

LAW
No. 108/2014

ON THE STATE POLICE

(Articles repealed by Constitutional Court Decision No. 43, dated 26.6.2015, and amended by Laws No. 58/2017, dated 20.4.2017; No. 112/2018, dated 20.12.2018; No. 133/2020, dated 29.10.2020; Articles repealed and suspended by Constitutional Court Decision No. 30, dated 5.7.2021)

(Updated)

Pursuant to Articles 78 and 83, point 1, of the Constitution, upon the proposal of the Council of Ministers,

THE ASSEMBLY
OF THE REPUBLIC OF ALBANIA

DECIDED:

CHAPTER I
GENERAL PROVISIONS

Article 1
Object

This law defines the mission, organization, functioning, duties, rights, and status of the State Police in the Republic of Albania, as well as regulates the activity, employment relations, career guarantees, well-being, and continuity in duty of police officers.

Article 2
Mission of the State Police
(words removed by Law No. 58/2017, dated 20.4.2017)

The mission of the State Police is to maintain public order and safety, ensure the enforcement of the law, in accordance with the Constitution and international acts, while respecting human rights and freedoms.

Article 3
Jurisdiction

The State Police exercises its activity within the territory of the Republic of Albania.

Article 4
Status of the State Police

1. The State Police is an institution of the state administration, a legal entity under the administrative authority of the minister responsible for public order and safety.
2. The State Police is depoliticized.
3. The status of the State Police does not change in times of war, state of emergency, or

natural disaster.

Article 5 Principles of Activity

The basic principles on which the State Police is guided in its activity are:

- a) legality;
- b) non-discrimination;
- c) respect for fundamental human rights and freedoms;
- ç) proportionality;
- d) operational independence;
- dh) political impartiality;
- e) integrity, merit, and professionalism;
- ë) transparency;
- f) protection of classified information;
- g) control and accountability.

Article 6 Definitions

(Point 15 repealed, points 30 and 31 added by Law No. 58/2017, dated 20.4.2017; point 16 amended and point 32 added by Law No. 112/2018, dated 20.12.2018; point 29/1 added by Law No. 133/2020, dated 29.10.2020; point 29/1 repealed by Constitutional Court Decision No. 30, dated 5.7.2021)

In this law, the following terms have the following meanings:

1. **“Appointment to duty”** is the moment when the employment relationship begins for the police officer.
2. **“Career progression”** includes all stages of a police officer’s career from appointment to termination of employment.
3. **“Police rank”** expresses the police hierarchy, the title of each level, and distinguishing marks, reflecting individual qualities, experience, and responsibility in the exercise of functions in the State Police, obtained through a competitive process.
4. **“Police information”** is the totality of data and facts obtained by the police in the exercise of its activity, aimed at maintaining public order and safety, and preventing criminal offenses.
5. **“Classified information”** is any knowledge that may be communicated or documented, regardless of form, under the control of state structures and classified according to current legislation.
6. **“Stationary environmental surveillance equipment”** are devices installed in an environment for surveillance, according to current legislation.
7. **“Policy Council”** is an advisory body to the General Director of the State Police in the exercise of duties.
8. **“Territorial control”** is the set of actions undertaken by the police in a specific territory or throughout the country to maintain public order and safety.
9. **“Release from the police”** is the termination of the legal and financial relationship of the police officer.
10. **“Minister”** is the minister responsible for public order and safety.
11. **“Measures for maintaining public order and safety”** are all lawful actions that must be carried out by the police officer, from verbal persuasion to the proportional use of force to

- restore order, in accordance with legislation and respecting human rights and freedoms.
12. **“Special measures”** are all lawful actions for detecting or preventing criminal activity when it cannot be detected or prevented by other means.
 13. **“Civil servant”** is a person appointed to police structures whose employment relationship is regulated by civil servant legislation.
 14. **“State Police”** is the state administration institution responsible for maintaining public order and safety, hereinafter referred to as the police.
 15. **Repealed.**
 16. **“Police officer”** is a person appointed to the structures of the State Police after completing the relevant education/training and holds a police rank.
 17. **“Administrative employee”** is a person appointed to police structures in functions without a police rank, whose employment relationship is regulated by the Labor Code.
 18. **“Dismissal from the police”** is the termination of the legal relationship of the police officer.
 19. **“Admission to the police”** is the acquisition of police officer attributes by act of the police director.
 20. **“Use of force”** is the direct action through physical force, equipment, other means, or firearms, in a proportional manner and in accordance with current legislation.
 21. **“Processing of personal data for police purposes”** is any action for processing personal data, carried out in accordance with current legislation, for maintaining public order and safety, and for preventing and detecting criminal offenses.
 22. **“Immediate response”** is a lawful action taken on the initiative of the police officer as soon as a danger is perceived.
 23. **“Special structures”** are police structures operating in a specific territory or throughout the country, under the central or local structure.
 24. **“Disciplinary violation”** is any action or inaction by a police officer that contradicts legal and sub-legal acts, related to police work, and does not constitute a criminal offense.
 25. **“Escort”** is the act of taking a citizen to police premises, health institutions, rehabilitation centers, to a guardian or responsible person, to the ordering institution, or to other institutions, with or without their consent, as defined in Articles 109 and 122, point 1, of this law.
 26. **“Transfer”** is the reassignment of a police officer to another duty.
 27. **“Substantive dependency”** is the dependency that local structures have in relation to the central structure.
 28. **“Investigative activity”** is the activity of State Police officers carried out in accordance with current legislation, for searching, finding, collecting, managing, verifying, and analyzing data and information on criminal activity.
 29. **“Investigative procedure”** is the activity carried out in accordance with the Criminal Procedure Code.
 - 29/1. **Repealed.**
 30. **“Credibility verification”** is a document approved by the General Director of the State Police, reflecting the results of verifying self-declared data against physical and electronic police and other state institution records, issued by local police authorities for the citizen/person accepted or reinstated in the State Police.
 31. **“Voluntary policing”** is the voluntary contribution of citizens to assist the State Police in maintaining order, public peace, crime prevention, and managing civil emergency situations.
 32. **“Special functions”** are considered those not provided by the Security Academy.

CHAPTER II AUTHORITIES

Article 7 **The Minister**

1. The Minister:
 - a) drafts and oversees the implementation of policies for the activity of the State Police, with the aim of ensuring public order and safety;
 - b) defines the strategic directions and objectives of the State Police;
 - c) demands high performance from the State Police for achieving the defined objectives;
 - ç) requires the General Director of the State Police to report on the exercise of his duties and those of the State Police in accordance with the legislation and the Constitution, respecting human rights and freedoms;
 - d) oversees the complaints process within the State Police and reviews complaints against the General Director of the State Police;
 - dh) prepares and publishes the annual report on the achievement of objectives by the State Police.
2. The Minister oversees the management of the State Police budget, according to financial legislation.
3. The Minister does not interfere with the operational independence of the police service and is not involved in its operational leadership.

Article 7/1

National Committee on Policies for the Prevention and Fight Against Organized Crime (added by Law no. 133/2020, dated 29.10.2020)

1. The National Committee on Policies for the Prevention and Fight Against Organized Crime is established and operates under the minister responsible for public order and security.
2. The objective of the Committee is to draft, coordinate, monitor, and evaluate strategies and action plans for the prevention of organized crime.
3. The Committee is chaired by a representative of the Ministry of the Interior and includes representatives from the Ministry of Justice, the Ministry of Finance and Economy, the General Prosecutor's Office, the Special Anti-Corruption and Organized Crime Prosecutor's Office, the State Intelligence Service, the General Directorate of the State Police, the agency responsible for combating terrorism, and the agency responsible for anti-money laundering.
4. The Committee drafts and publishes data for studies that identify the root causes of crime, security checks, trends and threats of organized crime, the circumstances in which organized crime operates, professional groups and technologies involved in criminal activity, including state and non-state actors, the effectiveness and efficiency of laws, policies, and action plans to prevent and reduce organized crime, and the fulfillment of obligations arising from international agreements.
5. The Committee meets at least once every three months and submits a monthly periodic report to the Council of Ministers. The Committee, upon the proposal of the Minister of the Interior, approves detailed rules for its functioning.

Article 8 **Relations of the Minister with the State Police**

The Minister is not informed about:

- a) investigative actions, acts, or the data obtained from them;
- b) information related to the identity, cooperation process, protection, or location of witnesses, justice collaborators, or informants;
- c) data and information obtained from the persons mentioned in letter “b” of this article.

Article 9

General Director of the State Police

1. The General Director of the State Police is the highest executive, administrative, and operational authority of the police and reports directly to the Minister for the implementation of policies, performance, and defined objectives.
2. The General Director of the State Police:
 - a) organizes, directs, and controls police activity;
 - b) manages human resources;
 - c) manages and is responsible for the budget;
 - d) issues administrative acts as defined in the Police Regulations;
 - d) represents the police in relations with other domestic institutions, as well as in bilateral or multilateral technical relations abroad.

Article 10

Deputy General Director of Police

1. The General Director of the State Police is supported by a deputy director in the exercise of his powers.
2. The Deputy Director performs the duties assigned by the General Director of the State Police.
3. The Minister appoints the Deputy General Director to exercise the powers and duties of the Director in cases when:
 - a) the General Director of the State Police has not yet been appointed;
 - b) in cases of incapacity or suspension from duty of the General Director of the State Police.
4. The Deputy General Director of the State Police may not exercise the powers of the Director for an uninterrupted period longer than 6 months.

Article 10/1

Department Director

(added by Law no. 58/2017, dated 20.4.2017)

1. The Department Director is a high-ranking authority who leads a department, which is an organizational structure within the General Directorate of the State Police.
2. The Department Director is accountable to the General Director of the State Police for the activities of the department he or she leads.
3. The job description and responsibilities of the Department Director are approved by the General Director of the State Police.
4. The number of department directorates is determined based on the organizational structure of the State Police, which is approved by the Minister.
5. The appointment, appointment criteria, dismissal, and removal from office of the Department Director are the same as those for the Deputy General Director of the State Police.
6. The Department Director serves a term of 4 years, with the possibility of reappointment for another 4 years.

Article 11
**Appointment, Appointment Criteria, and Duties
of the Director of the Local Police Directorate**

1. The Director of the Local Directorate is appointed by the General Director of the State Police, based on the rank standard, and if simultaneously meeting the following criteria:
 - a) must have only Albanian citizenship;
 - b) must have integrity and a clean moral character;
 - c) must not have been convicted of a criminal offense by a final court decision;
 - ç) must not have received disciplinary measures for serious police violations within the last 3 years;
 - d) must not have a conflict of interest in the exercise of the duty.
2. The Director of the Local Police Directorate is the highest executive, administrative, and operational authority of the local police and is accountable to the General Director of the State Police for public order and safety within the jurisdiction of the local directorate.
3. The Director of the Local Directorate:
 - a) leads and coordinates the activities of the structures;
 - b) manages human resources;
 - c) manages the budget;
 - ç) issues acts as defined in the Police Regulations;
 - d) cooperates with the heads of local structures within the jurisdiction and relevant field of competence, with the aim of improving policing and community safety.

Article 12
Chief of the Police Station

1. The Chief of the Police Station is appointed by the General Director of the State Police, in accordance with the criteria and procedures defined in the Police Regulations.
2. The Chief of the Police Station is an operational-level leader in the territory under their jurisdiction and is accountable to the Director of the Local Police for public order and safety within the jurisdiction of the police station.
3. The Chief of the Police Station:
 - a) directs the activities of the structures;
 - b) manages human resources;
 - c) manages the budget;
 - ç) issues acts as defined in the Police Regulations;
 - d) cooperates with the heads of local structures within the jurisdiction and relevant field of competence, with the aim of improving policing and community safety.

CHAPTER III
APPOINTMENT, DISMISSAL/REMOVAL FROM DUTY OF POLICE AUTHORITIES

Article 13
Appointment Criteria for the General Director of the State Police
(amended points 1 and 3 by Law no. 58/2017, dated 20.4.2017)

1. The Council of Ministers appoints the General Director of the State Police, upon the proposal of the responsible minister, from among police officers holding the rank of “Senior

Leader” or “First Leader,” and grants the rank of “Executive Leader”.

2. In addition to the rank requirement, the proposed candidate for General Director of the State Police must meet the following criteria:

- a) must have only Albanian citizenship;
 - b) must have at least 15 years of police experience, of which at least 10 years in high-level leadership positions within the State Police structures;
 - c) must have integrity and a clean moral character;
 - ç) must not have been convicted of a criminal offense by a final court decision;
 - d) must not have received disciplinary measures for serious police violations within the last 3 years;
 - dh) must not have a conflict of interest in the exercise of the duty.
3. The General Director of the State Police serves a term of 5 years, with the right to be reappointed for another 5 years.

Article 14

Appointment and Appointment Criteria for the Deputy General Director of the State Police *(amended wording in point 2 by Law no. 58/2017, dated 20.4.2017)*

1. The Minister appoints the Deputy General Director of the State Police, upon the proposal of the General Director of the State Police, from among police officers holding the rank of “First Leader” and who simultaneously meet the following criteria:

- a) must have only Albanian citizenship;
 - b) must have at least 12 years of police experience, of which at least 8 years in high-level leadership positions within the State Police structures;
 - c) must have integrity and a clean moral character;
 - ç) must not have been convicted of a criminal offense by a final court decision;
 - d) must not have received disciplinary measures for serious police violations within the last 3 years;
 - dh) must not have a conflict of interest in the exercise of the duty.
2. The Deputy General Director of the State Police serves a term of 4 years, with the right to be reappointed for another 4 years.

Article 15

Dismissal and Removal from Duty of the General Director of the State Police

1. The General Director of the State Police is dismissed from duty when:
 - a) loses Albanian citizenship;
 - b) the term of office ends and is not reappointed;
 - c) resigns;
 - ç) becomes medically unfit to perform the function for a period exceeding 6 months;
 - d) reaches retirement age;
 - dh) is deprived of or has limited legal capacity by a final court decision.
2. The General Director of the State Police is removed from duty when:
 - a) convicted by a final court decision for committing a criminal offense;
 - b) strategic objectives are not met due to poor performance.
3. The dismissal and removal of the General Director of the State Police is done by decision of the Council of Ministers, upon the proposal of the responsible minister.
4. After the end of the term, the General Director of the State Police does not return to the structures of the State Police. In the interest of public order and safety services, they may

perform other advisory or academic functions. After the end of the mandate, the former General Director of the State Police enjoys special treatment, approved by decision of the Council of Ministers.

Article 16

Dismissal or Removal from Duty of the Deputy General Director of the State Police *(letters a/1 added and wording in point 3 amended by Law no. 58/2017, dated 20.4.2017)*

1. The Deputy General Director of the State Police is dismissed from duty when:
 - a) the term of office ends and they are not reappointed;
 - a/1) they lose Albanian citizenship;
 - b) they resign;
 - c) they are medically unfit to perform the function for a period exceeding 6 months;
 - ç) they reach retirement age.
2. The Deputy General Director of the State Police is removed from duty when:
 - a) convicted by a final court decision for committing a criminal offense;
 - b) strategic objectives are not met due to poor performance.
3. The dismissal and removal of the Deputy General Director of the State Police is carried out by order of the Minister, upon the proposal of the General Director of the State Police.

CHAPTER IV **DUTIES OF THE STATE POLICE**

Article 17

Duties

(letter "h" repealed by Law no. 58/2017, dated 20.4.2017; wording in letter "c" amended and letter "j" added to point 1 by Law no. 133/2020, dated 29.10.2020)

1. The duties of the State Police are:
 - a) to protect life, health, and public and private property;
 - b) to maintain public order and safety;
 - c) to prevent, detect, and investigate, in accordance with applicable legislation, criminal offenses and the suspected perpetrators;
 - ç) to organize awareness and information campaigns aimed at preventing criminal offenses and increasing cooperation with the public;
 - d) to coordinate work with competent inspectorates in the fields of construction, environmental and territorial control, for the imposition of administrative and other sanctions, according to their functional laws;
 - dh) to identify, secure, and hold in its facilities arrested or detained persons until a court decision on security measures is issued, as well as those convicted in absentia by a final decision, until their transfer to institutions for the execution of criminal judgments;
 - e) to supervise and manage road traffic on public roads, in accordance with road legislation;
 - ë) to supervise and control the state borders of the Republic of Albania;
 - f) to control the entry-exit regime of foreigners, their residence, employment, and treatment in the Republic of Albania;
 - g) to identify, protect, and refer for assistance to the relevant authorities the victims of trafficking, persons, and domestic violence, especially minors and women;
 - gj) to manage and protect classified information, except in cases otherwise specified by

legislation;

h) Repealed.

i) to receive, process, and/or refer to the responsible structures citizens' complaints, especially criminal reports or information provided through various channels about criminal offenses, and to perform other duties in accordance with applicable legislation;

j) to carry out duties in support of the smooth and orderly administration of electoral or referendum processes, to cooperate with the electoral administration, and to report on the activities of police structures during elections or referendums, according to the rules defined in this law, the Electoral Code, and the sublegal acts approved by the Central Election Commission.

2. Employees of other law enforcement structures are required to assist the State Police in the exercise of its functions in accordance with the institutional duties recognized by law.

Article 18

Judicial Police Powers

Every police officer enjoys the powers of the Judicial Police, in accordance with the criminal procedural legislation and the law on the organization and functioning of the Judicial Police.

CHAPTER V

ORGANIZATION OF THE STATE POLICE

Article 19

Organization and General Structure of the State Police

(amended point 3 by Law no. 58/2017, dated 20.4.2017; amended point 1 by Law no. 112/2018, dated 20.12.2018; wording added to point 7 and point 8 repealed by Law no. 133/2020, dated 29.10.2020)

1. The State Police is a unified, centralized body, organized at both central and local levels. It is organized by service, specialized into the Criminal Police, Public Security Police, and Border and Migration Police. These specialized categories differ in education, qualifications, symbols, duties, and responsibilities.

2. The General Directorate of the State Police represents the central level, and the local directorates represent the local level of the police.

3. The General Directorate of the State Police is organized into hierarchical organizational structures at the department, directorate, and sector levels.

4. The local directorate is organized into hierarchical organizational structures at the directorate, sector, police station, section, substation, and police post levels.

5. Special structures that operate throughout the territory or in specific parts of it also fall under the authority of the Director of the State Police.

6. The total number of State Police personnel is determined by the Council of Ministers, upon the proposal of the Minister.

7. The structure and staffing of the police at the central, local, and special structure level are approved by the Minister, upon the proposal of the General Director of the State Police.

8. Repealed.

Article 20

General Directorate of the State Police

1. The General Directorate of the State Police is the central administrative and technical

structure of the police, headquartered in Tirana.

2. The General Directorate of the State Police consists of structures according to relevant fields and services.

3. The General Directorate of the State Police performs the following duties:

- a) manages police activities;
- b) coordinates activities among structures for:
 - i) drafting and implementing strategies to fulfill the responsibilities of the State Police;
 - ii) drafting and implementing plans for recruitment, education, and training of police officers;
 - iii) implementing international agreements on matters related to the Police;
- c) plans and directs nationwide operations and investigations;
- ç) ensures strategic coordination and leadership in emergencies, and national and international activities;
- d) conducts scientific and technological research in the field of security;
- dh) prepares studies and periodically drafts risk analyses and other analyses for fulfilling the police mission;
- e) informs the public regarding the implementation of duties defined in this law;
- ë) cooperates with other law enforcement agencies and state structures for maintaining public order and safety, preventing and detecting criminal offenses, and ensuring national security;
- f) cooperates with national and international structures, as well as non-profit organizations that monitor compliance with human rights and freedoms standards;
- g) processes and analyzes data collected by the Police to the extent necessary for fulfilling its duties and functions;
- gj) plans and manages the budget and other financial resources, infrastructure, and technical material base of the State Police under its administration;
- h) notifies the Commissioner for the Protection of Personal Data about the types of data created and managed by the police, for the purposes of this law;
- i) performs police duties in accordance with this law, other laws, and acts issued in their implementation.

Article 21

Border and Migration Structure

1. Within the State Police operates the Border and Migration Police structure, responsible for the control and supervision of the state border, as well as the treatment of foreign nationals within the territory of the Republic of Albania, in accordance with applicable legislation.

2. The Border and Migration Police structure is organized at both central and local levels with vertical direction and control.

Article 22

Protection and Security of High State Personalities and Objects of Special Importance

(Repealed by Law no. 58/2017, dated 20.4.2017)

Article 23

Local Police Directorate

1. The Local Police Directorate is an administrative police structure at the local level.
2. It carries out operational and investigative activities locally, supervises and controls the

execution of duties, and coordinates the activities of subordinate structures.

Article 24 Police Station and Substation

1. The Police Station is a basic operational structure under the Local Police Directorate and exercises police responsibilities within its jurisdiction.

2. The Police Substation is an operational police unit under the station or, in special cases where there is no station, under the Local Police Directorate.

Article 25 Performance Evaluation of Police Structures

1. The performance of State Police structures is evaluated by a special unit within the General Directorate of the State Police.

2. The procedures and methods for performance evaluation are defined in the Police Regulations.

Article 26 Policy Council

1. The Policy Council operates within the General Directorate of the State Police and provides guidance and recommendations to the General Director of the State Police on matters related to police policies and strategies.

2. The organization and functioning of the policy group are determined by order of the General Director of the State Police.

CHAPTER VI NATIONAL BUREAU OF INVESTIGATION *(Chapter repealed—Articles 27–36—by Constitutional Court Decision no. 43, dated 26.6.2015)*

CHAPTER VII ADMISSION, TRAINING, AND CAREER DEVELOPMENT

Article 37 **Security Academy**

(words added to point 2 by Law no. 58/2017, dated 20.4.2017; point 3 added by Law no. 112/2018, dated 20.12.2018)

1. The Police has its own educational institution responsible for the training, specialization, and qualification of employees of the State Police structures at operational, administrative, and managerial levels.

2. The Security Academy offers training, specialization, and qualifications for other law enforcement institutions, as well as for individuals and legal entities in the field of public order and safety.

3. For the needs of the State Police, individuals who have completed the second cycle of higher education and meet the criteria defined in point 2 of Article 38 are admitted to the Security Academy. Candidates who successfully complete the relevant qualification are admitted to the State Police and are granted the police rank of “Sub-Commissioner.”

4. The Security Academy recognizes and equates diplomas, certificates, and attestations obtained from institutions inside and outside the country in the field of order and security, based on agreements and in cases not covered by point 4 of this article.

5. The recognition and equivalency of diplomas for individuals who have completed studies abroad in the field of public order and safety are carried out in accordance with higher education legislation.

6. The organization and functioning of the Security Academy are determined by decision of the Council of Ministers.

Article 38

Criteria for Admission to the Security Academy

(letter “f” added to point 2 and point 3 repealed by Law no. 58/2017, dated 20.4.2017; letter “b” amended and letter “g” added to point 2 by Law no. 112/2018, dated 20.12.2018)

1. Admission to the Security Academy is conducted through open competition.
2. The general criteria for the admission of citizens to the police educational institution are as follows:

- a) must be an Albanian citizen;
- b) must not have been dismissed from the State Police, other national security structures, or removed from civil service;
- c) must have full legal capacity to act;
- ç) must be in good health and physically fit to perform the duties;
- d) must have completed secondary education;
- dh) must possess written and spoken proficiency in the Albanian language;
- e) must not have been convicted by a final court decision for committing a crime or a criminal misdemeanor with intent;
- ë) must hold a valid category B driver’s license;
- f) must be issued a reliability certificate;
- g) must meet other specific standards and criteria related to the competition, as defined by the Security Academy and approved by the Minister of the Interior.

3. Repealed.

Article 39

Status of Police Employees

A police employee is a civil servant, to whom the provisions of the law on civil servants apply, unless otherwise provided by special law.

Article 40

Admission to Special Functions

(one sentence removed from point 2 by Law no. 58/2017, dated 20.4.2017; wording amended in point 4 by Law no. 112/2018, dated 20.12.2018)

1. For special functions in the police, where specific knowledge is required that is not acquired at the Security Academy, citizens who meet the following criteria may be admitted through competition:

- a) must be an Albanian citizen;

- b) must not have been dismissed from the police or removed from civil service;
 - c) must have full legal capacity to act;
 - ç) must be in good health and physically fit to perform the duty;
 - d) must have completed relevant higher education;
 - dh) must have at least 5 years of work experience in the relevant field;
 - e) must not have been convicted by a final court decision for committing a crime or a criminal misdemeanor with intent;
 - ë) must hold a valid category B driver's license.
2. The selected candidate is admitted to these functions after completing qualification at the Security Academy and is granted the rank corresponding to the function to which they are appointed.
 3. A person admitted to special functions is not entitled to apply for promotion in rank/position or to be transferred to other police functions for a period of 6 years.
 4. The number of persons admitted under this article may not exceed 3% of the total authorized personnel of the State Police.
 5. Procedures, competition rules, internal transfers within special functions, and the list of special functions are defined in the Police Regulations.

Article 40/1

(added by Law no. 112/2018, dated 20.12.2018)

1. To meet special needs, members of the Armed Forces of the Republic of Albania may be admitted to the State Police, provided they meet the criteria set out in point 2 of Article 38 of this law.
2. For active-duty military personnel, admission is carried out with the consent of the individual and based on a bilateral agreement between the Minister of Defense and the Minister responsible for public order and security, which defines quotas, structures, and special functions for admission.
3. In all cases, admission under point 1 of this article is done after the military personnel are officially released from the Armed Forces by the competent authorities as defined by applicable legislation.
4. Admission is based on competition, with procedures defined by instruction of the Minister responsible for public order and security.
5. The transition from the Armed Forces to the State Police is carried out by recognizing and preserving the length of service.
6. The Council of Ministers, upon the proposal of the Minister of Defense and the Minister responsible for public order and security, approves the equivalency of military ranks of the Armed Forces of the Republic of Albania with the ranks of the State Police.

Article 41

Admission to Auxiliary Police Functions

1. Admission of civil servants to auxiliary functions is based on civil service legislation.
2. Admission to and removal from auxiliary functions for administrative employees is done by order of the head of the central or local structure, in accordance with the Labor Code and procedures defined in the Police Regulations.
3. Employees admitted to auxiliary functions are trained at the Security Academy during the probation period.

Article 42

Fingerprint and DNA Database of Police Employees

1. Police employees are fingerprinted, and their DNA samples and personal firearm ballistic

- data are collected, documented in their presence, and stored in the police database.
2. Fingerprints, DNA samples, and ballistic data stored in the database are destroyed when the police employee terminates their employment.
 3. The rules and procedures for collecting, managing, and destroying this data are defined in the Police Regulations.

Article 43

Transfer of Police Employees

(points 2 and 3 amended by Law no. 58/2017, dated 20.4.2017)

1. A police employee may be transferred from one duty to another within the same rank, according to the criteria and procedures defined in the Police Regulations.
2. During the 1-year probation period, a police employee cannot be transferred, except in special cases approved by the General Director of the State Police.
3. Directors of local police directorates or heads of special structures may transfer police employees in enforcement roles to functions within their jurisdiction, provided the function does not have a lower rank than that held by the employee.
4. The transfer of police employees holding the rank from “Sub-Commissioner” to “First Leader,” as well as all transfers between different structures regardless of rank, is carried out by order of the General Director of the State Police.
5. A police employee cannot be transferred unless they have completed a minimum of 2 years in their current position, except in special cases approved by the General Director of the State Police.
6. In all cases, the transfer of a State Police employee must be based on a reasoned decision and communicated to the transferred individual.
7. The rules and procedures for transfer are defined in the Police Regulations.

Article 44

Transfer of Employees in Auxiliary Functions

The transfer of civil servants is carried out based on civil service legislation.

Article 45

Temporary Transfer of Police Employees

1. A police employee may be temporarily transferred to another duty:
 - a) to replace another police employee;
 - b) when the organizational function is vacant;
 - c) to manage work dynamics resulting from unforeseen situations.
2. The duration of a temporary transfer may not exceed 6 months.
3. The rules and procedures for temporary transfer are defined in the Police Regulations.

4. Temporary transfer of employees with civil servant status is carried out according to the provisions of the civil service law.

Article 45/1

Transfer of Police Employees to Other State Structures

(added by Law no. 133/2020, dated 29.10.2020)

1. Transfer to other state structures” refers to the appointment of a police employee to a public institution outside the State Police.
2. The “institution to which the police employee is transferred” includes the Ministry of the Interior, its subordinate institutions, and other state administration bodies or institutions that have functions which can be professionally performed by State Police employees.
3. A police employee may be transferred to various functions in other state structures if requested or approved by the responsible official authorities, in accordance with the criteria defined for each function.
4. While serving in positions outside the State Police structure, the employee does not retain the attributes related to the status of judicial police or the status of a State Police employee.
5. When transferred to public administration, the employee is appointed to functions equivalent to their police rank. The equivalency of ranks between the State Police and public administration for the purposes of this law is approved by decision of the Council of Ministers.
6. A police employee transferred under this article may return to duty within the State Police structures, following the same rules and procedures as for their transfer outside the structure, in accordance with their professional qualifications and police rank.
7. Transfer to other state structures is not considered an exit from the State Police within the meaning of Article 48 of this law.
8. The period of service of a State Police employee transferred under this article to functions outside the State Police is considered valid for seniority purposes.
9. A State Police employee has the right to lateral movement and promotion within public administration positions, according to the provisions of Law no. 152/2013 “On the Civil Servant,” after equivalency of police ranks with civil ranks.
10. A State Police employee who gains the right to study in the field of security at a university in an OECD or EU member country retains the right to return to the same position upon completion of studies. The study period is considered valid for seniority purposes.
11. Detailed rules and procedures for the implementation of this article are defined by decision of the Council of Ministers.

Article 46

Termination of employment relations of the police employee

1. The police employee terminates employment relations when released or excluded from the police.
2. The police employee is released from the police in cases when:
 - a) reaches the age for retirement pension;
 - b) is declared unfit for work by the competent medical commission, according to the law;
 - c) requests himself to be released;
 - ç) the function is reduced within the framework of reducing the general organic limit of the police;
 - d) invalidity of the administrative act of admission is found;
 - dh) dies or when the decision for declaration of disappearance or death of him becomes

final;

e) loses Albanian citizenship;

ë) the court decision for limitation or removal of the capacity to act becomes final.

3. The police employee, whose organic function is reduced within the framework of reducing the general organic limit of the police and there is no vacant position for the rank he holds, according to letter “ç”, of point 2, of this article, is offered a function of a lower level, keeping the rank for a period up to one year. After the expiration of this term, in the impossibility of systematization for the rank he has, the employee is released from the police.

4. The police employee is excluded from the police in these cases:

a) when convicted by a final court decision for committing a criminal offense;

b) when the disciplinary measure of exclusion from the police is taken against him.

5. The police employee, who terminates employment relations in the cases of point 2, letters “ç”, “d” and “ë”, and of point 4, letter “b”, has the right to complain to the appeal commission or directly to the court.

6. The rules and procedures of termination of employment relations are defined in the Police Regulation.

Article 47

Termination of employment relations of the civil servant and civil employee

1. The civil servant terminates employment relations in the cases provided in the law for civil servants.

2. The civil employee terminates employment relations according to the procedures defined in the Labor Code.

Article 48

Evaluation of employees

1. The police employee is evaluated individually for work indicators by his direct superior.

2. The criteria and procedures of individual evaluation are defined in the Police Regulation.

Article 49

Return to the Police

(amended point 1 by law no. 133/2020, dated 29.10.2020)

1. A person returns to the police in cases when they have been released according to the reasons provided in Article 46, point 2, letters “c” and “ç”. Return to the police can be done at any time only for the needs of the State Police and if the person meets the following requirements:

a) successfully passes the transitional evaluation process according to the procedure provided in law no. 12/2018, “On transitional and periodic evaluation of employees of the State Police, the Republican Guard and the Internal Affairs and Complaints Service in the Ministry of Interior”, as amended;

b) meets the legal and professional criteria of the job position.

2. A person who is treated with early supplementary pension or service pension, regardless of the provision of point 1 of this article, does not return to the police.

3. Procedures for return to the police are defined in the Police Regulation.

CHAPTER VIII RANKS

Article 50
The rank system

1. The rank system defines the hierarchy and level of management in the State Police.
2. The rank system, according to this law, their presentation, form, titles, and wearing are the exclusive right of the State Police.

Article 50/1
Hierarchy of police management
(added by law no. 58/2017, dated 20.4.2017)

Police ranks are divided into roles, according to the competence of action and level of management, as follows:

- a) in the executive role, which includes police employees holding the rank “Inspector”, “Second Inspector”, and “First Inspector”, representing the basic level of police action;
- b) in the first leadership role, which includes police employees holding the rank “Vice-commissar”, “Commissar”, and “Chief Commissar”, representing the tactical level of leadership and operational technical action;
- c) in the middle leadership role, which includes police employees holding the rank “Leader” and “First Leader”, representing the level of central and/or local executive management;
- ç) in the major role, which includes police employees holding the rank “Senior Leader” and “Executive leader”, representing the level of strategic management.

Article 51
Ranks
(letters a/1 and a/2 added by law no. 58/2017, dated 20.4.2017)

1. The ranks in the State Police, in increasing hierarchical order, are named as follows:
 - a) Inspector;
 - a/1) Second Inspector;
 - a/2) First Inspector;
 - b) Vice-Commissar;
 - c) Commissar;
 - ç) Chief Commissar;
 - d) Leader;
 - dh) First Leader;
 - e) Senior Leader;
 - ë) Executive Leader.
2. The responsible authority for evaluating the career advancement of police employees are the evaluation commissions. The composition, duties, and functioning method of these are defined in the Police Regulation.

Article 52
Hierarchy of Ranks

The hierarchy of police employees is determined by rank, by function for employees with the same rank, and by seniority in rank for employees with the same rank and function.

Article 53

Receiving the rank

(title amended, point 1/1 added and point 5 amended by law no. 58/2017, dated 20.4.2017)

1. The rank “Inspector” is given to police employees by the General Director of the State Police when they complete police education.

1/1. The ranks “Second Inspector” and “First Inspector”, for police employees who meet the time requirement in rank, as defined in this law, are given by the General Director of the State Police based on work seniority, trainings, and qualifications.

2. The rank “Vice-commissar” up to “First Leader” is given by the General Director of the State Police to employees who earn it through the competition process, according to this law.
3. The rank “Senior Leader” is given by the Minister.
4. The rank “Executive Leader” is given by decision of the Council of Ministers.
5. The police employee who holds the rank “Senior Leader”, after completing the term of stay in duty, receives the rank “First Leader”.

Article 54

Acquisition of the rank

(point 1 amended by law no. 112/2018, dated 20.12.2018)

1. Acquisition of the rank “Vice-Commissar” up to “First Leader” is done through participation in an application, verification, competitive evaluation process, and successful completion of the respective education/training program.

2. Every year, the needs for each rank for the following year are identified. The General Director of the State Police, depending on needs and priorities, approves the order for the start of the application phase for acquiring the respective rank.

3. Acquisition of the rank is done only to fill vacant positions for each rank and only for the next rank.

4. The right to participate in the competition process is held by all police employees who meet the criteria set in this law.

Article 55

Criteria for acquiring the rank

(letters “ç” and “d” repealed and letter “i” amended by law no. 58/2017, dated 20.4.2017; letter “b” of point 1 amended by law no. 112/2018, dated 20.12.2018)

1. For acquiring the rank “Vice-Commissar” up to “First Leader”, the police employee must meet the following criteria:

- a) have an individual work performance evaluation not lower than 70 percent of the overall evaluation;
- b) fulfill the criteria for the job position and have completed higher education;
- c) the disciplinary measure for serious violation must be prescribed, according to the time limit defined in this law;
- ç) repealed;
- d) repealed;
- dh) no criminal proceedings must have been initiated against him;
- e) no disciplinary proceedings for serious violation must have been initiated against him;
- ë) must fulfill the time of stay in rank, according to the following terms:

i) from “Inspector” to “Second Inspector”, 5 years;
i/1) from “Second Inspector” to “First Inspector”, 10 years;
i/2) a police employee in the executive role, with over 5 years of service seniority, gains the right to compete for the rank “Vice-Commissar”;

ii) from “Vice-Commissar” to “Commissar”, 3 years;

iii) from “Commissar” to “Chief Commissar”, 3 years;

iv) from “Chief Commissar” to “Leader”, 5 years;

v) from “Leader” to “First Leader”, 3 years;

vi) from “First Leader” to “Senior Leader” or “Executive Leader”, 2 years.

2. In the seniority for the purpose of competing for rank acquisition, the following periods are also counted:

a) health incapacity up to 6 months within a 12-month period;

b) service seniority recognized by court decision;

c) maternity leave.

3. In the seniority for the purpose of promotion, the period of career interruption due to unpaid leave is not counted.

Article 56

Verification of candidates

1. The police employee who applies for acquiring the rank is subject to the verification process by the central human resources structure.

2. The verification of the candidate includes the fulfillment of the criteria defined in Article 55 of this law, during the application, testing, training phase until the moment of acquiring the rank.

Article 57

Phases of candidate testing

(words in point 2 amended, point 3 amended and point 4 added by law no. 112/2018, dated 20.12.2018)

1. For acquiring the rank “Vice-Commissar” up to “Commissar”, the candidate is evaluated in written testing and oral interview.

2. For acquiring the rank “Chief Commissar” up to “First Leader”, the candidate is evaluated in written testing, assessment exercises, and interview.

3. The minimum threshold for successfully passing the respective testing cannot be lower than 70 percent of the total score value of the testing.

4. The composition of the evaluation and appeal commissions, the rules and procedures for conducting and evaluating candidates in the testing phases are defined by a special regulation approved by the General Director of the State Police.

Article 58

Announcement of winners for the promotion process

(title amended and words removed by law no. 112/2018, dated 20.12.2018)

The number of persons declared winners cannot be more than 30 percent above the number of vacant positions announced for the respective rank.

Article 59

Education and training for acquiring the rank

(point 3 amended and point 4 repealed by law no. 112/2018, dated 20.12.2018)

1. The police employee declared a winner for the rank “Vice-Commissar” and “Leader” must complete the respective education program, while for acquiring other ranks, the respective training program must be completed immediately after the approval of the nominal list of the right to rank.
2. The police employee is selected to attend the education/training program based on the nominal list of the right to rank.
3. After completing the education/training program, the ranking of the competitors is done according to the total points achieved during testing and education/qualification for the respective rank, starting from the employee with the highest evaluation.
4. Repealed.

Article 59/1

Granting of the rank

(added by law no. 112/2018, dated 20.12.2018)

At the end of the testing and education/qualification process, the granting of the rank is done by order of the General Director of the State Police, based on the evaluation act of the rank commission. The order also specifies the function that the employee will perform.

Article 60

Appeal process

1. The police employee has the right to appeal to the appeal commission at any stage of the process for acquiring the rank. Exercising the right of appeal within the deadline defined in the Police Regulation suspends the issuance of the order of the General Director of the State Police and the effects of the evaluation act of the evaluation commission that has been appealed.
2. The appeal commission is chaired by the Deputy General Director of the State Police. The composition and functioning method of the commission and the appeal deadlines are defined in the Police Regulation.
3. During the appeal process, the police employee must be guaranteed the right to be informed, heard, and defended in accordance with the principles of the Code of Administrative Procedures.
4. The decision of the appeal commission is immediately enforceable.
5. The procedures for acquiring the rank from the moment of the announcement of the competition process until the end of the appeal process are defined in the Police Regulation.

Article 61

Determination of functions for rank

1. The table of corresponding functions for each rank and their categorization is determined by decision of the Council of Ministers.
2. Each function is assigned the corresponding rank.

Article 62

Presentation of ranks

The presentation, form, and technical specifications of the ranks are approved by decision of the Council of Ministers.

CHAPTER IX EMPLOYMENT RELATIONSHIP AND PERSONNEL TREATMENT

Article 63

Working time and rest

1. The working time and rest for police employees is the same as that of other state administration employees.
2. The police employee enjoys the right to annual leave, as well as other paid leaves.
3. Annual leave for employees in support functions is the same as that of the state administration, while for police employees it is from 28 to 40 calendar days and is granted progressively, according to seniority and ranks.
4. When, for work or service reasons, annual leave cannot be granted within the year, it must be granted no later than March of the following year; otherwise, it is compensated in monetary value.
5. The police employee is treated with leave or additional pay for work beyond normal working hours.
6. The rules and procedures for benefiting from leave and financial treatment of the police employee are determined by decision of the Council of Ministers.

Article 64

Care for pregnant women

1. Pregnant police employees or those breastfeeding cannot be employed in work or services that may harm their health or that of the child.
2. Night work is not allowed for pregnant police employees.
3. The Council of Ministers determines the sectors of police services that harm the health of the mother and child, special rules for working conditions for pregnant police employees, as well as the cases when night work is allowed for police employees and mothers with breastfeeding children.

Article 65

Maternity leave

1. Pregnant police employees enjoy the right to pre-birth and post-birth leave, according to the legislation in force.
The income received during maternity leave is determined by the law on social insurance.

Article 66

Unpaid leave

1. The police employee enjoys the right to unpaid leave for a short-term period up to 2 months or long-term up to 3 years.
2. Short-term leave is approved by the head of the structure, and after the end of the leave, the employee returns to the same duty.
3. Long-term leave is granted for studies or qualifications and is approved by the General Director of the State Police.

4. After the end of long-term leave, the employee has the right to return to the function he/she had or to another function in relation to the rank held.
5. The rules and procedures for unpaid leave are defined in the Police Regulation.

Article 67

Financial treatment during employment

(legal reference “d” added in point 2 by law no. 58/2017, dated 20.4.2017)

1. The police employee, due to the high responsibility and risk in duty compared to other structures of the state administration, has priority in financial treatment, which includes:
 - a) monthly salary, which consists of the salary for rank, supplement for each year of service seniority, and supplement for special nature of work;
 - b) compensation for the deprivations caused to the police employee due to distance from residence, according to the cost of public transport, and salary for the unemployment of the spouse;
 - c) food treatment for police employees;
 - ç) financial aid in the amount of one monthly salary in cases of family misfortunes;
 - d) reward by the General Director of the State Police up to the amount of 6 monthly salaries, for high results in duty performance. The criteria for benefiting from the reward are defined by instruction of the minister. The reward is covered by the salary fund;
 - dh) immediate financial aid in case of serious property damage, due to duty, according to damage assessment acts.
2. The procedures for financial treatment during employment of the police employee, according to letters “a”, “b”, “c”, “ç”, “d” and “dh”, are defined by decision of the Council of Ministers.

Article 68

Right to special health insurance

1. Employees of special structures of the State Police, in function of fulfilling their duty, benefit from special health insurance for health services, which are not part of the health service packages offered by the Compulsory Health Care Insurance Fund.
2. Health insurance for employees of special structures of the State Police is done according to the contract concluded with the insurance company, selected according to the rules defined in the legislation in force for public procurement. This insurance covers expenses for preventive, diagnostic, and curative check-ups, offered by health institutions, inside and outside the country.
3. The list of health services, as well as the medical authority that decides on health services case by case, are defined by decision of the Council of Ministers.
4. The procedures for special health insurance and the special structures that benefit, according to this article, are defined by decision of the Council of Ministers.

Article 69

Right to benefit from low-interest loans

1. The police employee benefits from a housing loan with an interest rate of 3 percent.
2. Reimbursement of loan interest is interrupted for the police employee only in the case when he/she is excluded from the police.
3. The criteria for benefiting from the housing loan and its amount are defined by decision of the Council of Ministers.

Article 70

Housing compensation

1. When the police employee is appointed/transferred outside his/her permanent residence, inside or outside the country, the rent of the dwelling is paid when it is not provided.
2. The criteria and amount of rent payment for housing are defined by decision of the Council of Ministers.

Article 71

Life insurance

The police employee benefits from life insurance, according to the rules defined by decision of the Council of Ministers.

Article 72

Special protection

1. The police provides special protection for the police employee whose life, family, and property are threatened because of duty.
2. The conditions and manner of special protection for the police employee are determined by decision of the Council of Ministers.

Article 73

Financial treatment after termination of employment relations

1. The police employee who terminates employment relations with the State Police benefits:
 - a) transitional payment;
 - b) early supplementary pension;
 - c) service pension;
 - ç) supplementary retirement pension.
2. Financial treatment for the cases defined in point 1 of this article is made by a special law.

Article 74

Seniority for financial treatment after termination of employment relations

1. For benefiting from the transitional payment, the seniority that the employee has in the structures of the State Police with police status is recognized.
2. For benefiting from the early supplementary pension, service pension, and the supplementary retirement pension, the following are recognized:
 - a) seniority in the structures of the State Police;
 - b) seniority in military service;
 - c) seniority in the structures of the Armed Forces of the Republic of Albania;
 - ç) seniority in the structures of the Republican Guard, the Internal Affairs and Complaints Service, the State Intelligence Service, the Intelligence and Security Agency of Defense;

- d) seniority in the structures of the Prison Police and the Fire Protection and Rescue Service;
- dh) time of study in higher military schools of the Ministry of Internal Affairs, of the State Police, inside or outside the country;
- e) time recognized as service seniority by court decision.

Article 75

Treatment of family members of employees who lose their lives due to duty

1. When a police employee loses their life due to duty, family members benefit:
 - a) immediate financial aid, up to 10 monthly salaries, according to the reference salary of the last month;
 - b) supplementary family pension, in the amount of 100 percent of the monthly salary of the last calendar month of service, regardless of the insurance period. The benefits are given in the value of 100 percent of the salary, whenever the salary, according to which this benefit is calculated, changes;
 - c) reimbursement, in the amount of 100 percent of the study scholarship in public education institutions for the employee's children;
 - ç) free housing for the spouse and children when they are homeless, according to procedures defined by the Council of Ministers;
 - d) financial aid, in the amount of 1 monthly salary, according to the reference salary, every death anniversary;
 - dh) the funeral ceremony is organized by the head of the structure and the expenses are paid from the police budget;
 - e) priority employment in accordance with education, experience, and other necessary criteria for the job position.
2. The rules and procedures for the treatment of family members of employees who lose their lives due to duty are determined by decision of the Council of Ministers.

CHAPTER X

COOPERATION WITH THE COMMUNITY AND OTHER ENTITIES

Article 76

Cooperation with the community

(point 3 added by law no. 58/2017, dated 20.4.2017)

1. The police cooperates with the community to guarantee public order and safety for the full exercise of the freedoms and rights of individuals, and for risks that may arise from natural and accidental disaster situations.
2. The police seeks the help of the public to be informed about issues related to public order and safety, offering rewards and guaranteeing the confidentiality of the data source. When, for this reason, individuals' lives, families, or property are endangered, the police provide them with special protection. The conditions and manner of benefiting from this protection are determined by the General Director of the State Police.
3. For maintaining public order and peace, preventing crime, and managing civil emergency situations, the State Police, in cooperation with the community, organizes voluntary policing. The organization, functioning, and scope of voluntary policing are regulated by decision of the Council of Ministers.

Article 77

Public information

1. The police inform the public and the media about the performance of duties in the field of public order and safety, in accordance with the legislation in force.
2. The police are prohibited from communicating in an unethical manner in public announcements, from violating the principle of presumption of innocence, the principle of non-discrimination, and the dignity of the suspected person, victims, and minors.

Article 78

Cooperation with state administration institutions and local government units

1. In fulfilling its responsibilities, the police cooperate with state administration institutions, and with natural and legal persons.
2. Local police structures cooperate with local government units for crime prevention, in the field of public order and safety, while respecting their independence.

Article 79

Cooperation with civil society

1. The police cooperate with organizations operating in the field of human rights protection, legally recognized religious communities, non-profit organizations, and associations, with the aim of creating a partnership for order and safety.
2. The police provide them with the necessary information regarding the respect of rights for persons accompanied in police premises, based on available official documents.

Article 80

Community policing

1. At the local level, the police draft annual strategies for community policing.
2. The strategies are drafted in cooperation with other state institutions, civil society, representatives of religious communities, and in consultation with the community.
3. Community policing strategies are drafted according to procedures defined in the Police Regulation.
4. Special police structures, within the framework of preventing criminal offenses, implement community policing strategies.

Article 81

Cooperation with third parties

1. The police offer additional services, according to their capabilities and in exchange for payment, to legal and natural persons, public or private, based on their request.
2. The types of services and payment fees are determined by decision of the Council of Ministers.

Article 82

Cooperation with private security services

In cases of emergencies or natural disasters, the Police request that employees of private

security services cooperate with Police structures.

Article 83

Relations with police unions

1. In the police, the creation and development of union activities are allowed in accordance with the legislation in force for the protection of police employees' interests.
2. Every police employee, except the General Director of the State Police, has the right to be a member of one of the unions.
3. During union activities, the police employee is prohibited from wearing the police uniform, carrying a weapon, or using police equipment or symbols.
4. The relations between the unions and the General Director of the State Police are regulated in the collective agreement.

Article 84

International cooperation

(words added by law no. 133/2020, dated 29.10.2020)

The police cooperate with the police of other states or with international police and non-police organizations, based on bilateral or multilateral international agreements.

CHAPTER XI

MAIN OBLIGATIONS AND RESTRICTIONS OF THE POLICE EMPLOYEE

Article 85

Obligation to respect the law and professional training

1. The police employee is obliged to respect the Constitution, the legislation in force, and to protect human rights and freedoms.
2. The police employee bears individual responsibility for the legality of every action or inaction during the exercise of duty.
3. The police employee performs his/her duties with professionalism, impartiality, without discrimination, and in accordance with the law.
4. The police employee has the obligation to improve professional and physical skills through professional training and education.
5. The criteria for the annual evaluation of professional skills, performance, and physical abilities are defined in the Police Regulation.

Article 86

Obligation to follow orders

The police employee has the obligation to follow all lawful orders given by a higher-ranking or higher-function officer.

If the police employee has reason to suspect that the order given is unlawful, they must immediately inform the superior and, when possible, request in writing that the order be issued in writing. In any case where there is a verbal or written request for the order to be issued in writing, the superior is obliged to comply.

In cases where failure to follow the order until it is given in writing, as per point 2 of this article,

endangers the life of another person, the police employee must follow the order.

When a police employee, even after following the procedures defined in this article, continues to have reason to suspect the order is unlawful, they must:

- a) oppose the order, except in cases provided in point 3 of this article;
- b) immediately inform the police officer who is directly in a higher function than the superior who gave the order, and report the measures taken in accordance with this article.

The procedures for issuing, transmitting, and managing orders are defined in the Police Regulation.

Article 87

Obligation to maintain confidentiality

1. The police employee must not use information collected during duty for purposes other than those defined by law.

2. The police employee is obliged to ensure the protection and non-disclosure of personal data in accordance with the legislation on personal data protection, which they become aware of during duty. This obligation also applies to released or dismissed police employees.

Article 88

Obligation to manage property and working time

1. The police employee is obliged to properly manage the property made available during duty and use it only for the purpose defined by law and the Police Regulation.
2. The police employee is obliged to use working and service time efficiently and only for performing duties.

Article 89

Other obligations

In exercising their powers, the police employee also has the following obligations:

- a) to respect the dignity and integrity of every other police employee, including subordinates;
- b) to take measures to prevent the escape of a person in cases of escort, arrest, and enforcement of detention or coercive measures;
- c) to seek medical help and take realistically applicable measures to protect the life and health of the person in custody or who has been harmed during duty;
- ç) to assist another police employee during duty when they assess that help is needed, except when such help is refused. If the assisting officer is on duty, they must assess and prioritize their tasks accordingly;
- d) to use the uniform, signs, and symbols of the police only during service and in accordance with established rules;
- dh) to report to the relevant superior or, in their absence, to the superior's superior, any complaint received regarding the behavior of another police employee and any violation they have sufficient reason to believe has been committed, regardless of how they became aware of it;
- e) to report to the relevant superior or, in their absence, to the superior's superior, any violation they have sufficient reason to believe has been committed by any person, regardless of how they became aware of it.

Article 90

Restrictions on political life of the police employee

The police employee is prohibited from:
a) being a member of a political party or organization;
b) supporting the campaign of a party, political organization, party member, or independent candidate by participating or contributing physically or financially.

Article 91
Restriction on secondary activities

1. The police employee may not be employed or perform other private activities, except teaching.
2. In cases of teaching, the police employee must obtain written approval from the head of the structure.

Article 92
Conflict of interest

1. The police employee is obliged to avoid any conflict between their private interest and the public interest in the performance of duty, according to the relevant legislation.
2. The police employee must immediately inform their superior in case of suspected conflict of interest and follow the superior's orders.

Article 93
Rules on obligations and restrictions

The rules for implementing obligations and restrictions are determined by the General Director of the State Police according to the collective labor contract.

CHAPTER XII
DISCIPLINE

Article 94
Conduct and ethics

The police employee is obliged to respect the rules of conduct and ethics during the performance of duties. The norms and rules of conduct and ethics are defined in the Police Regulation.

Article 95
Disciplinary violations

1. A disciplinary violation is any action or inaction by the police employee that contradicts the rules and procedures defined in the Police Regulation.
2. Disciplinary violations are categorized as minor and serious disciplinary violations.
3. A police employee subject to a measure for a minor disciplinary violation has the right to appeal to the superior of the officer who imposed the measure, within 5 days from the moment of written notification.
4. A police employee subject to a measure for a serious disciplinary violation has the right to appeal to the appeals commission, within 10 days from the moment of written notification.

5. During the appeal process, the police employee must be guaranteed the right to be informed, heard, and defended in accordance with the principles of the Code of Administrative Procedures.

6. The police employee has the right to appeal the decision given, according to points 3, 4, and 5 of this article, to the first-instance administrative court, in accordance with the legislation in force.

Article 96

Disciplinary measures

(amended letters “a” and “b” of point 2 by law no. 112/2018, dated 20.12.2018)

1. The police employee who commits a disciplinary violation is punished disciplinarily:

a) For minor disciplinary violations with the measures:

i) remark;

ii) remark with warning.

b) For serious disciplinary violations with the measures:

i) postponement of promotion term up to 2 years;

ii) demotion by one rank for a period up to 6 months;

iii) dismissal from the police.

2. The disciplinary measure is extinguished after the passing of these deadlines:

a) 6 months from the notification of the measure “remark” and “remark with warning”;

b) one year from the end of the term for which the disciplinary measure “postponement of promotion term up to 2 years” was applied.

3. The types of disciplinary violations, the review procedure, punishment, appeal for the given measure, as well as the extinguishment or prescription of violations and disciplinary measures for the police employee are defined in the Police Regulation.

4. The effects of the disciplinary measure for the police employee begin after the completion of the disciplinary process, which includes the respective appeal procedures.

5. The civil servant for the committed violations is punished with a disciplinary measure defined in the legislation for the civil servant.

6. The administrative employee for the committed violations is punished with a disciplinary measure defined in the individual or collective employment contract.

CHAPTER XIII

SYMBOLS, UNIFORM, EQUIPMENT AND MEANS

Article 97

Symbols

The police has its own flag and emblem, which are approved by the Council of Ministers.

Article 98

Police uniform and insignia

1. The police employee performs duties for maintaining public order and safety with the uniform and insignia defined by decision of the Council of Ministers. The police uniform and distinctive insignia are used only during service or due to it. Special police structures are treated

with civilian clothing or financial compensation.

2. The police employee is equipped with the official identity document and medallion, which are presented in every case of duty performance. The form, dimensions, and data contained in the identification document and official identity medallion are defined in the Police Regulation.

3. The wearing and use of the uniform are defined in the Police Regulation.

Article 99

Weapons and equipment

1. The police employee has the right to carry weapons. The types of armament, neuroparalytic substances, and other means of force use by the police are defined by decision of the Council of Ministers.

2. The police employee is provided with other means and equipment besides those foreseen in point 1 of this article, defined in the Police Regulation.

Article 100

Police means

In the exercise of duty, the police use vehicles, colors, signs, the use of which is defined by decision of the Council of Ministers.

CHAPTER XIV

MEASURES FOR MAINTAINING PUBLIC ORDER AND SAFETY

Article 101

Measures for maintaining public order and safety

1. When a person's behavior endangers public order and safety, the police employee, in accordance with their responsibilities and in compliance with the law:

a) takes measures to avoid danger for the citizen and themselves;
b) assesses whether additional measures or assistance are necessary and immediately notifies the responsible administrative authorities.

2. If the disturbance of public order and safety is caused by the actions of a minor under 14 years old, the police employee takes measures to stop the illegal actions and notifies the parent or guardian of the minor.

3. In cases where the child has no parent or guardian, the police employee informs the Child Protection Unit and civil society organizations for children's rights.

Article 102

Proportionality and termination of measures

1. The measure to avoid danger must be proportional to the level of risk, the rights and interests at risk and/or affected, and must not exceed the limits of necessity for the presented situation.

2. The measure remains appropriate even if it reduces or temporarily lessens the risk. If the measure is ineffective, then another proportional measure with greater impact may be chosen.

3. The further implementation of any undertaken measure is immediately terminated when its cause no longer exists.

Article 103

Implementation of the immediate measure

1. The implementation of the immediate measure is taken only if a real and immediate danger to public order and safety must be avoided, which cannot be avoided by other means.
2. The person against whom the measure is taken is notified immediately.

Article 104

Responsibility for the condition of objects

When public order and safety are endangered or violated by the condition of an object, the police employee takes measures against the owner of the object or, in case of impossibility, notifies the competent authority. The measure may also be taken against the person acting as the owner of the object.

Article 105

Measures against third parties and the right to compensation

1. Measures may also be taken against persons not included in Articles 101 and 104 of this law, if the real and immediate danger to public order and safety or their violation cannot be avoided otherwise and as long as the respective police employee does not have the necessary personnel and means.
2. According to the circumstances defined in point 1 of this article, the police employee may request assistance. They may also temporarily take possession of such objects as accommodation facilities, medications and food, work tools, construction materials, and means of transport.
3. In every case of voluntary cooperation or forced use of third-party property by the police employee carrying out the action, the corresponding report is issued.
4. In every case of voluntary cooperation by a person or third party for assistance in the use of premises, means, objects, consumable goods, and their materials, physical or monetary compensation is made by the authority to which the police employee who took the measure belongs.
5. The type and amount of compensation are determined by taking into account the responsibility of the parties and the benefit from the service provided, in accordance with the legislation on non-contractual liability of state administration bodies and the Civil Code.
6. When the affected subject does not agree with the type and amount of compensation, they have the right to appeal in court.

Article 106

Compensation of the person for the assistance provided

1. Any person may assist the police in carrying out the duties defined by law.
2. If, during the assistance provided to the police, the person is injured, falls ill, or loses their ability to work, they have the right to receive all medical assistance, pension, payment for work ability, and death benefit—benefits which are granted to a police employee in case of a work-related accident. The salary on which the above benefits are calculated is the one the person received at their workplace or the salary for which they were voluntarily or privately insured, up to 30 days before the incident occurred. It cannot be lower than the base salary for the rank of “Sub-commissar.” In cases where the person is not employed or insured, the salary on which these benefits are calculated is the base salary for the rank of “Inspector.”

Article 107
Administrative measure

When the police employee identifies an administrative violation for which the law assigns duties to the police, they take administrative measures according to the legislation on administrative offenses.

Article 108
Notification to appear at the police

1. The police employee notifies the person to appear at the police premises in the following cases:
 - a) to obtain information for preventing unlawful action or inaction;
 - b) to identify a person who may have knowledge of the risk or incident;
 - c) to identify a possible law violator.
2. The notification to appear is made through a summons, specifying the reason for the appearance, information about the police employee, the time, place, and contact information for the police employee in case of inability to appear.
3. When, due to personal and family conditions, the notified person cannot appear at the police premises, the police employee may obtain this information at the location of the notified person.
4. In cases where the notified person does not appear at the police premises without justified reasons, the police carry out escorting against their will, in accordance with the Criminal Procedure Code.
5. The police employee documents in a report the actions taken according to point 1 of this article. The report is signed at the end of each page by the police employee who performed the actions and the person who appeared at the police premises. A copy of the report is made available to the person who appeared at the police.

Article 109
Escort to the police

1. The police employee escorts individuals to police premises or the ordering institution under the following conditions and cases:
 - a) when sentenced to imprisonment by the competent court;
 - b) for non-compliance with lawful court orders or any obligation defined by law;
 - c) when there are reasonable suspicions of having committed a criminal offense;
 - ç) to prevent the commission of a criminal offense;
 - d) when the person has fled after committing a criminal offense;
 - dh) for identifying the person under investigation, according to the conditions defined in the Criminal Procedure Code;
 - e) for supervising a minor for educational purposes or escorting them to the competent authority;
 - ë) when the person is a spreader of a contagious disease, mentally incapable, and dangerous to society;
 - f) for illegal entry into the state border, as well as in cases of deportation or extradition.
2. The escorted person is not treated under the same conditions as a detained or arrested person and, in any case, the escort must last until the issue is clarified, but no more than 10 hours.

3. The escorted person has the right to be immediately informed in a language they understand about the reasons for the escort. They must be informed that they are not obliged to make any statement and have the right to immediately communicate with a trusted person and a lawyer.

4. The police officer immediately notifies the operations center of the escorted person's identity, when known, the exact time of the escort, and the reasons for it. The data communicated by the police officer is immediately entered into the electronic system for data storage and processing. Failure by the police officer to comply with the obligations defined in this point constitutes a serious disciplinary violation.

5. The police employee documents in a report the actions taken with the escorted person. The report is signed at the end of each page by the police employee who performed the actions and the escorted person. A copy of the report is made available to the escorted person.

6. The police employee is obliged to immediately notify their superior or the interested institution for clarification of the issue. The data of the actions taken with the escorted persons are also documented in the registers/books kept for this purpose in the police premises where the escort took place.

7. For cases of escort due to illegal entry into the state border, deportation, or extradition, the procedures and detention periods are defined according to the applicable legislation. The technical rules for escorting, recording, holding, and treating escorted persons in police premises are defined by the General Director of the State Police.

Article 110 **Control of identity**

1. The police officer does the control of the identity of the person when:
 - a) is present or in direct proximity to the scene and for persons who have knowledge about circumstances of the event;
 - b) against him is executed an order of the respective bodies;
 - c) is suspected for violation of order and public safety;
 - ç) enters or exits from the territory of the Republic of Albania;
 - d) for circumstances of time and place, is suspected to be involved in unlawful actions.
2. For a reliable identification of the person, the police officer is based on legal identification documents.

Article 111 **Arrest and detention**

The police officer does the arrest and detention of the person, according to the definitions in the provisions of the Criminal Procedure Code.

Article 112 **The data in cases of escorting, detention and arrest** (letter “c” of point 3 added with law no. 58/2017, date 20.4.2017)

To register administratively the data of escorted, arrested or detained persons, the police performs these actions:

1. In case of escorting, the police records for each escorted person the data for:
 - a) genealogies;
 - b) residence;

- c) description of the appearance of the person, including special marks;
- ç) the work that he performs;
- d) reasons of escorting;
- dh) the hour, date and place of escorting;
- e) the police office where the escorting was performed;
- ë) the police officer, who performed the escorting.

2. In case of arrest or detention, the police records for each person the data for:

- a) genealogies;
- b) residence;
- c) description of the appearance of the person, including special marks;
- ç) the work that he performs;
- d) the criminal offense for which he is arrested or detained;
- dh) details about the manner of committing the criminal offense, for which he is arrested or detained, which are taken in the presence of the defender in case the person does not refuse him;
- e) the hour, date and place of arrest or detention;
- ë) the police office where he is held;
- f) the police officer, who performed the arrest or detention.

3. From each arrested or detained person, in every case, the police takes the following data:

- a) fingerprints and palm prints;
- b) two photographs, one front view and one profile;
- c) samples for extraction of the DNA profile.

4. The police officer with the rank “Deputy Commissar” or higher or in case of emergency and in absence of such a police officer, the officer with the highest rank may authorize the use of force, according to this law, to realize the requirements of point 3, of this article, if the arrested or detained person opposes the request.

5. For escorted, arrested or detained persons, the police creates the central bank for registration of the collected data.

6. The General Director of the State Police orders and controls the deletion of the data defined in point 3, of this article, which are taken from the arrested or detained person, based on his request, if the criminal case against him is dismissed or he is declared innocent with a final court decision.

7. The retention period of the collected data in implementation of this article is defined according to the legislation in force.

Article 113 Control of the person

1. The police officer may control any arrested or detained person, in accordance with the Criminal Procedure Code and the legislation in force:

- a) to avoid a real and immediate danger;
- b) for objects or items that may endanger his or others' life;
- c) to secure evidence for the commission of the criminal offense.

2. The control is always carried out respecting the dignity and physical and moral integrity of the person in one of the following forms:

- a) public control of the body clothes of a person, which is limited to a superficial control of the outer garments;
- b) detailed control is carried out in designated places not visible to the public, where the

detained or arrested person is not seen by other persons, includes removal of more than outer garments;

c) intimate control, which involves physical inspection of open parts of the person's body and is carried out by health workers only in hospitals or other health environments.

3. Controls, according to point 2 of this article, are carried out by police officers of the same gender as the controlled person. For the control of minors, the presence of the parent or guardian is also required.

4. Detailed control may be carried out only if it is assessed as necessary to remove the prohibited item and the police officer judges that the arrested or detained person may have hidden it.

5. Intimate control is carried out by court decision. Intimate control is undertaken as a last measure against the person suspected of hiding material evidence of the criminal offense or items belonging to the criminal offense. Intimate control is carried out only by a qualified doctor or nurse.

6. Detailed rules for carrying out the control are determined by the General Director of the State Police.

Article 114

Medical control of the person

1. By court decision, to prevent a threat to life, the person may undergo medical control, have blood samples taken or other interventions performed on the body by a doctor. Medical control of the person is carried out in accordance with medical rules for examination purposes, allowed without the person's approval, if this does not harm his health and the measure is assessed as necessary by the doctor.

2. In cases of immediate threat, the police officer, on his own initiative, sends the person to the relevant medical institution.

3. The data collected during the control are used only for the purpose of this article.

Article 115

Request/complaints of escorted, detained and arrested persons

1. Every escorted, detained or arrested person in police premises as well as every other citizen, against whom police officers perform actions according to the provisions of this law or who are affected during the performance of these actions, has the right to present a request/complaint orally or in writing to police leaders or other state institutions.

2. The person, who is escorted by the police according to the cases provided in this law, has the right to address the court at any time.

3. The police officer, after registering the request/complaint, documents it in the relevant register and is obliged to immediately send it to the institution to which the complaint is addressed.

4. For requests/complaints addressed to the police leaders where the escorted, detained or arrested person is located, the response is given immediately, but no later than 5 working days from the day of their submission.

Article 116

Control of objects and vehicles

1. An object, except for the premises defined in Article 118 of this law, is controlled if:

- a) it is possessed by the person who is controlled according to Article 119 of this law;
 - b) facts make it suspected that inside the object is located a person:
 - i) who must be arrested or detained;
 - ii) who is held unlawfully;
 - iii) for whom the police officer has reasonable suspicion that the control is necessary for the protection of life from an immediate danger;
 - c) facts make it suspected that there is an item that may be seized.
2. The vehicle in which the person is located is controlled, whose identity can be verified at a checkpoint. When one of the conditions provided in point 1 of this article exists, the control is also done on the items inside the vehicle.
3. The user of the object and/or the vehicle has the right to be present during the control. If he does not appear, a representative or another witness is invited. A copy of the control report and the reasons, if requested by him, must be given to the user.

Article 117

Intervention in premises

1. Premises, in the sense of this article, are dwellings and adjacent rooms, work offices, garages, warehouses, sheds, basements, premises of professional, commercial, livestock, agricultural activity, as well as any other private property connected to them.
2. Intervention and control in premises may be done without the owner's permission if:
- a) it is necessary to prevent an immediate threat to life and health;
 - b) in any case provided in the Criminal Procedure Code.
3. If the owner or the person who possesses the premises or his representative is not present during the intervention, according to point 1 of this article, they must be immediately notified of the reason for the control as long as the purpose of the taken measure is not endangered.
4. In all cases of entry and control, according to this article, the police officer drafts a report in accordance with the rules defined in the Criminal Procedure Code, where among others are mentioned the reasons for entry, the conduct of the control and its results. A copy of this report is given, upon request, to the interested person or persons authorized by him.

Article 118

Control against terrorist acts

1. The police officer, when there are reasonable suspicions, has the right to carry out on his own initiative controls for the prevention of terrorist acts in dwellings, buildings, premises and public spaces to guarantee the safety of persons and the national constitutional order and international security.
2. The control against terrorist acts includes control for explosives, poisonous chemical, biological, bacteriological or radioactive substances.
3. This right is exercised in cases of flagrancy, in case of pursuit of the person, as well as when there is reliable evidence or information that a terrorist act is being prepared and when delay in exercising the control may cause the disappearance or loss of the means or traces of the crime.
4. After exercising the control, the police officer drafts the relevant report and sends it within 48 hours to the prosecutor of the place where the control was carried out. A copy of the report is left to the owner or possessor of the object or the controlled person.
5. The person controlled by the police has the right to appeal to the competent court where the police structure is located, if he considers the control as unfair and contrary to the law.

Article 119
Removal from location

To avoid the threat to order or safety in public premises, the police officer may order the person to leave the location or may prevent him from entering the premises, for as long as this threat continues.

Article 120
Blocking of roads

For the needs of public order and safety and law enforcement or in cases of natural disasters or accidents, the police officer blocks parts of roads or public premises until the necessary legal actions are completed.

Article 121
Blocking and seizure of items

1. Items are blocked or seized only in cases when allowed by law and in accordance with the respective legal procedures.

2. Except for cases provided by law, items may be blocked only if the avoidance of the immediate threat to public order and safety is absolutely unavoidable. The police officer who acts drafts the respective report, which is given to the possessor if he is known.

3. Items are blocked for a period as necessary, but not more than 30 days. After this, the items are returned to the possessor if identified or if identified without delay. If within 90 days from the blocking, as may be required by the nature of the item, the possessor of the item cannot be identified or does not request the return of the item voluntarily, the blocked item passes in favor of the state, in accordance with the legislation in force.

4. The police have the responsibility to carry out verifications for the identification of the owner of the blocked items.

Article 122
Protective measures

1. Protective measures are taken against the mentally ill person, in a state of drunkenness, under the effects of narcotic substances or against the person with serious contagious diseases. In these cases, the police officer sends the person to police premises, to health institutions, to rehabilitation centers or hands him over to the guardian or responsible persons.

2. The police officer takes the necessary measures for the protection of the person, whose condition clearly shows that he cannot control his actions and behavior and for this reason may cause physical harm or pose a danger to his life or to others.

3. The holding of the person in police premises continues for as long as necessary, but not more than 10 hours.

4. To exercise the responsibilities defined in point 1 of this article, the police officer may perform the control and physical inspection of these persons, in accordance with the rules of the Criminal Procedure Code.

5. The above actions for taking protective measures against the persons provided in this provision are documented in a report. The report is signed at the end of each page by the police officer who performed the actions and the person(s) who were present during the performance of

these actions. A copy of the report is made available to the person against whom the protective measures were taken, or to his family member/guardian.

Article 123 **Protective measures for minors**

1. The police officer takes the necessary measures for the protection of the minor abandoned by the parent or who has left the parent or his guardian.
2. The police officer refers the case to the child protection unit for an assessment of the minor's case.
3. The minor is returned to the parent, guardian, after it is first assessed that they are not involved in abuse against the minor.
4. The minor is sent to care centers for minors when it is assessed that he is abused or abandoned by the parent or his guardian.
5. The minor is kept in police premises for as long as necessary, but not more than 10 hours. The conditions of keeping the minor must take into account age and psychological needs.
6. The police officer cooperates with social care centers for minors to provide the necessary assistance to the minor.

Article 124 **Collection and processing of personal data**

1. The collection and processing of personal data by the police is limited only to those data that are necessary for preventing a real threat to public order and safety, as well as for the prevention, detection, pursuit and investigation of criminal offenses.
2. To carry out the collection of data, the police may also use secret cooperation with individuals, recording with cameras in public premises, covert surveillance of persons and premises, as well as location tracking devices, in accordance with the Criminal Procedure Code.
3. Personal data collected for police purposes are stored in respective files, separated from administrative files, which are subject to the provisions of the law on personal data protection.
4. Personal data collected for police purposes are used only for that purpose, without violating the provisions in force for the protection of personal data.
5. Data stored for police purposes are marked with a sign indicating their reliability and accuracy. For this purpose, a coding system is approved and implemented.
6. The collection of data of data subjects is prohibited solely because they belong to a certain origin or ethnicity, specific religious belief, sexual orientation or political belief or belong to a movement or organization, which is not provided by law.
7. Public administration bodies, natural and legal persons, are obliged to present identifying data and information collected legally, when requested by the police, except for data whose distribution is prohibited by law.
8. During the fulfillment of its functions, the police respect the rights of personal data subjects, as provided in the law on personal data protection, to the extent that its responsibilities are not violated.
9. Every person has the right to complain if he/she considers that the police have violated his/her rights for the protection of personal data, contrary to the provisions of this law and the legislation on personal data protection.
10. Personal data are deleted or made anonymous, when they are no longer necessary for the purpose for which they were collected. The need to continue storing each specific group of personal data will be periodically assessed according to the relevant legislation.

Article 125

Rights of the personal data subject

1. Every person has the right, free of charge, to request in writing information about the personal data processed by the police.
2. The request is refused with justification if this refusal is necessary to enable the police to fulfill its duties.
3. Every person has the right to request from the police the correction or deletion of inaccurate data related to him.
4. In every case, the police respond in writing to the subject within 30 working days.
5. The rules, procedures of acceptance, review and response to the request for information on personal data are defined according to the relevant legislation.

Article 126

Communication of personal data to third parties

1. Communication of data with other law enforcement agencies is allowed only in accordance with the legislation in force. For other cases, when there is a clear legal obligation or authorization that allows communication, it is necessary for the prevention of a serious potential risk or when the data subject has given his consent.
2. The communicated data will not be used for purposes other than those for which the were obtained. The police give consent for the dissemination of personal data in accordance with the relevant legislation.

Article 127

Security and confidentiality

1. The police take organizational and technical measures for the protection of personal data from unlawful or accidental destruction, access or dissemination to unauthorized persons, especially when data processing is carried out in a network, as well as from any other form of unlawful processing.
2. Every person who has access to personal data collected, stored and processed by the police, during the exercise of duty, is subject to the obligation of maintaining confidentiality even after the end of their functions, except when provided by law.

Article 128

International transfer of data

1. International transfer of data is done respecting the principles and rules, in accordance with the national and international legislation in force for the protection of personal data.
2. The transfer of data to foreign authorities is limited only to police bodies and is allowed only if:
 - a) there is a legal provision in national legislation and based on international agreements to which the Republic of Albania is a party;
 - b) in the absence of this provision, the transfer is necessary for the prevention, investigation, detection of criminal offenses or for the enforcement of criminal penalties and the receiving state must guarantee an adequate level of protection for the processing of personal data;
 - c) as an exception to the above rule, the transfer is necessary for the prevention of a crime.

3. The adequacy of the level of protection, according to letter “b” of point 2 of this article, is assessed by the Commissar for the Protection of Personal Data, based on the circumstances in which the data transfer process takes place.

Article 129

Obligation of state and private institutions to provide information

1. State institutions and private entities, that have or create databases for the identity of citizens, registration of immovable properties of citizens or commercial entities, for the registration of vehicles and driving licenses, for commercial entities and their exports or imports, for the identity of telephone subscribers, identification of terminal equipment and location, etc., for the maintenance of public order and safety, prevention and detection of criminal offenses, are obliged to give access for their recognition and processing by police officers.

2. The General Director of the State Police gives authorization for police officers for the recognition and use of the data.

3. The police officer, in the recognition and use of these data, respects the principles and rules of the legislation in force for data protection.

Article 130

Secret cooperation with individuals

1. The police officer is obliged to accept and evaluate any information that comes from persons and that is related to the protection of public order and safety and/or the prevention and detection of criminal offenses.

2. When a person establishes secret cooperation relations with the police to inform about issues related to the protection of public order and safety and/or for the prevention, detection and combating of criminal offenses, he is obliged to maintain the secrecy of this cooperation and of the classified information, until the legal obligation for maintaining the secrecy ends.

3. The police officer has the obligation to maintain the secrecy of the identity and other circumstances of the person who cooperates secretly with the Police.

4. The rules of cooperation are determined by the minister.

Article 131

Special measures

(amended by Law no. 133/2020, dated 29.10.2020; repealed by the Constitutional Court decision no. 30, dated 5.7.2021 and the implementation of the article suspended until the entry into force of the final decision of the Constitutional Court)

Article 132

Processing of police information

1. The processing of police information is the process of collecting, organizing, evaluating, analyzing, distributing and using information for the needs of protecting public order and safety or for the needs of preventing and detecting criminal offenses.

2. The processing of police information is based only on data obtained in accordance with the legislation in force.

3. The specific rules for carrying out the processing of police information by the respective structures, as well as the measures for data protection and for the control of this informative activity, are determined by the minister.

Article 133
Use of force

1. The police officer uses force to fulfill the duty only when this is necessary and only if all other measures are unsuccessful or impossible.
2. The police officer uses force in accordance with the principle of proportionality.
3. The police officer selects the necessary level of force among the escalated possibilities, which, among others, include persuasion with words, physical restraint, striking tools, tools with paralyzing substances, tools with electric shock, police dogs, and firearms.
4. Assistance is given to the injured, including medical assistance, after the use of force, if this is necessary and possible.
5. The police officer must warn that force will be used before its use. This warning may not be made if circumstances do not allow it, especially when the immediate use of force is necessary to prevent a real and immediate danger.
6. Groups of persons are warned as soon as possible that force will be used or that the form of force used will be changed, so that participants are allowed to leave.

Article 134
Use of firearms

The police officer has the right to use the firearm, according to the legislation on the use of firearms.

Article 135
Conducting special operations

1. For conducting special security operations and resolving situations, which cannot be handled by other police services, special operational police structures are used.
2. The responsibilities of these structures are:
 - a) release of hostages;
 - b) capture of armed persons with high danger and their transport to police premises;
 - c) support of structures that ensure high state personalities, domestic or foreign, in cases when there is data about terrorist acts against them;
 - ç) restoration of order and public safety, when this is impossible only with other police structures;
 - d) taking into protection of persons whose life is threatened due to duty.
3. The identity secrecy is guaranteed for the employees of the special operational structures for operational activity.
4. When criminal offenses are committed by police officers of the special operational structures, during the exercise of their duty, before or after the operation, legal procedures are followed against them as for all other citizens.

The General Directorate of the State Police must make available to the justice bodies the persons and necessary documentation, for the purpose of conducting investigations.

The prosecution and the court must apply legal methods and forms of procedure, which guarantee the classified police secrecy, according to Article 14 of Law no. 8839, dated 22.11.2001, "On the collection, administration and protection of classified police information."
5. The functioning of the special operational structures, as well as the procedures, rules and criteria for their use, are determined by the General Director of the State Police.

Article 136
Police Regulation

The Police Regulation is approved by decision of the Council of Ministers.

CHAPTER XV
FINANCIAL RESOURCES

Article 137
Police budget

1. The budget of the State Police is a separate program within the ministry's budget, titled "State Police."
2. The head of this program is the General Director of the State Police, and the budget of this program is approved in the annual budget law.
3. The responsibilities of the General Director of the State Police as the head of the budgetary program, as well as of the heads of the spending units within this program for the drafting and implementation of the budget, financial management and control, preservation and protection of assets in use, are exercised according to the financial legislation in force.

Article 138
Special fund

(point 2 repealed, legal reference in point 4 amended by Law no. 58/2017, dated 20.4.2017)

1. The Police budget has a special item for the payment of persons in cases of special police operations, for informants, other sources, and witness protection.
2. Repealed.
3. The special fund is administered by the General Director of the State Police, based on the rules and criteria defined by instruction of the minister.
4. The special fund for covering the financial effects defined in point 1 of this article cannot be less than 1 percent of the annual police budget.

Article 139
Donations

The State Police accepts donations. Their acceptance, administration, and use are done based on the legal and sublegal acts in force.

CHAPTER XVI
CERTIFICATES

Article 140
Certificate of merit

The General Director of the State Police issues certificates for police officers distinguished in the performance of their duties.

Article 141

Types of certificates

1. The General Director of the State Police issues the following certificates:
 - a) certificate for distinguished services;
 - b) career certificate.
2. The motivation, rules, criteria, and procedures for issuing certificates are defined in the Police Regulation.

CHAPTER XVII TRANSITIONAL AND FINAL PROVISIONS

Article 142

Treatment of police officers

(amended point 5 and repealed point 7 by Law no. 58/2017, dated 20.4.2017)

1. The police officer will retain the same rank he/she has even after the entry into force of this law. If the function to which he/she is appointed has been assigned a lower rank, in implementation of Article 61 of this law, the police officer will retain the higher rank and will be treated financially according to this rank for a period of up to 1 year.
2. During the 1-year period, the vacant function corresponding to the rank held by the officer will not be announced as open for competition, and in this function will be appointed the officer who has a higher rank than the function due to the implementation of this law.
3. At the end of the 1-year period, if the police officer is not appointed to a function in accordance with the rank he/she holds, he/she receives the corresponding rank of the function. If the officer does not accept to hold the corresponding rank of the function, he/she is released from the police.
4. Police officers who hold the rank “Junior Inspector” and “Chief Inspector,” after the entry into force of this law, will be given the police rank “Inspector.” The time limit for staying in rank for officers with the rank “Chief Inspector,” for the purpose of competing for the rank “Deputy Commissar,” begins from the moment the officer received the rank “Chief Inspector.”
5. The officer who is in the probation period, regardless of receiving the rank “Inspector,” begins the 1-year probation period from the moment he/she has completed police education.
6. The police officer who has interrupted employment to work in operational structures with rank under the Ministry of Internal Affairs and is employed in these structures at the moment of entry into force of this law, has the right to return to the police with the same rank within a 3-year period from the entry into force of this law.
7. Repealed.
8. For the Director and Deputy Director General of the State Police, the title of their function is changed according to the definitions of this article and they continue to remain in office only if they meet the criteria provided in this law, until the end of the mandate defined at the time of their appointment according to the law in force at that time.

Article 143

Issuance and approval of sublegal acts

1. The Council of Ministers is charged with issuing sublegal acts in implementation of Articles 19, point 6; 37, point 5; 38, point 3; 61, point 1; 62; 63, point 6; 64, point 3; 67, point 2; 68, point 4; 69, point 3; 70, point 2; 71; 72, point 2; 75, point 1, letter “ç”, and point 2; 81, point 2; 97; 98, point 1; 100; 136.

2. The minister is charged with issuing sublegal acts in implementation of Articles 19, point 7; 27, point 4; and 130, point 4.
3. The minister, in cooperation with the General Prosecutor, is charged with issuing the joint instruction provided in Article 131, point 5.
4. The Council of Ministers and the minister are charged with issuing the sublegal acts in implementation of this law within 6 months from the publication of the law in the Official Gazette.

Transitional provision
(added by Law no. 58/2017, dated 20.4.2017)

The term of office for the department director begins after the date of entry into force of this law.

Article 144
Repeal of acts

Law no. 9749, dated 4.6.2007, “On the State Police,” Law no. 31/2014, “On special health insurance for employees of the special operational structures of the State Police,” as well as other legal and sublegal provisions in force that regulate police activity but conflict with this law, are repealed upon the entry into force of this law.

Article 145
Entry into force

This law enters into force 6 months after its publication in the Official Gazette.

CHAIRMAN
Ilir Meta

Approved on the date 31.7.2014