

**LAW****Nr. 8553, date 25.11.1999****ON THE STATE POLICE OF ALBANIA**

Pursuant to article 78 and 83, point 1 of the Constitution, on the proposal of the Council of Ministers,

**ASSEMBLY****OF****THE REPUBLIC OF ALBANIA****DECIDED:****CHAPTER I****GENERAL PROVISIONS****Article 1****(Meaning)**

1. The State Police of Albania, continuously expressed only "The Police" is the institution of state administration of the Republic of Albania, under the authority of the Minister of Public Order, whose mission is to safeguard order and public security as well as to guarantee the enforcement of the law.

2. The Police activity is based on the Constitution and the normative acts of its enforcement and on the international acts approved in conformity with it.

3. The Police have a unique centralized organization and extension all over the territory of the Albania and they are apolitical. They are juridical persons, and the budget has a special voice in that of the Ministry of Public Order.

4. The Police mission is realised with their presence in the public or forcibly, in conformity with statutes defined in this law.

5. The activity of the police is opened for the public unless for the cases foreseen in the law.

**Article 2****(Permanent statutes)**

1. The Statues of the Police, defined in this law, remains unaltered even in the war, state emergency or natural disasters.

2. The police in conformity with the Constitution and the specific law apply the extraordinary measures.

**Article 3****(Institutional duties)**

1. The institutional duties of the Police are

- a. to protect order and public security;
- b. to protect the exercise of freedom and duties of individuals;
- c. to take measures for the prevention and investigation of crimes;

- d. to check the state border of the Albanian Republic;
- e. to supervise road traffic;
- f. to guarantee the security of the most important personalities;
- g. to guard the most important institutions and public properties;
- h. to request for the enforcement of laws or sub-legal laws charged for them;
- i. to assist in cases of natural disasters or accidents.

2. Any obligation set forth for the Police by other normative acts shall be in conformity with institutional duties defined in the above-mentioned paragraph.

#### **Article 4**

##### **(Attributes of Police)**

1. This law grants to police the attributes to safeguard order and public security as well as the attribute of judicial police in conformity with the Penal Procedure Code.

#### **Article 5**

##### **(Symbols)**

The Police have their own institutional flag and emblem approved upon the decision of the Council of Minister.

#### **Article 6**

##### **(Other Police Forces)**

1. For specific needs of maintaining public order and security, on a reasoned request of the Minister of Public Order and upon the order of the Prime Minister, other police forces recognized by law assist to the Police.

2. Any other police force established by law, when charged with the duties even in the public order and security field should apply the provisions of this law and the normative acts of the Minister of Public Order, on this field.

## **CHAPTER II**

### **AUTHORITIES**

#### **Article 7**

##### **(The Minister)**

1. The Minister of Public Order, following " The Minister", is the highest authority that within main guidelines of the general state policy, and the program of the Council of Ministers, directs under His responsibility the entire Police activity and exercises civil control. ---

2. The Minister regulates the Police activity, in conformity with the Constitution and the normative acts of the constitutional institutions, through orders, instructions and internal regulations. The Minister exercises directly or through the structures of the Ministry of Public Order, the supervision of their enforcement.

3. The instructions on the police of operative character of the Minister or the persons authorized by him, directed to the Police, are communicated to them through the General Police Director.

4. The Minister represents the Police in relations with other constitutional institutions within the country or bilateral or multilateral foreign relations

5. The other competencies of the Minister are according to the definitions in this law and in specific laws

**Article 8****(General Director of the Police)**

1. The General Police Director following " the General Director" :
  - a. Is the highest administrative and technical authority to direct, supervise and co-ordinate inside the Police.
  - b. represents the Police in relations with other organs of public administration, NGO's and with the public inside the country, while in international relations, according to the delegations of the Minister.
  - c. issues service order and order papers for the exercise of his functions and responsibilities.
2. The General Director is under the authority of the Minister and takes measures for the implementation of the normative acts issued by him.
3. The Advisor Organ close to the General Director is the Police Staff, the function and the competencies of which are defined in internal regulation of Police.
4. Close to the General Director functions the assistant office (the Cabinet).

**Article 9****(Nomination and discharge)**

1. The General Director is selected among the functionaries of the highest rank in the senior role, based on the experience and professional abilities. The Council of Ministers appoints one of the candidates proposed by the Minister.
2. In cases of the appointment of the General Police Director, together with the communication of the decision, the Prime Minister hands him the flag and emblem of the police.
3. The General Director of the Police is discharged from the duty in the following cases:
  - a. he wants to resign;
  - b. he is incapable to work for a period of more than 6 months;
  - c. he commits a penal act;
  - d. he is incapable regarding the function and the results in directing the Police;
  - e. he crosses the age limit to be retired;

**Article 10****(General Deputy Director)**

1. The General Deputy Director of the Police, following "General Deputy Director" is the direct assistant of the General Director, who performs the functions delegated from the latter
2. The General Deputy Directors leads the Promoting Commission for the highest role.
3. The General Deputy Director is selected among the functionaries of the senior role with a successful experience and ability.
4. The nomination and the dismissal of the General Deputy Director is performed in conformity with the article 9 of this law.

**CHAPTER III.****ORGANIZATION OF THE POLICE****Article 11**

**(Levels of organization)**

The Police are organized in central and peripheral level. The General Directorate of the police composes the central level of the Police, while the Regional Police Directorates compose the regional level of the Police.

**Article 12.****(General Directorate of the Police)**

1. The General Police Directorate is the highest administrative and technical organ within the Police.
2. The General Directorate of the Police is organized in the central directorates of:
  - a. Order Police;
  - b. Criminal Police,
  - c. Border Police,
  - d. Traffic Police,
  - e. Rapid Intervention Forces and Special ones,

As well as in other supporting structures of personnel ,economy, finance and administration;

3. The General Police Directorate has under administrative dependence the Institute of Scientific Police and other structures for specific services.
4. The Central Directorates and the Central Supporting Structures of the General Police Directorate are the highest administrative organs of the respective subject jurisdictions.
5. The directors of Directorates and Central Supporting Structures have the responsibility of the management, control and co-ordination of the structures' activity according to the subject jurisdiction.
6. Special structures of General Police Directorate can operate also directly in all the territory of the country.

**Article 13****(The Directorates of Region Police)**

1. The Directorates of the Region Police are the highest administrative organs of the Police in the local unit of the region.
2. The Directors of Regional Police Directorates have the responsibility of the management, co-operation and control of the police activity within the territorial jurisdiction and depend on General Director.
3. The commissariats, region , sites and police station function inside the Regional Directorates and they are the basic operational units of the Police on the field.
4. Special structures of the Regional Directorates may operate in a direct way within the administrative jurisdiction.

**Article 14****(The competencies for the structure)**

1. The general organic limit of the Police is set forth by the Council of Ministers, on the proposal of the Minister.
2. The structure of the General Directorate of the Police and their organic limit is approved by the Minister.
3. The structure and the organic limit of the commissariats, regions, units and police stations are approved by the General Director, on the proposal of the directors of the regional police.

## CHAPTER IV

### THE ARRANGMENT OF PERSONNEL

#### Article 15

##### (The division of Personnel)

1. This law regulates the statues of the police employee. In supporting and administrative sectors of the Police are employed even persons that are treated according to the law "Statues of the civil servant" or "Code of Work".
2. According to the tasks and the functions they perform in the Police, the police employees are divided in these roles: basic, middle, high and senior.
3. The police employees in the basic roles perform also the function of judicial police agent, whereas those of middle and high roles carry out the function of the judicial police officer.
4. The equivalent of the functions in the Police with the corresponding functions in the public administration is defined upon the decision of the Council of Minister.

#### Article 16

##### (Admission in the State Police)

1. The Albanian citizens are admitted as police employees without distinction of race, ethnic belonging, sex, political belief and religious belonging, but they have to fulfil these conditions:

- a) to have the total ability to act;
- b) to have graduated the middle school;
- c) to have performed the military service (males);
- d) to be citizens of good conduct;
- e) not to have been convicted for a penal act;
- f) to have reached the age 19 years old and not to have crossed the limit age of 30 years old;

2. The conditions defined in the letters "a", "c", "d" and "e" of point 1 of this article are applicable also for other employees according to point 1, of article 15.

3. In the sectors of the Police where special knowledge is required, specialists of the higher education and with working experience not less than 3 years can be admitted, after having first completed the respective qualification for the police and fulfil the conditions of point 1 of this article, with the exception of "f".

#### Article 17

##### (Oath)

1. The persons admitted in the Police Institutes and Police Academy should make the oath according to the regulation approved and sign the contract of admission as well, in which the obligation to work in the Police immediately after the graduation of school no less than 5 years is defined.
2. The refusal to make the swearing and to sign the contract is conditioned with the dismissal of the candidate from the Police.

#### Article 18

##### (Education and qualification)

1. The winner of the test for the police employee of the basic role perform the education and professional qualification in the police institutes, while the other roles perform them in the Police Academy.

2. At the end of the professional education in institutes and Police Academy, the students and the trainee of the courses are respectively given the title "Policeman" and "High specialist of Police".
3. The Police Academy, in conformity with the decision of the Council of Ministers, performs the estimation of the diplomas graduated in schools or police training in foreign countries.
4. The degrees of education and professional qualification and their time -term are defined upon the decision of the Council of Ministers.
5. In the Police Academy, besides the employees of basic role are admitted students for middle role outside the police, according to a quote defined by the Minister of Public Order but always, fulfilling the requirement of point 1, article 16.
6. The attendance of other high schools by the police employees is allowed only on the approval of the General Police Director.

## **Article 19**

### **(Appointment and discharge)**

1. The appointment and discharge from the duty of the police employees belonging to the basic role is performed upon the order of the Regional Police Director.
2. The appointment and the discharge from the duty of the police employee of middle role is performed upon the order of the General Police Director.
3. The appointment and discharge in the functions within the high role is performed by the Minister of Public Order on the proposal of the General Police Director.
4. The Prime Minister performs the appointment and discharge in the function within the senior role, on the proposal of Minister, except for the cases defined in article 9 and 10 of this law.
5. The appointment of the police employees in progressive duties or functions is performed by selecting among the candidates of higher rank seniority or good achievements in their work.

## **Article 20**

### **(Departures and dismissal)**

1. The police employee is dismissed from the State Police in the following cases:
  - a) When he reaches the age of pension;
  - b) When he becomes incapable for more than 6 months or according to the decision of health Commission;
  - c) When he asks to leave by his will, after he has fulfilled the conditions of the contract of admission ;
  - d) When the place is reduced;
2. When the police employee becomes able for the work or a new function is established in the police organic, readmission is performed only among the category of the employees terminated, by taking into consideration their education, qualification or seniority in police service before their termination.
3. The Police employee is dismissed from the Police in the following cases:
  - a) When he commits grave disciplinary infringements and the previous measure was not yet rescinded ;
  - b) When he is absent on the duty for 7 days without any reasonable justification;
  - c) When he breaks the swearing or refuses it;
  - d) When he is admitted in objection with the criteria defied in this law;
  - e) When he is convicted with the final sentence with imprisonment;

f) When he is not able to act;

4. The complaints against expulsion and dismissal from the Police are solved according to the Provisions of Chapter V of this law.

#### **Article 21**

##### **(Regulation of Personnel)**

The provisions of this chapter for the relations in work, the progress in carrier and conditions of their suspension are detailed in the Regulation of Police Personnel, approved by the Council of Ministers.

### **CHAPTER V**

#### **THE DISCIPLINE**

#### **Article 22**

##### **(Ranks)**

The system of hierarchic ranks, defined by special law functions in the police.

#### **Article 23**

##### **(The order hierarchy)**

1. The hierarchy of order is the basic principle of the discipline for the police employees. The order of a higher-ranking superior is compulsory for execution by the subordinates, for as long it does not come against the law.

2. The justice, impartiality, determination and the control on the order as well as the execution and taking a critical view for the non-executors of the law are the main means for the discipline reinforcement in the Police.

3. In the cases, when the order given comes against the law, the subordinate has to present to his superior and to ask for it in written form.

4. When the order is clearly illegal, the subordinate refuses the order informing directly the person who is at the head of his superior.

5. In cases the situation can not wait for the procedures of paragraphs 3 and 4 of this Law, the person that has given that order will be responsible for the consequences of the illegal order.

6. The legal order is compulsory to be executed even in the cases it presents dangerousness to the police employee life.

7. The ways of the ordering and the procedures are defined in the regulation of the police discipline.

#### **Article 24**

##### **(The discipline uniformity)**

1. All the Police employees are equal to the regulation of the discipline of Police.

2. The honor and the trust to the superiors are a duty of the subordinates.

3. The respect of the dignity and the upholding of the personality are a duty of the superiors toward the subordinates.

#### **Article 25**

##### **(The maintenance of secret)**

1. The maintenance of state and professional secret by the Police personnel is compulsory.

2. The maintenance of the professional and state secret is compulsory also for the persons expelled from the Police.

#### **Article 26**

##### **(The dignity)**

1. The upholding of the dignity of the police employee is compulsory as well as the non-reconciliation with any act of corruption and abuse in service.

2. The outward appearance, the presence, the way of communication and the actions of the police employee in public represents the state authority.

#### **Article 27**

##### **(The reasonable action)**

1. In the course of his duty accomplishment the police employees should show the proper determination for the demanded aim achievement, but should not use the force beyond the reason.

2. In any case in the course of the duty accomplishment the police employees must not be allowed to carry out unlawful executions, physical punishments or inhuman and denigrating treatments and any kind of torture.

3. In case that the police employee is trusted the safeguarding of a person, whose health state demands the medical support, he should ask for the assistance of the medical personnel, and in case of need takes measures to protect the life and the health of the person in question.

#### **Article 28**

##### **(The maintenance of property)**

The police employee is obliged to safeguard and maintain the armaments, premises, tools, equipment given for usage in the course of the duty accomplishment.

#### **Article 29**

##### **(Disciplinary measures)**

1. The police employees that break the rules foreseen in legal and the sub-legal acts, relevant to the duty or do not execute the orders and duties and when there is no any case of penal responsibility, he will be punished with the disciplinary measures as follows:

- a. Admonish;
- b. written remark; (warning remark)
- c. fine till 5/30 of the monthly salary
- d. delay for promotion up to 1 year ;
- e. reduce in duty or function;
- f. suspension from the duty or function up to 3 months; or up to the ending of the penal case;
- g. Dismissals from the police according point 3 of article 20 of this law.

2. The above measures are given by the direct superior or by the official of the unit or organ in a gradual way or in virtue of the importance of the infringement or its corresponding consequences. The caused damage will be indemnified according to the respective normative acts.

3. In any case, the disciplinary measures are communicated directly to the police employee and in special cases, the measure advisement can be done even publicly.



**Article 30****(Rescission of the disciplinary measure)**

1. The disciplinary measure "written remark (warning remark)" has to be lifted in 6 months from its advisement.
2. The other disciplinary measures, apart from the letter "g" of the article 29 of this law, has to be lifted in 1 year from their advisement.
3. For the complaining disciplinary measures, the terms of lifting, will start from the day, the superior's decision is of a decree absolute.
4. In special cases, when the punished person shows devotion acts in the course of accomplishment of his duties, the superior performs the lift of the disciplinary measures before the foreseen terms.
5. During the time a disciplinary measure is in force , the running of the term related to the acquisition of rights provided for police employees shall be suspended, except for job seniority.

**Article 31****(The complaint)**

1. In the case of a disciplinary measure, the police employee is entitled to make a written complaint to the organ's head.
2. If the organ's head deems as unreasonable the disciplinary measure, he cancels it, on the contrary he countersigns the entering into force of the measures and hands it for review to the Disciplinary Commission.
3. The right for complaint is canceled if it is not used within 10 days from the date of the measure advisement.
4. The superior can not give the disciplinary measure if it is not communicated to the police employee within 1 month from the ascertainment of the offence.

**Article 32****(Disciplinary commission)**

1. The disciplinary commissions function in the commissariats, directorates of region police, in the structures that are under the authority of the General Directorate of Police. The Central Commission of the Discipline functions in the General Directorate of the Police.
2. Close to each commission, the leader of the organ appoints a Disciplinary Officer who prepares the documentation for the meeting of the commission.
3. All disciplinary commissions, except for the Central Disciplinary Commission shall examine the appeals of disciplinary measures taken against members as high ranking as the deputy head of the respective organ. The superior commissions shall examine the other cases; the Central Commission shall review also the dismissal and expulsion cases.
4. When the Disciplinary Commission, finds the measure well founded, it shall order its entry into the personal file of the person subject to the punishment except for the cases of admonish. Otherwise, it shall propose only once to the head of the organ to reconsider the given measure to the superior of the organ, whose decision is of the final form.
5. The person subject to punishment shall be entitled to appeal the final decision to the court within 30 days, whereas for the cases of letter "g" article 29 of this law, the complaint may be lodged also directly to the court.

**Article 33****(Regulation of Police Discipline)**

The provisions of this chapter are well detailed in the Regulation of Discipline of Police approved by the Council of Ministers.

**CHAPTER VI**

## **THE ATTRIBUTION OF MAINTANENCE OF PUBLIC ORDER AND SECURITY**

### **Article 34**

#### **(Untouchability)**

1. The employees of the Police in service or because of service are invulnerability. Insults, contradicting and any other violent act against them in service are punished, according to the provisions of the Penal Code.
2. When their life, family and property are endangered because of the duty, the state guarantees special defense, the conditions and the ways of, which are defined upon the decisions of the Council of Ministers.

### **Article 35**

#### **(Uniforms and distinctive mark of the Police)**

1. The police employees perform their duty to maintain public order and security with the uniform and distinctive marks defined by the Council of Ministers.

The uniform and the distinguished marks of the Police must be used only during the services or because of it.

2. Special Police structures defined by the Minister of Public Order perform their duty with civil uniform or with suitable uniforms according to the nature of service.
3. The Police personnel is provided with identification card and official distinctive mark and show them in any cases of performing the duty.
4. In every cases of communication with public, in intervention to maintain order, or for legal procedure to control the persons or environment, or prevention or arrest, the police employee must have their distinguishing marks of the Police.

### **Article 36.**

#### **Arms and equipment**

To perform the duty, the Police are provided with armaments, proper technical means defined upon the decision of the Council of Ministers.

### **Article 37**

#### **(The collection and administration of information)**

1. The Police employee have the right and take measures for the collection, administration and preservation of the information and data that are necessary concerning the public order and security, as well as for the prevention and investigation of crimes, provided they comply with the constitutional guarantees of the freedoms and rights of individuals.
2. Collection of data and information about a person only due to his ethnicity nationality, citizenship, race, religion, political opinions or adherence to the principles of syndicate (Trade Unions) is prohibited in all cases.
3. The organs of the public administration of the system of justice, as well as physical or juridical persons that are in possession of registers or documentation containing identified data are obliged to show them to Police, unless those constitute confidential information according to the law.
4. The Classified information of Police concerning the prevention and investigation of crime are collected, administrated and protected according to the procedures defined by a specific law.

### **Article 38**

#### **(The administrative action)**

Police employee who verifies administrative infringement, for the assertment of which they are delegated by the law, can impose the fine and take other measures foreseen by the law (proceedings, blocking, sequestration).

**Article 39****(The identity check)**

1. The police employee shall check the identity of all persons in the following cases:
  - a. when they are present in the crime scene;
  - b. when an order of the competent organ is executed;
  - c. when the persons suspected of breaching public order are searched;
  - d. when they enter or exit the territory of the Republic of Albania;
2. To insure a credible identification of a person, the police employee is based on the legal documents of identification.
3. The identification is credible if the police employee knows the person personally.

**Article 40****(Physical control)**

1. The Police employees may search persons, cloths, luggage, and vehicles, without prior authorisation from competent organs only if it is impossible to obtain such an act and is necessary to take urgent action to:
  - a) avoid an immediate danger for the public order and security;
  - b) prevent the commission of a criminal offence by suspected persons;
2. The inspection must be performed respecting the dignity and the defence of the one under inspection.

**Article 41.**

If warranted by public order and security, law enforcement, or natural disasters or accidents, the police may cordon off road sections, public premises or where there is a public gathering until necessary lawful actions are taken.

**Article 42****(Priority)**

1. If it is impossible to use service resources, the police employee may use in cases of urgent needs warranted by their duty, transport and communication of a physical and juridical persons, except for means belonging to diplomatic corps accredited on the Republic of Albania.
2. In every case like, this the police employees must issue a statement to the physical and juridical person, in possession of those facilities in order to provide for their compensation by the Police.

**Article 43****(Entry into premises)**

1. The police employees, enter by force into premises or other environment, belonging to physical or juridical persons, without prior authorisation of the competent organs, in emergencies and following cases:
  - a) having well founded data for commitment of a crime;
  - b) to avoid a public danger;
  - c) to provide assistance in case of accident or natural disasters.
2. In these cases, the police employee must compile the relevant documentation and notify the interested person immediately

thereafter.

3. Entering the offices or the residences of the Diplomatic Corp representatives accredited in the Republic of Albania is done only on their consent.

#### **Article 44**

##### **(The summoning of a person)**

The police employees summon physical or juridical persons to appear in the police offices for information refer to the commission of law infringement. The summoning can be done in a written form or verbally. In case the person refuses to appear, the police will proceed in accordance with the article 45 of this law.

#### **Article 45**

##### **(Accompanied persons)**

1. The Police employee shall accompany the persons in the police offices or send them to the relevant police organs, in the conditions and cases foreseen in the article 27 of the Constitution.

2. The accompanied persons who are not suspected to have committed a penal act are treated in conditions different from the detained or penal arrest, and in every case the accompany should last up to the clarification of the case but not more than 10 hours.

3. The accompanied person enjoys all the rights recognized in the article 28 of the Constitution

4. The police employee performs the documents of the accompanied person and informs immediately his superior or the interested organ for the clarification of the case

#### **Article 46**

##### **(The use of Force)**

1. The police employee uses the force and the other equipment in usage , in conformity with the article 27 of this Law, in order to prevent or avoid the use of violence by the offenders, in cases when the letters:

- a. refuse the orders of police employees according to the article 44 of this law;
- b. try to release other persons, detained or arrested by the police;
- c. while being verified, detained or arrested, they try to suicide or risk the life of other persons;
- d. perform active actions, as individuals or in groups, infringement on the public order and security.

2. If possible under the circumstances, force must be used following a warning, gradually and proportionally to the violence employed by the law transgression. The use of force shall cease immediately after the law transgressors cease to resist.

3. Persons wounded as the result of using force shall be given immediately the necessary medical support

4. In cases of confrontation with illicit activities during a manifestation, the police employee must act in conformity with the respective law.

#### **Article 47**

##### **(The use of arms)**

The police employee use the arms under their disposal in cases and provisions defined by the Law nr. 8290, date 24.02.1998 "On the Use of Firearms"

#### **Article 48.**

##### **(Specific regulations)**

The procedures for the implementation of the articles 37-47 are defined according to specific regulations.

## **CHAPTER VII.**

### **OBLIGATIONS OF POLICE EMPLOYEES**

#### **Article 49**

##### **(Limitation of the order)**

The police employee can not be ordered to accomplish duties that do not fit to the police service nature

#### **Article 50**

##### **(Limitations for secondary activities)**

1. The police employee can not be employed or can not perform private activities that hinder the completion of his duty requirements.
2. In cases of dual employment, the police employee must inform his superior, who makes the estimation according to the above-mentioned paragraph. The superior of the respective structure solves disagreements.

#### **Article 51**

##### **(The Norms of political behaviour)**

1. The police employee, in any circumstances, must not behave or keep attitudes that can infringe the neutral nature of Police.
2. The police employees are prohibited membership or participate in the activities of political parties or associations. They are also prohibited to make propaganda for or against political parties, associations or candidates in elections.
3. The right of the police employees to be represented in the elected body is regulated according to the law "On General and Local Elections".

#### **Article 52**

##### **(Limitations to the right of strike)**

1. The Police employees are prohibited to exercise the right of strike or to be gathered by keeping arms or service equipment.

#### **Article 53**

##### **(Conduct in service)**

1. The police employee, in every case is prohibited to leave the service, except by an order or permission from the respective superior.
2. During the service, he is prohibited to perform actions or behaviours that go against with the fulfilment of the duty.
3. The police employee is bound to respond correctly and in maximum speed to situations of alert in the organ or unit where he serves.
4. When service needs require it, the personnel of Police are bound to work overtime, with compensation.

#### **Article 54**

##### **(Obligations out of service)**

1. Police employee, even when off service, is bound to interfere in cases of violation of order or to give the necessary help in accidental events.

2. In cases the police employee is on leave or holidays, he has to inform his superior about his leaving the dwelling residence.

#### **Article 55**

##### **(The Obligation to report)**

In case the police employee is informed of violation of the law that is not under his competencies he is bound to report to his superior.

#### **Article 56**

##### **(Criminal Jurisdiction)**

The Police employees are subduced to common penal jurisdiction, and for the penal acts performed during the service, according to the specific provisions of Penal Code.

### **CHAPTER VIII**

#### **CO-OPERATION**

#### **Article 57**

##### **(Public Relations)**

1. The Police must inform regularly the public for their duties regarding the defense of exertion of the freedoms and the rights of the persons, for the threats that may come from the situation of the infringement of the order and public security, the natural disasters and the accidental ones and also for the way of assistance in these cases.

2. The Police ask for assistance of the public to be informed for events and authors of penal acts by offering rewards and guarantee to the anonymity. When the life of the persons, their families or properties are in danger because of that, the police guarantee special protection. The conditions and the profiting ways are defined upon the decision of the Council of Ministers.

3. The police must not infringe the dignity of the person, especially that of the minors by making them publicly.

4. The police must offer their help with advice and support to the initiative of the public, the associations and other juridical persons for the improvement of the aspects of the order and the public security.

5. In the above mentioned cases, the police employee has the right to use private and public information means according to the respective law

#### **Article 58**

##### **(The relations with the public administration)**

1. The co-operation with other central institutions of public administration is arranged with common normative acts.

2. In accomplishing their duties the police may co-operate with all the organizations of the public, administration, or with physical or juridical persons by signing agreements or contracts with mutual obligations.

#### **Article 59.**

##### **(The relations with the local government)**

1. The regional organs of the police co-operate with the local government units in the field of the order and the public security and also in that of law enforcement, by respecting their independence and without infringing the united character of the police.

2. The acts of the organs of the local government are compulsory for application by the Police, as long as they are compatible with their institutional duties, foreseen in this law.

3. The establishment and the dismantle of the peripheral operative units of the Police and in cases of appointment of the directors of regional police or chief of commissariats, the competent authority will have a preliminary opinion of the respective unit organ of the local government. In cases of discontent by the governmental organ the respective authority makes the

professional argumentation of the decision taken.

4. The directors of the regional police and the commissariats chiefs should compile an annual report to the elected respective local unit on the question of order and public security, measures taken and the tasks for its improvement, respecting the provisions of the law nr. 8457, date 11.02.1990 " On the information classified as state secret".

5. If the elected organ of the local government set up bodies to deal with the questions of the order and public security, the respective representative of the peripheral police structure should help the activity of this body through analysis and studies in this field.

## **Article 60**

### **(The relations with the Prefect)**

The regional police organs keep relations with the prefect according to the provisions foreseen in the specific Law.

## **Article 61**

### **(Foreign relations)**

1. The Police cooperate with the police of other states or international police bodies Based on the international relation, bi- or multilateral agreement and on the principles of reciprocity,.

2. In the framework of this cooperation, the Police employee can exercise the authority confirmed on them by law, also abroad or other states police employees can exercise the respective police authority in our country.

## **CHAPTER IX**

### **TREATMENT OF POLICE PERSONNEL**

## **Article 62.**

### **(Timetable of work and rest)**

1. The timetable of work and weekend of the police employees is calculated as that of the public administration employees, excluding the definitions expressed in this law.

2. The annual leave of the police employees is 30 up to 45 calendar days and it is defined according to the role and the hierarchic rank.

3. In cases of duty reasons and when there is no possibility to have his annual leave within, the employee must be restored not later than the January of the coming year or must be compensated in value like overtime of work or service. The police employees enjoy that rights even in the service of the days off or official feasts.

4. In cases of state emergencies and natural disasters, or readiness in service, the time up to 24 hours over the normal working or service time is not treated as overtime of work within 6 months.

5. In case of familiar disasters or his wedding ceremony, or in special cases the police employee can enjoy 7 payable days, or up to 2 months administrative leave unpaid.

The annual leave without payment is not considered in the seniority, service or progress in ranks.

6. The criteria and the profit measures are defined by special normative acts.

## **Article 63**

### **(The salary arrangement)**

1. Because of the responsibility and high risk in their job, the police employees are privileged in their salary treatment comparing to the other employees of public administration equal to them.

2. The salary of the police employee is set forth according to his role, rank, function and other special conditions, working

place, service and profession.

3. The monthly salary of the police employee is composed of the basic salary, the additions on the basic salary (in percentage or absolute sum) and the compensation for deprivation and losses the employee has because of the duty and service requirement.

4. The monthly basic salary is fixed and is calculated according to the role and the rank. The police employees gain all the other special additions over salary and the remuneration profited of the other employees of the public administration.

5. The salary arrangement, the criteria and the competencies for delivering them are approved by the Council of Ministers.

#### **Article 64**

##### **(Retirement and supplementary profits)**

1. The police employee in addition to the profits resulted from the law nr. 7709, date 11.05. 1993 "On the social insurance in the Republic of Albania" , and upon the following modifications, enjoys the right of other supplementary profits.

2. The supplementary profits for the police employees are:

- a. Payment for temporary and permanent job incapability;
- b. Compensations on people and material damages;
- c. Covering of the expenses for healthy rehabilitation
- d. Healthy treatment without payment;
- e. Covering of burial expenses and immediate assistance;
- f. Partial retirement for service seniority;
- g. Reduction of the retirement age;
- h. Addition on the seniority, invalidity and familiar retirement;
- i. Treatment with transit payment because of the interruption or the impossibility of continuing the carrier;
- j. Compensations and other treatments foreseen by special normative acts.

3. The right of supplementary profits for the police employees depends on the duration (seniority) of the service, the salary realized and the paid contribution.

4. Duration (seniority) of the service of the police employee is called:

- a. Time since the enrollment as student or trainee in police;
- b. Time known as military of Armed Forces of the Republic of Albania;
- c. Time of the carrier interruption because of an unfair decision;
- d. Time at disposal because of waiting for being assigned in a function in full conformity with the rank;
- e. Half of the period spends as employee in civil sections and the full time spend as military before admitted as police employee.

5. The salary realized, consequently of the profits issuing from this law, is the monthly basic salary together with additions of permanent character profited by the police employee.

6. The contribution paid is the supplementary part of contribution, on that defined in the law nr.7709, date 11.05.1993 "On the social insurance in the Republic of Albania", and upon the modifications, is paid by state and by the police employee himself.



7. The retirement salary of police employee, the measurements, criteria and the respective subjects responsible for the implementation for their supplementary profits, are defined by a special law.

#### **Article 65**

##### **(Other profits)**

The structure and special services of the Police are provided with food and uniforms, according to the criteria foreseen upon the decision of the Council of Ministers.

#### **Article 66**

##### **(Priority in employment)**

In cases, when the police employee becomes body incapable to serve in the police or when the organic function is cut, he has priority to be employed in an equal function of the public administration.

#### **Article 67**

##### **(Premises)**

1. The police construct with state funds premises where the personnel of more than 10 years seniority is housed, with facilitating conditions of renting or selling with favorable credit.

2. Authorities of public administration or of justice under the safeguard of the police can be housed in these premises willingly and at the same time towards the purchase or the rent.

### **CHAPTER X**

#### **LAST AND TRANSIT PROVISIONS**

#### **Article 68**

##### **(Transit provisions)**

1. The treatment of the police employees until the issuance of the respective normative acts, foreseen in this law, is performed according the statues of military of the Armed forces of the Republic of Albania.

2. Until the adoption of the provisions foreseen in article 55, of this law, for penal acts committed during the service, the police employee is responsible according to the provisions of Military Penal Code of the Republic of Albanian.

3. Up to the establishment of the regions in Local level, the Prefecture Police Directorates will accomplish the function of the regional Police Directorate.

#### **Article 69**

The Council of the Ministers is delegated to issue the normative acts expressed in this law must be within 1 year of coming into force of this law.

#### **Article 70**

1. The Police of Public Order are reorganized in conformity with this law.

2. The law no. 7504 dated on 30- 07. 1991 "On the Police of Public Order" is abrogated, as well as, the normative acts in force that arrange police activity, when they come against this law.

#### **Article 71**

This law will be in force 15 days after publication in the Official Journal

**CHAIRMAN OF THE PARLIAMENT**

**Skender GJINUSHI**