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**LAW**

**No. 9877 dated 18 February 2008**

**ON THE ORGANISATION OF THE JUDICIAL POWER  
IN THE REPUBLIC OF ALBANIA**

In reliance on articles 81 point 2 letter "a" and 83 point 1 of the Constitution, on the proposal of the Council of Ministers,

**THE ASSEMBLY  
OF THE REPUBLIC OF ALBANIA**

**D E C I D E D:**

**CHAPTER I  
GENERAL PROVISIONS**

**Article 1  
Object of the law**

This law defines the creation, organisation and competences of the courts, the conditions and procedures for the appointment of the judges of the courts of first instance and of appeal, the rights and obligations of the judges, disciplinary measures and their discharge, as well as other issues related to the functioning of the courts.

**Article 2  
Day of Justice**

The Day of Justice is 10 May.

**CHAPTER II  
ORGANISATION AND FUNCTIONING OF THE COURTS**

**Article 3  
The judicial power**

1. The judicial power is exercised by the courts of first instance, the courts of appeal and the High Court.

2. Courts may be created by law for particular fields, but in no case may an extraordinary court be created.

#### **Article 4**

#### **Courts of first instance**

The courts of first instance are the courts of the judicial districts and the courts for serious crimes.

#### **Article 5**

#### **Courts of appeal**

The courts of second instance are the courts of appeal and the courts of appeal for serious crimes.

#### **Article 6**

#### **Organisation and competences of the courts**

1. The courts of the judicial districts are organised and function in judicial districts in the entire territory of the Republic of Albania.

2. The courts for serious crimes are organised and function in one or more judicial districts.

3. The territorial competences of the courts and the centre of exercise of activity for each of them are set by decree by the President of the Republic on the proposal of the Minister of Justice. The Minister of Justice makes proposals after first having received the opinion of the High Council of Justice.

4. The territorial competences and the centre of exercise of activity for the courts of appeal are set by decree by the President of the Republic on the proposal of the Minister of Justice. The Minister of Justice makes proposals after first having received the opinion of the High Council of Justice.

#### **Article 7**

#### **Administrative courts**

The organisation and functioning of administrative courts are regulated by separate law.

#### **Article 8**

#### **Number of judges**

The number of judges for each court of first instance and for each court of appeal is set by decree of the President of the Republic, on the proposal of the

Minister of Justice. The Minister of Justice makes proposals after having first received the opinion of the High Council of Justice.

**Article 9**  
**Division of judicial cases**

The division of judicial cases is done by lot, according to procedures set by decision of the High Council of Justice.

**Article 10**  
**High Court**

1. The High Court is the highest judicial authority, which has initial and review jurisdiction.

2. The organisation and functioning of the High Court are defined by separate law.

**CHAPTER III**  
**CRITERIA OF RECRUITMENT AND CAREER**  
**OF THE JUDGES OF FIRST INSTANCE AND OF APPEAL**

**Article 11**  
**Conditions for being appointed a judge**

1. An Albanian citizen who meets the following criteria may be appointed a judge:

- a) to have full capacity to act;
- b) to be with higher legal education;
- c) to have completed the Magistrates' School.
- ç) not to have been sentenced by final judicial decision for the commission of a criminal offence;
- d) to have high moral qualities and professional abilities.

2. The High Council of Justice may appoint, up to 10% of the total number of judges, persons who have previously worked as judges and meet the criteria of letters "a," "b," "ç" and "d" of point 1 of this article.

**Article 12**  
**Appointment of a judge**

1. A judge in the court of first instance and in the court of appeal is appointed by the President of the Republic on the proposal of the High Council of Justice.

2. A judge of the court for serious crimes is appointed by the President of the Republic on the proposal of the High Council of Justice, on the basis of a competition with *curricula vitae*, after:

- a) having worked for no less than five years in the courts of first instance;
- b) being distinguished for professional abilities and high ethical-moral qualities;
- c) being evaluated “very good” for professional abilities the last two times;
- ç) not having a disciplinary measure in force.

3. A judge of the court of appeal is appointed by the President of the Republic on the proposal of the High Council of Justice, on the basis of a competition with *curricula vitae*, after:

- a) having worked for no less than seven years in the courts of first instance;
- b) being distinguished for professional abilities and high ethical-moral qualities;
- c) being evaluated “very good” for professional abilities the last two times;
- ç) not having a disciplinary measure in force.

4. Among the judges who are candidates for a court for serious crimes and the courts of appeal and who meet the conditions of points 2 and 3 of this article, the High Council of Justice selects by a point system, according to the criteria of seniority in the profession, ongoing work results, in conformity with the ordering in the permanent evaluation list according to article 14 of the law, as well as scientific and academic activity. More detailed rules for the point system are defined by decision of the High Council of Justice.

5. Within 30 days, the President issues a decree for the appointment to office of judge of a candidate proposed by the High Council of Justice. After this time period, the proposal is considered rejected.

### **Article 13**

#### **Evaluation of the professional abilities of a judge**

1. At least once every three years, the High Council of Justice performs an evaluation of the professional abilities of a judge, in conformity with the decision approved by it on the evaluation criteria.

2. The evaluation of professional abilities is:

- a) “Very good”;
- b) “Good”;
- c) “Acceptable”;
- d) “Incapable”.

3. The evaluation “Incapable” constitutes a reason for beginning the procedure for discharge from the office of judge.

4. In a case when a judge has been evaluated “Acceptable,” the High Council of Justice re-evaluates him within one year.

#### **Article 14**

##### **Permanent list of the ordering of the judges**

1. For purposes of the professional career, the High Council of Justice keeps a permanent list of the ordering of judges for ongoing work results, which is updated every six months.

2. The ordering of the judges in the permanent list is done according to the criteria defined by decision of the High Council of Justice.

#### **Article 15**

##### **Oath of the judges**

1. Before beginning duty, the judges take the following oath:  
“I solemnly swear that during the performance of duty I will always remain faithful to the Constitution of the Republic of Albania, the laws in force and I will respect the rules of professional ethics.”

2. The oath of the newly appointed judges is administered in a public ceremony before the High Council of Justice.

#### **Article 16**

##### **Conditions and appointment of a chairman of a court**

1. The chairman of a court of first instance and the chairman of a court of appeal are appointed by the High Council of Justice, on the basis of a competition.

2. Candidates for chairman of a court of first instance and chairman of a court of appeal should meet these criteria:

a) to have worked no fewer than four years as a judge in courts of the same level or higher levels;

b) to have been evaluated “Very good” by the High Council of Justice the last two times;

c) not to have a disciplinary measure in force;

ç) to have organisational and management abilities;

d) not to be members of the High Council of Justice.

#### **Article 17**

##### **Staying in office, discharge and end of the mandate of the chairman of a court**

1. The chairman of a court of first instance and the chairman of a court of appeal stay in office for four years, with the right to reappointment, according to the procedures and criteria provided in article 16 of this law.

2. The chairman of a court of first instance and the chairman of a court of appeal are discharged when they do not fulfil the duties of article 18 of this law.

3. The mandate of the chairmen of a court of first instance and the chairman of a court of appeal ends prematurely:

- a) when he resigns;
- b) in the cases provided in article 20 of this law;
- c) when he is physically unable to conduct duty for more than three months;
- ç) when he is elected a member of the High Council of Justice.

4. The discharge of the chairman of a court of first instance and the chairman of a court of appeal is done by decision of the High Council of Justice when it is sought in writing by no fewer than five members of the High Council of Justice, by the Deputy Chairman of the High Council of Justice or by the Minister of Justice.

5. The end of the mandate of the chairman of a court is declared by decision of the High Council of Justice, after the reasoned request of any member of this Council.

### **Article 18** **Competences of the chairman of a court**

1. Once every two years, the chairman of a court of first instance and the chairman of a court of appeal determine for the years to come the distribution of the judges into chambers and sections. This division does not impede the chairman of the court, for work needs during the calendar year, from seconding judges to try cases in another section.

2. The chairman of a court that has in its territorial competence two or more centres of the exercise of judicial activity where the centre of activity of the judicial district is located determines by lot the judges who will judge in them, according to a special schedule, depending on the number and nature of the cases.

3. The chairman of a court of first instance and the chairman of a court of appeal, in addition to the above, also perform these duties:

- a) they represent the court in relations with third parties;
- b) they divide the judges into judicial panels;
- c) at the beginning of each month, they plan the judges for trials whose object is evaluating a flagrant arrest or detention, the setting of security

measures and every other request during the phase of investigation, by alphabetical order on the basis of the surname;

ç) they organise discussions on questions of a legal nature, based on generalising trial experience, the unifying decisions of the High Court, the decisions of other courts, the decisions of the High Council of Justice, [and the] acts of control and inspection exercised by the Inspectorate of the High Council of Justice and the Inspectorate of the Ministry of Justice;

d) they oversee that judicial ethics and solemnity are respected, as well as planning judicial cases for purposes of professional evaluation;

dh) they maintain contact with the control teams of the Ministry of Justice or the Inspectorate of the High Council of Justice, become acquainted with the purpose and object of the control and create possibilities for them in the exercise of duty;

e) they oversee the work discipline of the judges;

ë) they coordinate work with the Magistrates' School, the High Council of Justice and the Ministry of Justice on issues of the professional improvement of judges;

f) they see to the matters of safekeeping and security in court;

g) they perform other duties in the service of the administrative direction of the court provided in legal or subordinate legal acts in force.

4. In the absence of the chairman, the duties specified in point 3 of this article are performed by a judge authorised by him.

### **Article 19 Register of the judges**

A register of the judges of the courts of first instance and the courts of appeal is created at the High Council of Justice, containing at least:

a) general data about each judge;

b) data about his academic education;

c) the date of appointment;

ç) participation in qualification courses and trainings;

d) disciplinary decisions, if any;

dh) his evaluation as a judge;

e) data about the judicial career.

## **CHAPTER IV STATUS OF A JUDGE**

### **Article 20 Immovability of a judge**

A judge cannot be moved from duty, except when:

a) he resigns;

b) he reaches the age of 65, [the age] of going on pension;

- c) he is punished by final judicial decision for the commission of a crime;
- ç) he is discharged from duty.

### **Article 21**

#### **Transfer and delegation of judges**

1. The transferring of judges may not be done without their consent, except when the needs of a reorganisation of the judicial system dictate it.
2. When a court does not have the ability to examine one or more cases within reasonable time periods, the High Council of Justice may, on the reasoned request of the chairman of the respective court, delegate judges from other courts.

The delegation of judges is done only for specific cases.

The High Council of Justice decides on the criteria and manner of delegation of the judges, taking account of geographical nearness, individual workload of the judges and the sections to which they belong.

### **Article 22**

#### **Incompatibilities with the office of judge**

A judge may not exercise any other state, private or political activity.

### **Article 23**

#### **Restrictions because of office**

1. A judge is also prohibited:
  - a) from being part of political parties or taking part in activity of a political nature;
  - b) from taking part in the administration or direction of commercial companies, personally or by representation;
  - c) from being experts or an arbiter in an arbitration;
  - ç) from making public declarations in connection with proceedings;
  - d) from making known the opinions that were given during trial sessions that have not yet taken the form of a decision;
  - dh) from making declarations in public about anything else that infringes on impartiality in the proceeding;
  - e) from striking.

2. A judge should maintain his dignity, not permitting actions that compromise the profession, the organs of justice and his figure in society.

### **Article 24**

#### **Rights and benefits because of office**

1. A judge has the right to have special protection from the state for himself, his family and property, when he asks for it himself, for serious circumstances that endanger life, family, and property, according to criteria and procedures defined by decision of the Council of Ministers.

2. A judge earns annual paid leave of 30 calendar days. The annual leave is taken in the month of August. A judge assigned to perform urgent duties in August takes annual leave at another time, gaining five additional days.

3. A judge who performs urgent duties on weekends or official holidays earns a pay supplement in the amount of 50 percent of his daily pay.

4. Judges may create associations or organisations to protect their rights and interests as well as for their professional advancement.

### **Article 25 Solemnity of a trial**

1. During the trial of a case, a judge should respect the solemnity of the trial and wear special clothing.

2. The rules in connection with the solemnity of a trial and the clothing are determined by decision of the High Council of Justice.

### **Article 26 Pay of a judge and chairman of a court of first instance**

1. The base pay of a judge in a court of first instance is equal to 50 percent of the pay of a judge of the High Court. After five years seniority in service, as provided in article 28 of this law, for every year of seniority this pay is increased by 2 per cent per year, up to 25 years of service.

2. The base pay of a judge of the court of first instance for serious crimes is equal to 50 percent of the pay of a judge of the High Court. After five years seniority in service, as provided in article 28 of this law, for every year of seniority this pay is increased by 2 per cent per year, up to 25 years of service. Over this pay 10 per cent is addition for special work conditions.

3. The base pay of the chairman of a court of first instance is equal to 50 percent of the pay of a judge of the High Court. After five years seniority in service, as provided in article 28 of this law, for every year of seniority this pay is increased by 2 per cent per year, up to 25 years of service. A supplement for management is given over this pay in the amount of 10 per cent.

4. The base pay of the Chairman of the Court of the Tirana Judicial District and the chairman of the court of first instance for serious crimes is equal to 50 percent of the pay of a judge of the High Court. After five years seniority in service, as provided in article 28 of this law, for every year of seniority this pay is increase by 2 per cent per year, up to 25 years of service. Over this pay, 10 per cent is added for special work conditions and 10 per cent is added for management of the court.

### **Article 27**

#### **Pay of a judge and chairman of a court of appeal**

1. The base pay of a judge of a court of appeal is equal to 70 percent of the pay of a judge of the High Court. After 15 years seniority in service, as provided in article 28 of this law, for every year of seniority, this pay is increased by 2 per cent per year, up to 25 years of service.

2. The base pay of a judge of the court of appeal for serious crimes is equal to 70 percent of the pay of a judge of the High Court. After 15 years seniority in service, as provided in article 28 of this law, for every year of seniority, this pay is increased by 2 per cent per year, up to 25 years of service. Over this pay 10 per cent is added for special work conditions.

3. The base pay of the chairman of a court of appeal is equal to 70 percent of the pay of a judge of the High Court. After 15 years seniority in service, as provided in article 28 of this law, for each year of seniority, this pay is increased by 2 per cent per year, up to 25 years of service. A supplement for management is given over this pay in the amount of 10 percent.

4. The base pay of the Chairman of the Tirana Court of Appeal and the chairman of the court of appeal for serious crimes is equal to 70 percent of the pay of a judge of the High Court. After 15 years seniority in service, as provided in article 28 of this law, for every year of seniority, this pay is increased by 2 per cent per year up to 25 years of service. Over this pay 10 per cent is added for special work conditions and 10 per cent is added for management of the court, but no more than the pay of a judge of the High Court.

### **Article 28**

#### **Preservation of the status of judges who serve in other institutions**

1. At the request of the institutions and with their consent, and also by decision of the High Council of Justice, judges may serve for a period of up to three years in the structures of the Ministry of Justice, the administration of the High Council of Justice, legal assistant or adviser of a judge of the Constitutional Court, the High Court, and a court of appeal, prosecutor, pedagogue or director in the Magistrates' School. At the end of this period, they return to their prior place of work.

2. The financial treatment of the judges during this period is handled by the respective institutions, giving the pay that is higher between the two salaries.

3. The period of service is recognised as a period of work seniority as a judge for purposes of pay and the professional career.

4. The period of service is also recognised as a period of work seniority for those judges who have served in the institutions provided in point 1 of this article before the entry of this law into force.

### **Article 29**

#### **Criminal responsibility of judges**

1. A judge of a court of first instance or a judge of a court of appeal may be criminally prosecuted according to the provisions in the Code of Criminal Procedure. The authorisation for beginning a criminal proceeding is done with the approval of the High Council of Justice.

2. A judge may be detained or arrested only if he is caught during the commission of a crime or immediately after its commission. The competent organ immediately notifies the High Council of Justice. If the High Council of Justice does not give its consent within 24 hours to send the arrested judge to court, the competent organ is obliged to release him.

3. In a case when authorisation is given to begin a criminal proceeding against a judge, he is suspended from duty until a final judicial decision is taken.

4. In cases when his guilt is not proven by final judicial decision, the judge has the right to return to his prior work and to receive full pay from the time of suspension.

### **Article 30**

#### **Limitation of the civil responsibility of the judge**

A judge is not responsible in a civil lawsuit related to the performance of his professional duties, except for the cases provided by law.

## **CHAPTER V**

### **RESPONSIBILITY FOR DISCIPLINARY VIOLATIONS, DISCIPLINARY MEASURES AND A DISCIPLINARY PROCEEDING AGAINST A JUDGE**

### **Article 31**

#### **Disciplinary responsibility**

1. A judge is subject to disciplinary responsibility in the cases and with the guarantees provided in law.

2. A judge has disciplinary responsibility for violations of law and the commission of acts and conduct that discredit his position and figure, in conformity with the provisions of article 32 of this law.

### **Article 32 Disciplinary violations**

1. Violations of discipline by judges are divided into:

- very serious;
- serious;
- minor.

2. Acts and conduct that seriously discredit the position and figure of a judge as follows are very serious violations:

- a) the acts and conduct prohibited by article 23 of this law;
- b) the abandonment of work or continuous unjustified absence for seven days or more, when the absence has entailed or might bring consequences to the constitutional rights of the parties to a trial, or to the rendering of justice;
- c) repeated and unjustified violations of the mandatory procedural provisions, when those violations have entailed or might bring consequences to the constitutional rights of the parties to a trial, or to the rendering of justice;
- ç) the refusal to declare, failure to declare, hiding or false declaration of property;
- d) obtaining, directly or indirectly, gifts, favours, promises or preferential treatment, given because of duty;
- dh) failure to make a request to withdraw from a trial, when this is mandatory according to the Code of Criminal Procedure and the Code of Civil Procedure;
- e) the absolute absence of reasoning in a judicial decision;
- ë) the refusal to implement a disciplinary measure;
- f) failure to apply a unifying decision or other decisions of the High Court when those decisions are mandatory according to the codes of procedure;
- g) commission of a serious violation, when the judge has previously been punished for another serious violation, which has not been prescribed or expunged;
- gj) other serious acts and conduct that seriously discredit the position and figure of a judge.

3. Acts and conduct that discredit the position and figure of a judge as follows are serious violations:

- a) unjustified and repeated delays of procedural actions during the exercise of function, when the delay has entailed or might bring consequences to the constitutional rights of the parties to a trial, or to the rendering of justice;
- b) repeated lateness in starting a judicial session;

- c) abandonment of work or continuous unjustified absence for three days or more when the absence has entailed or might bring consequences to the constitutional rights of the parties to a trial, or to the rendering of justice;
- ç) interference with or any kind of other influence on the exercise of duty of another judge;
- d) failure to respect the rules of solemnity, according to article 25 of this law;
- dh) a violation of the norms of ethics in relations with the participants in a proceeding, colleagues, the chairman of the court, the staff of the judicial administration, experts, prosecutors or lawyers;
- e) the use of unbecoming and offensive expressions in the reasoning part of a judicial decision. In those cases, the High Council of Justice is put into motion through a complaint of the parties to the proceeding;
- ë) the making public of acts or official documents, data or registrations of a secret or confidential nature;
- f) impeding the functions of the inspectorates in their lawful activity;
- g) the commission of a minor violation when the judge has previously been punished with a reprimand with warning for another minor violation, which has not been prescribed or expunged;
- gj) other serious acts and conduct that discredit the position and figure of the judge.

4. Acts and conduct that discredit the position and figure of a judge as follows are minor violations:

- a) lateness in starting a judicial session;
- b) unjustified absence at work for up to three days;
- c) accompanying the participating parties during the period of a trial;
- d) other acts and conduct that discredit the position and figure of the judge.

### **Article 33** **Disciplinary measures**

1. Disciplinary measures are given in a fair relationship to the violation committed.

2. The disciplinary measures are:

- a) reprimand;
- b) reprimand with warning;
- c) temporary lowering in office to a court of a lower level for a period of one to two years;
- ç) being sent for one to two years to a court of the same level outside the judicial district where the judge has his appointment;
- d) discharge from duty.

3. For the very serious violations provided in article 32, point 2 of this law, the disciplinary measure provided in letter “d” of point 2 of this article is given.

4. For the serious violations provided in article 32, point 3 of this law, the disciplinary measure provided in letters “c” and “ç” of point 2 of this article is given.

5. For the minor violations provided in article 32, point 4 of this law, the disciplinary measure provided in letters “a” and “b” of point 2 of this article is given.

6. For purposes of the disciplinary proceeding, serious disciplinary measures are considered satisfied within three years from the date they were given if no other disciplinary measure has been taken, while minor disciplinary measures are removed within two years from the date they were given if no other disciplinary measure has been taken.

#### **Article 34** **Disciplinary proceeding against a judge**

1. The Minister of Justice has the right to start a disciplinary proceeding against judges in the High Council of Justice.

2. A disciplinary proceeding may be started by the organ that has the right to begin this proceeding no later than one year from the date the violation was found, but no later than five years from the date of commission of the violation.

#### **Article 35** **The rights of the judge in a disciplinary proceeding**

1. A judge against whom a disciplinary proceeding has begun has the right:

- a) to be informed in a clear and detailed manner of the facts accused, the violations and the sanctions that might be set as well as the inspector who is assigned;
- b) to formulate claims and requests;
- c) to become acquainted with the documents of the disciplinary proceeding and to deposit sufficient evidence;
- ç) to have the assistance of a lawyer or colleague during the proceeding and to be heard in his presence.

2. New and heavier rules may not be applied against a judge in a proceeding that has previously begun.

3. A judge may not be proceeded against for the same acts and conduct of which he has been tried in a prior disciplinary proceeding.

#### **Article 36** **Appeal against disciplinary measures**

1. Within 15 days of notification of a decision of discharge from duty, the judge has the right to appeal the decision to the High Court, which decides in the joint colleges.

2. For other disciplinary measures, the appeal is taken to the Tirana Court of Appeal.

## **CHAPTER VI ADMINISTRATION OF SERVICES IN THE COURT**

### **Article 37 Chancellor of the court**

1. The chancellor of the court directs and is responsible for the auxiliary services in the court.

2. The chancellor is appointed and discharged by the Minister of Justice.

3. A jurist who has work experience of no less than five years in this profession is appointed chancellor.

4. The chancellor earns the same pay and paid annual leave as that of a judge of the respective court where he exercises his functions.

### **Article 38 Competences of the chancellor**

The chancellor of a court has these principal competences:

a) he appoints and discharges the personnel of the judicial secretariat and the administrative-technical personnel of the services of the court;

b) he oversees the process of organising and documenting the division of judicial cases by lot, as well as signing the document accompanying the practice of the judicial case to the designated judge;

c) he follows the progress of the delivery of completed judicial files to the judicial secretariat in compliance with the procedural time periods provided by law;

ç) he promulgates the list of licensed experts, according to the respective fields;

d) he oversees the work discipline of the employees of the judicial administration;

dh) he assures special premises within the court for studying the judicial files by lawyers, prosecutors, experts, the representatives of the parties or persons who have this right;

e) he approves the hours of the services fulfilled by the structures of the judicial administration and sets the hours for receiving the people.

**Article 39**  
**The judicial administration**

The auxiliary services in the court are performed by the judicial secretariat, the branches and sectors of administration, economy, finance, computerisation, registration and document retention.

**Article 40**  
**Budget of the judicial power**

1. The judicial power has a separate budget, which is administered by it according to the criteria defined in a separate law.

2. Funds or donations that might be given to the courts pass through the office that administers the budget of the judiciary.

**Article 41**  
**Order and security in court**

1. In order to guarantee order and security, a continuous service of the State Police is organised at the courts, which operates according to the orders of the chairman of the court.

2. The Council of Ministers determines the criteria and procedures for guaranteeing order and security.

**CHAPTER VII**  
**FINAL PROVISIONS**

**Article 42**  
**Judicial reorganisation**

1. Notwithstanding point 1 of article 21 of this law, when a court is closed or the number of judges is reduced because of a judicial reorganisation, a judge may be transferred to another court of the same or a lower level. In this case the judge may also be transferred to the institutions provided in article 28, point 1, earning the pay of a judge.

2. If transferring according to point 1 is impossible, the judge is put on a special list and has priority of appointment to the next vacant position that is created. Until the period of appointment, he receives 100 percent of pay.

3. If transferring according to point 1 is refused, or a judge included in the special list according to point 2 of this article exercises activity that is incompatible with the status of a judge, then the judge is discharged from duty.

### **Article 43**

#### **Transitional provisions**

1. Cases that are being examined by the military criminal sections or the court of military appeal at the time of entry of this law into force will be concluded by those sections or courts.

2. Until the performance of two evaluations of professional abilities according to article 13 of this law, a judge of a court of first instance who compete for judge in a court of appeal or the courts for serious crimes undergoes an evaluation by an expedited procedure.

3. The mandate of the court chairmen who are in office at the moment of the entry of this law into force and who have served in office for more than four years is considered concluded upon the entry of this law into force.

4. The chairmen of the courts who are in office at the moment of the entry of this law into force and who have served as such for less than four years continue to serve until the completion of this time period.

5. Articles 26 and 27 of this law begin their financial effects on 1 January 2009. These provisions about pay do not affect the current pay earned by a judge at the moment this law enters into force.

6. The status, organisation and functioning of the judicial administration will be a constituent part of this law.

### **Article 44**

#### **Subordinate legal acts**

1. With the entry of this law into force, the Council of Ministers is charged with issuing subordinate legal acts in implementation of article 24 point 1 and article 41 point 2 of this law.

2. With the entry of this law into force, the High Council of Justice is charged with issuing normative acts in implementation of articles 9, 12 point 4, 13 point 1, 14 point 2, 21 point 2 and 25 point 2 of this law.

### **Article 45**

#### **Repeals**

Law no. 8436 dated 28 December 1998 "On the organisation of the judicial power in the Republic of Albania," amended, as well as every other provision that conflicts with this law, is repealed.

**Article 46**  
**Entry into force**

This law enters into force 15 days after publication in the Official Journal.<sup>1</sup>

**SPEAKER**  
**Jozefina Topalli (Çoba)**

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<sup>1</sup> Tr. note: The publication date of 27/2008 of the Official Journal was 29 February; so the law goes into effect on 16 March 2008.