The publication of this Legal Commentary was made possible by OSCE – Albania Presence

October 2007
Prepared by:
Fatmira Laska - Inspector General
Agata Nasti - Director of Cabinet
Flori Karaj - High Inspector
Elvira Daberdaku - Assistant/High Inspector

Graphics:
Jetmir Sulmina
CONTENT

1. Opening remarks by Inspector General 2 - 5

2. How to identify, prevent and solve conflicts of interest (Concrete cases) 6 - 20

3. How to fill in the declaration form of private interests 21 - 45
   a) Declaration form before beginning work 22 - 29
   b) Annual/Periodic declaration form 30 - 37
   c) Declaration form after leaving function 38 - 45
Opening remarks by Inspector General
Distinguished representatives of local government!

I strongly believe that our meetings have really served to the aim that the High Inspectorate of Declaration and Audit of Assets, in close collaboration with OSCE, are committed to carry out, that is to raise the awareness of the local elected officials to implement the law on the prevention of conflicts of interest in the exercise of public functions.

The Law “On the prevention of conflicts of interest in the exercise of public function”, is in continuity to Law “On the declaration and audit of the assets, financial obligations of elected persons and certain public officials”, but at the same time an efficient instrument to identify the cases, when a public official may be faced with the risk of falling into a conflict of interest.

I would like to highlight the fact that Law no.9367 dated 7 April 2005 ”On the prevention of conflicts of interest in the exercise of public functions” defines the High Inspectorate as the Central Authority Responsible for its implementation. The competences, the role and the responsibilities of the High Inspectorate of Declaration and Audit of Assets are mainly regulated in Chapter VI of this law, respectively in articles 41 and 42, where the following duties and responsibilities are listed:

- The management and improvement of the policies and mechanisms of preventing and avoiding conflicts of interest.

In this respect, there were carried out many efforts to unify the policies and the mechanisms that would be applied by the public institutions to prevent the conflicts of interest. Every elected public institution, dependant to the nature of its activity, should prevent the possibility of falling into a conflict of interest. For this reason, you should establish the internal mechanisms by means of the issued acts and regulations to make possible a normal functionality and provide the necessary care to avoid case by case and in the right time any illegal activity. The establishment of policies and mechanisms in the prevention of conflicts of interest is the top priority of the duties of our institution and at the same time a priority even for you, aiming the application of standards at any case, with regard to the place, the consequences, the function and the causes of a conflict emergence. In order to accomplish this aim, HIDAA will provide manuals to better understand the concrete and similar institutional cases. Along with the manuals, any HIDAA official as well as the group of experts certified on the prevention of conflicts of interest will provide help and assistance for you.

During the institutional activity, the rights and duties of the public officials and the representative authorities, were made public by HIDAA through the media, with the good purpose of raising the awareness of the officials concerning the legal requirements as well as providing a possibility for everyone to get known to the consequences in case of not meeting the deadline defined by law, otherwise administrative measures have to be taken.

- Another element of HIDAA’s work was to strengthen the capacities to better manage the conflicts of interest in public institutions. From our own experience we have organized training workshops of the Representative Authorities, wherever they are. In this period of time of 4 years, we have
had several meetings with the main focus, that of a better implementation of the law, providing assistance and advice to the officials as well as the increase of HIDAA quality in offering better services to the officials. With regard to preserve the values achieved until now in all the training workshops we have conducted, we have insisted and asked to all the heads of the institutions of local and central government, that the Representative Authorities or the responsible structure (directorates, human resource units or other units especially established, according to the need and possibilities of every public institution, in pursuance to point 2, article 41 of law no.9367 dated 7 April 2005, to be the same and to be respected as authorities that would deal directly with the identification, implementation and prevention of conflicts of interest. This means that, drafting the training programs and their professionalism would a continuous and a challenging process for us. This would facilitate the responsibility of the head of institution and the agency he is in charge of, but at the same time would improve the relations with the High Inspectorate.

- Another element of our work is the monitoring, the auditing and the assessment of the implementation of law on the prevention of conflicts of interest in the public institutions, as well as respecting it not only in specific cases, but even in case by case conflicts of interest. As the central responsible authority, the High Inspectorate should elaborate and develop the indicators of performance for the Representative Authorities of central and local institutions; should be involved in the manner of their selection, the measures taken, the application of several procedures as well as the consequences. This might have its own difficulties, but we insist that the principle of the avoidance of conflicts of interest, should be our main aim and focus whenever it is necessary. In this respect, the following legal elements, have to be taken into consideration:

- The periodic registration of private interests of the public officials, in pursuance to chapter II, Section 2 of this law;
- Respecting the pattern of the case by case declaration form of private interests as well as the registration of the data with regard to a certain conflict;
- Providing assistance and guidelines for the officials, their superiors, the superior institutions for specific cases of conflicts of interest, ethical issues as well as the periodic registration of private interests.

I have to highlight that the process of assisting and advising the officials is one of the main instruments in the prevention and avoidance of conflicts of interest. We want to establish efficient and professional structures that would provide the necessary assistance and advice to all the officials concerning their requests, so that no one of the public officials will be uninformed with regard to the legal requirements, that in the future might bring negative consequences for the official and for the institution he exercises his functions

- One of the main competences that the High Inspectorate actually performs and will perform in the future as well, is the verification and the administrative investigation of declaration form of private interests, the case by case conflicts of interests; or the prohibition of the restrictions of private interests, defined in Chapter III of this law, upon the request of the public institution or superior public institution, or when considered as reasonable with its own initiative. Actually, the verification and administrative investigation is performed for a considerable number of declaration forms and financial liabilities of the officials. With the entrance into efficiency of law no.9367 dated 7 April 2005, this process has a broader opportunity to investigate, which means that the High Inspectorate of Declaration and Audit of Assets may investigate and audit in and out of Albania.
The Law “On the prevention of conflicts of interest” is an indispensable and complementary instrument in the process of the declaration and audit of assets as well as in the transparency process in the fight against corruption. These laws, along with the other Albanian institutions, the printed and visual media, will be a facilitator for the institutions you are in charge of.

HIDAA is obligated to collaborate with the other institutions for a better recognition of the law on conflicts of interest and declaration and audit of assets.

Thank you!
How to identify, prevent and solve conflicts of interest

(Concrete cases selected from the seminars and training workshops)
Case 1
The public official LN of the Municipality X, is a member of the commission in a tender/bid. In this bid, the A Company participates, and the official owns shares in this company. For this reason the public official resigns from his duty as a member of the commission and is replaced by another official. The A Company continuous to be a participant in the bid, being represented by the spouse of the official that resigned.

Question: Is the resigned public official in a conflict of interest case and is it right for the A Company to participate in the bid?

Answer:
The restrictions for the officials vary according to their functions.
Point 2, article 21 of law no.9367 dated 7 April 2005 defines that “When the official is a mayor or deputy mayor of a municipality, .. member of the respective council of a high management level of a unit of local government, ...the prohibition of contracts is applied only in the case of entering into contracts with the municipality, ..where the official exercises his function. This prohibition is applicable when the party in the contract is a public institution, dependant to this unit.”

There is a prohibition of an “absolute” nature related to the category of the official, which means not dependant with the function of the official and not dependant on the fundamental and definitive competence of the official in entering into contracts and in addition to this, this prohibition is applicable even in case when the official does not participate or does not have any possibility to participate in the entering of this contract:
In the municipality these officials are:
1. the mayor of the municipality;
2. the deputy mayor of the municipality;
3. the members of the municipality council;
4. the officials of the high management level of the municipality.

This means that the abovementioned public officials are prohibited and excluded to enter into contracts with the local institution where they exercise their public function.

In the first version; in case the public official LN, resigned from the commission of the tender, and performs one of the four aforementioned functions, he is in a conflict of interest situation, in case the company in which he owns shares, is a participating co. in the bid.
Letter b), article 26 of law no.9643 dated 20 Nov 2006 “On Public Procurement” defines that “the contractual authority refuses an offer or request for participation in the bid, in case the offeror and the candidate are in the condition of a conflict of interest.”

In this concrete case, the A Company should be excluded from the participation in the further procedures of the procurement.

In the second version; when the resigned public official exercises the function of a specialist in the municipality, so not any of the functions defined above, there is still a conflict of interest, but it is of a relative nature.
So, with regard to the other officials of the municipality, the prohibition of entering into contract is of “a relative” nature.

1 The concept “high management level” for an official of a local government unit, with regard to point 2, article 21, has a relative meaning within the institution, pursuant to the definition of the statute of the agency. This concept varies from one institution to another.
2 Presuming that the public official LN is one of the four abovementioned officials.
The prohibition of a “relative” nature is a case by case conflict of interest, for a decision-making that ends in entering into a contract.

Point 3, article 21 of law no.9367 dated 7 April 2005 defines that “a contract may not be entered into between the public institution in which the official exercises his functions and any public institution under this institution on the one side, and a natural civil or commercial natural person, or a juridical person, or any partnership among these persons, on the other side, when:

a) the official has fundamental and definitive competence in the evaluation of the offerors and the offers and the determination of the terms of the contract;

b) the official has private interests according to the definition of article 37 of the Code of Administrative Procedures…”

The public official LN is a middle and low management level official. In this case the reasoning will be based in the point 3, article 21 (aforementioned).

Does the public official have any fundamental and definitive competence in determining the terms of the contract? What is his role in the preparation of the tender procedures?

In case the answers of the questions a) and b) are positive, then the public official LN is in the condition of a conflict of interest and the A company may not enter into a contract with the municipality.

In this case, the only possible solution is the non-involvement of the official LN in the decision-making process. Otherwise, in case the public official will be involved in the decision-taking process, the contract will be considered invalid.

---

**Case 2**

The father-in-law of the chairman of the municipality X, owns parts of capital in a company that deals with construction. This company participates in the bid organized by the municipality where the chairman is the son-in-law of one of the partners.

**Question:** Can the municipality and the company enter into a contract? Is the chairman of the municipality in a conflict of interest?

**Answer:**

- In the concrete case, when the official is classified as the high management level, such as the case of the mayor of the municipality, consequently he is included in the general prohibitions defined in point 2, article 21 of law no.9367 dated 7 April 2005.

- The father in law is a related person and the same prohibition is valid for him and for the public official.

Article 24 defines “The circle of related persons to an official, in implementation to the prohibitions defined in article 21 point 2 ... consists of the spouse, adult children and parents of the official and the spouse”.

Consequently this contract may not be entered, and in case it is entered, it is considered as invalid, applying at the same time the sanction of the responsible people. The results that this contract may bring about should be regulated.

---

3 At any case, in order to analyse if there is any case by case conflict of interest, the 8 methodological stepts explained in details in page no. 17 of the Manual of HIDAA and TIPA “On the prevention of conflicts of interest”, have to be taken into consideration.
Case 3
The mayor of the municipality X, is at the same time the chairman of the Commission for the Regulation of the Territory (CRT), as well as the only person who could sign the construction permissions. CRT scrutinizes the request of the brother of the mayor of the municipality in order to provide a permission for the construction of a living flat, in an inherited land/territory for the mayor of the municipality and the members of his family.

Question: Is the mayor of the municipality in a conflict of interest in case he signs the construction permission for his brother?

Answer:
The construction permission will be scrutinized (will be given or not) by the CRT that is a collegial organ. In this collegial organ the mayor of the municipality has the right of just one vote. In order to avoid or mitigate the case by case conflict of interest, the mayor of the municipality should not participate and exclude himself from the decision-making in providing the construction permission.

Concerning the construction permission, the mayor of the municipality is not in a conflict of interest, because point 6, article 37 of law stipulates that “An official is permitted to exercise his function and perform his duty on condition that the only unavoidable conflict of interest is an apparent one, when the following conditions are met:

a) when he either can not be replaced in the exercise of his functions;...

b) and when:

i) the alienation of the private interest, ..is not possible because of its nature, (such as family or community ties, etc);

ii) there is no sense in his mandatory resignation from the function for such a case of conflict. In such a case, the decisions of this official are subject to a special check and assessment by the institutions charged by law with checking these decisions. The decisions and the results of the check are always made public.

- - -

Case 4
The sell of the public properties/lands to a municipality official, is it the same as or can it be treated as the participation in a bid. Is this to be considered in the point of view either there is any conflict of interest or not?

Answer:
The cases of selling the public properties/land to a municipality official, will be treated the same as the case of a bid participation, with regard to the existence or non-existence of a conflict of interest. The analysis of this case will be the same as the first case, treated above.

- Require data for the function of the official.
- There is a distinction of the “absolute” nature for the following officials:
  - Mayor of municipality;
  - Deputy mayor of the municipality;
  - Member of the municipality council;
  - Public officials of the high and middle management level of the municipality;

For the other levels of the public officials, the treatment will be according to the “relative” nature, which means, the role, the competences and authority of the official during the auction/sell of the public properties,
have to be treated in accordance with the methodological steps defined in the Manual of HIDAA and TIPA “On the prevention of conflicts of interest”.

---

**Case 5**
The municipality of the X city announces that would provide a license for 20 other taxis for the city. 30 people submit the necessary forms at the municipality. At the end of the first phase it is identified that all the candidates have met the criteria and that one of them is the brother of the Municipality Mayor.

**Question:** In case the mayor of the municipality provides a license for his brother, is he in condition of a conflict of interest?

**Answer:**
In this case the reasoning will be the same as the case no.3. This means that the mayor of the municipality is not in a conflict of interest, according to point 6, article 37 of law no.9367 dated 7 April 2005.

---

**Case 6**
The public official A because of the public function he exercises has the legal obligation to make a declaration of his private interests at HIDAA.

**Question:** In case the public official, within a year, is appointed in another public function, (that means he is still a HIDAA subject/declarant), is it mandatory for him to make one more time the declaration of private interests?

**Answer:**
The public official will not fill in or repeat the completion of the periodic/annual declaration form (for the same period of time), but through the Representative Authority (Director of Human Resource Unit) of the institution where he has exercised or is still exercising his public function and/or in case he is transferred in another institution, has to notify in a written form the High Inspectorate of Declaration and Audit of Assets (HIDAA) on the recent change of function or institution of the public official.

---

**Case 7**
Is it possible for the mayor of the municipality to have a license for any private activity?

**Answer:**
The restrictions for the mayor of a municipality are defined in article 29, law no.9367 dated 7 April 2005 “On the prevention of conflicts of interest...” and these restrictions are of the same validity for the chairman of the commune and the chairman of a regional council.
According to this disposition, the mayor of the municipality:
- may not be a manager of a profit-making organization that exercises activity within the territory of the municipality jurisdiction;
- may not be a member of the management organ of a profit-making organization that exercises
activity within the territory of the municipality jurisdiction;
- may not exercise private activity that create revenues in the form of:
  o natural commercial person;
  o partnership of natural commercial persons of any kind;
  o the free professions of advocacy, the notarial profession, licensed experts;
  o consultant, agent or representative of profit-making organizations that exercise activity within the territory of the municipality jurisdiction;
  o may not be employed full time in another duty.

So, the mayor of the municipality may not exercise a private activity with regard to his licensing as an expert.

---

**Case 8**
Is it possible two brothers to be members of the same municipality council?

Answer:
Law no.9367 dated 7 April 2005 does not define any written restriction for this case. However point 2, article 5 defines that “The restrictions of private interests specifically defined in this law are applied together with the restrictions of the same private interest explicitly defined in another law, according to the principle that the restriction applied is the one that is more severe.”

Law no.8652 dated 31 July 2000 “On the organization and functionality of the local government” in article 25 defines “The spouses, parents and their children, brother and sister, father-in-law and mother-in-law with the bride and the bridegroom, can not be members of the same municipality council.”

**For this reason, two brothers can not be members of the same municipality council.**

---

**Case 9**
A director in the Municipality X is a member of the municipality council. Is this acceptable?

Answer:
This case is treated by law no.8652 dated 31 July 2000 “On the organization and functionality of the local government”.
Article 25 of this law deals with the incompatibility with the function of the Counselor and defines that:
“The function of the counselor is incompatible with:
 a) ...;
 b) ...;
 c) the function of the employee of the municipality and commune administration;”

It is evident that the public official who exercises the function of a director in a municipality, may not be a member of the municipality council as well.
**Case 10**

The commercial company B participates in a bid/tender organized by the municipality of the city X. In this company, the mother-in-law of the mayor of the municipality is a shareholder, who owns only 1% of the shares of company.

Upon the proclamation of the bid/tender and the submission of the offers, one of them claimed that the commercial company B can not participate in the bid/tender, because of the conflict of interest and the restriction defined in article 21 of the Law on Conflicts of Interest.

**Question:** Is this a rightful claim? How it should be proceeded with this case?

**Answer:**
- In point 2, article 21 of law no.9367 dated 7 April 2005 on Prevention of Conflicts of Interest, there is a restriction of “absolute” nature for the mayor of the municipality with regard to the contracts in the municipality where he exercises his function.
- The same restriction is valid for the persons related with the mayor of the municipality, defined in article 24 of the law.

**Consequently, this contract may not be entered with the commercial company B and it should not be allowed to participate in the bid/tender.**

**Case 11**

The public official A is employed in the municipality holding the function of a specialist in the Sector of Statistics. After signing the work contract, the Director of Human Resources, who at the same time is the Responsible Authority of the municipality, requires to the official A to sign the authorization in pursuance to law “On the prevention of conflicts of interest...”

The public official A refuses to sign this authorization claiming that he is a low level public official, which means that he does not have the legal obligation to make a declaration of private interests at HIDAA, consequently he does not have to sign any authorization.

**Question:** Does the Representative Authority is right in his request?

**Answer:**
The Representative Authority is right in his request towards the official A.

- First of all, point 2, article 10 defines that “No later than 30 days from the entry of this law into force or from the time when the work relations begin at a public institution, every official is obligated to issue an authorization in favor of the public institution where he exercises his functions, through which he authorizes this institution to check and obtain personal data about the official, wherever they are recorded. This authorization has the same value for every superior institution” This disposition clearly defines the legal obligation of every public official to sign this authorization.

- Secondly, the issued authorization in pursuance to article 10, should not be confused with the legal obligation of making a declaration of private interests at HIDAA. Only the public officials defined in article 14 of law on Conflicts of Interest and in Ordinance no.7 dated 21 February 2006 issued by Inspector General⁴, have the legal obligation to make a declaration of the private interests at HIDAA.

---

⁴ This guideline is published in the Legal Commentary no. 2 of February 2006.
Thirdly, the pattern of the authorization approved by HIDAA and published in the Legal Commentary no.2 of February, should be used.

Case 12
Is it necessary for the Municipality Council to have a Representative Authority, to administer the conflict of interest cases? May the Representative Authority deal and treat the conflict of interest cases of the members of the municipality council?

Answer:
The municipality council is an independent institution from the municipality, consequently the Council may establish its own structure of administering the conflict of interest cases. However even the Representative Authority of the municipality may treat the conflict of interest cases of the members of the municipality council, only in the cases when this delegated authority/competence is clearly stipulated in the internal regulation of the Council. In any case the Representative Authority of the municipality may not have the authority to take administrative measures towards any member of the municipality council.

Case 13
Can the Secretary of the Municipality Council be a member of the Commission of the Evaluation of Offers at the municipality?

Answer:
In conformity to article 37, law no.8652 dated 31 July 2000 “On the organization and functionality of local government”, the secretary of the council is part of the administration/staff of the Council of Municipality, consequently he may not be designated to carry out the duties and functions of Municipality administration/staff.
So the Secretary of the Municipality Council can not be a member of the Commission of the Evaluation of Offers at the municipality.

Case 14
The members of the procurement commission fill in the documentation, part of which is the declaration of any possible conflict of interest. In such cases is it possible to fill in the case by case declaration form of conflicts of interest?

Answer:
The declaration of conflicts of interest is made by the members of the procurement commission before the procurement procedures initiate, according to the pattern approved for this purpose. For this reason another declaration is not required.
Case 15
In case a member of the Municipality Council is a shareholder in a commercial company that participates in a bid/tender organized by the municipality, is this a conflict of interest?

Answer:
In point 2, article 21 of law no.9367 dated 7 April 2005, a restriction of an “absolute” nature is defined according to which, the member of the municipality council may not enter into a contract with the municipality where he exercises his function.

Consequently, this contract may not be entered and the commercial company is not allowed to participate in this bid/tender.

---

Case 16
The uncle of the mayor of the municipality is the owner of Beta ltd. Co, that exercises its activity in the construction area. Is it considered a conflict of interest the participation of Beta ltd. Co in the tender/bid organized by the municipality?
In case Beta ltd. Co. has entered into a contract with the municipality a year ago, is this contract still valid?

Answer:
- In point 2, article 21 of law no.9367 dated 7 April 2005 there is a restriction of an “absolute” nature for the mayor of the municipality concerning entering into a contract with the municipality where he exercises his public function.
- The same restriction is valid even for the related persons of the municipality mayor in conformity to article 24 of this law.
- In the concrete case the uncle cannot be classified as a related person with the official, consequently this restriction may not be applied for the uncle of the municipality mayor.

The analysis of this case may be done in pursuance to the other definitions, stipulated in point 3, article 21\(^5\) of the law, concretely:
The questions to be asked in this analysis are:
1. Does the official have fundamental and definitive competence in the evaluation of the offerors and the offers and the determination of the terms of the contract?
2. Does the official have any private interest according to the definition of article 37 of the Code of Administrative Procedures?

Only in case the answer of the two aforementioned questions is a positive one, then we may conclude that the mayor of the municipality is in a conflict of interest.

The answer of the first question is appositive one, because the mayor of the municipality is the head of the institution, who organizes the tender/bid.

\(^5\) Article 21, point 3: “Notwithstanding the definitions in points 1 and 2 of this article, a contract may not be entered between the public institution in which the official exercises his functions and any public institution under this institution on the one side and a natural, civil or commercial natural person, or a juridical person, or any partnership among these persons, on the other side, when the following conditions are met accumulatively:
   a) the official has fundamental and definitive competence in the evaluation of the offerors and the offers and the determination of the terms of the contract;
   b) the official has private interests according to the definition of article 37 of the Code of Administrative Procedures, …”
In order to provide an answer for the second question we should analyze article 37 of the Code of Administrative Procedures, that stipulates “No civil servant may participate in an administrative decision-making process or may represent the administration office part in a contract, in cases the civil servant has or/and is suspected to have the following vices:

a) he has a direct or indirect personal interest in the case in question;

b) the spouse, the person living with him, or kinsman up to the second degree have a direct or indirect interest in the case in question;”

In this case we have to consider two other cases:

- the personal interest of the municipality mayor;
- the family relationship until the second degree.

In pursuance to the Family Code, the uncle is a family relationship, belonging to the third degree, which means that the condition defined in point b) article 37 of the Code of Administrative Procedures, is not met. Consequently, the answer of the second question of point 3, article 21 (does the official have any private interest according to the definition of article 37 of the Code of Administrative Procedures) is negative, so “the municipality mayor does not have private interest, according to the definition of article 37 of the Code of Administrative Procedures”

For this reason, since the two conditions defined in point 3, article 21 of the Law on Conflicts of Interest, are not met accumulatively, we conclude that the participation of Beta ltd. co. in the tender/bid organized by the municipality does not consist in a conflict of interest for the municipality mayor.

However the analysis may continue to consider whether there might be any risk of an emergence of an apparent kind of conflict of interest or not. For this reason the following questions may be asked, but this time, from the perspective of a potential perception of the public rather than from the perspective of the case when it is analyzed by the official or his/her superior.

- What might be the possibilities for the act to positively influence the private interests of the official?
- What might be the possibilities that the private interests of the official to negatively influence his role in the decision-making with regard to this act?
- Is there any cause and effect relation between the interests and the act itself, so that the public decision-making may be a good reason for an unjust decision-making?

In other words, the official or his/her superior who analyze this case, must place himself/herself in the position of a common individual from the public, who is normally informed and reasonable and then make to himself the following question:

*Would he (the individual from the public) have confidence in the decision-making of the official in question, if he knew about the existence of private interests and their interference with this official’s duty?*

As emphasized above, in the above treated examples, attention should be paid to the non-repetition of such a case. In case Beta ltd. co continuously participates in the tender/bid organized by the municipality and is declared the winner, this would compromise the performance and the exercise of the competences and public functions of the municipality mayor.

In this case, this conflict of interest may be transformed into a continuous conflict of interest and the contract has to be nullified along with the sanctions and the respective other regulation of the effects, that might consist in the dismissal of the municipality mayor.

**Answer to the second question:**

The contract entered a year ago, between the municipality and Beta ltd. Co. is valid, because it was entered in accordance to the legislation in force.
**Case 17**
The public official A is a member of the Regulatory Body of Telecommunication and has declared that her spouse is employed in the mobile co. “Alpha Mobile Communication”, holding the function of the Director in the Directorate of Clients Service.

**Question:** Is the official A in a conflict of interest?

**Answer:**
The Regulatory Body of Telecommunications under the quality of a regulatory body, supervises the regulatory framework defined by law no.8618 dated 14 June 2000 “On the telecommunication in the Republic of Albania” as well as follows the development policies defined by the Council of Ministers.

Alpha Mobile Communication is one of the operators that exercises its activity under the jurisdiction of the Regulatory Body of Telecommunication (RBT).

In conformity to letter a), point 6, article 21 of law no.9367 dated 7 April 2005 “On the prevention of conflicts of interest in the exercise of public functions”, it is prohibited to enter into contracts between the official A and the spouse and other relatives up to the second level with the commercial operators-subjects who exercise activity in the sphere of the jurisdiction of the RBT. The labor contract between the spouse of the official A, in one side, and the Alpha Mobile co. in the other side, is explicitly prohibited to be entered by this disposition.

With regard to the aforementioned facts, the official A was notified by HIDAA and came to the premises of the High Inspectorate of Declaration and Audit of Assets clarifying that:
- The spouse is employed in Alpha Mobile co. since January 1996 as an electronic engineer. For the moment he is a Director of the Directorate of the Clients Service at Alpha Mobile co.
- Considering the legal knowledge of the law, he did not know that the employment of the spouse at Alpha Mobile co. consisted in a conflict of interest.

The official A has notified HIDAA that he accepted as a solution of this conflict of interest the preliminary self-exclusion from the decision-making process, in cases that are related to the operator Alpha Mobile co.

But the decision taken by the official A with regard to the solution of the conflict is not in conformity with the legal requirements of law no.9367 dated 7 April 2005 for the following reasons:
- The restriction defined in point 6, article 21 is of “an absolute” nature and is related only to the function of the public official, not at all dependant on the fundamental and definitive competence of the public official to enter into a contract. Furthermore, this prohibition is applied even in cases when the official does not participate or does not have the possibility to participate when a contract is entered.
- With regard to the members of the regulatory bodies, the lawmaker has broadened the sphere and the types of interests that involve the restriction defined in point 6, article 21, including the broadening of the related persons, as well (up to the second degree).
- The number of the decisions taken by the Executive Committee of RBT is to be considered. Any decision taken has an impact in the market of telecommunication and directly effects its operators and the market in general. The preliminary self-exclusion of the member A only with regard to the decisions that are related with Alpha Mobile, does exclude the officials from the conflict of interest, because the lawmaker by making use of this prohibition aims not only the prevention of conflicts of interest, but also to guarantee a series of rightful principles, such as the free competition, protection of public interests, increase of public trust in the public institutions etc. With regard to the free competition, mentioned in law no.8618 dated 14 June 2000 “On telecommunication in the Republic of Albania”, article 1 defines: “This law regulates the activity of the telecommunication in the Republic of Albania...”
and aims to protect the public interests as well as to establish a transparent regulatory environment, that aims to promote the investments and the free competition.” Furthermore, in point d), article 9, it is defined that: “RBT pays attention to the competition among the operators of the telecommunication to be based on the principles of transparency, impartiality and honesty.” The participation of the member A in the decision-taking process of RBT, even in case it is not directly involved for the operator Alpha Mobile, it is still in a conflict of interest. These decisions are the essence of the competences and authority of the public official placing the official in a continuous conflict of interest.

For these reasons, HIDAA advices the public official A to solve, as soon as possible, the conflict of interest in pursuance to article 37 of law no.9367 dated 7 April 2005 “On the prevention of conflicts of interest in the exercise of public functions”.

Soon after HIDAA issued the aforementioned recommendation, the public official A notified HIDAA on the solution of the conflict of interest in the following way:

- Resignation from the public function as a member of RBT. The letter of resignation was introduced to the Chairman of the Assembly of the Republic of Albania.

HIDAA assessed the solution provided by the public official A as an action in full conformity with law no.9367 dated 7 April 2005 “On the prevention of conflicts of interest in the exercise of public functions”.

---

**Case 18**

The spouse of the Chairman of the Commune Council X in employed in the staff/administration of this commune.

**Question:** Is the Chairman of the Commune Council in the condition of a conflict of interest because of the employment of his spouse in the staff/administration of the commune?

**Answer:**

The existence or non existence of the conflict of interest requires a detailed analysis because of the family relations, as one of the officials might fall into a case by case conflict of interest, although it might be an apparent one.

The Chairman of the Commune Council X is the chairman of an elected collegial organ. He may not decide on his own. All the decisions are taken in full accordance with the principles and the procedures defined in the law “On the organization and functionality of local government”. In any case, the Chairman of the Commune Council has to implement article 30 of law no.8652 dated 31 July 2000 “On the organization and functionality of local government” that stipulates “1. The counselor can not participate in scrutinizing and approving the act of the council, in case when he, himself, or the spouse, the parents, the children, the brothers and sisters, father-in-law or mother-in-law, bride or bridegroom, have any kind of interest in the case in question.

2. In any case of conflicts of interest, the derogatory (excluding) dispositions defined in the Code of Administrative Procedures of the Republic of Albania, have to be applied.”

In case the Chairman of the Commune Council X participates in the decision-taking process that is related to his spouse, will place himself in the conditions of a conflict of interest. The higher the hierarchy his spouse is employed in the commune, the bigger is number of the decisions he has to exclude himself in advance as the chairman of the Commune Council. The non participation in a considerable number of decisions of the council, may effect his duties and
responsibilities of this official (chairman of the commune council) and might create problems in the functionality, *quorum* and decision-taking process of the council.

In such a case, when the conflict of interest is continuously repeated, it might be the risk of the emergence of a continuous conflict of interest, that should be treated in accordance to article 37 of law “On the prevention of conflicts of interest”, which means that one of them has to resign from the public function.

---

**Case 19**
The Chairman of the commune is the executive director of “B” co. at the same time. This company exercise its activity out of the jurisdiction of the commune.

**Question:** Is the chairman in the conditions of a continuous conflict of interest because of his position in the “B” company?

**Answer:**
The cases of a continuous conflict of interest of the mayor, chairman of commune or district are treated in article 29 of law “On the prevention of conflicts of interest”, that defines “the mayor of the municipality, commune and regional council:

- May not be managers or embers of the management organs of profit-making organizations that exercise activity within the territory of their jurisdiction;
- May not exercise private activity that creates revenues in the form of a natural commercial person, partnership of natural commercial persons of any kind, the free professions of advocacy, the notarial profession, licensed expert or consultant, agent or representative of the organizations defined in letter “a” of this article and may not be employed full time in another duty.”

Considering the fact that the “B” co. exercises its activity out of the jurisdiction of the commune, the chairman of the commune acts in accordance with letter a), article 29. The territory where the “B” co. exercises its activity should be documented in the paper work of this company exactly as it is defined in the law of the commercial companies.

In addition to this, we have to consider in case the chairman of the commune is employed full time or part time in “B” company.

In case he is employed part time the chairman of the commune is not in a conflict of interest

It is important that this fact should be introduced in the labor contract and in other respective documents of the commercial company.

---

**Case 20**
In March 2007, AM is elected Deputy Chairman of the Municipality Council of the city. A year ago the commercial company T&N, where the son of the public official AM is a shareholder and owns 3 % of the shares, won the tender of the sanitation service of the city. In July 2007 this company requires an additional fund of 20 %.

**Question:**

a) Is it a conflict of interest the continuity of the municipality contract with the commercial company T&N, since the moment when AM was elected a member of the municipality council?

b) The additional fund of 20 % is it a conflict of interest?

c) Can this contract be updated?
Answer:

a) The contract between the city municipality and the commercial company T&N on the sanitation service of the city, is entered in 2006. In that year, AM was not a member of the municipality council of the city, consequently the contract entered in that year was in accordance with the law. The election of the father of one of the joint owners as a member of the municipality council, does not cause the invalidity of the contract. The existence of the contracts is not related with any decision-taking of AM in the quality of a counselor. At the moment when the contract was entered AM was not a public official, which means that the restrictions defined in law no.9367 dated 7 April 2005 “On the prevention of conflicts of interest in the exercise of public functions” could not be applied. Point 2, article 21 of this law prohibits the entrance into contracts since the moment that AM is elected a member of the municipality council, which means from March 2007 and on. The application and the implementation of the contract between the municipality and the commercial company T&N is in conformity with the law “On the prevention of conflicts of interest...”

b) The approval of the additional fund of 20 % does not consist in a new contract, but it is complementary to the existing contract entered between the municipality and the commercial company T&N. However the approval of this additional fund will be made by the Municipality Council of the city, a member of which is the father of one of the joint owners of the commercial company T&N. The participation in the decision-taking process of the public official AM, in this case will be a conflict of interest in accordance with law no.8652 dated 31 July 2000 “On the organization and functionality of local government”. Point 1, article 30 of this law defines “The counselor can not participate in scrutinizing and approving the act of the council, in case when he, himself, or the spouse, parents, children, brothers and sisters, father-in-law or mother-in-law, bride or bridegroom, have any kind of interest in the case in question.”

In this case the conflict of interest may be prevented by the preliminary self-exclusion of the public official AM from the decision-taking process in the municipality council of the city.

c) The updating of the contract means entering the contract between the same parties. Sometimes updating the contract may be stipulated in the contract. But, entering the contract between the parties means to apply the restrictions defined in the law “On the prevention of conflicts of interest...”, because one of the circumstance/conditions has changed: the father of one of the joint owners is a member of the municipality council. In pursuance to point 2, article 21 of law on conflicts of interest “When the official is a member of the regional council..., the prohibition of contracts is applied only in the case of entering into contracts with the municipality ... where the official exercises the functions. This restriction is applied even in the case when entering into contracts with public institutions, under this municipality.” In addition to this, point 1 and 3, article 24 of law in conflicts of interest defines “the prohibitions and restriction for an official, are also applicable to persons related to him.” Which means that the contract, if entered between the parties, will be in the conditions of a conflict of interest. In case the commercial company T&N will participate in the tender/bid organized by the municipality, the conflict of interest may be prevented in one of the following ways:

a. The public official AM should resign from his position as a member of the municipality council;

b. The commercial company T&N in pursuance to law “On public procurement”, should exclude himself from the participation in the tender/bid;

c. The son of the public official AM, a joint owner of the commercial company T&N should transfer the ownership of the shares.
Case 21
The public official BT is a member of the CRT (Commission for the Regulation of the Territory) of the municipality. In June 2007 the CRT reviews a project that is implemented by the construction company X ltd., in which the spouse of the public official BT is shareholder.

Question: Is this case a conflict of interest case for the public official BT?

Answer:
CRT is a collegial organ that takes the decisions upon the majority of the votes. In this collegial organ the public official BT has the right of one vote. However in order to prevent the case by case conflict of interest, the member of the collegial organ BT should exclude himself from the decision-taking process in providing the permission of construction.

In this case the conflict of interest may be prevented only by the preliminary self-exclusion of the official BT from the process of decision-taking in the CRT, with regard to the permission of construction.

Attention should be paid to the repetition of this case. If the commercial company X continuously needs a construction permission and the public official BT continuously avoids himself from this decision-taking process, then, this would compromise the public duties and the competences of the public official while exercising his public function.

In this case the conflict of interest may be transformed into a continuous conflict of interest and the public official BT should resign from his public function.

- - -

Case 22
The public official MN is the mayor of the municipality. He was a shareholder in the construction company Y and in April 2007 he sold his shares. In September 2007 this company participates in the tender/bid organized by the municipality.

Question: Is this a conflict of interest?

Answer:
The public official, in the case the mayor of the municipality, is classified as a high management level official, consequently is included in the restriction defined in article 21, point 2. So, the mayor of the municipality may not enter into a contract with the municipality he is in charge of.

But in this case, the mayor of the municipality has sold all the shares and is not anymore a shareholder, an owner or a joint owner of this company, consequently there is no actual conflict of interest for this official.

However the analysis may continue considering whether there might be any risk of the emergence of an apparent kind of conflict of interest or not. For this reason the following questions may be asked, but this time, from the perspective of a potential perception of the public rather than from the perspective of the case when it is analyzed by the official or his/her superior.

- What might be the possibilities for the act to positively influence the private interests of the official?
- What might be the possibilities that the private interests of the official to negatively influence his role in the decision-making with regard to this act?
- Is there any cause and effect relation between the interests and the act itself, so that the public decision-making may be a good reason for an unjust decision-making?

In other words, the official or his/her superior who analyzes this case, must place himself/herself in the
position of a common individual from the public, who is normally informed and reasonable and then make to himself the following question:

*Would he (the individual from the public) have confidence in the decision-making of the official in question, if he knew about the existence of private interests and their interference with this official’s duty?*

As emphasized above, in the above treated examples, attention should be paid to the non-repetition of such a case. In case the Y company continuously participates in the tender/bid organized by the municipality and is declared the winner, this would compromise the performance and the exercise of the competences and public functions of the municipality mayor.

In this case, this conflict of interest may be transformed into a continuous conflict of interest and the contract has to be nullified along with the sanctions and the respective other regulation of the effects, that might consist in the dismissal of the municipality mayor.
How to fill in the declaration form of private interests

a) Declaration form before beginning work

b) Annual/Periodic declaration form

c) Declaration form after leaving function

The declaration forms may be filled in by computer or in written form (but the signature should be in written form). In order to have a copy of the declaration forms, a request should be submitted at HIDAA, or you may download and print them.

For further information you may refer to our website:

http://www.hidaa.gov.al
Of the public official that starts work in one of the public functions that has the legal obligation to declare his/her private interests, of the spouse and the adult children, in pursuance to Law no.9049 dated 10 April 2003 “On the declaration and audit of assets, financial obligations of the elected persons and certain public officials”, Law no.9367 dated 7 April 2005 “On the prevention of conflicts of interest in the exercise of public functions”, along with the amendments included in law no.9475 dated 9 February 2006 and in law no.9529 dated 11 May 2006.

**AUTHORIZATION ON THE AUDIT OF THE DECLARATION OF INTEREST**

<table>
<thead>
<tr>
<th>Name</th>
<th>Father name</th>
<th>Surname</th>
</tr>
</thead>
<tbody>
<tr>
<td>ALBERT</td>
<td>BUJAR</td>
<td>PROKA</td>
</tr>
</tbody>
</table>

**Function**

GENERAL DIRECTOR IN THE MINISTRY OF FINANCES

**Address of institution**

MINISTRY OF FINANCES

**Date of employment commenced**

15 SEP 2006

**Date of declaration**

12 OCT 2006

In pursuance to point 5, article 14, law no.9367 dated 7 April 2005 “On the prevention of conflicts of interest in the exercise of public functions”,

**Authorize:**

The High Inspectorate of Declaration and Audit of Assets, as well as the other people authorized by the Representative Authority – Inspector General of HIDAA, to verify all subjects, public and private, in or outside Albania, on the private interests and the financial liabilities, that are under my name or under the name of my spouse and adult children.

*I declare that the data disclosed in the declaration form is the truth and I have not declared anything that is not true.*

**Signature**

Albert Proka
With your help:

- The type of declaration form “Before starting work” should be completed by the public official who starts work in one of the public functions that have the obligation to declare the assets, as well as, including the cases when the public official has had a work interruption for more than one year from the previous public function.
- The declaration form should be completed and submitted no later than 30 days, from the day you start work.
- You can find and submit the document “Declaration of private interest” at the Representative Authority (Human Resource Unit) of the institution where you exercise your public function, and legal assistance may be provided for you, in case you need it. For further information, feel free and contact the High Inspectorate of Declaration and Audit of Assets and exactly “The Unit of the Public Relations, Representative Authorities and Public Officials” in the following phone numbers 04 234918, 04 234904, 08009999.
- The information disclosed in the declaration form may be released to the public in compliance with law.
- According to article 22 of law no. 9049 dated 10 April 2003, point 3, article 14 of law no. 9367 dated 7 April 2005, family members, who, according to this law, do not have the obligation to make a declaration, should make a declaration of the assets of they own, separately, in the pages 7-8 of this form.

Sanctions:

- Every violation of the obligations defined in this law by officials constitutes a disciplinary violation, regardless of criminal or administrative responsibility.
  - For failure to make the declaration on time and without any good cause, the official or related person, is punished by a fine up to 30.000 lekë.
  - Refusal to make a declaration, according to article 5 of law no. 9049 dated 10 April 2003, entails the loss of function and punishment in conformity with the Criminal Code.
  - False declaration is considered a criminal offence and it is punished according to the legislation in power.

### FAMILY MEMBERS

<table>
<thead>
<tr>
<th>Name</th>
<th>Father’s name</th>
<th>Surname</th>
<th>Birthday</th>
<th>Relation to the declarant</th>
<th>Marital Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>ALBERT</td>
<td>BUJAR</td>
<td>PROKA</td>
<td>11 March 1956</td>
<td>DECLARANT</td>
<td>married</td>
</tr>
<tr>
<td>VJOLLCA</td>
<td>AGIM</td>
<td>PROKA</td>
<td>7 Feb 1959</td>
<td>Spouse</td>
<td>married</td>
</tr>
<tr>
<td>DRITAN</td>
<td>ALBERT</td>
<td>PROKA</td>
<td>3 Sep 1975</td>
<td>Son</td>
<td>single</td>
</tr>
<tr>
<td>ANA</td>
<td>ALBERT</td>
<td>PROKA</td>
<td>21 Apr 1981</td>
<td>Daughter</td>
<td>single</td>
</tr>
</tbody>
</table>

Full address where you are registered in the Civil Office:
(Administrative Unit, No., Street, Apartment, no., Municipality/Commune)

P. Budi Str., Flat 171, Ap 14, Municipality Unit no. 7, Tirana

Full address in case you live somewhere else: I do not posses

Name, Surname, Signature

Albert Proka
All the assets accumulated in years, according to the letter “a, b, c, d”, article 4 of law no.9049 dated 10 April 2003, the sources of their creation and the real rights over them, in or outside the country, owned by the public official, or in partnership with the spouse and the adult children.

In cases when the public official transfers the rights of the active ownership of the shares or parts of capital, he declares only the conditions of these rights before the transfer as well as the fruits of the assets, that he has effectively benefited during the year he makes the declaration.

Describe in details: type, surface, full address, year of creation, value, either in lek or in foreign currency given in the documents that you own, or in case of not owning the documents, provide the amount of how much you spent on, the ownership that belongs to you and the source of origin or the creation of every kind of asset, movable or immovable, either registered or not in the public registry offices.

<table>
<thead>
<tr>
<th>No.</th>
<th>Description of the asset and the source of its creation</th>
<th>Value in figures &amp; words</th>
<th>Part in %</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Living Apartment, 120 m/square, P.Budi Str., Tirana, bought in 1 June 2005. <strong>Source of creation:</strong> Loan from BKT, 5.000.000 lek, Withdrawal of dividend from “Artir” Co. 2.000.000 lek</td>
<td>7.000.000 (seven million)</td>
<td>100</td>
</tr>
<tr>
<td>2</td>
<td>Shares in “Artir” Co, Tirana, bought in 15 April 2001 <strong>Source of creation:</strong> Land sell inherited by the parents, 500 m/square, P.Budi Str., in 15 Jan 2001, 4 million lek.</td>
<td>4.000.000 (four million)</td>
<td>100</td>
</tr>
<tr>
<td>3</td>
<td>A deposit at Tirana Bank, since 15 July 2000 <strong>Source of creation:</strong> Income from the spouse, a lawyer, from Jan 1998 – June 2000, in the amount of 27.000 Euro and 3000 Euro a gift from the parents.</td>
<td>30.000 Euro (thirty-thousands)</td>
<td>100</td>
</tr>
<tr>
<td>4</td>
<td>Lending, in 20 July 1998 <strong>Source of creation:</strong> from his salary as an administrator at “Andi”Co., Tirana, from Jan 1996 – April 1998</td>
<td>1.000.000 (one million)</td>
<td>100</td>
</tr>
<tr>
<td>5</td>
<td>Vehicle “Benz” type, bought in 12 May 1998 <strong>Source of creation:</strong> from the salary as an administrator at “Andi”Co., Tirana, from Jan 1996 – April 1998</td>
<td>800.000 (eight hundred thousands)</td>
<td>100</td>
</tr>
</tbody>
</table>

Name, Surname, Signature

*Albert Proka*
ALBANIAN REPUBLIC
HIGH INSPECTORATE OF DECLARATION AND AUDIT OF ASSETS

INCOME AND ENGAGEMENTS IN THE
PRIVATE and/or PUBLIC
ACTIVITIES

- Engagements in private and/or public activity for the purpose of profit of any kind of activity that generates income, inside or outside the country, as well as engagements in profit-making and non-profit organizations, trade unions or professional, political or state organizations and every other organization; that exist for the public official, his/her spouse and the adult children from January 1st until the date you commence work;
- In cases of passive ownership of shares and/or parts of capital, the rights to benefit from the civil fruits of ownership, should be declared, from January 1st until the date when you commence work.

<table>
<thead>
<tr>
<th>A detailed description of every kind of engagement or activity that generates income, such as name of institution or activity where the income is provided, address, no. of the public register, status, aim and function of its activity or organization and/or the nature of your engagement from January 1st until the date when you commerce work.</th>
<th>The amount of the created income, either in lek or in foreign currency (given in figures &amp; words).</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administrator at “Andi” Co., Jan – 15 September 2006</td>
<td>850,000 lek (eight hundred and fifty-thousands)</td>
</tr>
<tr>
<td>The spouse, Vjollca Proka, member of the Supervisory Council of the Bank of Albania</td>
<td>700,000 (seven hundred thousands)</td>
</tr>
<tr>
<td>The spouse, Vjollca Proka, a professor at the Faculty of Economics</td>
<td>500,000 (five hundred thousands)</td>
</tr>
<tr>
<td>The son, Dritan Proka, Chief of Sector of Credits at Alpha Bank (employed at Alpha Bank until 15 Sep 2006 and being into a conflict of interest he left the bank and started work in a non banking business)</td>
<td>600,000 (six hundred thousands)</td>
</tr>
<tr>
<td>The daughter, Ana Proka, a University student, benefited a scholarship from AMC.</td>
<td>80,000 (eight thousands)</td>
</tr>
<tr>
<td>The daughter, Ana Proka, member of of board of the Cultural Association “Drita”</td>
<td>=</td>
</tr>
<tr>
<td>Withdrawal of dividend from “Artir” Co. In 15 July 2006</td>
<td>1,000,000 (one million)</td>
</tr>
</tbody>
</table>

Name, Surname, Siganure

Albert Proka

If this page is not enough, you might continue on additional copied pages
Types of financial obligations to legal and natural persons (loan, borrowing, school obligations etc.) that exist in or outside the country, that are not yet liquidated by the official, his/her spouse and the adult children, until the date of starting work.

The relevant data of the financial obligations should be given in page no.6, on confidential information.

<table>
<thead>
<tr>
<th>Type of Obligation</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Loan to buy a living apartment</td>
<td>A loan to buy a living apartment, 120 m/square at BKT, in June 2005, 20 years the time period of the loan and the liquidation starts in 1 October 2005 and ends in 1 Oct 2025. The interest is 8 % with a monthly payment of 40,000 lek</td>
<td>4,800,000 lek (four million, eight hundred thousands)</td>
</tr>
<tr>
<td>Borrowing money</td>
<td>Borrowing money to Fatmir Koni in 10 April 2004, for furniture and other equipments for the villa at Golem Kavaja. To pay the money after 3 years and without any interest</td>
<td>2,000,000 lek (two million)</td>
</tr>
<tr>
<td>Loan from Raiffeisen Bank</td>
<td>A loan from Raiffeisen Bank for loan purchase in Pogradec, in 1 September 2006, 300 m/square</td>
<td>1,500,000 (one million and five hundred thousands)</td>
</tr>
</tbody>
</table>

Name, Surname, Signature

Albert Proka
Confidential information related to: private movable and/or immovable assets, registered or not in the public registry offices, financial obligations, source and origin of the assets, identity of the legal or natural person, either borrowing or lending, name of public or private institution with which either you, your spouse or your adult children, have an interest relationship etc.

<table>
<thead>
<tr>
<th><strong>Type of Movable/Immovable Asset</strong></th>
<th><strong>Location and Details</strong></th>
<th><strong>Notary Details</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>A living apartment, P.Budi Str., Tirana, 129 m/square</td>
<td></td>
<td>ZRRPP Tirana 415, 20 Sep 2005 Notary Anila Bani 157, 15 Sep 2005</td>
</tr>
<tr>
<td>Bank deposit at Tirana Bank, opened in 15 April 2001, Diber Str., Tirana</td>
<td></td>
<td>ZRRPP Kavaja 127, 10 March 2004 Notery Besim Tona 93, 1 March 2004</td>
</tr>
<tr>
<td>A two-floor villa, 180 m/square at Golem, Kavaja, under the name of Vjolica Proka, source of creation; inherited from the parents</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lending money to the sister, named Genta, in 20 July 2006</td>
<td></td>
<td>Notary Zana Gumi No.1593, 20 July 2006</td>
</tr>
<tr>
<td>Vehicle “Benz” type, bought in 12 May 1998 from Viron Skendi, Tirana</td>
<td></td>
<td>DPSHTR, Tirana No.1789, 12 May 1998</td>
</tr>
</tbody>
</table>

Provide additional data related to the legal and natural person, including the trustee, that results to be related to the official that has the legal obligation to declare:

<table>
<thead>
<tr>
<th><strong>Name, father’s name, surname of the natural person and/or the name of the legal person.</strong></th>
<th><strong>Relation to the declarant</strong></th>
<th><strong>Type of private interest and their location.</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>“Artir” Co. with its object of activity “Wholesale trade petrol”</td>
<td>Shareholder</td>
<td>4000 shares with a value of 4 million lek, owning 20 % of the total value, “Komuna Parisit” Str., Tirana</td>
</tr>
</tbody>
</table>

If this page is not enough, you might continue on additional copied pages.

**Name, Surname, Signature**

Albert Proka

**Mob.Phone.No, email**

04 234 191, 069 20 34 178, aproka@mfinancave.gov.al
Of family members that have the obligation to make a declaration, in conformity with article 22 of Law no.9049 dated 10 April 2003 and point 3, article 14 of Law no.9367 dated 7 April 2005, on the assets that any of the family members possesses separately.

The citizen VJOLLCA AGIM PROKA, the spouse of ALBERT BUJAR PROKA, holding the function of the General Director of the Ministry of Finance.

**AUTHORIZATION**

**ON THE AUDIT OF THE DECLARATION OF INTEREST**

In pursuance to point 5, article 14 of law no.9367 dated 7 April 2005 “On the prevention of conflicts of interest in the exercise of public functions”

Authorize:

The High Inspectorate of Declaration and Audit of Assets and the people authorized by the Representative Authority – Inspector General of HIDAA, to verify all subjects, public and private, in or outside the country, on the private interests and the financial liabilities, that exist under my name.

I declare that the data disclosed in the declaration form is the truth and I have not declared anything that is not true.

Name, Surname, Signature

Vjollca Proka
Describe in details: type, surface, full address, year of creation, value, either in lek or in foreign currency given in the documents that you own, in case of not owning the documents, provide the amount of how much you spent on, the ownership that belongs to you and the source of origin or the creation of every kind of asset, movable or immovable, either registered or not in the public registry offices.

<table>
<thead>
<tr>
<th>No.</th>
<th>Description of the asset and the source of its creation</th>
<th>Value in figures &amp; words</th>
<th>Part in %</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>A two floor villa, 180 m/square in Golem Kavaja, constructed in 1995, inherited from his parents in 1 March 2004. <strong>Source of creation:</strong> a loan, 2.000.000 lek</td>
<td>2.000.000 lek (two millions)</td>
<td>100</td>
</tr>
<tr>
<td></td>
<td><strong>Source of creation:</strong> Loan from Raiffeisen Bank 1.500.000 lek and 500.000 income as a lawyer.</td>
<td>1500000 lek (one million and five-hundred thousands)</td>
<td>100</td>
</tr>
</tbody>
</table>

If this page is not enough, you might continue on additional copied pages.
ALBANIAN REPUBLIC
HIGH INSPECTORATE OF DECLARATION AND AUDIT OF ASSETS
Address: “Reshit Çollaku” Str., Tel. 0800 9999, Fax. 04 228-516, Web. www.hidaa.gov.al

DECLARATION
OF PERIODIC/ANNUAL
PRIVATE INTEREST

Of the public official that has the obligation to make a declaration of his/her private interests, his/her spouse and the adult children, in pursuance to Law no.9049 dated 10 April 2003 “On the declaration and audit of assets, financial obligations of the elected persons and certain public officials”, Law no.9367 dated 7 April 2005 “On the prevention of conflicts of interest in the exercise of public functions”, along with the amendments included in law no.9475 dated 9 February 2006 and in law no.9529 dated 11 May 2006.

AUTHORIZATION
ON THE AUDIT OF THE DECLARATION OF INTEREST

<table>
<thead>
<tr>
<th>Name</th>
<th>Father’s name</th>
<th>Surname</th>
</tr>
</thead>
<tbody>
<tr>
<td>ARSEN</td>
<td>ERMIR</td>
<td>BREGU</td>
</tr>
</tbody>
</table>

**Function**
GENERAL DIRECTOR OF THE REGULATORY ENTITY

**Address of institution**
REGULATORY ENTITY AB, V.Shanto Str., TIRANA

**Date of nomination at work**
1 Oct 2005

**Date of submitting the form**
25 March 2007

In pursuance to point 5, article 14, law no.9367 dated 7 April 2005 “On the prevention of conflicts of interest in the exercise of public functions”,

Authorize:
The High Inspectorate of Declaration and Audit of Assets, as well as other people authorized by the Representative Authority – Inspector General of HIDAA, to verify all subjects, public and private, in or outside the country, on the private interests and financial liabilities, that are under my name, the name of my spouse and the adult children.

I declare that the data disclosed in the declaration form is the truth and I have not declared anything else apart the truth.

Signature
Arsen Bregu
With your help:

- The type of declaration form “Periodic/Annual declaration form” should be completed, every year, by the public official who is exercising a certain public function, including the cases when the public official has had an interruption from his function of less than one year.
- The declaration form should be completed and submitted no later than 31 March, every year.
- You can find and submit “The declaration form of private interest” at the Representative Authority (Directory of Human Resources) of the institution where you exercise your public function and legal assistance may be provided for you, in case you may need it. For further information, feel free and contact the High Inspectorate of Declaration and Audit of Assets and exactly “The Unit of the Public Relations, Representative Authorities and Public Officials”, in the following phone numbers 04 234918, 04 234904, 08009999.
- The information disclosed in the declaration form may be released to the public in compliance with law.
- According to article 22 of law no.9049 dated 10 April 2003, point 3, article 14 of law no.9367 dated 7 April 2005, family members, who, according to this law, do not have the obligation to make a declaration, should make a declaration of the assets of they own, separately, in the pages 7-8 of this form.
- In the **periodic/annual declaration form you should include: only the changes (increases or decreases) of** the immovable properties and the real rights over them, movable properties, financial liabilities, other interests and the source of their creation, from the previous declaration until the 31\textsuperscript{st} March of the declaration year, for the public official, his/her spouse and the adult children.

**Sanctions:**

- Every violation of the obligations defined in this law by officials constitutes a disciplinary violation, regardless of criminal or administrative responsibility.
  - For failure to make the declaration on time and without any good cause, the official or related person, is punished by a fine up to 30.000 lek.
  - Refusal to make a declaration, according to article 5 of law no.9049 dated 10 April 2003, entails the loss of function and punishment in conformity with the Criminal Code.
  - False declaration is considered a criminal offence and it is punished according to the legislation in power.

**FAMILY MEMBERS**

<table>
<thead>
<tr>
<th>Name</th>
<th>Father’s name</th>
<th>Surname</th>
<th>Birthday</th>
<th>Relation to the declarant</th>
<th>Marital Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arsen</td>
<td>Ermir</td>
<td>Bregu</td>
<td>17 Feb 1948</td>
<td>DECLARANT</td>
<td>married</td>
</tr>
<tr>
<td>Blerta</td>
<td>Arjan</td>
<td>Sina</td>
<td>14 Feb 1953</td>
<td>Spouse</td>
<td>married</td>
</tr>
<tr>
<td>Andi</td>
<td>Arsen</td>
<td>Bregu</td>
<td>7 March 1981</td>
<td>Son</td>
<td>single</td>
</tr>
<tr>
<td>Marjeta</td>
<td>Arsen</td>
<td>Bregu</td>
<td>19 August 1983</td>
<td>Daughter</td>
<td>single</td>
</tr>
</tbody>
</table>

Full address where you are registered in the Civil Office:
(Administrative Unit, No., Street, Apartment, no., Municipality/Commune)

**Kavaja Str., Flat 147 Ap 7, Municipality Unit no.8**

Full address in case you live somewhere else:

**Diber Str., Flat 441, Ap. 19, Municipality Unit no.4, Tirana**

Name, Surname, Signature

Arsen Bregu
A detailed description of the changes (increases and decreases) in: type, surface, location, time of action performance, value, either in lek or in foreign currency, shown in the documents you own, in case not owning the documents, provide the increased or decreased value, the part you own in every kind of asset, movable or immovable property, registered or not in the public registry offices, from the previous declaration until the 31st of December of the declaration year. These types of interests are related to you, your spouse and you adult children.

<table>
<thead>
<tr>
<th>No.</th>
<th>Description of the asset and the source of its creation</th>
<th>Value in figures &amp; words</th>
<th>Part in %</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Bank Deposit at Raiffeisen, opened in 1 Oct 2006</td>
<td>10,000 Euro (ten thousands)</td>
<td>100</td>
</tr>
<tr>
<td>2</td>
<td>Vehicle sell, “Benz” type, sold in 15 Sep 2006</td>
<td>700,000 (seven hundred thousands)</td>
<td>100</td>
</tr>
<tr>
<td>3</td>
<td>Selling the shares of “Artir” Co., in 1 July 2006</td>
<td>1,200,000 (one million two hundred thousands)</td>
<td>100</td>
</tr>
<tr>
<td>4</td>
<td>Buying shares at “Tirana Beton” Co., 2000 shares in 1 August 2006.</td>
<td>2,000,000 (two millions)</td>
<td>100</td>
</tr>
<tr>
<td>5</td>
<td>Future Contract with “Gneti” ltd Co., for the construction of a flat at Pogradec, on a land of 700 m² square, bought 1 June 1995. I will benefit 25% of the final construction or 300 m²/square. It starts in 15 Sep 2006 and it ends in 15 March 2007.</td>
<td>=</td>
<td>100</td>
</tr>
</tbody>
</table>

Name, Surname, Signature

_Arsen Bregu_

If this page is not enough, you might continue on additional copied pages.
A detailed description of the annual income, as a result of payment or membership in the steering commissions, committees or any other performed activity that generates income for you, your spouse and the adult children. Provide the name of the institution, organization or activity that provided the income, address, no. of the public register, status, aim and function of the activity of the activity of the organization and/or the nature of your engagement.

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salary as a General Director of the Regulatory Entity A</td>
<td>1.400.000 (one million four hundred thousands)</td>
</tr>
<tr>
<td>The spouse, Blerta Sina, working as administrator at “Drini” Co.</td>
<td>1.200.000 lek (one million two hundred thousands)</td>
</tr>
<tr>
<td>Withdrawal of dividend, from “Artir” Co., in 15 July 2006</td>
<td>900.000 (nine hundred thousands)</td>
</tr>
<tr>
<td>Payment of the son, Andi Bega, working as a Professor at the Faculty of Natural Sciences</td>
<td>700.000 (seven hundred thousands)</td>
</tr>
<tr>
<td>Payment of the daughter, Marjeta Bregu, Chief of Sector at the Ministry of Justice.</td>
<td>500.000 (five hundred thousands)</td>
</tr>
<tr>
<td>The spouse, Blerta Sina, member of boars of the association “On the protection of the children”</td>
<td>=</td>
</tr>
</tbody>
</table>

Name, Surname, Signature

**Arsen Bregu**

If this page is not enough, you might continue on additional copied pages.
The financial obligations to legal and natural persons (loans, borrowings, school obligations etc.) that exist in or outside the country, that are not yet liquidated from the previous declaration until 31st December of the declaration year, as well as the obligation created during the declaration year. These obligations might be of the public official, his/her spouse and the adult children.

The relevant data of the financial obligations should be given in the confidential information, included in page no.6.

<table>
<thead>
<tr>
<th>Provide the cause of obligation, total amount either in lek or in foreign currency, the exact date of having and liquidating the obligation (month/year), no. of contract and the basic interest. For bank loans total amount (principal + interest), time duration (month/year) and the monthly liquidation is required.</th>
<th>Liquidated amount from the previous declaration up to the 31st of Dec. of the declaration year (given in figures &amp; words)</th>
<th>Obligation circumstances up to 31st of Dec. of the declaration year. (given in figures &amp; words) Principal amount +interest</th>
</tr>
</thead>
<tbody>
<tr>
<td>Loan to buy a living apartment, Ndre Mjeda Str., Tirana, in the amount of 5.000.000 with 5% annual interest rate, for a 20 years time period, the monthly payment is 30.000 lek. It starts in 1 Oct 2003 and ends in 1 Oct 2023</td>
<td>360.000 lek (three-hundred thousands)</td>
<td>4.200.000 (four million two hundred thousands)</td>
</tr>
</tbody>
</table>
## GIFTS AND PREFERENTIAL TREATMENT

<table>
<thead>
<tr>
<th>Identity of the natural and legal person and the relation with the declarants.</th>
<th>Value of the gift/ preferential treatment in lek or in foreign currency (given in figures &amp; words).</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Souvenir from the official visit at Netherlands in 12 Nov 2006</strong></td>
<td><strong>15,000 lek</strong> (fifteen thousands) lek, estimated by the Commission and paid 5,000 in 15 Dec 2006</td>
</tr>
</tbody>
</table>

## CONFIDENTIAL DATA

<table>
<thead>
<tr>
<th>Identity of the natural and legal person and the relation with the declarants.</th>
<th>Value of the gift/ preferential treatment in lek or in foreign currency (given in figures &amp; words).</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Bank Deposit at Raiffeisen, Kavaja Str. Tirana, opened in 1 Oct 2006</strong></td>
<td><strong>Tirana Branch</strong> No.7189 dated 1 Oct 2006</td>
</tr>
<tr>
<td><strong>Shares at “Beton Tirana” Co., Durres Str., Tirana</strong></td>
<td><strong>Center of shares, Tirana, no.1178, dated 1 August 2006</strong></td>
</tr>
<tr>
<td><strong>Bank Deposit at American Bank of Albania</strong></td>
<td><strong>No.9176, dated 1 Oct 2006</strong></td>
</tr>
<tr>
<td><strong>A future contract with “Genti” ltd Co., Korce</strong></td>
<td><strong>Notery Pranvera Kuka</strong> No.2956, dated 1 Sep</td>
</tr>
</tbody>
</table>

Other data concerning the legal and natural person, including the trustee, that results to be related to the official who has the obligation to make a declaration:

<table>
<thead>
<tr>
<th>Name, Father’s name, Surname of the natural person and/or name of the legal person.</th>
<th>Relation to the declarant</th>
<th>Types of private interest and their location.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>“Beton Tirana” Co., Durres Str., Tirana</strong></td>
<td><strong>Shareholder</strong></td>
<td><strong>2000 shares bought in 1 August 2006, owning 30%, Qemal Stafa Str., Tirana</strong></td>
</tr>
</tbody>
</table>

Nëse ky format është i pamjaftueshëm, vazhdoni të plotësoni në fotokopje të tij.
ALBANIAN REPUBLIC  
HIGH INSPECTORATE OF DECLARATION AND AUDIT OF ASSETS

DECLARATION OF PRIVATE INTERESTS

Of family members that have the obligation to make a declaration, in conformity with article 22 of Law no.9049 dated 10 April 2003 and point 3, article 14 of Law no.9367 dated 7 April 2005, on the assets that any of the family members posses separately.

The citizen ANDI ARSEN BREGU, the spouse of
Name, father’s name, surname adult children
Name, father’s name, surname

of the public official ARSEN ERMIR BREGU, holding the function of General Director of the Regulatory Entity AB.

Name, father’s name, surname, function

AUTHORIZATION
ON THE AUDIT OF THE DECLARATION OF INTEREST

In pursuance to point 5, article 14 of law no.9367 dated 7 April 2005 “On the prevention of conflicts of interest in the exercise of public functions”,

Authorize:

The High Inspectorate of Declaration and Audit of Assets and the people authorized by the Representative Authority – Inspector General of HIDAA, to verify all subjects, public and private, in or outside the country, on the private interests and the financial liabilities, that exist under my name.

I declare that the data disclosed in the declaration form is the truth and I have not declared anything else apart the truth.

Name, Surname, Signature

Andi Bregu
A detailed description of the changes (increases and decreases) in: type, surface, location, time of action performance, value, either in lek or in foreign currency, shown in the documents you own, in case not owning the documents, provide the increased or decreased value, the part you own in every kind of asset, movable or immovable property, registered or not in the public registry offices, from the previous declaration until the 31st of December of the declaration year. These types of interests are related to you, your spouse and you adult children.

<table>
<thead>
<tr>
<th>No.</th>
<th>Description of the asset and the source of its creation</th>
<th>Value in figures &amp; words</th>
<th>Part in %</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Bank Deposit in the American Bank of Albania opened in 1 Oct 2006</td>
<td>1.000.000 lek (one million)</td>
<td>100</td>
</tr>
</tbody>
</table>

Name, Surname, Signature
Andi Bregu
Mob.Phone.No.
04 371 892 069 32 351

If this page is not enough, you might continue on additional copied pages.
**DECLARATION OF PRIVATE INTEREST AFTER YOU LEAVE WORK**

Of the former public official who has the legal obligation to declare his/her private interests, of the spouse and the adult children, in pursuance to Law no.9049 dated 10 April 2003 “On the declaration and audit of assets, financial obligations of the elected persons and certain public officials”, Law no.9367 dated 7 April 2005 “On the prevention of conflicts of interest in the exercise of public functions”, along with the amendments included in law no.9475 dated 9 February 2006 and in law no.9529 dated 11 May 2006.

### AUTHORIZATION ON THE AUDIT OF THE DECLARATION OF INTERESTS

<table>
<thead>
<tr>
<th>Name</th>
<th>Father’s name</th>
<th>Surname</th>
</tr>
</thead>
<tbody>
<tr>
<td>ARDIAN</td>
<td>BESNIK</td>
<td>VASO</td>
</tr>
</tbody>
</table>

**Function**

DEPUTY MINISTER

**Address of institution**

MINISTRY T “Deshmoret e Kombit” Tirana

**Date of leaving**

30 Nov 2006

**Date of submission form**

14 Dec 2006

In pursuance of point 5, article 14, law no. 9367 dated 0 April 2005 “On the prevention of conflicts of interest in the exercise of public functions”,

**Authorize:**

The High Inspectorate of Declaration and Audit of Assets, as well as other people authorized by the Representative Authority – Inspector General of HIDAA, to verify all subjects, public and private, in or outside the country, on the private interests and financial liabilities, that are under my name, the name of my spouse and the adult children.

I declare that the data disclosed in the declaration form is the truth and I have not declared anything else apart the truth.

**Signature**

Ardian Vaso
With your help:

- The public officials who have submitted their first declaration form or their annual/periodic form, when they leave office, they should complete the declaration form “After you leave work”.
- The declaration form should be completed and submitted no later than 15 days after they leave office.
- You can find and submit “the declaration form” at the Representative Authority (Human Resource Unit) of the institution where you exercised your public function and legal assistance may be provided, in case you may need it. For further information, feel free and contact the HIDAA, exactly “The Unit of Public Relations, Representative Authorities and Public Officials” in the following phone numbers 04 234918, 04 234904.
- The information disclosed in the declaration form may be released to the public in compliance with law.
- In the declaration form after you leave work you should include only the changes (increases or decreases) of immovable properties and real rights over them, movable properties, financial liabilities, other interests and the source of their creation, since the previous declaration until the date of leaving work.
- In pursuance to article 22 of law no.9049 dated 10 April 2003 and point 3, article 14 of law no.9367 dated 7 April 2005, family members, who, according to this law, do not have the obligation to make a declaration, should make a declaration of the assets of they own, separately, in the pages 7-8 of this form.

Sanctions:

- Every violation of the obligations defined in this law by officials constitutes a disciplinary violation, regardless of criminal or administrative responsibility.
  - For failure to make the declaration on time and without any good cause, the official or related person, is punished by a fine up to 30,000 lek.
  - Refusal to make a declaration, according to article 5 of law no.9049 dated 10 April 2003, entails the loss of function and punishment in conformity with the Criminal Code.
  - False declaration is considered a criminal offence and it is punished according to the legislation in power.

### FAMILY MEMBERS

<table>
<thead>
<tr>
<th>Name</th>
<th>Father’s name</th>
<th>Surname</th>
<th>Birthday</th>
<th>Relation to the declarant</th>
<th>Marital Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>ARDIAN</td>
<td>BESNIK</td>
<td>VASO</td>
<td>18 Feb 1961</td>
<td>DECLARANT</td>
<td>Married</td>
</tr>
<tr>
<td>DIANA</td>
<td>KRISTAQ</td>
<td>VASO</td>
<td>7 Sep 1965</td>
<td>Spouse</td>
<td>married</td>
</tr>
<tr>
<td>ELTON</td>
<td>BESNIK</td>
<td>VASO</td>
<td>5 Oct 1990</td>
<td>Son</td>
<td>single</td>
</tr>
<tr>
<td>ALBANA</td>
<td>BESNIK</td>
<td>VASO</td>
<td>7 March 1995</td>
<td>Daughter</td>
<td>single</td>
</tr>
</tbody>
</table>

Full address where you are registered in the Civil Office:
Administrative Unit, No., Street, Apartment, no., Municipality/Commune

“Hasan Tasini” Str., Flat 679, Ap 14, Municipality Unit no.3, Tirana

Full address in case you live somewhere else

“Jordan Misja” Str., Flat 1273, Ap 9, Municipality Unit no.9, Tirana
A detailed description of the changes (increases and decreases) in: type, surface, location, time of action, performance, value, either in lek or in foreign currency, shown in the documents you own, in case not owning the documents, provide the increased or decreased value, the part you own in every kind of asset, movable or immovable property, registered or not in the public registry offices, from the previous declaration until the date you leave work. These types of interests are related to you, your spouse and you adult children.

<table>
<thead>
<tr>
<th>No.</th>
<th>Description of the asset and the source of its creation</th>
<th>Value in figures &amp; words</th>
<th>Part in %</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Buying shares at “Alba” Insurance Co., in 1 Nov 2006</td>
<td>5,000,000 lek (five million)</td>
<td>100</td>
</tr>
<tr>
<td>2</td>
<td>An extension of 40m/square at the villa in Shengjin Jan-Sep 2006</td>
<td>2,000,000 lek (two million)</td>
<td>100</td>
</tr>
<tr>
<td>3</td>
<td>Withdrawal of deposit from BKT in 30 Nov 2006</td>
<td>- 5,000,000 leke (five million)</td>
<td>100</td>
</tr>
<tr>
<td>4</td>
<td>Buying a vehicle, “Benz” type, in 30 Nov 2006</td>
<td>900,000 (leke) (nine hundred thousands)</td>
<td>100</td>
</tr>
<tr>
<td>5</td>
<td>A bank account at Raiffeisen Bank (an increase from 31 Dec 2005 until 30 Nov 2006)</td>
<td>1,000,000 lek (one million)</td>
<td>100</td>
</tr>
</tbody>
</table>

Name, Surname, Signature

Ardian Vaso

If this page is not enough, you might continue on additional copied pages
A detailed description of the annual income, as a result of payment or steering commissions or committees or any other performed activity that generated income for you, your spouse and your adult children. Provide the name of the institution, organization or activity that provided the income, address, no. of the public register, status, aim and function of the activity, of the organization and/or the nature of your engagement. Period form the previous declaration until the date of the interruption of the financial relations, after leaving office.

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Payment as a Deputy Minister, Jan – Nov 2006</td>
<td>1,400,000 lek (one million and four hundred thousands)</td>
</tr>
<tr>
<td>Payment of the spouse as a General Director at “A&amp;G” Co., Tirana, Jan – Nov 2006</td>
<td>2,200,000 lek (two million and two hundred thousands)</td>
</tr>
<tr>
<td>A present from his parents living in Italy, in 15 July 2006</td>
<td>8,000 Euro (eight thousands)</td>
</tr>
<tr>
<td>Income from the interests of the bank deposit at BKT, in 30 Nov 2006</td>
<td>300,000 lek (three hundred thousands)</td>
</tr>
<tr>
<td>Income from the scholarship of his son, given by the Municipality of the city as an excellent student, Jan – Nov 2006</td>
<td>50,000 lek (fifty-thousands)</td>
</tr>
</tbody>
</table>

Name, Surname, Signature

Ardian Vaso

If this page is not enough, you might continue on additional copied pages.
- The financial obligations to legal and natural persons (loans, borrowings, school obligations etc.) that exist in or outside the country, that are not yet liquidated from the previous declaration until the date of leaving work, as well as the liabilities created during the declaration year. These obligations might be of the public official, his/her spouse and the adult children.
- The relevant data of the financial obligations should be given in the confidential information, included in page no.6.

<table>
<thead>
<tr>
<th>Provide the cause of obligation, total amount either in lek or in foreign currency, the exact date of having and liquidating the obligation (month/year), no. of contract and the basic interest. For bank loans total amount (principal + interest), time duration (month/year) and the monthly liquidation is required</th>
<th>Liquidated amount from the previous declaration until the date of leaving function. (given in figures &amp; words)</th>
<th>Obligation circumstances until the date of leaving function. (given in figures &amp; words)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>A loan from Raiffeisen Bank to buy a living apartment at “Jordan Misja” Str., flat 1273, Tirana. The total amount of the loan is 5 million lek, 3% the annual interest, 30,000 lek the monthly payment and the time period of 25 years, starting from 1 April 2003 until 1 April 2028</strong></td>
<td>330,000 lek (3 hundred 30 thousands)</td>
<td>4,500,000 (four million and five hundred thousands)</td>
</tr>
<tr>
<td><strong>A loan at the Popular Bank, taken in 15 July 2006 for the extention of 40 m/square of the villa in Shengjin, 10% the annual interest for the time period of 5 years, starting from 1 Sep 2006 until 1 Sep 2011. The monthly payment is 32,000 lek</strong></td>
<td>96,000 lek (ninety-six thousands)</td>
<td>1,480,000 (one million four hundred and eighty thousands)</td>
</tr>
<tr>
<td><strong>A financial liability to buy a vehicle “Benz” type, in 15 August 2006, and he should liquidate it without any interest in 15 Feb 2007</strong></td>
<td>=</td>
<td>900,000 lek (nine hundred thousands)</td>
</tr>
</tbody>
</table>

**Name, Surname, Signature**

Ardian Vaso
GIFTS AND PREFERENTIAL TREATMENT

<table>
<thead>
<tr>
<th>Description</th>
<th>Identity of the natural and legal person and the relation with the declarants.</th>
<th>Value of the gift/preferential treatment in lek or in foreign currency (given in figures &amp; words).</th>
</tr>
</thead>
<tbody>
<tr>
<td>A detailed description of the type of gift more than 10000 (ten thousand lek), as well as preferential treatments, from the previous declaration until the date of leaving function.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>A detailed description of the CONFIDENTIAL data related to; private interests, movable and/or immovable properties, registered or not in the public registry offices, financial liabilities, the identity of the lending or borrowing natural or legal person, name of the public and private institution, with which you, your spouse or your adult children have an interest relation.</td>
<td>No. of the public register, No. of the notary contract, date/month/year</td>
<td></td>
</tr>
</tbody>
</table>

- **Shares at “Alba” Insurance Co., bought in 1 Nov 2006, in the amount of 5 million lek. Address: “Mihal Grameno” Str., Tirana. I resigned from this position in 15 Nov 2006, because I was in a conflict of interest**: AMF 9 dated 12 April 2003 Notery Greta Gjoka No.2678/35 dated 1 Nov 2006
- **A vehicle, “Benz” type, bought from Elton Bardhi in 15 August 2006 and the payment will be made in 15 Feb 2007**: Notery Robert Kulla No.784/21 dated 15 August 2006

If this page is not enough, you might continue on additional copied pages.

**Name, Surname, Signature**

_Ardian Vaso_

**Mob. Phone. No.**

_04 267 581  069 32 671_

**Tel no., Fax., E-mail.**

_
ALBANIAN REPUBLIC
HIGH INSPECTORATE OF DECLARATION AND AUDIT OF ASSETS

DECLARATION
OF PRIVATE INTERESTS

Of family members that have the obligation to make a declaration, in conformity with article 22 of Law no.9049 dated 10 April 2003 and point 3, article 14 of Law no.9367 dated 7 April 2005, on the assets that any of the family members posses separately.

The citizen DIANA KRISTAO VASO, spouse of name, father’s name, surname adult children of the public official ARDIAN BESNIK VASO with the function of Deputy Minister name, father’s name, surname, function

AUTHORIZATION
ON THE AUDIT OF THE DECLARATION OF INTEREST

In pursuance to point 5, article 14 of law no.9367 dated 7 April 2005 “On the prevention of conflicts of interest in the exercise of public functions”,

Authorise:

The High Inspectorate of Declaration and Audit of Assets, as well as other people authorized by the Representative Authority – Inspector General of HIDAA, to verify all subjects, public and private, in or outside the country, on the private interests and financial liabilities, that are under my name, the name of my spouse and the adult children.

I declare that the data disclosed in the declaration form is the truth and I have not declared anything else apart the truth.

Name, Surname, Signature

Diana Vaso
A detailed description of the changes (increases and decreases) in: type, surface, location, time of action performance, value, either in lek or in foreign currency, shown in the documents you own, in case not owning the documents, provide the increased or decreased value, the part you own in every kind of asset, movable or immovable property, registered or not in the public registry offices, from the previous declaration until the date of leaving work, for the public official and for his adult children.

<table>
<thead>
<tr>
<th>No.</th>
<th>Description of the asset and the source of its creation</th>
<th>Value in figures &amp; words</th>
<th>Part in %</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Treasury bonds in the Bank of Albania, in 15 July 2006</td>
<td>1.000.000 lek (one million)</td>
<td>100</td>
</tr>
</tbody>
</table>

If this page is not enough, you might continue on additional copied pages.

Name, Surname, Signature

Diana Vaso

Mob.Phone.No.

069 32 697