



REPUBLIC OF ALBANIA



INTERNAL REGULATION

OF THE

OFFICE OF THE INFORMATION AND DATA PROTECTION

COMMISSIONER

TABLE OF CONTENTS

CHAPTER I

GENERAL PROVISIONS

Article 1 - Legal Basis

Article 2 - Purpose

Article 3 - Mission and Scope of Activity

Article 4 - Organizational Structure of the Office of the Commissioner

CHAPTER II

LEADERSHIP FUNCTIONS

Article 5 – Information and Data Protection Commissioner

CHAPTER III

CABINET ORGANIZATION

Article 6 - Cabinet

Article 7 – Director of Cabinet

Article 8 – Advisor

Article 9 – Spokesperson

CHAPTER IV

ORGANIZATION AND FUNCTIONING OF THE OFFICE OF THE COMMISSIONER STRUCTURES

Article 10 – Directorates

Article 11- Right to Information General Directorate

Article 12 – Transparency Programmes Monitoring Directorate

Article 13 - Complaints Review Directorate

Article 14 - Personal Data Protection General Directorate

Article 15 – Complaints and Harmonisation Directorate

Article 16 – Sector Investigation and Data Security Directorate

Article 17 - Legal Affairs and Integration Directorate

Article 18 – Regulatory, Integration, and Administrative Procedures Sector

Article 19 - Projects and International Relations Sector

Article 20 - Internal Services and Finance Directorate

Article 21 - Human Resources and Public Relations Sector

Article 22 - Services and Finance Sector

CHAPTER V

OTHER POSITIONS

Article 23 - Right to information coordinator

Article 24 - Public notification and consultation coordinator

Article 25 - Data protection officer

Article 26 – Competent authority

Article 27 – Strategic Management Group and Programme Management Team

Article 28 – IPA Programmes Management Unit

Article 29 – *Ad hoc* groups and participation in cross-institutional working groups

Article 30 - Employee responsible for the “Electronic Register of Controllers”

CHAPTER VI

ADMINISTRATIVE ACTS

Article 31 – Administrative Acts

Article 32 - Documentation Developed by the Office of the Commissioner

Article 33 – Documentation Received by the Office of the Commissioner

CHAPTER VII

EMPLOYMENT RELATIONS AND OTHER SERVICES

Article 34 – Regulation of employment relations

Article 35 – Work processes, functional duties

Article 36 - Working hours and conduct at work

Article 37 – Annual leave

Article 38 - Electronic communications and official website

Article 39 - Dress code

Article 40 - Activities and services in country and abroad

Article 41 - Official ceremonies

Article 42 – Rules for visitor access to the Office of the Commissioner

Article 43 - Disciplinary measures

Article 44 - Entry into effect

CHAPTER I GENERAL PROVISIONS

Article 1 Legal Basis

The Internal Regulation of the Office of the Information and Data Protection Commissioner (hereinafter "the Office of the Commissioner") is based on Article 119 of the Constitution, Law No. 119/2014 "On the Right to Information", Law No. 9887, dated 10.03.2008 "On Personal Data Protection", as amended, Law No. 9131, dated 8.9.2003 "On the Rules of Ethics in the Public Administration", Law No. 9154, dated 6.11.2003 "On Archives", and Decision of the Assembly of the Republic of Albania No. 84/2020 "On some changes and additions to Decision of the Assembly No. 86/2018 "On the approval of the structure, organizational structure and salary classification of the Information and Data Protection Commissioner".

Article 2 Purpose

The Internal Regulation aims at setting norms related to the organization and functioning of the Commissioner's Office.

Article 3 Mission and scope of activity

1. Pursuant to the Constitution and applicable legislation the mission of the Office of the Commissioner is to ensure the right to information and personal data protection.
2. For the purposes of fulfilling its monitoring, controlling and sanctioning role, the Office of the Commissioner can develop a legal framework, exercise inspections, set sanctions on any identified violations, assist public authorities and public/private controllers, and strength and cooperation with domestic and international partners.
3. The Office of the Commissioner operates according to the annual Work Plan based on domestic and international recommendations/documents such as the Resolution of the Assembly, the institutional and cross-sectoral strategies, and the EU Progress Report.
4. The Working Programme of the Office of the Commissioner is adopted every year by January 31, and revised in the framework of the Assembly Resolution, within two weeks from its adoption.

Article 4 Organizational Structure of the Office of the Commissioner

The Office of the Commissioner organization is based on the provisions of Article 37 of Law No. 9887/2008, Law No. 9584/2006, Assembly Decision No. 84/2020, DCM 187/2017 and DCM 717/2009, with the following composition: The Commissioner, the Cabinet, the General Directorates, the Directorates, the Sectors, as detailed in Annex 1.

CHAPTER II LEADERSHIP FUNCTIONS

Article 5

The Information and Data Protection Commissioner

1. The Information and Data Protection Commissioner is a public legal person elected by the Assembly of the Republic of Albania, upon the proposal of the Council of Ministers, for a 5-year mandate, eligible for re-election.
2. Pursuant to the Constitution and relevant applicable legislation and secondary legislation, the Commissioner leads the entire activity of the institution, according to the competencies provided for in Law No. 119/2014, Law No. 9887/2008, Law No. 146/2014 “On Public Notification and Consultation”, and the obligations stemming from other laws.
3. Pursuant to the competencies provided for in the applicable legislation, the Commissioner:
 - leads and organizes the activity of the institution by issuing orders, recommendations, decisions, instructions, authorizations, and other administrative acts;
 - acts as the authorizing authority for financial management and public funds control;
 - represents the institution in domestic and foreign relations;
 - delegates rights and duties to the relevant structures to sign for correspondence with relevant institutions and persons or to undertake duties and functions according to the procedures and rules provided for in specific laws or in the Administrative Procedure Code;
 - presents the Annual Report to the Assembly and reports to it when so requested, and may request to be heard in Assembly on matters the institution considers of relevance.

CHAPTER III CABINET ORGANIZATION

Article 6

Cabinet of the Office of the Commissioner

1. The Cabinet is a support structure to the Commissioner.
2. The Cabinet leads and follows up on:
 - the development and processing of documents presented to the Commissioner;
 - the completion of tasks assigned by the Commissioner, while also requesting that they be completed within the deadlines, requesting information, progress reports, comments or suggestions on the completion of the tasks in question;
 - informing the Commissioners on the completion the tasks assigned by him/her with regards to coordination with other structures;
 - the arrangement and organization of meetings for the completion of tasks in the framework of daily activities, tasks stemming from the Working Program, or other national and international documents requiring the contribution of the Office of the Commissioner;

- the coordination of the Commissioner's activity with other domestic and international institutions, including drafting the Commissioner remarks that he/she may deliver in these events;
 - the coordination of work with structures responsible for the development of administrative acts prior to the adoption of these acts;
 - the organization of meetings between the Commissioner and employees of the Office of the Commissioner and minute keeping;
 - the coordination of public relations with the media and the administration of social network accounts;
 - the development of press releases addressed to third parties regarding the official activity of the Commissioner;
 - the completion of any other tasks assigned by the Commissioner.
3. The Cabinet is directly subordinate to the Commissioner, is outside the civil service hierarchy, and is composed of the following:
- Director of Cabinet
 - Advisor,
 - Spokesperson.

Article 7

Director of Cabinet

The Cabinet Director has the following duties:

- assisting the Commissioner in fulfilling his/her functions;
- organizing and monitoring the operations of the Cabinets;
- ensuring that institutional objectives are met;
- monitoring the completion of tasks assigned by the Commissioner to each structure, and ensuring that these tasks are completed in a timely manner;
- informing the Commissioner on the completion level of the tasks assigned by the latter;
- delegating and following up on the instructions of the Commissioner;
- when required, coordinating the development of documentation to be submitted to the Commissioner with the relevant structures;
- representing the Commissioner in activities in the country and abroad.

Article 8

The Advisor

The Advisor has the following duties:

- assisting that Commissioner in reviewing issues related to the institutional activity;
- cooperating with the relevant structures in addressing specific cases;
- requesting from the responsible structures and collecting from them relevant information for the coordination of work among them and for the supervision of the cooperation process;
- participating in the meetings organized by the Commissioner with the staff;

- developing legal opinions on the balance between data protection and the rights to information;
- representing the head of the institution in activities in the country and abroad.

Article 9

The Spokesperson

The Spokesperson has the following duties:

- Maintaining relations with media outlets, developing and following up on the publication of press/news releases, and any other materials about the activities of the Office of the Commissioner, and interviews, as well as the remarks made in the framework of the activity of the Commissioner with institutions in the country and abroad;
- cooperating with the public relations specialist in monitoring and updating the institution's official website and its social network accounts;
- organizing and maintaining the minutes from the meetings the Commissioner holds with the Office of the Commissioner staff;
- Engaging and preparing the events organized by the Office of the Commissioner in the framework of its activities.

CHAPTER IV

ORGANIZATION AND FUNCTIONING OF THE STRUCTURES OF THE OFFICE OF THE COMMISSIONER

Article 10

Directorates

The Office of the Commissioner pursuant to Decision of the Assembly No. 84/2020 *“On some changes and additions to Decision of the Assembly No. 86/2018 “On the approval of the structure, organizational structure and salary classification of the Commissioner for the Right to Information and Protection of Personal Data”*”, has the following organizational units:

1. The Right to Information General Directorate, which is composed of the Program Monitoring and Transparency Directorate and the Complaints Review Directorate.
2. The Personal Data Protection General Directorate, which is composed of the Complaints and Harmonization Directorate and the Sector Investigation and Data Security Directorate.
3. The Legal Affairs and Integration Directorate, which is composed by the Regulatory, Integration and Administrative Procedures Sector and the Projects and Foreign Relations Sector.
4. The Internal Services and Finance Directorate, which is composed of the Human Resources and Public Relations Sector and the Services And Finance Sector.

Article 11

Right to Information General Directorate

1. The Right to Information General Directorate is the structure monitoring and overseeing the implementation of the right to information legislation by relevant public authorities.
2. This structure is led by the General Director and the Directorate directors, who supervise the inspectors.
3. The Right to Information General Directorate scope of activity is as follows:
 - ✓ organizing and overseeing the activity of its units;
 - ✓ identifying needs for developing policies and strategic planning components in the field of its responsibilities;
 - ✓ monitoring the Transparency Program, inquiries and responses Register, electronic inquiries and responses Register on the right to information (REKPD) on the *pyetshtetin.al* portal and the Application Management System (AMS) on the unique *e-Albania* government portal;
 - ✓ reviewing complaints and completing all relevant procedures pursuant to the current applicable legislation;
 - ✓ monitoring recommendation implementation by the relevant public authorities;
 - ✓ meeting the obligations stemming from the intersectoral and/or national strategies in which the Office of the Commissioner is a stakeholder, for the purposes of strengthening transparency, accountability, and the fight against corruption in the public administration;
 - ✓ undertaking legal action in representing the Office of the Commissioner in court;
 - ✓ providing professional development for staff through corporation with domestic and foreign entities;
 - ✓ cooperating with the Albanian School of Public Administration (ASPA) to improve public employee knowledge of the legislation;
 - ✓ developing training activities on legislation implementation in cooperation with public authorities.
 - ✓ building and strengthening relations with counterpart authorities or international organizations in this field;
 - ✓ developing stakeholder information/awareness raising activities to promote the exercise of the right information;
 - ✓ developing awareness raising materials.

Article 12

Transparency Programmes Monitoring Directorate

The Transparency Programmes Monitoring Directorate scope of activity is as follows:

- ✓ monitoring the Transparency Programme and the operation/updating of the Register of Requests and Responds;
- ✓ conducting administrative inquiries on compliance with legal obligations related to proactive transparency;

- ✓ organizing public hearings;
- ✓ developing administrative acts and following up on the implementation of recommendations by public authorities;
- ✓ developing the public authorities' transparency index;
- ✓ developing periodic reports on the implementation of intersectoral and/or national strategies, and on other obligations in the framework of international acts and/or commitments;
- ✓ managing the database of the electronic Register of Requests and Responds on the right information (REKPDJ) in the *pyetshtetin.al* portal;
- ✓ monitoring the Application Management System (AMS) on the unique *e-Albania* government portal;
- ✓ Managing the right to information coordinators database and providing them or public authorities representatives with assistance/training.

Article 13

Complaints Review Directorate

The Complaints Review Directorate scope of activity is as follows:

- ✓ reviewing complaints submitted by citizens and/or stakeholders;
- ✓ conducting administrative inquiries regarding these complaints in relevant public authorities;
- ✓ organizing public hearings;
- ✓ upon conclusion of the administrative inquiry process, developing relevant administrative acts;
- ✓ managing the submitted complaints database;
- ✓ participating in working groups or developing legal opinions on the right to information.

Article 14

Personal Data Protection General Directorate

1. The Personal Data Protection General Directorate is the structure overseeing the implementation of the personal data protection legislation by public and private data controllers.
2. This structure is led by the General Director and the Directorate directors, who supervise the inspectors.
3. The Personal Data Protection General Directorate scope of activity is as follows:
 - ✓ organizing and overseeing the activity of its units;
 - ✓ identifying needs for developing policies and strategic planning components in the field of its responsibilities;
 - ✓ conducting the sector analysis for the development of the *ex-officio* investigation plan;
 - ✓ reviewing complaints and completing all relevant procedures pursuant to the current applicable legislation;

- ✓ monitoring public/private controllers regarding the implementation of recommendations and orders;
- ✓ reviewing international personal data transfer practices;
- ✓ providing opinion on draft acts which include personal data processing in their scope;
- ✓ developing periodic reports in the framework of obligations stemming from international acts and/or commitments;
- ✓ undertaking legal action in representing the Office of the Commissioner in court;
- ✓ enhancing staff professional skills through corporation with domestic and foreign entities;
- ✓ cooperating with public controllers and the Albanian School of Public Administration (ASPA) to improve knowledge of the legislation;
- ✓ building and strengthening relations with counterpart authorities or international organizations in this field;
- ✓ organizing stakeholder events to provide information, to address, to raise awareness on legislation implementation;
- ✓ developing awareness raising materials.

Article 15

Complaints and Harmonization Directorate

The Complaints and Harmonization Directorate scope of activity is as follows:

- ✓ reviewing citizen complaints;
- ✓ conducting administrative inquiries regarding these complaints in relevant public/private controllers;
- ✓ organizing public hearings;
- ✓ upon conclusion of the administrative inquiry process, developing relevant administrative acts;
- ✓ managing the submitted complaints database;
- ✓ participating in working groups or providing input/opinion on draft acts which include personal data processing in their scope;
- ✓ reviewing international personal data transfer practices;
- ✓ managing the electronic controller notification Register.

Article 16

Sector Investigation and Data Security Directorate

The Sector Investigation and Data Security Directorate scope of activity is as follows:

- ✓ conducting *ex-officio* administrative inquiries in public and private controllers;
- ✓ undertaking sector analysis to establish a performance indicators baseline and to plan audits in specific sectors during the following year;
- ✓ analyzing whether public and private controllers ensure personal data security, and identifying relevant issues in these entities;
- ✓ managing the administrative inquiry database;

- ✓ monitoring controllers with regard to criminal prosecution and developing the relevant report under the agreement with EuroJust;
- ✓ monitoring, completing tasks, and developing relevant reports required by special laws and relevant secondary legislation.

Article 17

Legal Affairs and Integration Directorate

1. The Legal Affairs and Integration Directorate is the structure responsible for the standardization of the regulatory framework underlying the operation of the Office of the Commissioner.
2. This structure, which is led by the Director, is composed of chiefs of sector, inspectors and specialists.
3. The Legal Affairs and Integration Directorate scope of activity is as follows:
 - ✓ developing the primary and secondary legislation framework;
 - ✓ coordinating efforts to complete tasks in the framework of the European integration process;
 - ✓ coordinating the development of national and international periodic reports and cooperating in the exercise of legal functions;
 - ✓ developing regulatory and administrative acts;
 - ✓ addressing complaints pursuant to law No. 146/2014 “On Notification and Public Consultation”;
 - ✓ following up on the Office of the Commissioner work to meet the obligations stemming from other relevant legislation;
 - ✓ legally representing the Office of the Commissioner in court regarding cases related to the civil service legislation and the law on notification and public consultations;
 - ✓ following up on procedures for the execution of the Office of the Commissioner decisions;
 - ✓ maintaining the institution’s international relations;
 - ✓ coordinating efforts to attract projects/programs implemented by relevant donors.

Article 18

Regulatory, Integration, and Administrative Procedures Sector

The Regulatory, Integration, and Administrative Procedures Sector scope of activity is as follows:

- ✓ identifying/analyzing international legislation in the right to information and personal data protection area for the purposes of transposition into the national legislation;
- ✓ developing legal/secondary legislation and administrative acts, in the field of the institutional responsibility;
- ✓ participating in interinstitutional working groups in the framework of the European integration process, developing reports and following the screening process;
- ✓ coordinating efforts to develop reports pursuant to the Resolution of the Assembly;

- ✓ coordinating efforts to develop reports pursuant to Decision of the Assembly No. 134/2018 “*On adopting the annual and periodic monitoring manual*”, and updating information on the “*Interinstitutional Online Platform*” regarding the implementation of the Office of the Commissioner recommendations by the executive and the agencies subordinate to this government branch;
- ✓ coordinating work for the development of intersectoral and/or national strategies implementation progress reports;
- ✓ coordinating efforts for the development of the Annual Report, the Institutional Strategy, the Annual Work Program, Regulations, bi- and multi-lateral cooperation agreements and other administrative acts;
- ✓ contributing to the development of legal opinions in cooperation with other institution structures;
- ✓ addressing complaints pursuant to law No. 146/2014 “On notification and public consultation”;
- ✓ following up on procedures for the execution of the Office of the Commissioner decisions.

Article 19

Projects and International Relations Sector

The Projects and International Relations Sector scope of activity is as follows:

- ✓ planning and applying to attract projects and/or benefit from EU IPA funded assistance programs and/or programs from other donors;
- ✓ implementing projects and developing progress reports to be submitted to the relevant national and international institutions/organizations;
- ✓ maintaining relations with foreign counterpart authorities and/or international organizations in which the Office of the Commissioner is a member, in line with the fields of responsibility;
- ✓ participating, representing and engaging in all international working groups, fora, and organizations in which the institution is a member;
- ✓ coordinating efforts with other Office of the Commissioner structures in the framework of activities and relations with international institutions and/or organizations;
- ✓ managing the database for international acts, projects/programs, and representations abroad;
- ✓ contributing to the translation of relevant acts;
- ✓ updating the institution website in the approved foreign languages.

Article 20

Internal Services and Finance Directorate

1. The Internal Services and Finance Directorate is the structure responsible for managing the economic, financial and administrative activity of the institution.

2. This structure, which is led by the Director, is composed of chiefs of sector, specialists, and support staff.
3. The Internal Services and Finance Directorate scope of activity is the following:
 - ✓ implementing the regulatory framework on budget, financial, and public procurement management;
 - ✓ implementing the asset administration regulatory framework;
 - ✓ implementing the human resources management regulatory framework;
 - ✓ managing public relations in the fields of institutional responsibility;
 - ✓ maintaining the systems and tools/equipment required for the institution functioning.

Article 21

Human Resources and Public Relations Sector

The Human Resources and Public Relations Sector scope of activity is as follows:

- ✓ defining human resources development policies;
- ✓ implementing vacancy filling procedures;
- ✓ coordinating staff professional development efforts;
- ✓ administering and maintaining all personnel files and updating information in the relevant electronic systems;
- ✓ supporting the Commissioner and the Cabinet through the human resources specialist/work analyst;
- ✓ serving/counseling citizens and stakeholders;
- ✓ managing procedures for the organization of institution events and conducting communication for these events;
- ✓ administering the institution library;
- ✓ maintaining subscriptions to relevant daily press;
- ✓ contributing to the official website updating process.

Article 22

Services and Finance Sector

The Services and Finance Sector scope of activity is as follows:

- ✓ planning and developing budgetary needs;
- ✓ completing budget implementation and expenditure reporting procedures;
- ✓ maintaining the accounting and auditing system for all financial procedures;
- ✓ following transaction and goods movement procedures in the framework of good asset management;
- ✓ following donation management procedures;
- ✓ following penalty collection procedures;
- ✓ following procedures with tax and customs administration to meet obligations;
- ✓ planning, implementing, and monitoring public procurement procedures;
- ✓ following procedures for the management of documentation entered into protocol and archived;
- ✓ managing/updating ITC systems/databases and equipment;

- ✓ managing logistic tools/equipment to ensure optimal working conditions;
- ✓ managing transport vehicles;
- ✓ providing cleaning services in work facilities;
- ✓ ensuring the financial, technical and physical safety and security of the work facilities;
- ✓ providing technical management/updating of the official website.

CHAPTER V OTHER POSITIONS

Article 23

The right to information coordinator

1. As defined by Law No. 119/2014 “On the Right to Information” the Coordinator is the employee appointed by order of the Commissioner, who in addition to his/her functional duties is also charged with this responsibility.
2. The Coordinator is also charged with the duties provided in DCM No. 145, dated 13.3.2018 “*On the establishment of the state “Electronic Register of Inquiries and Responses of the Right to Information” database*”.

Article 24

The public notification and consultation coordinator

As defined by law No. 146/2014 “On notification and public consultation”, the Coordinator is the employee appointed by order of the Commissioner, who in addition to his/her functional duties is also charged with this responsibility.

Article 25

Data protection officer

The data protection officer or data protection contact point, as defined by the personal data protection legislation, is the employee appointed by order of the Commissioner, who in addition to his/her functional duties is also charged with this responsibility.

Article 26

Competent authority

The competent authority as defines in law No. 9049, dated 10.4.2003 “*On the declaration and audit of assets, financial obligations of elected persons and certain public officials*”, as amended and law No. 9367, dated 7.4.2005, “*On preventing conflict of interest in the exercise of public functions*”, as amended, is the employee appointed by order of the Commissioner, who in addition to his/her functional duties is also charged with this responsibility.

Article 27

Strategic Management Group and Programme Management Team

The Strategic Management Group (SMG) and the Programme Management Team (PMT) are established every start of year with an order of the Commissioner and operate pursuant to Law No. 10 296, dated 8.7.2010 “*On Financial Management and Control*”, as amended and relevant secondary legislation adopted for its implementation.

Article 28

IPA Programmes Management Unit

1. The IPA Programmes Management Unit is established by order of the Commissioner pursuant to Council of Ministers Decision No. 541, dated 18.6.2015 “*On defining functions, competences and relations between indirect European Union assistance management authorities and structures in the framework of the Instrument for Pre-Accession Assistance IPA II (2014 - 2020)*”.
2. The IPA unit is composed of 3 (three) staff, as follows:
 - a. Head of the UPA Unit (HoIPAU).
 - b. Programme Specialist.
 - c. Implementation Specialist.

Article 29

***Ad hoc* groups and participation in cross-institutional working groups**

1. *Ad hoc* groups are established for specific matters by order of the Commissioner, to manage relevant activities of the institution.
2. The *ad hoc* group(s) process the relevant documentation pursuant to the specific legislation or scope of work provided in the order establishing them.
3. The documentation administered and/or developed in the course of the *ad hoc* group(s) operation, is subject to the applicable legislation on administrative documentation and procedures for its handling pursuant to this regulation.
4. The administrative documents drafted by the *ad hoc* group(s) are issued with the specific subheading under the unit heading with the head of the institution name.
5. The participation of the institution representatives in interinstitutional working groups to provide contribution in the field of activity is authorized by order of the Commissioner.

Article 30

Employee responsible for the “Electronic Register of Controllers”

Pursuant to DCM No. 144, dated 13.3.2018 “*On the establishment of the state “Electronic Register of Controllers” database*”, the employee responsible for its supervision is appointed by the Commissioner.

CHAPTER VI

ADMINISTRATIVE ACTS

Article 31

Administrative acts

1. Pursuant to the applicable legislation, the Commissioner issues these normative secondary legislation acts and administrative acts:
 - a) “Instruction” is a normative secondary legislation act issued for the implementation of law No. 9887/2008 which regulates the activity of a given area/sector;
 - b) “Decision” is a normative secondary legislation act issued for the implementation of law No. 9887/2008 which regulates the activity of a given activity;
 - c) “Decision” is a normative act which obligates the controller/processor and the public authority to implement the provisions of Law No. 9887/2008, No. 119/2014, and No. 146/2014;
 - d) “Recommendation” is the administrative act which seeks the regulation of the controller/processor or public authority activity within a timeframe provided under the provisions of Law No. 9887/2008 and No. 119/2014;
 - e) “Order” is the act of the Commissioner regulating a concrete relation;
 - f) “Authorization” is the administrative act which allows the undertaking of a given activity pursuant to Law No. 9887/2008, which could also be conditional if so required.
2. The administrative act must include the following required elements:
 - a) authority or body issuing the act;
 - b) legal basis for issuing the act in question;
 - c) parties covered by the act;
 - d) a presentation of the facts;
 - e) the ordinance portion;
 - f) effective date;
 - g) when required, provisions on the right to complain;
 - h) head of the institution signature.
3. The template for administrative acts provided for in paragraph 1 of this article, is provided in Annex 2 attached herewith, and which is an integral part of this regulation.

Article 32

Documentation Developed by the Office of the Commissioner

The deadlines provided in article 31/1 of this Regulation undergo the following procedure before being submitted for signature to the Commissioner:

- a) Directorates have the right to propose draft normative/administrative acts, providing also an explanatory report on the scope, purpose and contents of the draft in question.
- b) The document specimen/copy that is kept by the protocol/archive is initialed by the developer (specialist/inspector/chief of sector), directorate director and general director as the case may be. The document also indicates the number of specimens printed.
- c) Accompanying letters, replies, notifications of the same category may also be signed

- by directorate directors/general directors, based on their field of responsibility.
- d) Should the head of the institution be absent, acts and documents are signed by the official authorized by the Commissioner, including the “When absent and as directed” phrase in the official document.
 - e) Administrative documents such as outgoing letters, memos, reports, information, etc are developed pursuant to the applicable archival legislation, in accordance with templates adopted by order of the Commissioner and presented in Annex 2.
 - f) “State secret” classified documents, are handled pursuant to the applicable legislation on information classified as state secret.

Article 33

Documentation received by the Office of the Commissioner

1. Incoming documents are recorded in the correspondence register by the editing/protocol/archive specialist, who assigns a protocol No., date of reception, inputs the information in the system, and formulates a description note in the accompanying file.
2. Upon being signed by the Commissioner, the incoming documentation is transferred for further processing to the relevant structure in accordance with the relevant timeframes, by the editing/protocol/archive specialist. The editing/protocol/archive specialist disseminates the original document to the relevant structure, the head of which signs “I took delivery and copy” in the relevant register.
3. When the contribution of more than one structure is required to address a file/document, the responsibility for the coordination and handling lies with the structure to which the relevant paperwork is delegated to first. The other structures involved in addressing the file/document are provided with copies, pursuant to paragraph 2 of this article.
4. Upon the Commissioner signs the developed document (reply), the outgoing procedure to the sender is put in place.
5. The incoming documentation by email is subject the same procedures provided in this provision.

CHAPTER VII

EMPLOYMENT RELATIONS AND OTHER SERVICES

Article 34

Regulation of employment relations

1. Office of the Commissioner civil servants/employee employment relations are regulated in accordance with the legislation on the civil service and the Labor Code.
2. Civil servants/employees must respect each-others’ rights, and comply with the norms of the institution Code of Ethics.
3. The civil servant/employee must respect the chain of hierarchy in the performance of their duties.
4. The employee-superior relations are based on the mutual respect principle, professional

commitment, trust, objective evaluation and transparency in the performance of duties.

5. Civil servants/employees must not use their position for personal gain, and/or to the detriment of others.
6. The Office of the Commissioner civil servants/employees implement the applicable legislation on secret and confidentiality during the performance of their duties, and after leaving their job position.
7. The consumption of alcohol, use of tobacco and narcotics/psychotropic substances during working hours is forbidden, pursuant the relevant applicable legislation.
8. The civil servant/employee has the right to demand his/her rights are upheld and to file appeals against any violations thereof.

Article 35

Work processes, functional duties

1. The Internal Services and Finance Directorate develops in coordination with other structures, job descriptions for any position under the organizational structure adopted for the Office of the Commissioner.
2. Any structure performs its activities in accordance with the annual Working Program, but not only (specific/urgent cases), and in line with the periodic analyses conducted in the framework of meeting objectives.
3. In the performance of their functions, civil servants/employees must comply with and report and be accountable to the superior regarding the tasks assigned.
4. Civil servants/employees have the right to request instruction in relation to the performance of their duties and to have the workload and objectives to meet divided equally within the relevant structure.
5. The work equipment allocated for use (desk, chair, cabinet, etc.) are maintained during the employment and returned pursuant to the relevant rules.

Article 36

Working hours and conduct at work

1. The official working hours are 08:00 to 16:30 hrs. Monday to Thursday and 08:00 to 14:00 hrs. on Friday.
2. Civil servants/employees are issued the “individual electronic access card” to use with the access control system, and which also serves as an ID badge.
3. Compliance with the working hours is physically checked by the Responsible Unit/Internal Services and Finance Directorate and through records on the electronic access control system.
4. During official working hours, the civil servant/employee may leave for justified reasons with the approval/permission of the direct superior. In any other case, the request for leave is submitted to the direct superior, administered by the relevant unit and approved by the head of the institution.
5. Should the civil servant/employee be absent for medical reasons, he/she should promptly inform the direct superior and the structure responsible for personnel. He/she should also obtain a medical record, which is filed with the Internal Services and Finances directorate

according to the applicable rules, upon return from the medical leave.

Article 37

Annual leave

1. The length of the annual leave is 4 (four) calendar weeks. The period during which annual leave may be taken is determined in accordance with the request of the civil servant/employee in coordination with the direct superior, while ensuring work continuity. The annual leave plan is approved by the head of the institution.
2. The annual leave is taken during the calendar year and if any leave has not been exhausted, it may be taken during the first quarter of the following year.
3. The leave length for civil servants/employees that have been in the position for less than one full calendar year is determined as a proportion of the financial employment relations length for that year, when employment relations start during the calendar year in question and also when such relations end during the calendar year.
4. When the civil servant/employee has completed maternity leave during the calendar year in question, the annual leave is calculated as a proportion of the effective length of presence in the workplace, excluding the maternity leave period.
5. The detailed rules provided in the article are provided in the relevant secondary legislation acts adopted by the Council of Ministers.

Article 38

Electronic communications and official website

1. The official email address of the institution is info@idp.al.
2. The official website showcasing the institution activity is www.idp.al.
3. An individual official email address of the name.last.name@idp.al format is set up for every employee, which is used for work purposes and which is protected with relevant measures.
4. In accordance with the mail server system restrictions and space, no pictures, graphics, films or any additional folders may not be used in email without a valid work reason.
5. When a terminal connects to the office network, it is formatted by the IT specialist with the required and updated software for the performance of relevant duties and the relevant IP address is set (or the DHCP is activated).
6. User access is restricted to the computer systems required for the functional duties of the staff member in question.
7. The electronic equipment allocated for use (personal computer, laptop, etc.) are maintained during the employment and returned pursuant to the relevant rules.

Article 39

Dress code

Civil servant/employee dress and attire should be formal and serious, for a dignified presentation during the performance of their duties and in compliance with the requirements of the legislation on ethics in the public administration.

Article 40

Activities and services in country and abroad

1. Activities and travel in country and abroad are conducted in line with the annual Work Program and the invitations received within the institutional fields of responsibility.
2. For any activities/travel the Office of the Commissioner units/structures submit the information material to the head of the institution for authorization to organize/participate pursuant to the applicable legislation.
3. Within 5 days from the conclusion of the activity/travel the relevant report for the event is developed and submitted by the relevant staff member(s).

Article 41

Official ceremonies

Official ceremonies, work visits and high-level meetings in country and abroad, and the exchange of messages/letter are organized/implemented in line with the official ceremonial rules of the Republic of Albania and the applicable budget/financial legislation.

Article 42

Rules for visitor access to the Office of the Commissioner

1. Visitor access to the Office of the Commissioner is allowed for business purposes, institutional and service meetings, with visitors presenting an identification document prior to entry.
2. Visitors are accompanied by the employee of the relevant unit when entering and exiting.
3. Visitor entrances and exits are documented in the relevant record by the employee in question.

Article 43

Disciplinary measures

Failure to comply with this regulation is considered a disciplinary breach in the workplace pursuant to the civil service legislation and the Code of Labor provisions.

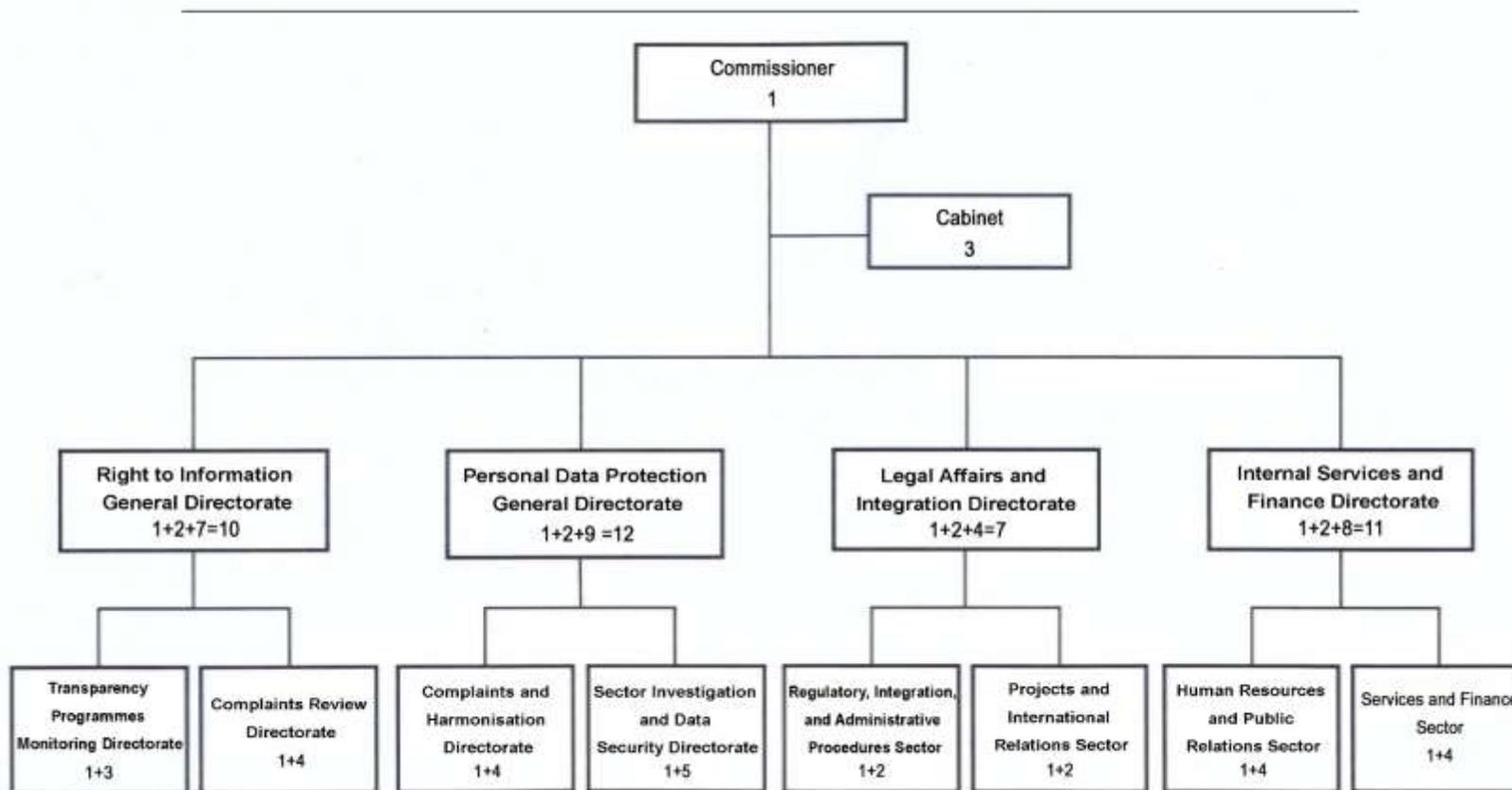
Article 44

Entry into effect

This regulation enters into effect immediately and is published on the official website.

ANNEX 1

INFORMATION AND DATA PROTECTION COMMISSIONER ORGANIZATIONAL STRUCTURE



Annex 2

**ADMINISTRATIVE ACTS TEMPLATE FOR THE OFFICE OF THE
COMMISSIONER**



REPUBLIC OF ALBANIA

**INFORMATION AND DATA PROTECTION COMMISSIONER
(GENERAL DIRECTORATE
DIRECTORATE)**

No. _____ Protocol

Tirana, on __. __.202__

(Document type identification in capital letters:

ORDER/DECISION/INSTRUCTION/RECOMMENDATION

No. _____, dated ____ . ____ .20__

“ON

**(TITLE OF ORDER/DECISION/INSTRUCTION/RECOMMENDATION, ETC. IN
CAPITAL LETTERS, CENTERED AND BOLD)**

(Legal basis)

.....

(HEREBY ORDER:/ DECIDE:/ INSTRUCT:/ RECOMMEND: etc. as required)

1. (decision text in line with the elements provided in the Administrative Procedure Code)
2. In case of acts with a reasoning portion, the “I FOUND THAT” phrase is to be used
- 3.

(COMMISSIONER)

(Name and Last Name)

(For documents issued by the institution)



REPUBLIC OF ALBANIA

**INFORMATION AND DATA PROTECTION COMMISSIONER
GENERAL DIRECTORATE
DIRECTORATE)**

No. _____ Protocol

Tirana, on __.__.202__

Subject: (Content note of the document)

**(FULL NAME, IN DATIVE CASE AND CAPITAL LETTERS, OF THE
INSTITUTION TO WHICH IT IS ADDRESSED)**

Tirana

(Location of the headquarters of the institution to which it is addressed)

Attn: (in case there are other institutions that need to be informed, the name and location of the institution is also added, in the same manner as above)

Following/ In reply to your/our letter with No.____, dated _____.____._____.

.....

COMMISSIONER

(Name and Last Name)

(For documents issued by the institution, when absent and as directed)



REPUBLIC OF ALBANIA

**INFORMATION AND DATA PROTECTION COMMISSIONER
GENERAL DIRECTORATE
DIRECTORATE)**

No. _____ Protocol

Tirana, on __.__.202__

Subject: (Content note of the document)

**(FULL NAME, IN DATIVE CASE AND CAPITAL LETTERS, OF THE
INSTITUTION TO WHICH IT IS ADDRESSED)**

Tirana

(Location of the headquarters of the institution to which it is addressed)

Attn: (in case there are other institutions that need to be informed, the name and location of the institution is also added, in the same manner as above)

Following/ In reply to your/our letter with No.____, dated _____.____._____.

.....

**(COMMISSIONER)
(Name and Last Name)**

**WHEN ABSENT AND AS DIRECTED
(TITLE OF THE AUTHORIZED
FUNCTION IN CAPITAL LETTERS)
(Name and Last Name)**

(For internal documents such as orders, decisions, etc.)



REPUBLIC OF ALBANIA

**INFORMATION AND DATA PROTECTION COMMISSIONER
(DIRECTORATE)**

No. _____ Protocol

Tirana, on __.__.2022__

(Document type identification in capital letters:

ORDER/DECISION/INSTRUCTION etc.

No. _____, dated ____ . ____ .20__

“ON

**(TITLE OF ORDER/DECISION/INSTRUCTION, ETC. IN CAPITAL LETTERS,
CENTERED AND BOLD)**

Legal basis

.....
.....

(HEREBY ORDER/DECIDED/INSTRUCT as the case may be)

1. Decision text in line with the elements provided in the Administrative Procedure Code.....

**(TITLE OF THE HEAD OF THE INSTITUTION FUNCTION IN CAPITAL
LETTERS)**

(Name and Last Name)

(Institutional agreement)



REPUBLIC OF ALBANIA

**INFORMATION AND DATA PROTECTION COMMISSIONER
(DIRECTORATE)**

No. _____ Protocol

FOR THE AUTHORITY

Tirana, on __.__.20__

NAME OF THE STRUCTURE

No. _____ Protocol

Tirana, on __.__.20__

AGREEMENT

“ON

(AGREEMENT TITLE IN CAPITAL LETTERS, CENTERED AND BOLD)

Agreement content _____

FOR (the authority)

FOR

(Name of the signatory party official in capital letters)

**THE INFORMATION AND
DATA PROTECTION COMMISSIONER**

**(Name and Last Name with capital initial
letters)**



REPUBLIC OF ALBANIA

**INFORMATION AND DATA PROTECTION COMMISSIONER
(RIGHT TO INFORMATION GENERAL DIRECTORATE)
COORDINATOR ON THE RIGHT TO INFORMATION**

No. _____ Protocol

Tirana, on __.__.202__

Subject: (Content note of the document)

**(FULL NAME, IN DATIVE CASE AND CAPITAL LETTERS, OF THE
INDIVIDUAL, ORGANIZATION, ETC.)**

**(address of the applicant or person filing complaint, or headquarters of the
organization to which it is addressed)**

Following your request/complaint No. ____, dated __, __, __, in which you have
requested....., please find attached official documentation

.....

.....

**COORDINATOR
(Name and Last Name)**