, including the issues for which it is initiated the procedure, the ones that are not terminated according to the schedule as well as the working plan that shall be handled by the directory on the following month. A copy of the working plan approved by the Chairman shall be available to the Secretary General, ERE Advisor and any Board member. Any Board member shall require the held of a consultative meeting if it sees necessary to review the working plan of the organizational units at ERE. Any

directory/organizational unit shall draft 3 months (quarter) analysis not later than 10th of the following month, where shall be reported to the Board on one of the dates set by the Chairman.

For each of the Directories analysis shall be ensured the opinion / attitude of the Secretary General addressed to the Board about what is reported on the analysis of the Directory. A copy of the Secretary General opinion shall be informed even to the directories/ organizational units.

2. Within December 15 of each year, the Directories shall prepare for the Board the annual program/schedule of the activity for the next year, a copy of which shall be available to the Secretary General. This last one mentioned shall inform the Board members on his opinion for what is scheduled. A copy of the Secretary General opinion shall be informed even to the directories/ organizational units. On each case the annual program/schedule shall be approved before January 1 of each year.
3. Any organization unit at ERE shall prepare an annual report of the activity of the directory not later than January 31 of each year or another date set by the Chairman.

### **Article 13**

#### **The interaction**

1. If the issue that shall be handled at ERE requires the review from more than one directory, the work to settle it shall be coordinated by the Secretary General.
2. All ERE organizational units shall cooperate with the Legal and Settling the Disputes Directory (DJZM) to implement the legislation and the proposals to amend it. For all of the by-legal acts and other materials for which it is required the Board decision prepared by the organizational units that do not have on their structure a specialist with legal education, the opinion of the Legal and Settling the Disputes Directory shall be made known which expresses its attitude on the legality of the proposal and it informs the respective directory and vice versa. Legal and Settling the Disputes Directory for any act that shall be proposed to ERE Board for approval, shall pass for opinion of the proposed act to the Directories related to the issue handled on this act, when the issue includes technical – economic aspects.
3. For all the cases of controlling or monitoring the activity of the licensed entities, the Chairman charges the Secretary General to maintain the work process from the working group proposed by the respective Directories with not less than tre representatives from ERE. The monitoring with a specific object to the licensee shall be initiated after the Chairman approves the working group, the order and authorization prepared by the proposing Directory. At any case the members of the monitoring group shall submit to the monitoring entity the ID card and shall implement the rules of performing the monitoring, as defined on ERE Chairman Order.
4. At the end or during the control/monitoring, the working group shall submit to the Board a detailed information and the conclusions or recommendations on the handled issues. ERE Board being supported on the conclusions and recommendations of the working group that performed the control, monitoring, shall decide according to the case on the recommendations or the measures to be taken to encourage, prevent or take the

administrative measures to the entity where it performed the control/monitoring in conformity with the authority issued from the Law.

5. Before the submission to the Board the information of the performed monitoring/control shall be informed to the licensed entity where it is performed the control to give the opportunity to express his attitude or objections on the findings of the working group according to the deadlines defined on the Chairman's Order for the held of the working group.
5. ERE Board being supported on the conclusions and recommendations of the working group that performed the control/monitoring, shall decide according to the case on the recommendations or the measures to be taken to encourage, prevent or take the administrative measures to the entity where it performed the control/monitoring in conformity with the authority issued from the Law. In conformity with the complexity of a monitoring report according to the case, each Board member shall have the right to require the opinion of the Secretary General, the Board Advisor, Legal and Settling the Disputes Directory and of the Director that initiated the monitoring, when it considers necessary.
6. For the cases, when with ERE Board decision it is set a deadline for the licensee, to perform the correcting actions, the persons charged for the control/monitoring shall verify on the implementation of the recommendations of the decision from the licensee and at any case shall submit a justification report to the ERE Board for what is observed not later than 5 days from being informed on the attitude of the licensee.
7. On each case for the practices of Board review, prepared by the Working Groups held with the Chairman Order within exercising the regulatory competences, the respective information, relations, and proposals of the Working group shall be attached even the opinion of the the opinion of the Board Advisor, the Secretary General, and of the respective Director according to the object of regulating the issue for review. Even the opinion of a Board member if required.
8. Any order or ERE Board decision shall be drafted on three copies administered from the Board Secretary, one copy to the Archieve office and one copy to the Legal and Settling the Disputes Directory. The abovementioned acts, after the conclusion of the storage period, shall be archived and maintained according to the procedures and deadlines defined on ERE Chairman order and in conformity with the best international practices of digitalization.

## **PART V**

### **GENERAL RULES FOR THE INCOMING, HANDLING AND THE EXIT OF AN OFFICIAL LETTER AT ERE**

#### **Article 14**

##### **Registering the**

##### **correspondence**

1. The correspondence that comes at ERE, by official letter, fax, post, email, is delivered at the protocol office, where the correspondence is protocolled, it is set the incoming

date, the protocol number and is passed for information and for a notification to the Secretary General, that informs the Chairman and the Board members.

2. The different official letters, information and messages accompanied with the Secretary General notification, shall be delegated to the employee in charge for handling. They are classified and handled according to the assessment as general, prioritized, and urgent.
3. The official letters for the third parties and the memoranda or cooperation agreements shall keep Albanian stamp, ERE logo and seal, and are drafted in a minimum of three copies, one of which in addition to the Chairman signature and on his absence even with the authorization of the Board member authorized from the Chairman, is signed hierarchically by the employee that drafted the documents and shall have the approval of the respective Director, whom if not agrees with what is drafted shall inform the Secretary General and signs the different opinion.
4. On each case, except of the practices for following up of ERE Board decisions, the Notification for the issues that the Board raised at the Board meeting, the notifications for the publication on the written media of ERE practices with publication object, all other correspondences for the third parties before submitted for ERE Chairman approval, shall be send electronically to the Secretary General, who within the next day of sending the correspondence electronically, a correspondence prepared by the Directory/Unit shall notify the different opinion (if any).
5. If the opinion of the Secretary General is not reflected, the issue shall be submitted to the ERE Chairman and the Secretary General approval shall be considered as tacit approval.
6. If the confirmations are communicated by email, then the notification on the correspondence at the copy achieved at ERE shall also have the notification that shows the confirmation from the employee, mentioned on the correspondence and the copy of this confirmation is attached to the practice that shall be achieved.
7. Any correspondence shall have the signature of the employee that protocols it.
8. A copy of any material handled from the respective specialist shall have the signature of the employee that have drafted the material and of the employee that has approved it (the head of the sector, director of the directory) and after that shall be submitted to the Chairman for his signature. If the material contains more than one pages the employee shall sign at the end of each pages on the right.
9. ERE official letters for the third parties as well as the internal acts of ERE, the decisions, orders and other acts approved by ERE shall have ERE logo and shall be drafted on the format according to the ANNEX attached to this regulation.
10. Any official letter or order that exits from ERE, shall have the Official Seal signed from the Chairman or from the authorized/ charged employee on his absence and with his order.
11. At the absence of the protocol employee the seal shall be delivered to the Head of the Human Resources, that acts in conformity with this regulation.
12. Each employee shall respond for maintaining the information on his computer. When the IT employee shall find that the damage is because of the employee actions or inactions.

## Article 15

### Defining the

#### deadlines

1. The general correspondence shall be handled no later than 10 working days from the day of receiving the material; Urgent correspondences shall be handled within the time required in the correspondence of the Stakeholders to ERE, but always no later than 3 working days from receiving the material and the correspondence that shall be considered as prioritized shall be handled and replied with a response within 5 working days from the day of receiving by the employee who shall prepare the response.
2. Any correspondence of the Stakeholders with ERE is accompanied by the Protocol employee with the accompanying letter that shall contain as follows:
  - The entity submitted at ERE,
  - The exit protocol date and number date from the entity
  - ERE protocol date and number,
  - The object of the correspondence
  - The card shall be submitted with the respective notes to the Secretary General who shall decide for the:
    - The nature of the correspondence according to the main division as general, prioritized, and urgent, the structure, the respective employee for handling it and other notes necessary for handling the correspondence.
    - During the days of working from Smart Working system, the notes of the Secretary General for the organizational unit shall accompany the card of the correspondence from the protocol employee.
3. The drafted material accompanied with the practice shall be submitted to the Board Secretary to submit it to the Chairman, in conformity with the definitions of point 4 article 14 of this regulation. After the signature from the Chairman, the Secretary shall submit the signed materials to the protocol office to be send on the address defined on the official letter. Any correspondence that exits from ERE premises is necessarily drafted in as many copies as there are the Parties that it shall be send, one copy for the protocol office and one copy for the Directory that prepared the response.
3. On the absence of the Chairman the correspondence with the third parties shall the signed by the Board Member charged to exercise the function of the Chairman on his absence, in conformity with the Chairman authorization.
4. For the preparation of the reports, information or draft -decisions for the requests that shall be handled according to ERE Rules on Organization and Procedures for the opening of the procedure, the preparation deadline from the directories is not later than 5 (five) days from receiving from the technical staff that is charged with this duty, and not later than 7 (seven) days from the submission of the practice for Board review. To handle the practices about which the laws or other acts implementing them are not defined the deadlines, their deadline shall be the one defined by the Chairman/Secretary General on the accompanying card. Each practice shall be submitted to the Board for review and a copy of it shall be immediately informed to the Board Advisor, Secretary General and to the Legal and Settling the Disputes Directory.



6. The Advisor, the Secretary General or the Directory of the Legal and Settling the Disputes Directory, on any case shall inform the Board on the deadline for the decision when observed that the units charged to submit the practice to the Board may not perform it 5 days before the deadline. To perform this duty they have the right to require any information for the organizational units in charge.

**PART VI**  
**THE OBLIGATIONS AND RESPONSIBILITIES OF THE SECRETARY**  
**GENERAL, THE ADVISOR, THE DIRECTORIES AND OTHER**  
**ORGANIZATIONAL UNITS AT ERE:**

**Article 16**  
**Secretary General**

1. The Secretary General is the highest civil servant at ERE.
2. To realize his duty, the Secretary General shall communicate with official letters or by email with the Directors of the directories not excluding verbal communication.
3. The Secretary General, by exercising the functions and coordinating the work of the structures of the institution, shall take care and ensure the stability and continuation of the respective activities at ERE.
4. In conformity with the requirements provided by the law, the other by-legal acts as well as the orders and duties taken by the Chairman, the Secretary General shall take the measures to effectively use the ERE human resources.
5. The Secretary General is responsible to follow up and supervise all the issues to manage the human resources of the institution and especially, to implement the provisions of the “Civil servant” Law and other issues regarding the staff.
6. To control and realize the duties from the respective organizational units, the Secretary General shall have the right to request from the Directories a written report once in a month and shall prepare within 5 (five) working days, a summarized information on the level of performance of the duties and the foresee of the duties for the next month and shall submit it to ERE Chairman.
7. The Secretary General shall follow up the needs for trainings and performs the schedule for the staff of the institution training in conformity with the annual calendar of the activities approved by the Board and informs the Chairman continuously. Each month the Secretary General shall prepare the information on the progress of implementing the scheduled calendar for the trainings/qualifications of the staff that have followed the training/ qualification activities.
8. The Secretary General shall follow up and ensure the execution of the participation on the activity process within and outside the country of the Board Members.
9. The Secretary General shall follow up the rules of ethics and the internal regulation of the institution from the employees of the institution, shall inform the Chairman in case of violations and recommends the necessary measures according to civil servant law.
10. About the analysis of the directories activity and the reports submitted from them, he shall hold meetings with the Directors on the last week of each month. After the conclusions of such meeting, the Secretary General shall prepare a written report to the ERE Chairman on the achievements and issues that concern the institution.
11. The Secretary General shall follow up to process of preparing the draft decisions within ERE scope, approved by the Board. For this reason, he shall have the right to require information from the respective directories/units.

12. He is obliged to improve the standards for all the services provided by ERE. He shall prepare the analysis and makes proposals to the Chairman for the work maintenance of ERE every six months.
13. Regarding the held of the meetings with a defined topic or issue, the Secretary General, two days before the meeting, shall inform the respective Directors the schedule, time, and the place of the meeting. The Directors shall take all the measures to ensure their presence and discuss according to the schedule. If it is impossible from the Director to participate for health reasons or activities outside ERE, when possible with the authorization of the Director and when not possible with his responsibility, to the meeting the Directory shall be represented from the employee that has at his operational duties the issues defined on the schedule of the meeting.
14. Shall prepare the press conferences, the reports for the activity of the institution and leads the official communications with the public after he has agreed with the Chairman;
15. Shall prepare the presentations for ERE activity for the foreign or domestic institutions as well as Forums or Seminars where ERE is invited to participate as well as for the Board needs.
16. The Secretary General shall periodically report to the Chairman for the work and activity of ERE organizational units.
17. Shall propose the strategies regarding the direction, motivation, and management of other depending structures staff.
18. Shall participate at the working groups held at ERE in conformity with the Chairman Order.
19. Shall undertake initiatives with the human resources structures regarding the presence and discipline at work in conformity with the civil servant legislation and the Labor Code.
20. The Secretary General shall perform other duties charged by the Chairman.
21. On his absence or short-term inability, the Secretary General shall be replaced by the Board Advisor.

**Article 17**  
**Board advisor**

1. The Advisor shall assist the Board and there ERE Chairman if needed to review all the issues within its competence.
2. The advisor reports directly to the Board and is out of the administrative hierarchy.
3. The Advisor requires written or verbal information from the respective organizational units for the daily activity and for the issues of specific importance to ensure the reports and cooperation between the directories as well as reconciliation between the Chairman leading functions and ERE structures activities.
4. The advisor cooperates with the Secretary General, the respective organizational units, to respect the procedures and legal deadlines in exercising the administrative activity, in conformity with the Administrative Procedures Code and the effective legislation.
5. The advisor is an experienced specialist on the areas within ERE competence. His primary duty is to assist the Board according to the needs submitted for decision taking and for ERE Chairman.
6. According to the Board and Chairman's needs, to the advisor shall be assigned the duties for which he shall officially express his thoughts, advices, opinions, and suggestions for the Board.
7. Shall participate on the meetings with the Stakeholders and follows the issues that come from these meetings.
8. Shall find the articles published at the press or transmitted on the electronic media which contain the notifications regarding ERE and for which shall advice the handling from ERE.
9. Shall take care for the information that shall be published on ERE website.
10. With the authorization of the Chairman or the Board shall issue to the media the official opinion of ERE for different issues.
11. According to the draft-schedule defined for the Board meeting, the Board advisor examines and shows in the written form to the Board his opinion for the issues on the schedule.
12. When the Chairman judges necessary, for the issues regarding ERE internal relations and the relations outside ERE with different institutions and organizations, requires the Advisor to show his attitude, or prepare the required responses, or handle in details a document on ERE interest.
13. The advisor, through the documentation set available by ERE Chairman or through the cooperation with his initiative with the directories/organizational units, updates with the important problems that ERE is obliged to settle, in the operation of its legal obligation. On specific cases he works according to a defined schedule to update with the experience of counterpart regulators and issues its recommendations for the implementation of this experience by ERE.
7. The advisor requires and issues from the Directories any data that serves to his work, to perform the duties assigned from the Board or the Chairman.

8. The advisor suggests to the Board and the Chairman for certain periods and for certain issues, whose solution requires a professional and qualified attitude, employment of secondee advisor's expert on specific areas.
9. The advisor shall assist on Board meetings if required. He/she shall issue the necessary responses and explanation for the raised questions, aiming to achieve a clear situation regarding the discussed issue, to help the Board in taking a fair decision.
10. Shall keep the files and an index for each handled issue, to have the opportunity to issue at any time the required data, to facilitate the performance of the work and ensure its normal continuation.
11. Organizes the maintenance of the database to further reflect and develop the work and his activity. Shall use the necessary computer programs according to the expert's recommendations to increase work efficiency.
12. Maintains its professional integrity in form and content.

## **Article 18**

### **Board secretary**

General responsibilities and duties:

1. Cooperates with the organizational units to prepare the schedule of the Board meetings.
2. After it is defined the schedule and the date for holding the Board meeting, shall inform the Board members and the employees that have the obligation to report to the Board meeting.
3. Shall observe the deadlines for the timely preparation by the Directories / organizational units, for the materials of the Board meetings and in case of any delays in meeting the legal deadlines, shall inform the Board. Ensures that the draft agenda of the Board meeting, together with the materials prepared for Board review, is submitted to the Board members, according to the defined deadline.
4. It does not allow any material to be submitted to the Board without the relevant draft decision unless the Board is not required to take a decision on a particular issue.
5. Shall correctly keep the minutes and the summary of the discussions of the Board meeting and is responsible for its accuracy. At the end of the meeting, it transcribes it and submits it to the Board members for information and objection, if any. The minutes of the meeting are signed by the Board Secretary and the Chairman.
6. On each case shall ensure even the audio registration of the Board meetings.
7. With the termination of the Board meeting, shall send the decision prepared by the Legal and Settling the Disputes Directory, to the Board members for signature.

8. Shall achieves the Board decisions and any material related to this decision.  
The other copies of the decisions shall be delivered to the achieve employee and a copy to the Legal and Settling the Disputes Directory.
9. Shall keep the register of ERE orders and decisions prepared by the Legal and Settling the Disputes Directory or the unit assigned to prepare them.
10. Shall maintain a database to further reflect the work and the activity it carries out.
11. Shall use the necessary computer programs according to the recommendations of the IT employee to increase work efficiency.
12. Shall keep the minutes of the held of the Board hearing sessions and the ERE public meetings and sign it according to the rules.
13. Shall keep the files for the Board decisions and the accompanying practices, as well as their index to have the opportunity to issue at any time the required data, to facilitate the performance of the work and ensure its normal continuation.
14. Shall maintain its professional integrity in form and content.

## **Article 19**

### **International affairs specialist:**

General responsibilities and duties:

1. In cooperation with the Secretary General, shall organize and lead the work for organizing the conferences, seminars and meetings, the opening of the negotiations to establish cooperation relations with the international homologous institutions as well as other local/domestic institutions.
2. Shall coordinate and prepare the correspondence with international counterpart institutions at which the institution is a member and cooperates.
3. Shall organize the partnership projects on the agreements signed with the counterpart institutions, as well as the action plans for implementing them.
4. Shall maintain the relation, send information and encourages new cooperation agreements with the international institutions or the donors.
5. Shall coordinates the completion of the questionnaires with the international organizations and takes the measures that the information is issued on time. When finding the delays from the responsible employees shall immediately inform the Secretary General.
6. Shall give his/her opinions and suggestions regarding the international affairs issues.
7. Shall prepare the Programs for participation at the activities to which according to the case attaches the invitation, the agenda of the activity as well as the registration of the employees on these activities.

8. Shall require from ERE employees who have attended qualification or training activities within the programs with international institutions copies of information and practices that they have provided within these programs.
9. Shall keep the correspondence and prepares the responses on the English language.
10. Shall prepare the necessary materials on the English language that shall be submitted or published.
11. Shall work according to a monthly working schedule approved by the Secretary General for the translation of various materials relevant for ERE.
12. Shall assist and help if necessary at the meetings organized with representatives of foreign or international institutions.
13. Shall maintain a database to reflect and further develop ERE work.
14. Shall use the necessary computer programs according to the recommendations of the IT employee to increase daily work efficiency.
15. Shall maintain the files system and their index, to have the opportunity to issue at any time the required data, to facilitate the performance of the work and ensure its normal continuation.
16. Shall maintain its professional integrity in form and content.

## **Article 20**

### **Translator**

1. Shall translate into English language ERE Board decisions, the regulations and other documents that are published on the Albanian language on ERE website.
2. Shall translate the materials on the English language and their adoption on the Albanian language.
3. Shall carry out simultaneous interpretation according to the institution needs.
4. Shall maintain the files system and their index, to have the opportunity to issue at any time the required data, to facilitate the performance of the work and ensure its normal continuation.
5. Shall maintain its professional integrity in form and content.
6. Shall perform other duties in conformity with the needs of the institution.

## **Article 21**

### **Specialist of public relations and media**

General responsibilities and duties

1. Shall ensure the maintenance of the public relations and media of the institutions.
2. Shall draft in cooperation with the Secretary General the strategy for media and public communication and shall follow up its implementation after Board approval.
3. Shall prepare a summarized content of the information issued on the media related to ERE and its employees and orientates the response of the institution by preparing response material under the supervision of the Secretary General and the Advisor or as determined by the Board.
4. Shall monitor the reflection of the information to the media about ERE and the public operators of the sector and shall immediately prepare the information for the Board in cooperation with the Secretary General and the Advisor, giving the instructions for the possible response.
5. Under the supervision of the Secretary General and the Advisor, shall prepare monthly information, processed in cooperation with other sectors, to reflect the objectives, the activity of ERE on the media and on the social networks of the institution.
6. Shall summarize the information from the region and from other sources outside ERE in cooperation with the International Affairs Specialist.
7. Shall carry out the task of the Coordinator for the Information right at ERE for the obligations deriving from Law no. 119/2014 “For the information right”.
8. Shall carry out other duties, within his job objective, defined by the Chairman or the representative authorized from him.
9. Shall work for his professional increase and qualification continuously and systematically, to bring innovations at the daily work.
10. Shall maintains its professional integrity in form and content.

## **Article 22**

### **LICENSE, AUTHORIZATIONS AND SUPERVISION DIRECTORY**

According to the standards, the conditions and regulations approved by ERE, implementing the effective legislation, the License, Authorizations and Supervision Directory, shall propose the license issue, modification, transferring, renewal, or license removal for all the licensee that exercise the activities in power and natural gas sectors, in Albania, according to the activities defined by the law. Shall prepare the respective proposals regarding the requirements for each authorization regarding the move/transfer of the quotes, assets etc. Shall follow the certification and control procedures implementing the conditions of the certification decisions, the reports of the compliance officer, the practices regarding the qualifications of the renewable resources. Shall monitor the procedures for issuing the guarantee of origin certificates and maintains in cooperation with the IT Specialist the register and the platform for the Guarantee of Origin.

Shall follow the procedures approved by ERE to promote fair competition; monitors/supervises and inspects the activity of the licensee, the implementation of the licenses conditions and accesses their reports; shall prepare inspection and monitoring programs when reasonable, or with Chairman or Board member order, as well as proposes the respective measures when observes the failure to meet the conditions of the licenses from the licensee.

#### **Director**

General responsibilities and duties:



1. The director shall report to the Secretary General and the Chairman regarding the issues that the Directory covers and follows and ensures the preparation of the reports as defined on this regulation. Shall take the instructions of the Chairman or the Board member that leads the respective issues and shall consult each Board member that expresses interest. Shall carry out the approved procedures and submits the respective documentation to the Board meeting within the object of its activity.
2. Shall perform the necessary actions and submit the respective practices to the Board meetings for the license, authorization and what has arisen as a need from the supervision of license conditions, as defined on points 1 and 2 of this article, to all licensees exercising their activity on power and natural gas sector in the Republic of Albania, in accordance with the effective legislation and the regulations approved by ERE.
3. Shall actively participate on the working groups defined to follow up the activities regulated by ERE as well as on international organizations.
4. Initiates any action regarding the issues encountered during the licensing, supervision, or monitoring the license conditions process as well as the activity of the licensee regarding the completion by them of the conditions set on the license.
5. Shall use all the procedures approved by ERE to handle the licensees on fair and equal conditions.
6. Shall monitor/supervise and periodically inspect and according to the case/need, the activity of the licensees and shall access the reports that they submit at ERE. Shall identify the issues and recommend the solutions.
7. With the order of the Chairman, shall participate or coordinates the inspection or monitoring on site of exercising the activity of the licensing entities as well as at any time with his initiative, when deemed reasonable to verify the completion of the licensing conditions from the licensee, shall propose the exercise of the inspections or monitorings.
8. Shall be responsible to ensure the quality, correctness of the reports, analysis, memoranda and any other issue according to the request.
9. Shall define the work objectives and goals for its dependants, shall set clear working standards as defined on the civil servant legislation and shall prepare periodic reports on the work as defined on this regulation.
10. Shall inform the leading structures in conformity with the Hierarchy of the Institution, regarding the activity realized from the Directory or the issues that are in the process of review.
11. Shall lead and/or recommend the trainings for the directory employees if necessary, according to the calendar approved by the Board.
12. Shall keep a database on which are registered the activity of the Directory and updates it continuously, to perform efficiently and at the appropriate time the duties.

13. Shall maintain regular contacts with similar regulatory units outside the country, shall intensively utilize the data from the internet to benefit from the experience of others and programs the duties for its implementation.
14. Shall maintain the system of the files and their index, to facilitate and present the work at the Directory and to ensure the continuation of the work on his absence.
15. Shall continuously require opportunities and support and utilizes them to improve the work of the Directory.
16. Shall require, according to the case the opinion of the Legal and Settling the Disputes Directory or other Directories for specific issues regarding the work of these directories and that are observed during the analysis of the respective practices.
17. Shall maintain the professional integrity of the Directory in form and content.
18. Shall carry out all other duties charged from the Secretary General, the Chairma or the Board according to the submitted needs and shall report when required. Shall suggest its opinion when reasonable for work maintenance, the realization of the duties according to the defined deadlines, to develop the cooperation within ERE and beyond.
19. Shall be responsible for work organization and allocation within its staff.
20. Shall define clear duties for its dependands, shall set clear working standards and rules as well as shall prepare quarter month planes and periodic monthly reports on the work if required. Shall be the connection point of interaction between the Board and the Directory.
21. Shall carry out the periodic assessment of its dependands, in conformity with the civil servant procedures and proposes them to the Secretary General and this last one mentioned to the Chairman.

### **Licensing Specialist**

#### General responsibilities and duties:

1. Shall implement and carry out all the duties charged from the Director or the Chairman, according to the submitted needs and reports accordingly.
2. Based on the standards, conditions and the regulations approved by ERE for licensing, implementing the effective legislation, the licensing specialist shall prepare for Board review the practices:
  - a. for the issue or not of the licenses on power and natural gas sectors for all the licensees;
  - b. license modification, renewal, transferring or removal on power sector, as well as license modification, transferring or removal on natural gas sector;
  - c. certification of transmission operators on power and natural gas sectors;
  - d. the issue or not of guarantee of origin certificate;
3. Shall participate on the working groups held with Chairmain order to monitor or inspect according to the respective duties.
4. Shall implement and carry out all the duties charged by the Director.

5. Shall analyze the applications in conformity with the procedures of respective regulations that deal with the licensing of the licensee and follow up in conformity with the rules the stages of the process to the Board proposal.
6. Shall maintain a database where are registered all the licensee according to the activity on power and natural gas sectors and shall perform the respective updates to the information on it.
7. Shall require, by the Director the opinion of the opinion of the Legal and Settling the Disputes Directory, for specific issues observed during the analysis of respective practices.
8. Shall establish and maintain the connection with the regulatory units of other countries in homologous level, utilizing except it the data from the internet as well as programing the duties to improve the work.
9. Shall maintain the files and carries out the necessary updates for any licensee, setting an index to each file according to the license, facilitating and ensuring the continuation of the work.
10. Shall maintain professional relations with all the License, Authorizations and Supervision Directory staff, to follow up and settle the issues and to improve the work of the Directory.
11. Shall maintain professional relations with all ERE employees.
12. Shall carry out all the duties charged from the Director or the Chairman according to the submitted needs and shall report accordingly.
13. Shall suggest its opinions when reasonable for the maintenance of the work, realization of the duties according to the defined deadlines to develop cooperation within ERE.
14. Shall participate in the preparation of the draft guidelines or regulations in cooperation with other structures of ERE accordingly.
15. Shall draft the press notification following the licensing procedures as well as the organization of the hearing sessions with the stakeholders and the public.
16. Shall give suggestions for the handle of different legal issues that come during the licensing or supervision process.
17. Shall participate on trainings and different activities organized to increase qualification and professional skills.

### **Specialist for Supervising the License Conditions**

General responsibilities and duties:

1. Shall implement and carry out all the duties charged from the Director or the Chairman, according to the submitted needs and reports accordingly.
2. Shall control and access the information ensured from the reports regarding the licensed activity for any entity for the completion and accuracy of the data, issuing the respective conclusions and reports them to the Director.
3. Elaborates and analyzes the technical-economic indicators according to periodic evidences or other reporting documents, making comparisons with the licensed applications and issues the relevant conclusions, and reports them to the Director.

4. Shall ensure the maintenance and system of the documentation exchanged with the licensees for quick and at any time use of the documentation to submit his work, but even to enable the continuation of the work on his absence or on cases of cooperation with other directories.
5. To perform the charged duties efficiently and on time, shall establish, maintain and update continuously the necessary database regarding the reports from the licensee.
6. Shall implement the duties charged from the Director, or the monthly schedules or graphs approved regarding the participation on the monitoring process of the licensees but even thematic monitorings with the working groups held with Chairman order.
7. Shall carry out all the duties charged from the Director and informs this last one mentioned out the issues that arise. Suggest his/her opinion for specific issues when judges necessary for the maintenance of the work.
8. Shall carry out concrete duties regarding the realization of cooperation, coordination and exchange of the data with other ERE Directories, implementing the work operational plans.
9. Shall maintain professional relations with all the colleagues.
10. Shall maintain his/her professional integrity in form and content.
11. Shall be responsible to process the data and their periodic report to the Director.
12. Shall take the measures to evidence and study the obligations of the licensee, shall elaborate the correspondences or the respective practices and accesses the reports of the licensee in conformity with the license conditions.
13. Shall maintain and updates a database regarding the conditional licenses, evidencing as appropriate the fulfillment of these conditions, or the approach of the deadline defined on ERE Board decision.
14. Shall evidence the cases when the licensee has not reported at ERE the respective amendments according to the license conditions and drafts the respective information regarding it.
15. Shall be responsible to prepare the draft-plans or graphs/ charts of monthly/annual monitoring and submission for approval to the respective Director.
16. Shall be responsible for reporting the scheduled monitoring activities to his director.
17. Shall suggest to the Director the undertaken of the studies regarding the increase of quality of service ensured from the licensees and analysing the expectations of the licensees.
18. Shall propose to the Director the administrative measures to the licensed entities that are found to have not implemented the licensing conditions.
19. When authorized by the Director, shall represent the institution on different activities that deal with his/her operational duty.
20. Shall implement the specific orders charged from the Director to carryout unscheduled duties, but that deal with his/her operational duty.
21. Shall cooperate with the Director and other employees of the directory accordingly, regarding the respective information from different reports of the licensee when such information is necessary for a specific practice in process.

22. Shall give suggestions for technical-economic handling of different issues, during the supervision process.
23. Shall participate on training and different activities organized to increase the qualification and professional skills.

### **Authorizations Specialist**

#### General responsibilities and duties

1. Shall implement and carry out all the duties charged from the Director or the Chairman, according to the submitted needs and reports accordingly.
3. Shall analyze the applications regarding the authorisations for the amendment of the shareholders, asset transferring or shares burden, in conformity with the effective legislation and shall follow in conformity with the rules the process stages to the Board proposal.
4. Shall maintain a database where are registered all the licensee equipped with an Authorization by ERE, according to the activity that it exercises, and shall carry out the respective information updates.
5. Shall establish and maintain with the regulatory units of other countries utilizing except that the data from the internet and programming the duties to improve the work.
6. Shall maintain the files and carries out the necessary updates for any Authorized person by setting an index to each file according to the license, to facilitate and ensure work continuance.
7. Shall maintain professional relations with all the License, Authorizations and Supervision Directory staff, to follow up and settle the issues and to improve the work of the Directory.
8. Shall maintain professional relations with all ERE employees.
9. Shall suggest his/her opinion when reasonable for the maintenance of the work, to realize the duties according to the defined deadline to implement the cooperation within ERE.
10. Shall participate on the preparation of the draft guidelines or regulations, cooperating even with other structures of ERE accordingly.
11. Shall make suggestions for legal handling of specific issues, during the issue of Authorization process.
12. Shall participate on different trainings and activities organized to increase competition and professional skills.

**Article 23**  
**ORGANIZATION OF LEGAL AND SETTLING THE**  
**DISPUTES DIRECTORY**

**ORGANIZATION OF LEGAL AND SETTLING THE DISPUTES DIRECTORY**

The Legal and Settling the Disputes Directory shall act as the legal representative of ERE; shall prepare ERE decisions and orders in conformity with the effective legislation.

Based on the information provided by other directories and in cooperation with the other Directories, with the Advisor, the Secretary General, shall participate in preparing the annual report and the periodic reports according to the Assembly reporting schedule for the situation of power and natural gas sector as well as ERE activities, including the financial activities. He/she shall take care that this report, after being reviewed and approved by the Board, is submitted to the Albanian Parliament within the deadline set by law and is published in the Official Gazette. In any case of submission of practices for Board review by the Technical Directorates, the Legal and Settling the Disputes Directory shall prepare when required an opinion on what is proposed to the Board by the respective Directories, or on its own initiative if there is a different attitude from what is proposed on the acts about which it is informed.

**Legal and Settling the Disputes Director**

The Director shall report to the Secretary General, and when required to the Chairman for the issues that the Directory covers and follows up. The Director shall be consulted and takes the instructions of the Secretary General, of the Chairman or the Board Member that leads certain issues, as well as from any Board member that shows interest. He/she shall serve as the legal representative and shall carry out all the necessary legal activities accordingly, for the submission of certain practices for Board decision as well as shall carry out the duties as follows:

1. Shall set clear duties for his/her employees, shall set clear working standards and rules, as well as shall prepare 3 month schedules and periodic monthly reports on the work, if required. He/she shall be the connection point of interconnection between the Board and the directory.
2. Shall issue legal advices for the Chairman or other Board members as well as on the Board meetings according to the effective legislation, shall monitor the regularity of the draft-decisions when required, shall prepare ERE orders and shall follow and observe the publication process of ERE decisions at the Official Gazette.
3. Shall represent the Directory at the Board meetings and on his/her absence shall define according to the issue one of the employees from the Directory.
4. Shall coordinate the work organization for each month that each employee shall carry out and submit for approval the work schedule of the directory as defined on this regulation and shall take the appropriate measures to follow their realization.
5. Shall maintain the necessary connections and coordinates with the respective directories from other institutions within or outside Albania for the problems regarding the maintenance of ERE activity.

6. To implement the requirements of the Albanian legislation shall schedule and organize the work of his/her Directory shall carry out, in cooperation with the other directories, to issue specific by-legal acts, such as decisions, orders, guidelines etc, related to the regulator activity and that of the licensee. Shall take the measures to monitor the quality of this work and the implementation of the deadlines.
7. Shall define the objective and the work object that his/her employees shall carry out. Shall lead and/or train the employees of his/her Directory for their professional skills and shall recommend trainings if necessary.
8. Shall organize and maintain a database to reflect and further develop the work of the directory.
9. Shall maintain the files system and their index, sufficiently to facilitate and present the work on his directory and to ensure the continuation of this work on his/her absence.
10. Shall define clear duties for his/her employees, shall set the clear working standards and rules, as well as shall prepare monthly schedules and periodic reports about the work, if required.
11. Shall carry out the other works charged from the Secretary General or the Chairman and notifies them regularly on the defined deadlines for the achieved results as well as gives suggestions on any case if judges necessary for the legal handling of specific issues.
12. Shall maintain professional relations with ERE employees,
13. Shall maintain the professional integrity of the directory in form and content.
14. Shall carry out the periodic assessment of his/her employees in conformity with the civil servant procedures, shall carry out the regulations of the by-legal acts on the assessment and proposal of the civil servant and proposes this last one mentioned to the Secretary General.

### **Specialist of Legislation**

1. The object of his/her work is to be informed, to interpret the effective legal acts, the preparation of the proposals to review the effective legislation, the draft of the orders, the necessary decisions for ERE operation.
2. According to the information received from the technical staff, shall maintain and evidence in a specific register ERE contracts with the third parties as well as shall evidence the regularity of completing the legal obligations from the licensees, based on the information ensured from the licensees.
3. At the beginning of each year shall prepare the annual report regarding his/her work objective as well as shall assist for the draft of ERE annual report.
4. In cooperation with the Secretary of Board shall maintain a register of the ERE orders and decisions as well as shall establish and maintain the legal library of ERE.
5. Shall maintain full physical and electronic files for any practice in process or approved by ERE, including, but not being limited to the relations, the draft-decisions, correspondences with the third parties for the purpose of the practice.
6. The employee shall report to the Director and shall take his/her instructions.
7. The employee shall take instructions and duties directly from the Director.

8. The employee shall report to the Director on the activities carried out during the week and the month, on the first day of each week.
9. Shall participate at the Board meetings on the absence of his/her Director or when required.
10. Shall make the interpretation of the effective legal acts.
11. Shall evidence and makes the proposals for the review of the effective legislation in cooperation with the Director or in cooperation with the other Directories of ERE.
12. Shall prepare the draft decisions and orders within ERE scope according to the effective legislation.
13. Shall express his/her opinion regarding the legal aspects of the applications or the requirements that are handled by ERE.
14. Shall prepare the contracts that ERE signs with the third parties.
15. Shall monitor the implementation of the legislation from the licensees according to the information prepared by the License, Authorizations and Supervision Directory and when required shall express his/her opinion on the proposals submitted to the Board by the respective Directories or the working groups held for this purpose.
16. Shall cooperate with the Human Resources Unit, for regulating the legal procedures of ERE staff employment.
17. Shall give the information for issues relating the legislation of regulating the power sector.
18. Shall participate on activities that serve to professional qualification.
19. Shall carry out all the other charged works and shall regularly inform, at the certain deadlines about the achieved results, as well as shall suggest at any case if judges necessary, for legal handling of specific issues.

#### **Specialist of integration and codes (1)**

1. Shall adopt/update the national legislation with the EU legislation.
2. Shall give opinions on the cooperation agreements that ERE shall sign with other authorities within and outside the country.
3. Shall draft /adopt/approximate/update the national legislation with the EU legislation.
4. Shall respect the working hour and maintain personal and professional integrity.
5. The employee shall receive instructions and duties directly from the Director.
6. The employee shall report to the Director on the activities performed during the week and month, on the first working day of each week.
7. Shall prepare periodic information or accordingly, for the institutional organizations at which ERE is a member or cooperates, to report on the progress of power sector legislation in Albania or the secondary legislation by ERE.
8. Shall prepare explanatory information on the content of the act, at any case it is updated the international legislation related to the Power Sector.
9. Shall follow the compliance of the translations of the legislation approved by ERE, with the document approved at the Albanian language.



10. Shall inform the respective Director, accordingly, if as the results of the approvals or amendments of the effective legislation, it is needed for amendments on the secondary legislation which approval is on ERE competence.
11. Shall give information for issues regarding the legislation within the scope of power sector regulation.
12. Shall participate on activities that serve to professional qualification.
13. Shall perform all other charged duties and shall regularly inform on the certain deadlines for the achieved results, as well as give suggestions, accordingly if judges necessary, for the legal handling of specific issues.

### **Specialist for Legal Issues**

#### General responsibilities and duties

1. Shall participate on legal processes where ERE is a party or is called a third party from the court.
2. In cooperation with the Director or other technical staff of ERE, shall follow the court processes where ERE shall participate.
3. Shall respect the working hours and shall maintain personal and professional integrity.
4. The specialist shall take instructions directly from the Director.
5. The specialist shall report to the Director on the activities performed during the week and month, on the first working day of each week.
6. Shall prepare on time ERE attitude and after the confirmation of the Director shall submit it at the court.
7. Any documentation available from the court for the purpose of following the legal process or that is submitted to the court for this purpose shall be registered at ERE protocol and shall be achieved on the respective file shall be submitted from the court.
7. Shall maintain regular files with the available or deposited documentation for the purpose of court proceedings.
9. Shall issue recommendations to the Director/Directors at any time that deems that an ERE decision, has the potential to generate a legal dispute.
10. Shall maintain the discretion and confidentiality of the data available because of its duty.
11. Shall inform at any case of conflict of interest on the legal issue that he/she represents to the court.
12. Shall maintain a special register with the calendar of the court processes that he/she follows.
13. Shall regularly inform the Director on the progress of court processes.
14. Shall require cooperation with other Directorates on any case for judgement needs, when needed the attitude of other directorates.
15. Shall participate on activities that serve to professional qualification.
16. Shall perform all other assigned works, on the defined terms for the achieved results and gives the suggestions at any case it is deemed necessary for legal handling of specific issues.

### **Specialist for the Sanctions and the Penalties**

General responsibilities and duties:

1. In cooperation with License, Authorizations and Supervision Directory (DLAM), shall identify the circumstances and the entities licensed from ERE which because of violating the license conditions, may be subject of administrative measures.
2. In cooperation with the License, Authorizations and Supervision, and with Economic and Finance Directories, shall identify the ERE licensees that because of violating the obligations for liquidating the regulatory payments may be subject of administrative measures.
3. Shall identify and inform the Director of any circumstance on which the licensee because of violating the license conditions, the effective legislation, or ERE orders may be subject of administrative measures.
4. Shall prepare reports on his/her findings regarding the circumstance or the licensee that may be subject of administrative measures, proposing the administrative measure in conformity with the legislation in force.
5. In cooperation with the other directories shall prepare the proposal for the Board to open the administrative procedure, to set the administrative measure to the licensee that is found in violation.
6. Shall issue recommendations to the Director/ ERE Directors on any case that he/she accesses that a disagreement under ERE competence to be settled, may be handled avoiding the set of the administrative measure to the licensee.
7. Shall maintain the discretion and confidentiality of the data available because of his/her duty.
8. Shall inform about the conflict of interest directly or indirectly with the entity to which he/she shall propose the initiation of the procedure to take the administrative measure.
9. Shall maintain specific files and a register on which are evidenced the cases for proposed or taken administrative measures to the licensee, including the licenses removal.
10. Shall require and cooperates with other Directories at any case, for work performance, if needed per the attitude of other directories.
11. Shall respect the working hour and maintain the personal and professional integrity.
12. The specialist shall take guidelines and duties directly from the Director.
13. He/she shall report to the Director on the performed activities during the week and month, on the first working day of each week.
14. Shall participate on activities that serve to professional qualification.
15. Shall perform all the other assigned duties and shall regularly inform on the defined terms for the achieved results, as well as makes suggestions if deemed necessary for legal handling of specific problems.

**Specialist for Processing the personal data (1)**

General responsibilities and duties:

1. Shall be responsible for the processing of personal data for each practice that is submitted at ERE for handling.
2. Shall issue his/her opinion regarding the handling of the data available by ERE and if evidence them which are protected as personal or confidential data, shall inform to the Director or to the respective Directories, orientin the way to handle them.

3. Shall be ensured that the collection and process of personal data from ERE shall be for clearly and legally defined purposes, in conformity with the object of ERE activity.
4. Shall respect the working hour and maintain the personal and professional integrity.
5. The specialist shall take instructions and duties directly from the Director.
6. Shall report to the Director on the activities performed during the week and month, on the first working day of each week.
7. Shall maintain a special register for the personal data, for any application handled by ERE, maintaining the form to permit their identification for a defined term, but not more than the purpose for which they are collected or processed.
8. Shall prepare the information or participates at the working group for handling a request for partial/full confidential handling of the data set available to ERE.
9. Shall maintain the discretion and confidentiality of the data available because of his/her duty.
10. Shall require and cooperates with the other Directories on each case for work performance if it is needed the attitude of the other directories.
11. Shall participate on the activities that serve for professional qualification.
12. Shall perform all the other assigned duties and shall regularly inform, on the defined terms for the achieved results as well as makes suggestions at any case when deemed necessary for legal handling of specific issues.

## **Article 24**

### **The Organization of Tariffs and Prices Directory**

Tariffs and Prices Directory, based on the methodologies and effective legislation, for accessing the cost and approving the tariffs and prices as well as other by-legal acts approved by ERE, shall access the tariffs and prices in conformity with the approved deadlines to ensure that they are sufficient for the provision of the service of the regulated activities on power sector in conformity with the effective standards.

1. Shall implement the principles of the respective methodologies, access and control / monitor the appropriate distribution of the costs for the regulated activities on power sector, based on the specifications of the system, maintaining the values of the regulated tariffs and prices for the customers in reasonable and fair levels, in a way that the licensee shall operate effectively, shall cover the current cost and ensure the normal continuation of the activity in the future.
2. Tariffs and Prices Directory shall be responsible for the draft of the tariffs and prices methodologies for the regulated activities in conformity with the effective legislation and based on its analysis shall propose improvements of the existing methodologies.
3. Tariffs and Prices Directory shall be responsible for the collection and analysis of the necessary data and information for the reasonable proposals regarding the structure and level of the tariffs and prices.
4. In cooperation with the Market Monitoring Sector, shall participate to review the investment program of the licensee for accession. If they are drafted in conformity with the respective regulation and implementing the planning principles with the effective costs and other important criteria.

**The**

**Director**

The director shall report to the Secretary General and to the Chairman about the issues that the Directory covers and follows and regarding the deadlines to review the competent practices for which the law provided terms, tariffs, or prices. Shall take instructions from the Chairman or the Board Member that leads specific issues and shall be consulted with any of the Board members that expresses his/her interest.

Shall perform the approved procedures and shall submit the respective documentation at the Board Meeting, for approving the tariffs and prices for the licensed companies that exercise their activity on power sector in Albania. Based on the information ensured from the respective directories and in cooperation with them, also in cooperation with the Advisor and the Secretary General, shall participate on the draft of the annual report for the situation of power and natural gas sectors and ERE activities, including the financial activities. The director shall take care that this report after being revised and approved by the Board shall be submitted to the Parliament on the term defined by the law.

The duties and responsibilities shall include:

1. Based on the methodologies approved by ERE as well as the effective legislation for accessing the costs and approving the prices, shall follow in conformity with the approved terms the implementation of the assessment process for the tariffs and prices to ensure that they are sufficient to provide the service of the regulated activities on power sector in conformity with the effective standards that provide the licensee the ability to liquidate the costs for this service.
2. Shall prepare the proposals to review the tariffs calculation Methodologies, as well as shall implement and follow the price review process.
3. Shall participate on the official procedures, related with the activity of his /her Directory.
4. Shall schedule, organize and correct the work of the directory to ensure the quality and correctness of the required reports, analysis and issues.
5. Shall be responsible for the organization and division of the work between his/her sectors (staff).
6. Shall define clear duties for the staff, shall set the work standards and rules, as well as shall prepare month schedules and periodic reports of the work, if required.
22. Shall lead and/or define the needs for the training of its staff and defines the participation on regional activities and beyond according to the handled subject according to the respective schedule approved by the Board.
23. Shall maintain a database on which shall be registered the activity of the Directory, as well as updates it continuously, to perform the duties efficiently and on time.
24. Shall instruct and follow the management of the documentation and the files by his/her staff, their index and archive.
25. Shall represent ERE on activities organized outside the country with similar units of regulators, when this is approved by the Chairman, reports on the gained experiences and shall schedule the duties for their implementation. Shall follow and implement the best world practices on the activity that it covers.
26. Shall follow and implement the duties charged from the Chairman within the object of the Directory activity, shall inform the Chairman on time about the achieved results in

implementing or following them and shall issue suggestions or recommendations for different issues.

27. Shall professionally implement the Code of Ethics, shall maintain the professional integrity of the directory in form and content, requiring it from every employee of its directory or from ERE colleagues.

13. Shall perform the periodic assessment of his/her employees in conformity with the civil servant procedures and proposes them to the Chairman.

### **Tariff Structure and Prices Analysis Sector**

Shall be focused on the analysis and development of electricity tariffs and prices activities regarding to the electricity transmission, distribution and universal supplier as well as the electricity prices produced from electricity renewable resources and shall propose the necessary regulations.

### **Head of Tariff Structure and Prices Analysis Sector**

The Head of the Sector shall report to the Director and take the instructions from him. The head of the sector shall take instructions and duties directly from the Chairman, when considered reasonable by this last one mentioned. Together with the specialists that are analysts for the electricity tariffs and prices structure approved by ERE for the licensee that perform the activity on Power Sector shall carry out the duties as follows:

1. Shall participate in cooperation with the other staff of the Directory in drafting and reviewing the tariff calculation Methodologies for the electricity transmission, distribution, and universal supply service as well as the prices for the renewable resources.
2. Shall follow and control the structure of tariffs and prices according to the regulated activities and the prices for the renewable resources.
3. Shall draft the instructions regarding the accounting, financial or additional data regarding the approval/review process of the price, tariff structure according to the approved methodologies or the effective legislation.
4. Shall correctly and carefully access the accuracy of costs calculation and revenue requirements submitted from the licensees.
5. Shall access the logic of price transfer between all links of the power system.
6. Shall follow and control the uniformity of maintaining the accounts for all the licensees as a criterion for developing the tariffs and prices structure.
7. Shall control and monitor the cross-subsidies between different levels of customers or between the licensee activities, if this last one mentioned perform more than one activity.
8. In cooperation with other structures monitors the activity of the licensee on power sector.
9. Shall control the movements and transfers of the capitals/assets regarding the effects that they have on electricity tariffs within the processes of approving the electricity tariffs and prices to calculate the permitted rate of return according to the respective methodology.
10. Shall propose the calculation or review of the permitted coefficient of return for any regulated activity on power sector.
11. Shall maintain the files and their index to facilitate and present his/her sector work, to ensure the work continuation on his/her absence.

12. Shall participate on drafting the by legal acts according to the sector competences.
13. Shall follow the publications in the region and beyond as well as drafts the “benchmarks” for the electricity tariffs and prices structure from the renewables in the region.
14. Shall define the needs for professional experiences and shall make the concrete proposals to the Director.
15. Shall carry out the periodic assessment for the specialists of the sector in conformity with the procedures for the civil servant and submits them to the Director.

### **The Specialist for the tariff structure of electricity transmission, distribution and universal supplier**

The specialist for the tariffs and prices structure for the electricity transmission, distribution and universal supplier activities shall report to the Head of the Sector and takes instructions from him. The specialist takes instructions and duties even from the Director directly as well as from the Chairman when considered reasonably. He serves as an analyst for the tariffs and prices structure of the electricity and natural gas transmission, distribution, and universal supply activities approved by ERE for the licensees that perform the regulated activities on power sector in Albania and shall carry out the duties as follows:

1. Shall correctly and carefully access the accuracy of costs calculation and revenue requirements submitted from the licensees, on electricity transmission, distribution and universal supplier activities, issuing the respective conclusions and shall submit them to the head of the sector.
2. Shall analyze and control the distribution of all costs for all of the links of the power system, issuing the respective conclusions, which shall submit to the head of the sector.
3. In order to perform the assigned duties efficiently and in a timely manner, shall establish, maintain and update continuously the necessary database. Shall use the necessary data via the Internet and maintains regular contacts with the same regulatory units of other countries.
4. Shall perform all duties assigned by the Director and Head of Sector, which are related to the activity of the Directory and informs the Director about the achievements. Shall suggest opinions on certain issues when it deems necessary for the maintenance of the work.
5. Shall maintain the system of the files and their index sufficiently to facilitate his/her work and to ensure the work continuation on his absence.
6. Shall maintain professional relation with the colleagues. Shall maintain his/her professional integrity on form and content.

### **Specialist for the Renewable Resources Prices**

The specialist for the electricity sale prices from the renewable resources shall report to the Head of the Sector for the Tariff Structure and Prices Analysis and receives/ takes instructions from him. The Specialist for the renewable resources shall take instructions and duties directly from the Director and even from the Chairman when considered reasonably. He/she shall serve as an analyst for the renewable resources prices, approved by ERE for the entities that

exercise the electricity production from these resources in Albania and shall perform the duties as follows:

1. Shall correctly and carefully access the accuracy of costs calculation for the electricity producers revenues from the renewable energy resources, issuing the respective conclusions and shall submit them to the head of the sector.
2. In cooperation with the specialist for controlling the costs and the accounts for the Renewable Energy Resources shall follow the annual reports of the producers from renewable resources (RES) on the realized revenues and the respective costs and shall perform the respective analysis on the prices adequacy approved for each technology of RES and shall submit them to the Head of the Sector.
3. To perform the assigned duties efficiently and in a timely manner, shall establish, maintain, and update continuously the necessary database regarding the RES producers.
4. Shall utilize the needed data through internet regarding the prices of the renewable resources in the Region and beyond and shall draft the “benchmarks” for the electricity prices from the renewable resources according to different technologies. Shall maintain regular contacts with the same regulatory units of other countries.
5. Shall perform all the duties charged by the Director ryen të gjitha detyrat që i ngarkon Drejtori dhe Pergjegjësi i Sektorit, të cilat lidhen me veprimtarinë e Drejtorisë dhe e njofton atë për çfarë është arritur. Sugjeron opinione për probleme të caktuara, kur e gjykon se është e nevojshme për mbarëvajtjen e punës.
6. Shall maintain the files system and their index, adequately to facilitate and present his/her work and to ensure the work continuation on his absence.
7. Shall maintain the professional relations with the colleagues. Shall maintain its professional integrity in form and content.

### **The Sector of Controlling the Costs and Calculations for the licensee activities**

This sector shall take care of the cost control in the context of applied tariff and prices and the draft of the proposals to make the appropriate regulations when necessary. This sector shall prepare the basic data necessary for the operation of the Sector of Tariff Structure and Prices Analysis.

### **The Head of the Sector for Cost Analysis**

The head of the sector for cost analysis shall report to the Director and takes his/her instructions. He/she shall take instructions and duties directly from the Chairman when considered necessary. In cooperation with the specialist they carry out the cost control in the context of applied tariffs and prices, approved by ERE for the licensee that exercise their activity on Power Sector and perform the duties as follows:

1. Shall draft and propose unified standards of calculations to be applied by all the licensees, implementing Law no. 43/2015 “On Power Sector” as amended.
2. Shall draft the respective instructions for the maintenance of the accounts for all the licensee according to these standards, as well as controls if there are different types of

subsidies between the activities performed by the licensee to prevent them according to the requirements of Law No. 43/2015 “On Power Sector” as amended.

3. Shall draft and propose the appropriate forms of economic-financial reporting in conformity with the unified standards of calculation approved by ERE, as an obligation of Law no.43/2015 “On Power Sector” as amended.
4. Shall realize the analysis assessment of economic – financial indicators on which the licensee for the electricity transmission, distribution and universal supplier activities have drafted the requirement to review the tariffs and prices.
5. Shall perform the analysis assessment and the benchmark with the Region countries and beyond regarding the technical, economic and financial indicators which serve for the calculation of renewable resources prices implementing the respective methodologies for any technology.
6. Shall control and monitor the prices for different groups of universal supply customers and carries out their comparison with the costs of service for the electricity supply to these customers.
7. Shall control if the periodic report of the licensee’s activity is in conformity with the requirements and the approved form of reporting the economic and financial indicators.
8. Shall control the implementation of the regulation of submitting the investments program from the licensees and carefully analyses the economic and financial aspects of the investments programs of the licensee as well as the prices for electricity purchase, within the country and in the region to define if they are in conformity with the lowest cost planification principles and with the National Strategy of Power Sector.
9. Shall draft the criteria and control the financial performance of the licensees based on the benchmark indicators.
10. Shall prepare and control the data for defining the regulation payment from the Licensee implementing the respective regulation and the effective legislation.
11. Shall participate on drafting the rules and by-legal acts according to the sector competences.
12. Shall define the needs for the professional qualifications of the staff and shall make the proposals to the Director.
13. Shall continuously monitor the service costs as well as controls their distribution correctness between the activities and the service levels.
14. Shall propose the necessary regulations of fix and variable costs, as result of improving the efficiency for different licensed activities and different levels of universal supply service. Shall make the periodic assessment of the sector specialists in conformity with the civil servant procedures and submits them to the respective director.

**The specialist for controlling the costs of Electricity distribution, supply and transmission activities**



The specialist for controlling the costs of electricity distribution, supply and transmission activities shall report to the Head of the Sector for the Cost Analysis and shall take his/her instructions. The specialist shall take instructions and duties directly from the Director as well as the Chairman when considered reasonably. The main object of his/her work is the control of the costs within the context of applied tariffs and prices for the licensee that perform the electricity transmission, distribution, and supply activities by completing the duties as follows:

1. Shall evaluate correctly and carefully the accuracy of total costs calculation and the total revenue requirement of the licensees on the transmission, distribution and universal supply activities and issues the relevant conclusions and presents them to the supervisor.
2. Shall analyse and control the cost allocation for any regulated activity of the operators licensed on electricity transmission, distribution and universal supply activities as well as defines their request for the revenues.
3. Shall monitor and control if the cost accounts of the licensee activities on transmission, distribution and universal supply are maintained in conformity with the Unifies Standards of Accounts approved by ERE.
4. Shall verify if the reports for the economic -financial performance of the licensee for the transmission, distribution and universal supply activities are in conformity with the reporting form approved by ERE.
5. Shall review, analyze, and verify the reliability of licensee investment programs and electricity purchases, to determine whether the principles of lowest cost planning, as well as other relevant criteria, have been applied.
6. To carry out the assigned duties efficiently and on time, shall establish and continuously update the needed database. Shall utilize the data via internet and shall maintain regular contacts with the same regulators of the other countries.
7. Shall perform the duties assigned by the Director and the Head of the Sector for the Costs Analysis which relate with the activity of the Directory and shall inform them about the achievements. Shall suggest opinions for defined issues when judges necessary for the work maintenance.
8. Shall keep professional relations with the colleagues. Shall maintain his/her professional activity in form and content.

### **The specialist for controlling the costs and the accounts for the Renewable Energy Resources**

The Specialist for controlling the costs and accounts for the renewable energy resources shall report to the Head of the Sector for the Cost Analysis and takes instructions from him. The specialist for controlling the costs and accounts for the RES shall take instructions and duties even from the Director as well as from the Chairman when considered reasonable. His / her main work objective is the control and analysis of the costs in the context of applied prices for the generation plants which produce energy from renewable resources by completing the duties as follows:

1. Shall evaluate correctly and carefully the costs and the total revenue requirement for the RES producers and shall issue the relevant conclusions and presents them to the supervisor.

2. Shall draft and follow the monitoring and control programs for the costs and accounts of the Renewable Energy Resources producers. Shall analyse the costs for any technology of RES according to the groups for installed capacities and shall issue the respective conclusions and shall submit them to the supervisor.
3. Shall follow the annual reports of the RES producers regarding the realized incomes and the respective costs to perform the respective analysis on the adequacy of the prices approved for any RES technology.
4. Shall monitor and control if the calculation of the energy production costs from the RES plants are maintained in conformity with the Unified Standards of the Accounts approved by ERE.
5. Shall verify if the reports for the economic – financial performance of the producers \ from RES are in conformity with the report format approved by ERE.
6. Shall utilize the necessary information through the internet regarding the costs for developing the renewable resources in the region and beyond and shall draft the “benchmarks” for different technologies from renewable resource which shall submit to the head of the sector.
7. To perform the assigned duties efficiently and on time, shall establish, maintain, and update continuously the necessary database. Shall utilize the data through the internet and shall maintain regular contacts with the same units of regulators from the other countries.
8. Shall carry out all the duties assigned from the Director, the Head of the Sector regarding with the activity of the Directory and shall inform him/her for the achievements. Shall suggest opinions for certain issues when judges necessary for the work maintenance.
9. Shall maintain professional relations with the colleagues. Shall maintain his/her professional integrity in form and content.

## **Article 25**

### **Market Monitoring Directory**

The Market Monitoring Directory, based on the effective legislation shall monitor, control and inspects the operation of electricity market to ensure the promotion of effective competition, transparency and provision of electricity market operation, including the balancing services as well as monitors the implementation of electricity purchase rules; implementation of the investments plan, the implementation of the network Codes and the electricity metering as well as cyber security for the operators. Shall prepare the practices for receiving the necessary data and information from the market participants and the licensees on power sector to draft the respective reports.

### **Director**

The Director shall report to the Chairman and to the Secretary General for the issues that the Directory shall cover. Shall take the instructions from the Chairman or the Board Member, who leads the defined issues and shall be consulted with any Board Member that expresses/shows interest. Shall perform the approved procedures and shall submit the respective documentation to the Board meeting for approving the practices under his/her competence.

Based on the information provided from the respective directories and in cooperation with them, the Advisor and the Secretary General, shall participate in preparing the periodic and annual report for the situation of power and natural gas sectors and ERE activity including the financial one. He/she shall take care that this report after being reviewed and approved by the Board shall be submitted on the Parliament on the term defined by the law.

- In conformity with the legal and by – legal framework of ERE, the Market Monitoring Directory above all shall cover the duties as follows:

1. Shall follow and cover the duties defined by the Chairman or the Board member and from the Secretary General;
2. Shall monitor the implementation of the transparency obligation from the licensee;
2. Shall follow the implementation of the Market Rules, and the Codes of the Electricity system operators;
3. Shall cooperate with the other Directories in drafting and reviewing the by- legal framework;
4. Shall lead ERE activity in monitoring and inspecting the Market Participants activity;
5. Shall follow the hearing sessions organized by ERE for the issues that the Directory covers;
7. Shall correctly implement the effective legislation for the Power Sector;
8. Shall prepare assessment reports for developing the Electricity market, including the procedures for electricity purchase, the investment programs and the agreements for participation at the electricity market.
9. Shall monitor the Market Operator for the identification of the issues and obstacles for the opening and development of the Electricity Market.
10. Shall monitor the Market Operator on the implementation of the legislation regarding the Electricity Market.
  11. In cooperation with the Licensing Directory, shall monitor the allocation of the operator's activities according to the definitions of Power Sector Law.
11. Shall collect the necessary data and information from the market participants and the licensees on power sector for the draft of the reports, to inform the Board as well as the completion of the periodic publication obligation according to the effective legislation.
12. In conformity with the monitoring findings, shall prepare the information for the Board, including the respective recommendations for the observed issues.
14. Shall propose the change or amendment of the Market Rules and other acts regarding the electricity market.
15. Shall participate on the working groups held with Chairman Order in conformity with the regulatory competences of ERE
16. Shall perform the periodic assessment of staff on his/her directory in conformity with the procedures defined for this purpose.
17. Shall monitor the implementation for the “Regulation for cybersecurity of critical infrastructures on power sector”.

18. Shall maintain the contacts with homologous institutions and structures for experience exchange in conformity with the obligations covered by the directory;
19. Shall maintain his/her professional integrity in form and content.

## **MARKET MONITORING SECTOR**

Market Monitoring Sector shall monitor and control the electricity market to foster competition, transparency and security of electricity market operation, where it is included the market balancing. This sector shall monitor the implementation of the electricity purchase/sale rules as well as the implementation of the investment plans for the public companies.

### **Head of the Sector**

The head of the sector shall report to the Director and/or Secretary General when required by this latter for the operations covered and followed by the Market Monitoring Sector. Based on the information provided by the respective specialists and in cooperation with them, shall participate in preparing the necessary materials regarding the electricity market monitoring.

In conformity with the legal and by-legal framework of ERE, the market monitoring sector shall perform and cover the duties as follows:

1. Shall follow and cover the duties defined by the Market Monitoring Director and/or the Secretary General of ERE when required by this latter.
2. Shall follow the implementation of the duties defined by the specialists of the Market Monitoring Sector.
3. Shall follow the implementation of the “Rules for electricity market monitoring” approved with ERE Board decision.
4. Shall cooperate with the Director and/or the Secretary General when required from this latter on the opportunity of implementing the REMIT Regulation.
5. Shall participate on the official procedures before the Board, to approve or review the practices within its area, when required from the leading structures of ERE.
6. Shall cooperate with the other ERE structures to realize and comply the assigned duties.
7. Shall monitor the implementation of transparency obligation from the licensee;
8. Shall follow the implementation of the Market Rules, Electricity Operation System Codes, including the Electricity market balancing rules.
10. Shall follow the hearing sessions organized by ERE for the issues covered by the Sector and the Directory;
11. Shall monitor the operation of the electricity market having into consideration the implementation of the legislation regarding the Electricity Market;
12. Shall participate on the monitoring groups of the licensees held with ERE Chairman order.
13. In conformity with the monitoring findings, in cooperation with the other participants of the monitoring groups shall prepare the information for the Board, including the respective recommendations when there are observed problems.
14. Shall participate on the working groups held with Chairman Order in conformity with the regulatory competences of ERE.

15. Shall suggest opinions for defined issues when deems necessary for the work maintenance.
16. Shall make the periodic assessment of his/her employees in conformity with the procedures defined for this purpose.
17. Shall participate on training programs for professional training.
18. Shall maintain his/her professional integrity in form and content.

### **Specialist for Electricity market monitoring**

The Specialist shall report to the Head of the Sector for Market Monitoring and shall take direct instructions and duties from him/her. The Specialist shall cooperate with other ERE structures to perform the duties assigned from the Head of the Sector or the Director of the Directory.

1. Shall review and access the regulated agreements between Market Participants.
2. Shall participate on official procedures before the Board, to approve or review the practices within the competence area, if required from the leading structures of ERE.
3. Shall follow the implementation of the “Rules for electricity market monitoring” approved with ERE Board decision.
4. Shall cooperate with other structures of ERE, to perform the assigned duties.
5. Shall monitor the implementation of transparency obligation from the licensee.
6. Shall control and access the completion and accurateness of the information ensured from the monitoring reports regarding the market operation procedures issuing the respective conclusions which shall submit to his/her Director.
7. Shall review and issues assessments regarding the contracts signed with the market participants according to the definitions of the Market Model which shall submit to the Head of the Sector.
8. Shall monitor the implementation of the Codes approved by ERE Board.
9. Shall monitor the implementation of the Albanian Electricity Market Rules, including the balancing market rules as well as other acts regarding it, by all Electricity Market Participants.
10. Shall participate on the working groups held by ERE for different issues giving the respective assessments and conclusions.
11. Shall perform the maintenance of the documentation exchanged with any of the licensee regarding the market operation and shall maintain a specific register for the agreements regulated on the market and approved by ERE.
12. Shall evidence the obligations of the licensee in operating the market operator according to the definitions of the by – legal acts that regulate the electricity market and shall inform his/her director.
13. Shall perform all the duties assigned by the Head of the Sector and shall inform this latter on the progress of the issues belonging to the sector.

15. Shall perform concrete duties regarding the realization of the cooperation, coordination and exchange of the data with ERE structures, implementing the work schedules/planifications.
15. Shall assist at the hearing sessions on the issues regarding the activity of the sector/ Directory.
16. Shall participate on the training programs for professional training.
17. Shall maintain his/her professional integrity in form and content.

### **IT and Cyber Security Specialist**

The specialist shall report to the Head of the Sector for Market Monitoring and shall take direct instructions and obligations from him. The specialist shall cooperate with other structures of ERE to perform the defined duties from the Head of the Sector or the Director.

1. Shall monitor the implementation of the “Regulation on cyber security for critical infrastructures on power sector”, approved with ERE Board decision.
2. Shall monitor/access the reports prepared by the critical infrastructure for information operators for any unplanned intervention, violation or incident at cyber security area, as well as the availability and integrity of their electronic communication networks, as well as any other intervention, damage that affect the operation of the networks and/or their status of service.
3. Shall monitor and analyze the self-assessment prepared by critical infrastructure of information Operators which are transposed at ERE by the effective by-legal acts of ERE.
4. Shall monitor the held and operation of CSIRT Sectorial from the critical infrastructure of information operators on power sector.
5. Shall participate on the official procedures before the Board, to approve or review the practices within its competence, when required from the leading structures of ERE.
6. Shall participate at the working groups held at ERE for different issues by issuing the respective assessments and conclusions.
7. Shall access the investments plan, which shall consider the need to reduce the identified risks on the cyber security area on power sector.
8. Shall cooperate with the other structures of ERE, to carry out the assigned duties .
9. Shall perform the maintenance of the documentation exchanged with any of the licensee regarding cyber security.
10. Shall perform all the duties assigned from the Head of the Sector and shall inform him on the progress of the issues that belong to the sector.
11. Shall assist to the hearing sessions for the issues regarding the activity of the sector/ Directory.
12. Shall participate at the training programs for the professional training.
13. Shall maintain his/her professional integrity in form and content.

## **Inspections Sector**

The inspections sector shall control and inspect the operation of the electricity and natural gas market.

### **Head of the Sector**

The head of the sector for the inspections shall report to the Director and/or Secretary General for the operations covered and followed by the Inspections Sector. Based on the information ensured from the respective specialists and in cooperation with them, shall participate on the preparation of the necessary materials related to the inspections in the electricity market.

In conformity with the legal and by legal framework, the Inspections Sector shall perform the covers the duties as follows:

1. Shall follow and cover the duties defined by the Market Monitoring Director and/ or the Secretary General of ERE when required from this latter.
2. Shall follow the implementation of the duties defined from the specialist of Market Monitoring Sector.
3. Shall follow the implementation of the effective regulatory acts and standards from the market participants and the licensee on power sector performing on-site inspections.
4. Shall cooperate with the Director and/or Secretary General when required by this latter on the opportunity of implementing the Regulations and Rules for inspections.
5. Shall perform the inspections when doubted for discrimination, abuse or monopoly behavior from the operators or electricity market participants.
6. Shall perform the periodic assessment of his/her employees in conformity with the procedures defined for this purpose.
7. Shall participate on the training programs for professional training.
8. Shall maintain his/her professional integrity in form and content.

### **Inspections Specialist**

The specialist shall report to the Head of the Sector for Inspections and takes guidelines and duties directly from him. The Specialist shall cooperate with other structures of ERE to perform the duties assigned by the Head of the Sector or the Director.

1. Shall follow and cover the duties assigned by the Head of the Sector or the Market Monitoring Director
2. Shall follow the implementation of the duties assigned from the Head of Inspections Sector or the Director.

3. Shall follow the implementation of the effective acts, rules and standards from the market participants and the licensees on power sector carrying out on-site inspections.
3. Shall cooperate with the other ERE structures on the opportunity of implementing the Regulations and Rules for inspections.
5. Shall perform the inspections when doubted for discrimination, abuse or monopolistic behavior from the operators or electricity market participants.
6. Shall perform the periodic assessment of his/her employees in conformity with the procedures defined for this purpose.
7. Shall participate on training programs for professional training.
8. Shall maintain his/her professional integrity in form and content.

**Article 26**  
**NATURAL GAS DIRECTORY**

**Director**

Main responsibilities and duties:

1. Shall lead the general activity and is responsible for the operation of Natural Gas Directory in full conformity with the legislation in force.
2. Shall organize the effective allocation of the work within the directory for on time realization of the defined duties.
2. Shall lead the process of drafting the annual and monthly report for the work of the directory.
4. Shall provide on time realization of the objectives set at the monthly and annual working plans.
5. Shall guide the performance of the periodic and annual analysis for realizing the duties according to the drafted plan and the specific terms for each duty.
6. Shall guide the preparation of the proposals for drafting or monitoring the regulatory acts regarding natural gas sector.
7. Shall organize the working groups for specific duties according to the needs and ensures their successful performance.
8. Shall participate at the Board meetings when handled an issue that deals with the operational duties of the Directory.
9. Shall define annual individual objectives for the staff of the directory and shall perform their annual periodic assessment.
10. Shall support and motivate the staff of his directory in realizing the duties on time.



11. Shall ensure efficiently usage of the resources available for the directory.
12. Shall ensure the cooperation with the other directories for the achievement of the objectives for all the institution.
13. In coordination with the other directories of the institution shall ensure the contribution of natural gas directory in representing the regulator with the other actors.
14. Shall represent the institution when this is required from the Chairman or the Board.
15. Shall keep a database on which it is registered the activity of the Directory and updates it continuously.
16. Shall maintain regular contacts with the similar units of regulators outside the country.

### **Licensing Specialist**

#### **Main responsibilities and duties**

1. Shall implement the effective legislation for natural gas sector in performing the duties regarding the licenses and the licensees as well as shall cooperate with the Licensing Directory at ERE.
2. In cooperation with the License, Authorisations and Supervision Directory, shall analyze the applications for license in conformity with the licensing procedures and in cooperation with the Licensing Directory shall follow in conformity with the rules the process to the Board proposal.
3. Shall maintain a register where are registered all the licensees on natural gas sector as well as makes the respective updates of information on it.
4. In cooperation with the Legislation and Codes Specialist of Natural Gas Directory, shall prepare the reports for license issue, refusal, modification or license removal on Natural Gas sector activities.
5. Shall cooperate with the Market Monitoring Directory for the licensee activity regarding the implementation of respective license conditions, ERE decisions, rules as well as other issues.
6. In cooperation with the Market Monitoring Sector shall review and access the investment programs of the licensees (engineering aspects).
7. Shall establish and maintain the connection with the regulatory units from other countries utilizing the data from the internet and programing the duties to improve the work.
8. Shall maintain the files and shall perform the necessary updates for any licensee setting an index for each file according to the license to facilitate and ensure the work continuation.
9. Shall maintain professional relations with the Natural Gas Directory staff to follow and settle the issues as well as to improve the work of the Directory.
10. Shall maintain professional relations with all ERE employees.

11. Shall perform all the duties assigned from the Director according to the needs.
12. Shall draft and participate accordingly to the preparation of the draft instructions, regulations, orders, and decisions cooperating with the other staff of Natural Gas Directory.
13. Shall cooperate with the Licensing and Codes Specialist of the Legal and Settling the Disputes Directory as well as of Customer Protection, Performance and Standards Directory regarding the draft of press notification following the licensing procedures as well as organizing the hearing sessions with the Stakeholders and the public.
14. Shall participate on trainings as well as different activities organized for the increase of qualification and professional training.
15. Shall maintain his/her professional integrity.

### **Tariff specialist**

#### **Main duties and responsibilities:**

1. In cooperation with the other staff of Tariff and Prices Directory shall draft the Methodology of calculating the tariffs for natural gas sector.
2. Shall follow and control the tariffs structure according to the licensed activities.
3. Shall draft instructions regarding the compatible, financial or additional data regarding the price review process, the tariffs structure, according to the approved methodologies.
4. Shall evaluate correctly and carefully the accurateness of cost calculation and revenue requirements submitted by licensees.
5. Shall follow and control the uniformity of maintaining the costs for all the licensee, as a criterion for drafting the tariffs structure.
6. Shall maintain the files system and their index, to facilitate and ensure the work continuation on his/her absence.
7. Shall participate on drafting the rules and by-legal acts in Natural Gas Sector
8. Shall follow the publications in the region and beyond, as well as draft and use the “benchmarks” from the region or countries with similar development level of Natural Gas Sector, for tariff structure.
9. Shall define the needs for professional qualifications and shall give concrete proposals to the Director.
10. Shall draft and propose the appropriate application forms of economic – financial report in conformity with the unified standards of calculations approved by ERE.

11. Shall realize the analytical assessment of economic – financial indicators on which the licensee has drafted the request for price review.
12. Shall control and monitor the prices for the different working groups of customers and their comparison with the costs for natural gas supply service at these customers.
13. Shall control if the periodic reportin of the licensee’s activity is compatible with the requirements and the reporting format of the approved economic and financial indicators.
14. Shall draft and propose the regulation and the respective application form for the procedures of submitting the investments program from the licensee and shall carefully analyze the economic and financial aspects of the investments programs of the licensee to define if they are compatible with the lowest cost planification principles and with the National Strategy of Power Sector.
15. Shall participate in drafting the rules and the by-legal acts of natural gas sector.
16. Shall define the needs and professional qualifications and shall make the concrete proposal to the Director.
17. Shall continuously monitor the costs of service, as well as controls the correctness for their distribution between the activities and levels of service.
18. Shall propose the necessary regulations for the fix and variable costs, to improve the efficiency of the activity for different levels and different levels of natural gas supply service.

### **Codes Specialist**

#### **Main responsibilities and duties:**

1. Shall evidence and propose the review of the regulatory acts regarding the natural gas sector, including the codes, together with the director or in cooperation with other ERE directories.
2. Shall prepare the draft – decisions for the issues regarding the natural gas sector.
3. Shall express on the legal aspects of the applications or request in natural gas sector that are handled by ERE.
4. In cooperation with the Director or with the technical staff of ERE shall follow the court processes for the issues regarding natural gas sector.
5. Shall cooperate with the Monitoring Directory to supervise the implementation of the legislation as well as the respect of the codes from the licensee in natural gas sector and shall draft the information for the Board.
6. Shall issue information regarding the legislation in regulating the natural gas sector.
7. Shall participate on activities that serve to professional qualification.

8. Shall maintain the contacts and takes information legally from homologous institutions within and outside the country, to better settle the confronted issues.
9. Shall assist the Director in preparing the necessary information as part of ERE annual report on the power and natural gas sectors and ERE activities, actively participating in drafting this report as far as it is subject to Natural Gas Directory.
10. Shall show his/her opinion on the legal aspects of the applications or requests regarding the Natural Gas sector.
11. Shall participate on the working groups held for the monitorings and controls that ERE exercises to the licensee on natural gas sector.
12. Shall document in a specific register the Board decisions and Chairman Orders regarding Natural Gas sector.
13. Shall perform the other duties assigned from the Director.
14. Shall maintain professional relations with ERE employees and shall maintain his/her professional integrity.

### **Legislation Specialist for supervising the standards**

#### Main responsibilities and duties

1. Shall be responsible for processing the data issued from the licensees and their periodic report.
2. Shall take the measures for evidencing and studying the obligations of the licensees regarding the provision of natural gas sector quality of service in cooperation with the Market Monitoring Directory.
3. Shall be responsible for drafting the draft – planifications, the graphs for monthly and annual monitoring regarding the quality of service and submit for approval to the Directory.
4. In cooperation with other structures of ERE, shall make possible the realization of the graph for the approved monitoring plans/schedules.
5. Shall be responsible for reporting the findings from the scheduled monitoring activities to the leading structures.
6. Shall participate on the working groups held with ERE Chairman order.
7. Shall recommend directly to the supervisor the undertaken of the studies regarding the increase of the quality of service provided from the licensees and analyzing the expectations of the licensee actors.
8. Shall propose to the respective Director the undertaken of administrative measures to the licensed entities observed for not implementing the standards for the quality of service.

9. When authorized from the respective supervisors, shall represent the institution on different activities related to his/her operational duty.
10. Shall implement special orders assigned from the Director to perform unplanned duties, but that relate with his/her operational duty.
11. Shall keep continuous contacts with the licensees setting an efficient communication system necessary for performing the monitoring process.
12. Shall ensure the maintenance and systematization of the documentation exchanged with any market operator which is a monitoring object for quick and at any time utilization of the documentation, to present his/her work, but even to enable the work continuation on his/her absence.
13. To perform the assigned duties efficiently and on time, shall establish, maintain and update continuously the necessary database.
14. Shall implement the duties assigned on approved monthly plannifications or graphs regarding the participation at the monitoring process of the licensee activity, but even thematic monitorings with the working groups with ERE Chairman order.
15. Shall maintain professional relations with all the colleagues.
16. Shall maintain his/her professional integrity

**Article 27**  
**CUSTOMER PROTECTION, PERFORMANCE AND STANDARDS**  
**DIRECTORY**

**Director of Customer Protection, Performance and Standards**

Main responsibilities and duties:

1. Shall handle and settle all the direct complaints and conflicts from the relations between the electricity/ natural gas supplier and the customers, as well as between the Licensees, aiming the protection of customer's interest on the individual aspect and the protection of their interest in total from the abuses of dominant actors on electricity and natural gas market.
2. In cooperation with the other Directories, shall exercise controls to the Transmission Operator, Distribution Operator, the Universal Service Supplier and at other Suppliers to implement the conditions of the electricity Supply Contract and the Regulation for the Quality of Service for the Distribution and the Regulation for the Quality of Service at the Transmission activity.

3. Shall prepare the recommendations and assist in drafting ERE legal and by-legal acts regarding customer protection issues.
4. Shall conduct surveys to examine the usefulness of the company services to the supplier and mainly regarding the continuity of supply, the guaranteed standards indicators and quality of supply, the activity of the supplier for the transparency to the customers.
5. Shall inform the customers for their rights and obligations as well as the opportunity that they have to require the necessary information and an approach for settling the issues.
6. Shall prepare and organize the hearing sessions as well as ensures transparency and takes care for the participation of the public and the stakeholders on this process.
7. Shall take care and cooperates with the Customer's Association and the main representatives of the users and shall keep continuous contacts with them.
8. Shall inform every month the Secretary General, the technical Directors on complaints submitted at ERE and their handling.
9. Shall prepare periodic reports in conformity with the definitions of this regulation.

### **Specialist of supervising the quality standards**

#### Main responsibilities and duties

1. The specialist shall report to the Director and takes instructions and duties from him.
2. The specialist shall take instructions and duties directly from the Chairman when considered reasonable from this last one mentioned as well as in conformity with the definitions of this regulation.
3. His/her job object is to supervise the licensee regarding the obligations to implement the License Conditions for the Transmission, Distribution and Supply services.
4. Shall supervise the licensee activity on Power Sector to comply the obligations provided on the Transmission, Distribution, Metering Code, as well as any other Code.
5. Shall supervise the compliance from the licensee of the Technical Quality and Safety Standards.
6. Shall supervise the compliance from the licensee of the Standards for Handling the Complaints of the Customers from the licensee on the electricity and natural gas distribution and supply activity.
7. Shall supervise the compliance from the licensee of the Regulation on the Minimum Standards of the Service and Supply Qualities on Power Sector.

### **The specialist for settling the disputes and the complaints**

#### Main responsibilities and duties

The Specialist shall report to the Director and shall take the instructions/guidelines from him. The specialist shall take instructions and duties directly from the Chairman, when considered reasonable from this last one mentioned as well as on any other case in conformity with the definitions of this regulation. The Specialist serves as an analyst for handling ERE issues on legal and customer protection aspect on power and natural gas sector, as well as for handling the issues with which ERE is confronted on the relations with the licensee entities, the customers and other authorities in Albania.

The specialist shall perform the duties as follows:

1. Shall perform the duties assigned from the Director case by case according to the working schedule.
2. Shall give advice for official procedures.
2. Shall participate on preparing the drafts for the orders, guidelines and decisions issued by ERE for the issues object of the sector work.
3. Shall assist the Director regarding the preparation to hold the hearing sessions.
4. Shall participate on activities that serve to professional qualification.
5. Shall organize the maintenance of a database regarding the complaints and other handled issues to reflect and develop further the work of the sector.
6. Shall maintain the files system and their index, sufficiently to facilitate and present the work on his sector and to ensure the continuation of this work.
7. Shall continuously require the opportunities and support and use them to improve his work and that of the sector. Shall maintain professional relations with ERE staff. Shall maintain his professional integrity in form and content.
9. Shall participate on the monitorings performed by the sector.

## **Article 28**

### **FINANCE AND IT DIRECTORY**

#### **Director**

The Director shall directly report to the Chairman and the Board Members for the issues covered and followed by the Directory. The director shall be consulted and take instructions from the Chairman, the Board Members as well as from the Secretary General that leads specific issues.

#### **Main responsibilities and duties**

1. Shall periodically inform the Chairman and the Board on the financial situation of the institution, for the execution of the regulatory payments from the licensee, observation of the expenses quotes according to the approved budget, as well as other main issues dealing with the normal development of ERE activities during the year.

2. Shall prepare the annual budget of ERE with detailed revenues and expenses. Shall cooperate in priority with the human resources sector, other structures and within March of each year shall submit to the Board for approval the prepared draft.
3. Shall continuously follow the realization of ERE revenues and expenses schedule, according to the approved Budget, shall draft a financial report and submit it to the Chairman within 10 days from the end of each month.
4. Shall cooperate with the Working Group held with Chairman order to define the regulatory payments for the respective year.
5. Shall strictly control the expenditure of ERE funds, taking care that any expenditure is legally justified and necessary.
6. In cooperation with the Human Resources Sector, shall be informed for the presence of ERE staff at work and shall draft the payrolls for each month.
7. Shall execute the actions necessary for the staff payment and shall inform the staff regularly with the payment structure.
8. Shall execute all the liquidations for the services within and outside the country.
9. Shall organize the realization of the directory activity, in conformity with the laws and rules approved by ERE. Shall undertake the measures to perform all duties on time and with quality.
10. Shall lead and/or trains his/her employees according to the need and recommends the trainings for the specialists according to their profile and responsibilities regarding the job description.
11. Shall organize the maintenance of a database to reflect and further develop the work of the directory.
12. Shall use the necessary computer programs according to the recommendations of the experts of this area to increase work efficiency.
13. Shall organize the maintenance of the accounting according to the law and is responsible for account handling of the information submitted to the Chairman, the Board as well as other interested institutions.
14. Shall be responsible for the preparation of the official financial information for publication purposes.
15. Shall maintain the files system and their index, to establish the opportunity of issuing at any time the data needed to facilitate the performance of the work and ensure the normal continuation of the work on his/her absence.
16. Shall perform all other works assigned from the Chairman and shall inform him on time for the achieved results as well as shall suggest at any time and when reasonable for the specific issues their handling and settlement.
17. Shall continuously require opportunities and support and use them to improve his work and that of the directory.
18. Shall maintain professional relations with the Board Members, the colleagues and his/her staff. Shall maintain professional integrity of the directory in form and content.
19. Shall cover all the issues regarding the staff, the procedures and the maintenance of the documentation and shall respond to various requests submitted at ERE regarding this area.



20. Shall perform the periodic assessment of his employees in conformity with the civil servant procedures and shall propose them to the Chairman.
21. Shall be responsible for the organization and allocation of the duties within his / her staff.
22. Shall define clear duties for his/her staff, shall set clear working standards and rules as well as shall prepare the monthly schedules and periodic reports on his/her work if required. He/ she is the connection point of interconnection between the Secretary General, the Board and the Directory.
23. Shall periodically updates the health care booklet. Shall draft the monthly evidences of social securities and submit them to the respective institution.
24. Shall require and cooperate with other Structures at any time if needed.

### **Economy and Finance Directory**

The duties of the Economy and Finance Directory according to Order no. 63 dated 15.07.2020 “On ranking ERE staff/employees on their job position according to the new organization chart “.

#### **Budget Specialist**

Main responsibilities and duties:

1. Shall prepare and is responsible for the monthly reporting of the expenses and revenues situation of the institution.
2. Shall draft the official letter due to the budget of the institution in cooperation with all other directories. Shall draft the summarized table for the budgetary needs of ERE staff.
3. Shall prepare the situation of the expenses analytically for all the items of the budget (the payrolls, the social securities, operational expenses, investments, foreign currency, etc)
4. Shall submit to his / her Director the realization of the budget expenses for each month.
5. Shall maintain analytically the Economic Inventory of Fixed Assets and Current Assets (in use) of the institution.
6. Shall prepare by the end of the year the material for performing the physical inventories for the fix and current assets of the institution.
8. Shall establish inventories database, after performing the physical inventory at each office and in analysis for the employees, at the beginning of the exercising year and shall reconcile the value of the physical inventory and the accounting value according to the economic calculations.
8. Shall maintain the official cards for each office and in analysis for the employees of the institution.
9. Shall calculate the depreciation analytically for the assets of the institution, and according to synthetic items of expenses "Investments".
10. Shall perform other duties assigned from the supervisors or assigned by the working groups.

#### **Finance specialist**

Main responsibilities and duties:

1. Shall perform all cash operations in ALL or foreign currency reflecting them at the cash book, according to the collection mandate and payment mandate completed in advance, according to the legal documents that permit the performance of this action.
2. Shall follow the foreign currency expenses, for the activities outside the country, of ERE employees.
2. Shall stores material values in accordance with Council of Minister Decision no. 30 dated 27.12.2011 "On the preservation and storage of material and monetary values".
3. Shall draft the documentation for any entry in the storage according to the invoice accompanying the coming product, after the information taken from the procurements commission for the data of the procured products according the the Invitation for the Offer/Bid. Shall draft a database for any procurement of the supplied products/goods, beginning from the Invitation for the bid, and their upload according to the supply, to the termination of this product.
4. Shall draft the documentation for any exited product from the storage according to the demand/request for issuing the material assets/values, made by any employee, or the directors of the respective directories.
5. Shall store and maintain the stored products.
6. Shall compile the daily storage diary with the accounting employee, for the entered and exited documentation.
7. Shall be present during the storage inventory process.
8. Shall periodically follow all the payments to the third parties for which our institution has obligations and shall compile the payment orders with the respective accompanying document for which it is executed the payment.
9. Shall keep the system of the files as well as of the assigned practices, with their index to have the opportunity of issuing the data at any time when needed, for the facilitation of the work and ensure normal continuation of the work on his/her absence.
10. Shall perform other duties assigned from the supervisors/directors or assigned from a working group.

### **Archieve specialist**

Main responsibilities and duties

The archive shall support its activity on Law no. 9154, dated 06.11.2003 "On the Archives", as well as technical – professional norms and methodologies of the archive service in Albania.

1. Shall control and require the implementation of the requirements that shall be completed in a document: the stamp of the Republic, the notification “Republic of Albania”, the logo and naming of the institution, the naming of the respective structure, number of correspondence register, the “secret” notification when there are fulfilled the legal requirements for this purpose, the location and the date, the content, the name and address of the receiver, the name, surname, and function of the Official, or the person signing the document, his/her signature and the stamp. The archived copy except of the Official, on the left shall be signed by the person that drafted the official letter and his/her supervisor. When more than one structure is charged to follow the issue, the official letter shall be drafted from the structure that is listed the first at the Official notification, in cooperation with the other structures and at the archived copy shall be signed by the drafters of the official letter and their supervisors.
2. Shall access the value of storing the documents and their maintenance and shall acts according to the decisions of the institution.
3. Shall verify the quality of the documents storage values that shall be delivered on the archive and fixes the deficiencies.
4. Shall draft and fulfill the electronic information means on the documentation.
5. Shall perform the documents storage and administration process physically and electronically (by computer).
6. Shall realize the exit (issue) of the document copies from the institution for the state institutions, private entities or individuals, with the Chairman order.
7. Shall perform the classification of the documents and their technical – scientific completion according to the archive legislation.
8. Shall perform the inventarization of the documents that shall be separated or destroyed, that have completed their storage term according to the archive legislation.
9. Shall maintain his/her professional integrity in form and content.

## **Article 29**

### **HUMAN RESOURCES SECTOR**

#### **Sector of Human Resources and the Supporting Services**

##### **Head of the Sector**

###### **Main responsibilities and duties**

1. Shall be responsible to implement the positioning of the staff, according to the approved structure.
2. Shall coordinate and supervise the work of his/her staff.
3. Shall control and distribute according to the destination the drafted documents and the correspondence from his/her staff.
3. Shall ensure good cooperation of the group to execute on time the duties
5. Shall access the performance of his/her staff according to the effective legislation procedures.
6. For the new appointments of the staff, shall follow the implementation of the criteria

defined by the legislation.

7. Shall coordinate the staff recruitment process by evidencing the needs of the institution for the human resources and shall take the measures for staff recruitment according to the needs of the institution according to the effective legislation.
8. For the new appointments of the staff shall follow the criteria defined by the legislation.
9. Shall cooperate with the structures within the institution for the allocation and proposal for amending ERE organizational chart.
10. Shall continuously follow the ensurance of normal working conditions at the offices of the institution.
11. Shall periodically report to the Secretary General on the movements of the staff according to the internal orders, signed by the Chairman, the assigned duties or about the reasoned absences about which shall notify the Finance and IT Directory.
12. Shall lead the scheduling process, in cooperation with the Directors of the units / structures, for the staff vacations and shall complete by writing the documentation for the issue of the approved vacations from the Chairman of the institution.
13. Shall assist and cooperate with the structures/units to realize the individual assessments, the preparation of the practices for the confirmation or not of the employees, the disciplinary procedures, job descriptions for the vacancies according to the legislation in force and their announcement within the timeline defined by the law as well as shall perform other procedures and the draft of the respective official documents.
14. Shall monitor the observance of the working hours, the discipline and ethics of the staff which shall report to the Secretary General and shall propose the disciplinary measures that shall be undertaken accordingly.
15. Shall lead the management operations of the human resources for the institution, including the recruitment, allocation of the tasks for the staff and his/her employees, the training and development, assessments of the performance assisting the employees.
16. Shall draft the acceptance practices, the proposal ones and those for the removal of ERE employee.
17. Shall implement, interpret, and monitor the implementation according to the Labour Code of the internal procedures of Human Resources.
18. Shall ensure the conformity with the applicable effective legislation, the regulations and/or ERE rules, standards, and guidelines.
19. Shall cooperate with the staff to implement as much possible the values of the institution, to increase the spirit of the teamwork, communication and realization of the objectives.
20. Shall lead the process to review the job descriptions, monitor their duties and the workload of the employees and in cooperation with the Secretary General shall make the respective proposals to the Board.

21. Shall prepare the data for the seniority at work of the employees for their payment in conformity with the rules and shall inform the Economy and Finance Director.
22. Shall prepare the information for the Chairman on the need to define the responsible authority for the relation of the institution with the “High Inspectorate of Declaration and Audit of Assets and Conflict of Interest” (ILDKPI).
23. Shall draft the human resources policy to cover the needs of the institution for the new staff or the supporting specialist in cooperation with the Secretary General.
24. Shall maintain his/her professional integrity in form and content.

### **Human Resources Specialist**

#### Main responsibilities and duties

1. Shall implement the duties assigned from the head of the sector according to the approved regulation and shall report on the results of the assigned works.
2. Shall cooperate with the employees to draft and approve the job descriptions and the possible amendments.
3. Shall maintain and inform the supervisor on the everyday presence at work of ERE employees.
4. Shall complete and administer the employees file, shall update it for the employees, shall complete the workbooks and reflect on it all the position amendments.
5. Shall prepare the seniority at work of the employees for their payment in conformity with the rules and shall inform them to the Head of the Sector.
6. Shall prepare the orders for the appointment, movements, the disciplinary measures and the job contracts according to the effective legislation.
7. Shall prepare in cooperation with the Economic and Finance Department the certificates on the incomes from the payments and shall complete the retirement certifications.
8. Shall administer the data of the staff register, the medical reports and shall calculate the annual vacations for any employee and shall inform the Economy and Finance Director.
9. Shall follow the performance of the annual vacations approved from the Chairman and administer the respective data.
10. Shall follow the legal procedures for undertaking the disciplinary measures of the employees and shall terminate the work relation according to the effective legislation.
11. Shall complete any other order of the supervisors regarding the activity of the Human Resources Sector activity.
12. Shall maintain his/her professional integrity in form and content.

### **Protocol Specialist**

#### Main responsibilities and duties

1. Shall accept, evidence and distribute the institution documentation on time.
2. Shall establish new files for each new year according to the naming statement.
3. Shall protocol any official letter /request /complaint and any other document coming at the institution, according to the defined rules and the respective protocol books.
4. Shall deliver the daily mail by courier and by post on the appropriate time and deadline.
5. Shall distribute the official post to the Directories, sectors, in conformity with the orders and the notifications on the accompanying card, implementing the rules and practices defined by the law.
6. Shall be responsible for the content and use correctly of the stamp, as well as its insurance according to the laws.
7. Shall register the official letters that exit from the ERE by identifying the compiling structure with their acronym as well as the respective number of the protocol register.
8. Shall perform the services that deal with the preparation of different materials, according to the request submitted from the Directors or the Board.
9. Shall coordinate the work with the Board Secretary for the reconciliation due to the protocol of the practices for Board review.
10. Shall make the photocopies and the scans for all specific materials and documents according to the need of the institution.
11. Shall maintain professional integrity in form and content.

### **Procurement Specialist**

#### Main responsibilities and duties

1. Shall prepare the Schedule Register for the realization of the procurements in conformity with the approved budget for the investments and for the expanses according to the procurement legislation;
2. Shall draft the Register of Scheduling the Public Procurements of ERE at the Electronic Procurement System (at the webpage of Public Procurement Agency) and shall reflect the Electronic Procurement System at the realization of the procurement procedures
3. Shall draft the respective documentation for the procurement procedures and their declaration at the Public Procurement Agency (APP).
4. Shall update the data at the electronic system for the procurement procedures and the preparation of the procedure for the Commission of Accessing the Bids (KVO).
5. Shall perform the electronic administration periodically of the procurement process, from the announcement of the procedure to its archieve.
6. Shall maintain periodic relations with the Public Procurement Agency.
7. Shall inform electronically and/or with official letter the responsible institutions for the public procurement.

8. Shall prepare according to the need and cooperate with the responsible structures at ERE the draft of the contracts and shall inform the entity for signing them.
9. Shall implement the duties assigned according to the effective regulations and the job description as well as the working schedules approved from the Head of the Sector.
10. Shall inform the supervisor on the results of the works in process and for the difficulties encountered regarding them.
11. Shall work for the professional increase and qualification continuously and systematically aiming at bringing innovations at their daily work.
12. Shall maintain his/her professional integrity in form and content.

### **Driver of the Institution**

#### Main responsibilities and duties

1. Shall keep the car prepared to respond to ERE needs.
2. Shall evidence at the beginning of the year the needs for the car maintenance and at any case shall inform the Human Resources Sector by writing for any occurred defect.
3. Shall evidence all the car movements to justify the fuel expenses, in conformity with the defined norms.
4. Shall maintain and complete the trip data for any trip and shall deliver them regularly at the Human Resources Sector.
5. Shall maintain a register of the confirmed working schedule and shall update it periodically.

### **Sanitary**

#### Main responsibilities and duties

1. Shall perform every day the cleaning of the institution, beginning the work at the official hour defined by the Chairman.
2. At the beginning of the year shall evidence to the Head of Human Resources Sector, for the material needs.
3. Shall destroy different letters with the approval of the respective employees of the institution.

**PART VII**  
**CONFLICT OF INTERESTS**

**Article 29**

**Concrete interests**

1. Private interests of the official are interests that are in conformity, shall contain are based or derive from:
  - a) property rights and obligations of any kind;
  - b) any other judicial – civil relation;
  - c) gifts, promises, favours, preferential treatments;
  - ç) possible negotiations for future employment from the official during the exercise of his function or negotiations of any other kind of agreements with private interest for the official after removing from the duty, or during the exercise of his/her duty;
  - d) engagement on private activities for profits of any kind of activity, that establishes revenues as well as commitments in profit and non-profit organizations, unions or professional, politics, state organizations as well as any other organization;
  - dh) relations:
    - i) familiar or cohabits,
    - ii) community,
    - iii) ethnicity
    - iv) religious,
  - e) previous commitments, from which there have derived or derive the above-mentioned interests.
2. It is estimated as a reason for conflict of interest, any kind of private interest of the official from the ones defined on Point 1, any relation or interlacing between two of them or more, if due to this interest or due to going beyond the mandatory restrictions of this interest, it is shown a conflict of interest situation, according to the definitions of points 1-4 Article 3 above

**Article 30**

**Identification and registration of private interests of the official in conflict conditions case by case of conflict of interests.**

1. Any official ( the Chairman, the Board Member, the Secretary General, the Advisor, the Director, Head of the Sector or the Specialist), in exercising his/her competences and performing their public duties, based on his/her knowledge and in good faith, is obliged to make a preliminary self-declaration, case by case, of the existence of his private interests, which may become the cause for the conflict of interest.

Any official, performing the duties and exercising public functions, bears the obligation for the declaration of the interests case by case when he participates on a decision for:



- a) administrative acts and contracts, court bodies acts, notarial acts, for the execution of executive titles from the enforcement bodies and acts of prosecution body, normative acts, as well as the laws that establish legal consequences to individual defined entities.
  - b) any official of central or local state institutions, non-profitable organizations, when he shall participate in a decision for contracts, that establish judicial-civil relations with these entities.
  - c) any official or employee that has a position, is obliged to perform the tasks or exercise concrete competences, expressly defined on this law.
2. Declaration case by case of private interests shall be by the official when required from the supervisor. As a rule, the declaration shall be required in advance.
3. The case by case declaration of private interests of the official shall be in two forms:
- a) The self-declaration for private interests shall regularly be in the written form, when the official is involved in a decision making for an act. With the self-declaration of the interest we shall have:
    - the positive obligation: shall be required the declaration of private interest if there exist the conflict and not his absence.
    - declaration of private interest shall not avoid the official from the responsibility of preventing his settle.
    - The principle of self prevention and self settlement of the conflict of interest status from the official, shall be executed as soon and as good as possible, on the contrary shall be acted from the superior or from the superior institution.
  - b) Requested declaration:

The declaration case by case of private interests shall be from the official when required from the superior or from the superior institution.

### **Article 31**

Other means of information for private interests of the official shall be:

- a) public or private registers that shall be maintained in conformity with the legislation in force;
- b) data from the media;
- c) data or complaints from the public;
- d) any other legal resource.

### **Article 32**

#### **The active Role of the responsible Authority on collecting the information for private interests of the official**

1. Responsible authority implementing Law no. 9367, dated 07.04.2005 “On preventing the conflict of interest in exercising the public functions”, is authorized to actively, charged from the institution to:

- a) collect from legal resources of information, the data for private interests of an official;
- b) accept the legally ensured information;
- c) verify the reliability of this information;
- d) shall inform the official for the information ensured for him;
- e) shall give the opportunity to the official to evidence the contrary, if this last one mentioned require such a thing.

2. Any official at ERE, not later than 30 days from the day of beginning the working relation at the institution, is obliged to issue an authorization in favor of the institution where he/ she operate ( ERE ), by which shall authorize ERE to audit and provide the personal data for the official, wherever they are registered. This authorization shall have the same value even for any superior institution.

The completed and delivered authorization from the official is registered at the protocolled register and is managed at a specific file (of the responsible Authority), which starts with the general list of the officials of the institution.

### **Article 33**

#### **The basic approaches of handling and settling the conflicts of interests**

To prevent as early as possible and efficiently any conflict of interest, of any kind:

1. ERE official in performing his functions shall, shall in advance in a scalable way avoid and settle any conflict of interest situation, by using one or some of the approaches as follows:

- a) by transferring or alienate the private interests;
- b) by excluding itself from the concrete decision-making process, excluding the cases when it is impossible the delegation of the official competences to another official because of the law or because of the situation;
- c) by resigning from the duties, functions/operations, or private engagements that are in conflict with his public function;
- ç) resigning from public function, especially in the conditions of ongoing conflict of interest;

2. The official shall inform the supervisor or the superior institution, according to the case for the suggested solution or for taken from him and shall evidence and document this solution.

3. The official is not released from the Liability of falling in the conflict of interest when the measures taken from him are not fruitful in preventing and avoiding the conflict of interest.

4. The supervisor of the official or the superior institution, starting from the nearest one, shall in advance, according to the circumstances, the need in a scale way or in proportion with the importance of the situation, shall avoid and settle any conflict of interest situation of his subordinate official, of any kind, by using according to the case one of the following approaches:

- a) shall limit the official defined information, regarding the exercise of his function/operation;

- b) shall not assign to the official the tasks that may lead to the conflict of interest;
- c) shall not permit the official to participate on the decision taking process;
- ç) shall review or amend the tasks and competences of the official;
- d) shall transferr the official at another duty that may avoid the conflict of interest;
- dh) shall take the appropriate measures to avoid the appointment or the selection of an official at the functions that may cause conflict of interests;
- e) in case of an act undertaken in the presence of a current conflict of interest, when evidenced shall cancel or revoke, if he/she has the power, the acts undertaken from the official as soon as possible and preferably before consequences.
- f) the cancellation or revocation of an act shall not be by the supervisor when he/she accesses that the consequences may come from the cancellation or revocation significantly exceed the benefits from this cancellation or revocation.

5) The official is permitted to perform his/her function and perform the duty on the condition that the inevitable conflict of interest is apparent where there are met the conditions as follows:

- a) when it:
  - i) is irreplaceable in performing the functions;
  - ii) its self-exclusion is impossible, according to letter b) of point 1 of this article;
  - iii) any of the solutions of point 4 of this article is not possible;

- b) when nn::
- i) its decisions according to the lawful regulations, shall not be subject to the approval, revocation, or abrogation from a superior institution:
  - ii) it is not possible to alienate the private interest, according to letter "a" point 1 of this article, due to its nature (familiar, community relations);
  - iii) it does not make sense for him to give in such a case of conflict resignation from office.

6) The superior shall inform by writing and in a reasonable way the official for the conflict of interest as well as the supervisor or the superior institution for the issued solution.

7) Except of the implementation of points “1” and “2” of this article from the official and points “4” and “5” of this article from the superior or the superior institution, the responsible officials, to prevent and avoid the conflict shall not be released from the Responsibility, when the undertaken measures are not fruitful in preventing and avoiding it.

8) The manner of handling and settling the conflict of interest, according to this article, shall be based on the understanding and cooperation between the official and the superior or the superior institution, aiming at using the best way to prevent and settle the conflict of interest situation.

#### **Article 34**

##### **Solving the specific cases of continuous conflict of interest**

1. For the Board members, when the handling and the settle of continuous conflict of interest may not be reached by the approaches issued on Article 10 or article 37 of Law no.9367, dated 07.04.2005 “ On preventing the conflict of interests in exercising the public functions”, to stay on the same function, it is obliged to:

a) shall resign from the managing operations as soon as possible, but not later than 15 days from the establishment of this obligation and shall immediately inform but not later than 10 days from performing it.

b) shall interrupt within 30 days from the exercise of the prohibited activities and within this term shall require to competent bodies to de-register according to the law of these activities. The Board Member shall inform and document immediately the completion of these obligations, but not later than 10 days from the above-mentioned term, when they are performed.

c) shall transfer the right of active ownership of the shares or part of the capital owned by another person, according to point 6 article 3 of the Law.

2. Shall resign from all ownership rights on the shares or parts of the capital and alienates them to another, when this last one mentioned may not be any of the abovementioned entities on point 6, article 3 of the Law.

The Official shall inform and document this action immediately but not later than 15 days from its execution.

3. The reliable person of an official defined on article 30 of Law no. 9367, dated 07.04.2005 “On preventing the conflict of interest in exercising the public functions/operations”, shall alienate as soon as possible but not later than 6 months, the shares or parts of the capital, passively owned from him to respect the limitation of his interests according to article 30 of Law no. 9367, dated 07.04.2005 “On Preventing the Conflict of Interest in Exercising the Public Functions”. The reliable person shall inform for the completion of this obligation similar with the case of the official.

4. The terms defined on the above point of this article may be postponed from the superior or the superior institution, when the official may submit reasonable justifications for the delay. At any time these terms may never be more than the double of the terms defined above.

### **Article 35**

#### **The role of the responsible authority to prevent the control and settle the conflict of interests situations**

The responsible authority shall perform and the responsibilities as follows:

- a) Shall monitor, control the implementation of this law for preventing the conflict of interests at the institution and respecting the specific cases of the conflicts of interests.
- b) Shall periodically register the private interests of the officials according to Chapter II ans session 2 of the Law, article 14.
- c) Shall register the declarations case by case of the interests as well as the register of the data regarding this conflict.
- d) Shall perform the advice of special officials, of the superiors, on their request for the defined occurrence of the conflict of interest and for ethics issue regarding them as well as periodic registration of the interests.
- e) Shall implement any other competence issued on this law, to prevent the conflict of interest.

### **Article 36**

#### **Administrative offences**

1. Any violation of the obligations defined on Law no. 9367, dated 07.04.2005 “On preventing the conflict of interest in exercising the public functions”, when this does not constitute a penal act, it is an administrative offence and is punished with a fine, according to Chapter VII article 44 point 1.

2. The fines are higher according to the assessment of the violation measure and according to the increase level of the official position.
3. The procedures to implement the administrative measures and their complaint are regulated according to the Administrative procedures Code.
4. The fines are paid by the offender and are deposited on the budget of the Higher Inspectorate not later than 30 days from the communication of the fine. With the termination of this term, the decision is transformed into an executive title and is executed by the employer, when the offender is at working relations.

### **Article 37**

#### **Disciplinary measures**

1. Any violation of the obligations defined on Law no. 9367, dated 07.04.2005 “On preventing the conflict of interest in performing the public functions” from the officials, shall constitute disciplinary violation, except of the penal or administrative responsibility. The disciplinary measures are implemented in conformity with the Laws, that regulate the working relations or the official status.
2. Failure to give the authorization, according to point 2 article 10 and point 5 article 14 of Law no. 9367, dated 07.04.2005 “On preventing the conflict of interest in performing the public functions” shall lead to the termination of the working relations, according to the procedures defined on the legislation that regulates the working relationship.

**PART VIII**  
**FINAL PROVISIONS**

**Article 38**

**The obligation to implement the  
administrative measures**

1. The criteria and content of this regulation are obligatory for the implementation from the ERE officials and employees.
2. The acceptance at work shall mean the recognition and acceptance of this Regulation requirements.
3. The Board shall issue the orders and guidelines for implementing this regulation.
4. Any employee shall have a copy of the Internal Rregulation.
5. Any employee for the violation of te rules at work shall be subject of the administrative measures provided on the Legislation for the civil servant, for the technical staff and for the staff contracted according to the Labor Code and shall be implemented the measures provided at the labor contracts.

**Article 39**

**Review and amendment of the rules**

This Regulation is subject of review and amendment with ERE Board decision.

**Article 40**

**Entry into force**

This regulation shall immediately enter into force.

***Confidentiality application form at work of the ERE employee***

By this application form, I the undersigned \_\_\_\_\_, on date

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_, with the receipt of the documentation regarding \_\_\_\_\_  
declare on my responsibility, the confidential handling of this document, not publication of  
the data or materials accompanying it, except with the written approval from ERE Chairman.

I am aware that by signing this application form, if violating the rules for confidential  
handling of the application, I am responsible as provided on the internal legislation of ERE,

Date    /    /

Signature    of    the  
Declared Employee

(Full name and  
signature)

The    signature    of    the  
Protocol/Archieve Employee

(Full name and  
signature)

I am aware that by signing this application form, if violating the rules for confidential handling  
of the application, I am responsible as provided on the internal legislation of ERE,