

[From volume 5/2001 of the Official Journal of the Republic of Albania, and, as to the 2003 amendments, volume 62/2003 of the Official Journal]

LAW
No. 8737 of 12 February 2001
(as amended by law no. 9102 of 10 July 2003)

ON THE ORGANISATION AND FUNCTIONING
OF THE PROSECUTOR'S OFFICE IN THE REPUBLIC OF ALBANIA

In reliance on Articles 81, 83 point 1, 148 and 149 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

The object of this law is:

- a) the definition of the rules of organisation and functioning of the Prosecutor's Office in the Republic of Albania;
- b) the conditions that citizens must fulfil to be appointed prosecutors;
- c) the status of the prosecutor;
- ç) the career and disciplinary proceeding of prosecutors;
- d) the relations of the Prosecutor's Office with other state institutions, other public or private subjects and with the public.

Article 2
Object of the activity of the Prosecutor's Office

1. The Prosecutor's Office carries out criminal prosecution and represents the accusation in the name of the state in court, takes measures and oversees the execution of criminal decisions, as well as performing other duties provided by law.
2. The Prosecutor's Office carries out its functions through the prosecutors.

Article 3
Structure of the Prosecutor's Office

The prosecutor's office is organised and functions under the direction of the General Prosecutor as a centralised structure, which includes the office of the General Prosecutor, the Council of the Prosecutor's Office and the prosecutors' offices attached to the judicial system.

Article 4 Legality of the activity

1. In the exercise of duty, prosecutors are subject to the Constitution and the laws.
2. Prosecutors exercise their competences while respecting the principles of a fair, equal and duly ordered legal proceeding and the protection of lawful human rights, interests and freedoms.
3. Orders and instructions of a higher prosecutor are given in writing and are binding on a lower prosecutor. The level of the hierarchy in the organ of the Prosecutor's Office is determined by the General Prosecutor, in conformity with the determinations made in this law.
4. Prosecutors take measures for the conduct of criminal prosecution, the implementation of instructions that are given in compliance with law, of criminal decisions and of the orders of the court, as well as helping in the good administration of justice.

Article 5 Preventive activities

The Prosecutor's Office organises and/or cooperates with state institutions as well as other public and private subjects for activities for the education of society, with the aim of knowledge of the law and the prevention of criminality.

Article 6 Relations with the public

1. The Prosecutor's Office informs public opinion about the activity it performs.
2. The Prosecutor's Office is not permitted to release data that damage the process of investigations, that infringe the dignity and private life of persons or that infringe the rights of minors and public morality.

CHAPTER II THE GENERAL PROSECUTOR

Article 7 Appointment and Discharge

1. The General Prosecutor is appointed by the President of the Republic with the consent of the Assembly.

2. The General Prosecutor may be discharged by the President of the Republic on the proposal of the Assembly for violations of the Constitution or for serious violations of law during the exercise of his functions, for mental or physical incapacity, or for acts of conduct that seriously discredit the position and figure of the Prosecutor.

Article 8 Competences

1. The General Prosecutor is the highest authority for the exercise of criminal prosecution and the representation of the accusation in court in the name of the state, as well as for accomplishing other duties assigned to the Prosecutor's Office by law.

2. The General Prosecutor has these principal duties:

- a) After having taken the opinion of the Minister of Justice, he proposes the total number of prosecutors to the President of the Republic.
- b) He proposes the appointment, transfer, promotion and discharge of prosecutors to the President of the Republic.
- c) He appoints the directors of the prosecutors' offices and their deputies in the prosecutors' offices attached to the courts.
- ç) He approves the structure, the staff and the rules of functioning of the prosecutor's offices attached to the courts and of the office of the General Prosecutor.
- d) He orders the secondment of prosecutors.
- dh) He exercises the functions of the director of the Prosecutor's Office attached to the High Court.
- e) He appoints and discharges the employees of the administration in the structures of the General Prosecutor's office.
- ë) He represents the Prosecutor's Office in relations with third parties;
- f) He sets the payments in cases of compensation of witnesses or for obtaining important evidence for investigations.
- g) He gives instructions for the work of the judicial police.

2. The General Prosecutor issues orders and instructions for carrying out the duties given by this law or by separate laws.

3. The General Prosecutor may in his absence delegate responsibilities to one of the directors of his office, with the exception of those provided in letters "a," "b," "c," "ç," "d" and "g" of point 2 of this article.

4. The General Prosecutor sends statistical data about criminal prosecution to the Ministry of Justice for the compilation of unified statistics in the field of justice.

CHAPTER III THE OFFICE OF THE GENERAL PROSECUTOR

Article 9 Structures

1. The structure of the office of the General Prosecutor consists of:

- a) the cabinet;
- b) the directorates;
- c) the sectors.

2. The structure and organisation and a detailed specification of the functions of the parts of the office of the General Prosecutor are determined by order of the General Prosecutor.

2. There functions at the office of the General Prosecutor services of expertise, the organisation and functioning of which are specified by order of the General Prosecutor.

CHAPTER IV THE COUNCIL OF THE PROSECUTOR'S OFFICE

Article 10 Duties

1. The Council of the Prosecutor's Office organises the competition for the appointment of candidates for prosecutor and for their promotion, examines work evaluations and gives its opinion on disciplinary violations committed by prosecutors, as to which the General Prosecutor proposes the discharge of the prosecutors to the President of the Republic.

2. The Council of the Prosecutor's Office has an advisory function and presents its opinion in each case to the General Prosecutor.

Article 11 Composition

1. The Council of the Prosecutor's Office consists of seven members. One representative of the President, one representative of the Minister of Justice and five prosecutors take part in the Council of the Prosecutor's Office.

2. The prosecutor members of the Council of the Prosecutor's Office shall have over five years' work experience as prosecutors. They are elected every three years by the General Meeting of Prosecutors. The candidacies are submitted by a group of no fewer than 10 prosecutors, and the voting is secret. The General Prosecutor chairs the meeting.

3. Prosecutors against whom a disciplinary measure has been or is being taken may not be elected to or be members of the Council of the Prosecutor's Office.

Article 12 Rules of functioning

The rules for the organisation and functioning of the Council of the Prosecutor's Office are set by the General Prosecutor, after having taken the opinion of the Council.

CHAPTER V STRUCTURE OF THE PROSECUTOR'S OFFICE ATTACHED TO THE JUDICIAL SYSTEM

Article 13
Prosecutors at the High Court

1. The functions of the Prosecutor's Office at the High Court are exercised by prosecutors of the office of the General Prosecutor.

2. The prosecutors attached to the High Court carry out criminal prosecution, as well as representing the accusation in court, against the President of the Republic, the Prime Minister and members of the Council of Ministers, deputies, judges of the Constitutional Court and judges of the High Court.

Article 14
Prosecutors at the Courts of Appeal

The functions of the Prosecutor's Office at each court of appeal are exercised by the prosecutors of appeal. Their jurisdiction extends over the entire territory to which the jurisdiction of the respective court extends.

Article 15
Prosecutors at the courts of first instance

The functions of the Prosecutor's Office at each court of first instance are exercised by the prosecutors of the first instance. Their jurisdiction extends over the entire territory to which the jurisdiction of the respective court extends.

Article 16
Exercise of duty at a lower instance

By order of the General Prosecutor, a higher prosecutor conducts investigations and represents the accusation as a prosecutor of lower instances.

CHAPTER VI
APPOINTMENT OF A PROSECUTOR

Article 17
General conditions

A person who meets these conditions is appointed prosecutor in one of the prosecutor's offices attached to a court of first instance:

- a) is an Albanian citizen;
- b) has full capacity to act;
- c) has higher legal education;
- ç) has completed the Magistrates' School;
- d) has not been punished by a final decision for commission of a criminal offence;
- dh) has not been removed, for disciplinary violations, from the public administration within a period of three years from the date the application is deposited; when the disciplinary violation was committed during the exercise of function as a judge, prosecutor, officer of the police, notary or lawyer, the term is five years;
- e) is at least 25 years old.

Article 18 Special conditions

A person who has not completed the Magistrates' School may be appointed a prosecutor if he meets the other criteria specified in article 17 of this law and one of the following conditions:

- a) he has worked as a judge or prosecutor;
- b) he has worked for no fewer than three years as a teacher in the Magistrates' School, in the Faculty of Law, as legal advisor, director or specialist in the legal-professional structures in the Assembly, the Presidency, the Council of Ministers, the High Court, the Ministry of Justice, the Office of the People's Advocate or as a deputy with higher legal education, or an officer of the judicial police.

Article 19

REPEALED

Article 20 Competition

1. The General Prosecutor publicly announces vacant places for prosecutors at least one month before the date set for holding the competition. The announcement is made in at least two newspapers with national distribution and sufficient circulation, as well as on Public Radio and Television.

2. The applications, accompanied by the documents required for admission to the competition, are to be deposited by the competitors no later than two weeks from the date of the public announcement of the vacancy.

3. The Council of the Prosecutor's Office makes an evaluation of the candidacies and submits its opinion to the General Prosecutor, who is to express himself within 15 days.

4. Detailed rules for submitting, selecting, verifying and testing the candidacies are set by the General Prosecutor.

Article 21 Appointment

The candidates for prosecutor are appointed to office by the President of the Republic on the proposal of the General Prosecutor, after the latter has received the opinion of the Council of the Prosecutor's Office.

Article 22 Swearing-In

- 1. Before taking office, prosecutors take the following oath.
"I solemnly swear that during the performance of duty I will always be faithful to the Constitution of the Republic of Albania, the laws in force and I will keep the image of the prosecutor clean. I so swear!"

2. The oath of the newly named prosecutors is taken in a ceremonial manner before all the prosecutors of the structure where they have been assigned to perform their duty.
3. The General Prosecutor sets rules about the swearing-in procedure.

Article 23 Prosecutors in training

1. On the proposal of the General Prosecutor, the President of the Republic appoints as persons who have finished the second year of the Magistrates' School as prosecutors in training, to perform the professional internship contemplated in law no. 8136 of 31 July 1996 "On the Magistrates' School of the Republic of Albania," in prosecutor's offices at courts that have the best conditions for the organisation of this internship.
2. The criteria designated in letters "ç" and "e" of article 17 of this law do not constitute an impediment to the appointment of the persons mentioned in point 1 of this article.
3. After the completion of the professional internship, the President of the Republic decrees their appointment to the prosecutor's offices, according to the needs of the latter.

Article 24 Promotion and transfer

1. A prosecutor may be transferred only for the needs of the normal functioning and organisation of the various levels of the system of the prosecutor's office, as well as when requested by the prosecutor.
2. A prosecutor is transferred or promoted to a higher level by the President of the Republic on the proposal of the General Prosecutor.

Article 25 Secondment

The General Prosecutor may second prosecutors from the offices where they work to other prosecutors' offices:

- a) for no more than four months in a year, in cases when a prosecutor's office is not functioning normally because of the insufficiency of prosecutors and the overload of their work;
- b) for no longer than the time necessary to complete the proceedings in a particular criminal proceeding case, when there is a need for the performance of preliminary investigations or the trial.

Article 26 Suspension

1. A prosecutor may be suspended from the exercise of duty by order of the General Prosecutor when:

- a) a criminal case begins against him, until the end of the case;
- b) a serious disciplinary violation is discovered, until the required procedure for disciplinary responsibility is fulfilled, but no longer than 30 days;
- c) the General Prosecutor proposes to the President of the Republic the discharge of the prosecutor from duty.

2. In a case of suspension according to point 1 of this article, when, as the case may be, the prosecutor is found not guilty by the court or has not committed the disciplinary violation, or the 30 day time period contemplated in letter "b" of point 1 of this article has passed, he has the right the return to his former duty.

3. The suspension contemplated in letter "c" of point 1 of this article ends after the examination of the proposal of the General Prosecutor by the President of the Republic.

Article 27 **Removal and discharge from duty**

1. A prosecutor is removed from duty when:
 - a) he resigns;
 - b) he reaches retirement age;
 - c) his legal capacity to act is removed or limited by a final court decision.
2. After he has received the consent of the prosecutor himself, the General Prosecutor may decide to keep a prosecutor who has reached the retirement age contemplated in letter "b" of point 1 of this article on duty.
3. A prosecutor is discharged from duty when:
 - a) he is punished for the commission of a criminal offence;
 - b) a disciplinary measure according to letter "ç" of point 1 of Article 33 of this law is taken against him;
 - c) he is evaluated as incompetent in accordance with points 3 and 4 of article 42 of this law.

CHAPTER VII **DISCIPLINARY PROCEEDING**

Article 28 **Beginning of the proceeding**

1. The beginning of a disciplinary proceeding is done by the General Prosecutor.
2. The proceeding is based on data that come from an inspection about which the prosecutor proceeded against has been notified beforehand. The proceeding begins when no more than six months have passed from the time the violation was observed and no more than three years have passed from the time of commission of the violation.

Article 29 **Acquaintance with the documentation of the proceeding**

1. The prosecutor proceeded against is given the documentation of the proceeding started against him ahead of time, as well as a time period of no less than 10 days to prepare his defence.

2. The day of the examination of the materials is made known ahead of time to the prosecutor proceeded against.

Article 30 **The right to be heard**

1. The prosecutor against whom the disciplinary proceeding has begun has the right to defend and appear in person before the Council of the Prosecutor's Office, which is obligated to hear him and verify the claims raised.

2. Failure to appear without reasonable cause does not impede the Council of the Prosecutor's Office from examining the case and issuing the respective conclusions.

Article 31 **Examination of the opinions of the Council of the Prosecutor's Office**

The General Prosecutor expresses himself on the opinions given by the Council of the Prosecutor's Office about disciplinary violations within 15 days of the presentation, reasoning his position.

Article 32 **Disciplinary violations**

The following are considered violations of work discipline:

- a) failure to take the oath or violating it;
- b) serious or systematic delays in proceedings or other obligations charged or non-fulfilment of duties;
- c) revealing a secret of the investigation or other data of a confidential nature;
- ç) absence from work for more than five days without cause;
- d) commission of actions that seriously discredit the image of a prosecutor;
- dh) commission of actions that according to law are incompatible with the functions of a prosecutor.

Article 33 **Disciplinary measures**

1. These measures are taken against prosecutors for violations of discipline:

- a) reprimand;
- b) reprimand with warning of discharge from duty;
- c) transfer to another lower duty within the prosecutorial system;
- ç) discharge from duty.

2. The disciplinary measures provided in letters "a," "b," and "c" of point 1 of this article are given by order of the General Prosecutor and are noted in the personal file of the prosecutor.

3. Discharge from duty is done by the President of the Republic on the proposal of the General Prosecutor. A proposal for discharge is accompanied by the objections of the prosecutor proceeded against.

4. The measures contemplated in point 1 of this article are expunged from the file when the following periods have passed:

- a) three months from the date a measure under letter "a" was given;
- b) one year from the date a measure under letter "b" was given;
- c) one year from the date when the measure given under letter "c" has ended.

Article 34

Appeal

1. A prosecutor may appeal against the giving of the disciplinary measures provided in letters "a," "b" and "c" of point 1 of article 33 of the law to the Tirana Court of Appeal, while prosecutors at this court, to the nearest court of appeal.

2. In cases of discharge from duty, the prosecutor may appeal to the Tirana Court of Appeal of Tirana, while prosecutors at this level of the court, to the nearest court of appeal. When the court finds the discharge from duty not to have been grounded in law, the prosecutor earns up to one year's pay, which is paid by the Prosecutor's Office.

CHAPTER VIII

STATUS AND CAREER OF A PROSECUTOR

Article 35

Special protection

A prosecutor has the right to have special protection for himself, his family and property, when this becomes necessary under the circumstances of a serious danger related to the exercise of his duty.

Prosecutors who exercise their duty at the courts of serious crimes are assured the same treatment and the same protection as the judges of these courts.

Article 36

Protection from criminal proceedings

1. A prosecutor may not be detained, searched or arrested without the permission of the General Prosecutor, except for cases when he is caught committing a crime or immediately after its commission. In this case, the competent organ immediately notifies the General Prosecutor.

2. If the General Prosecutor does not give his consent within 24 hours for the prosecutor to be sent to court, the responsible organ is obliged to release the detained prosecutor.

Article 37

Treatment in cases of infringement of freedom

In cases when a prosecutor is detained and the security measure of “prison arrest” is given against him, or he is sentenced to imprisonment, he is kept in an environment without other persons, unless he himself waives this right in writing.

Article 38 Participation in associations

1. A prosecutor is free to take part in associations or organisations with not-for-profit activity or which have the purpose of respecting ethics or professional improvement.
2. A prosecutor is prohibited from striking.

Article 39 Incompatibilities

1. A prosecutor is prohibited from being a member of political party or taking part in activities of a political nature.
2. The function of the prosecutor is incompatible with being a candidate and with every electoral mandate, public duty or activity, except for educational and teaching activities.
3. A prosecutor is prohibited from double employment, except for the activities permitted in point 2 of this article.
4. A prosecutor is prohibited from taking part in the management organs of commercial companies.

Article 40 Safeguarding the data of the proceeding

1. Prosecutors are prohibited from making public or giving to third persons data that might damage a case under process of investigation or adjudication, as well as data of a confidential or reserved nature.
2. Prosecutors are prohibited from making declarations or giving opinions about the activity of other organs.

Article 41 Professional improvement

1. Prosecutors have the right and obligation to take part in periodic training for raising their professional level.
2. Prosecutors receive the Official Journal and other legal literature for free.

Article 42 Work evaluation

1. The Directorate of Personnel and Inspection carries out a planned inspection no less than once every two years to evaluate the professional abilities of prosecutors.
2. The evaluation is based on the volume of work, the quality and speed of performing it, disciplinary measures given and the publication of legal works.
3. The Council of the Prosecutor's Office examines the work evaluation and submits its opinion to the General Prosecutor, who expresses himself within 15 days.
4. The levels of evaluation are:
Very good;
Good;
Sufficient;
Incompetent.
5. The system of work evaluation of prosecutors is set by the General Prosecutor, after having received the opinion of the Council of the Prosecutor's Office.
6. An evaluation of "incompetent" constitutes cause for the initiation of a disciplinary proceeding.

Article 43 Promotion

1. After exercising duty for a time period of at least five years in the prosecutor's offices at a court of first instance, a prosecutor may be appointed to one of the prosecutor's offices at the courts of appeal.
2. After exercising duty for a time period of at least 10 years in the prosecutor's offices at a court of first instance, or no shorter than five years in the prosecutor's offices at the courts of appeal, a prosecutor may be appointed to the structure of the office of the General Prosecutor.
3. A prosecutor is promoted when, in addition to meeting the experience requirement provided in points 1 and 2 of this article, his work during the last five years has been evaluated no lower than "good."
4. When two or more candidates compete for any vacant place, the General Prosecutor proposes for appointment the candidate who has more merit and experience.

Article 44 Employment as a civil servant

1. A prosecutor may work at management and executive levels of the cabinet of a Minister and legal-professional structures of the Ministry of Justice. The period of employment in these structures is recognised as a period of seniority in work as a prosecutor for purposes of the requirements of the professional career.
2. Prosecutors who work as civil servants in the Ministry of Justice are re-appointed as prosecutors, without a competition, at their request.

Article 45
Identification document

A prosecutor is furnished with an identification document. The form and content of the document are specified by the General Prosecutor.

Article 46
Provision with weapons

A prosecutor has the right to carry personal weapons, which are furnished to him according to the legislation in force.

Article 47
Housing

1. A prosecutor has the right to obtain a residence through a loan on favourable terms, when he does not have a residence or a liveable area in the district where he works.

2. If a prosecutor has a residence in a district other than the one where he is exercising his duty, he benefits according to point 1 of this article, but the amount of the loan shall be as much as the difference between the value of the loan for the new residence and the value of the residence that he owns.

3. The funds for housing are provided for in the annual budget of the Prosecutor's Office.

Article 48
Expenses of transfer

1. A prosecutor has the right of prepayment or reimbursement in full of the expenses for transferring him and his family, as well as transport of household furnishings, when he is promoted or transferred to another district, for reasons that are not related to disciplinary measures.

2. He does not have this right when he is transferred at his own request.

Article 49
Working hours

1. The weekly hours of work and the schedule are as a rule the same as those of the courts.

2. In a case of need, on the order of his direct superior, a prosecutor is obligated also to work beyond regular hours, on weekly days off, on holidays or when he is on annual leave.

3. The heads of every structure of the Prosecutor's Office organise rotating service for weekdays, weekends and holidays. The service list is set every month. For the days contemplated in the rotating service list, the prosecutors are obligated to leave the exact address of their location.

Article 50 Annual leave

1. A prosecutor enjoys the right to a paid annual leave of 30 days. As a rule, the annual leave is taken in the months of July and August.

2. In cases when a prosecutor is assigned to perform urgent duties in the July-August period, as well as when he interrupts his leave for the needs of work, in addition to the remaining days off he receives up to five additional days off.

3. When they are away on annual leave, prosecutors are obligated to leave the exact address of the place where they will take their vacation and the days they will be there.

Article 51 Leave for special cases

1. For special personal or family needs, a prosecutor has the right to take unpaid leave of no more than 20 days in a month, but no more than 30 days in a year.

2. In cases of marriages or deaths within the family, when the time provided in point 1 of this article has been used up, the prosecutor has the right to take up to 10 days leave.

Article 52 Pay and Compensation

1. The pay of the General Prosecutor is equal to the pay of the President of the High Court.

2. The pay of a prosecutor is regulated by law. The pay of a prosecutor is equal to the pay of a judge of the court at which the prosecutor's office to which he was appointed functions.

3. On service days, the pay is 20% higher than on ordinary workdays.

4. A prosecutor may earn extra compensation for professional merit in an amount set on the proposal of his superior and with the approval of the General Prosecutor.

5. On the proposal of his superior and with the approval of the General Prosecutor, a prosecutor may earn up to 20 percent supplemental pay for difficulty of work.

CHAPTER IX RELATIONS WITH OTHER INSTITUTIONS

Article 53 Relations with the Assembly

1. The General Prosecutor informs the Assembly or the commissions of the Assembly at least once very six months or whenever requested by them. The notification contains data and explanations about the number, kinds, territorial extent, intensity and forms of criminality in the Republic of Albania as well as the directions and priorities in the fight against criminality.

2. Notification about concrete cases is not permitted, except for cases sent by decision of the Assembly.

3. The Assembly may ask the General Prosecutor for suggestions about the legal regulation of various questions.

4. The General Prosecutor cooperates with parliamentary investigative committees according to the legal provisions in force.

Article 54

Relations with the Council of Ministers

1. Every year, no later than 31 March, the Minister of Justice, in the name of the Council of Ministers, brings to the General Prosecutor recommendations that are to be taken into account for the year in progress in the fight against criminality.

2. The General Prosecutor makes the recommendations of the Council of Ministers known to the heads of the prosecutor's offices at all levels at a joint meeting in which the Minister of Justice also takes part, no later than the month of April. The recommendations analysed in the meeting are made public.

3. In the relations of the General Prosecutor with the Council of Ministers it is prohibited to make recommendations to proceed or not to proceed on concrete cases.

4. At the end of a criminal proceeding, out of the revenue transferred in favour of the state as a result of the sequestration of material evidence at the end of a criminal proceeding, the Council of Ministers determines the part that passes to the Prosecutor's Office to be used for logistical means and for compensation to the prosecutors.

Article 55

Relations with the High Council of Justice

1. The High Council of Justice, through the Minister of Justice, may request the General Prosecutor to begin a disciplinary proceeding on the basis of data that have come out of its meetings and which implicate prosecutors.

2. The General Prosecutor may turn to the High Council of Justice to request any summary material about the state of criminal proceedings in the courts, problems of criminal prosecution or organisational and structural questions related to the prosecutor's office.

Article 56

Relations with the Ministry of Justice

1. The Minister of Justice checks the legality of the activity of the prosecutors, in a planned manner or on the basis of information given by organs, institutions or interested persons.

2. The object of checking by the Ministry of Justice in the organ of the prosecutor's office is:

- a) following the progress of issues that are contained in the annual recommendation given by the Council of Ministers for the fight against criminality;
- b) respect for the time limits for investigation;
- c) respect for the time limits for pre-trial detention;
- ç) respect for the fundamental human rights and freedoms of subjects of the criminal proceeding and, in particular, of those who have been detained or arrested;
- d) the regularity and continuity of the performance of investigative actions;
- dh) respect for the legal obligation of the prosecutor to begin a criminal prosecution;
- e) the progress of criminal policy and, in particular, the sentencing policies followed by the prosecutors;
- ë) the regularity of holding and administering statistics and the registration of criminal acts;
- f) respect for the principles of justice, equality and legality of activity of the prosecutor in his relations with other subjects of the criminal proceeding.

3. The check in every case is made known ahead of time and is for cases as to which preliminary investigations have ended.

4. The result of the check is made known to the President of the Republic, the General Prosecutor and the prosecutor whose activity was subject to the check.

CHAPTER X FINAL PROVISIONS

Article 57 Budget

The Prosecutor's Office has an independent budget that is drawn up, administered and implemented according to the legal provisions in force.

At the prosecutor's offices of first instance, the General Prosecutor may appoint chancellors to follow problems of an administrative and financial nature. Their pay is the same as that of the chancellors at the courts.

Article 58 Employees of the administration

Employees of the administration of the General Prosecutor's office are subject to the criteria and procedures contemplated in law no. 8549 of 11 November 1999 "Status of the civil servant" for hiring, transfer, parallel movement, promotion or discharge.

The employment relations of employees of the administrative-technical personnel are regulated according to the provisions of the Labour Code.

Article 59
Issuance of subordinate legal acts

1. The matters contemplated in articles 13, 14, 15, 40, 41, 49, 50 and 51 of this law are regulated by subordinate legal acts of the General Prosecutor.

2. The matters contemplated in articles 5 and 37 of this law are regulated by joint acts of the General Prosecutor and the Minister of Justice.

3. The matters contemplated in articles 35, 36 and 46 of this law are regulated by joint acts of the General Prosecutor and the Minister of Public Order.

Article 60
Entry into force

This law enters into force 15 days after publication in the Official Journal.

**Promulgated by decree nr. 2908 dated February 27, 2001 by the President
of the Republic of Albania, Rexhep Meidani.**