

HIGH INSPECORATE OF DECLARATION AND AUDIT OF ASSETS



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Legal framework

The High Inspectorate of the Declaration and Audit of Assets, as one of the main institutions in the fight against corruption in Albania, operates in compliance with:

- **Law no.9049 dated 10 April 2003** “On the declaration and audit of assets, financial obligations of elected and certain public officials”.
- **Law no.9367 dated 7 April 2005** “On the prevention of conflicts of interest in the exercise of public functions”



Legal scope

HIDAA as the Central Authority Responsible for the implementation of this law has the legal scope to:

- guarantee an impartial and transparent decision-making,
- in the best possible interest of the public and public institutions,
- prevents the conflict of interest between the private and public interests



HIDAA's Organisation

1. HIDAA, is a public juridical person that, under the responsibility of the Inspector General, administers the declaration of assets, financial obligations and the audit of this declaration, according to the specifications made in the law.
2. The Inspectors of the High Inspectorate enjoy the status of a civil servant .
3. The High Inspectorate has its own independent budget, set by the Assembly, which decides on the number of employees of this Inspectorate and their salary.

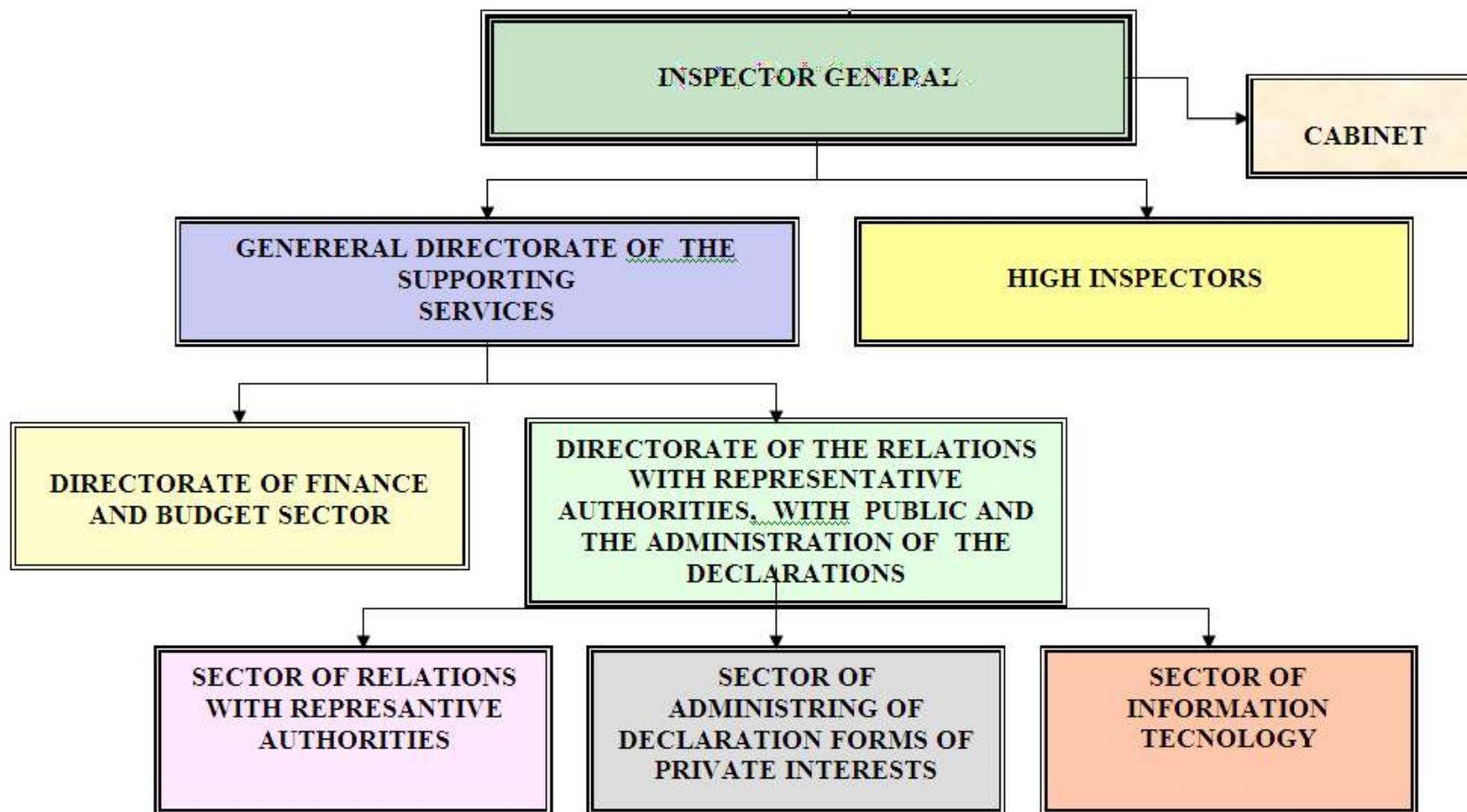


General Inspector

- ❖ The organ responsible for the audit of making a declaration of assets is **Inspector General**.
- ❖ The Inspector General is elected by the Assembly, on the proposal of the President, between two candidacies, for a five-year mandate.

Organization and Structure

ORGANIZATION CHART
OF HIGH INSPECTORATE OF DECLARATION AND AUDIT OF ASSETS





Competencies of HIDAA



AUDIT

TRAINING

RECOMMENDATION

HIDAA



Competencies of HIDAA

- ❖ it directly audits the making of declarations by those in the list of persons covered by it;
- ❖ it collects data, carries out administrative research and investigations about the declarations of persons who have the obligation to make a declaration according to this law, in conformity with the Code of Administrative Procedures;
- ❖ it cooperates with the auditing organs and other structures responsible for the fight against corruption and economic crime;



Competencies of HIDAA

- ❖ the management and improvement of the polices and mechanisms of preventing and avoiding conflicts of interest;
- ❖ the offering of technical assistance for advising and supporting legal and substatutory initiatives undertaken by the public institutions for the prevention of conflicts of interest
- ❖ the offering of recommendations for the Assembly of the Republic of Albania, for the assessment of draft laws that have to do with the question of conflicts of interest, when requested by that institution;
- ❖ the strengthening of the capacities for the administration of conflicts of interest in the public institutions;



Competencies of HIDAA

- ❖ the assessment of the compatibility with the principles and obligations of this law of the substatutory acts and internal rules approved by public institutions for conflicts of interest;
- ❖ the audit and assessment of the implementation of this law, for the prevention of conflicts on interest in public institutions;
- ❖ the periodic registration of the private interests of officials;
- ❖ the definition of the model of a case by case declaration of interests, as well as the registration of the data that are related to such a conflict;



Competencies of HIDAA

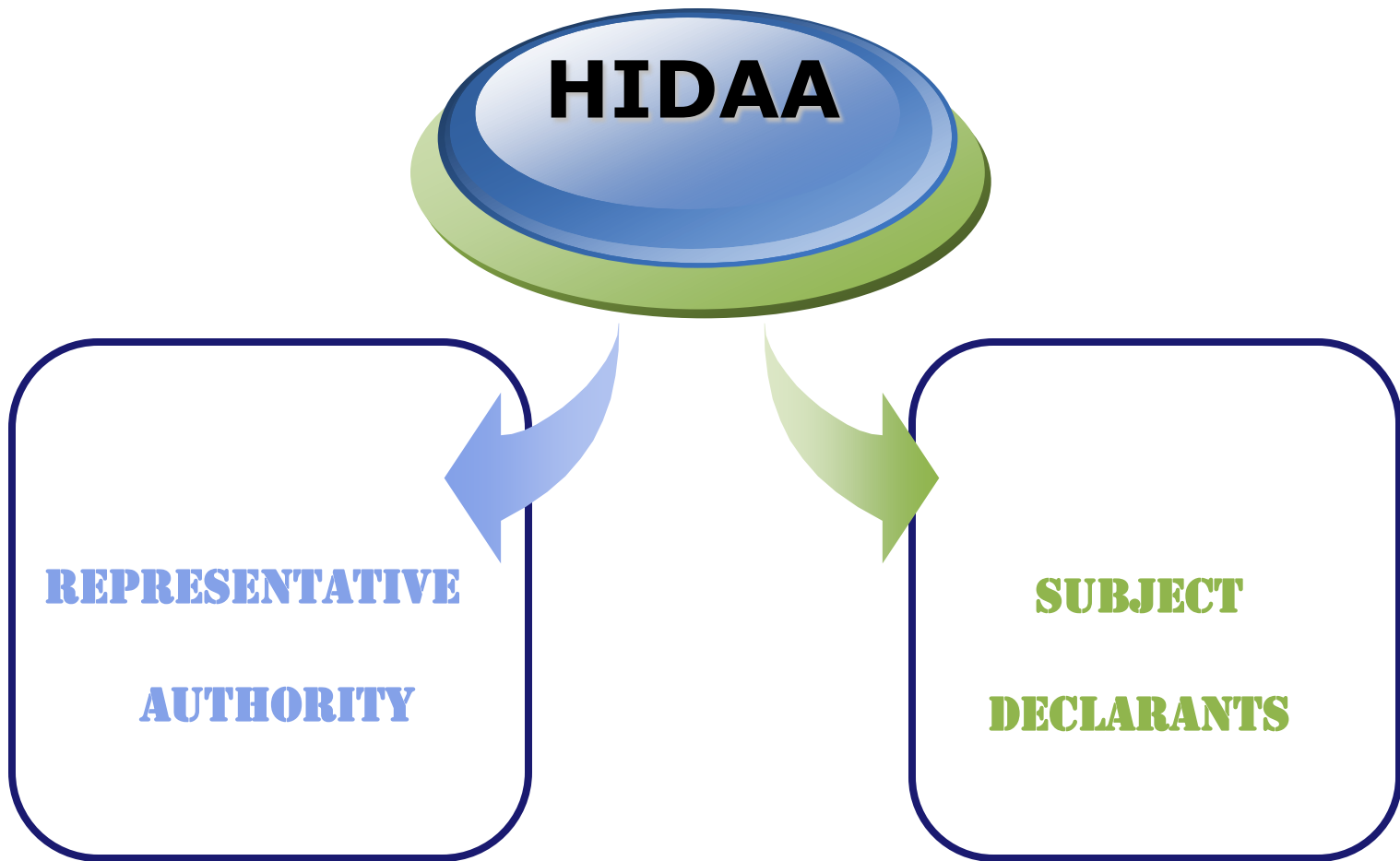
- ❖ counseling particular officials, superiors, and superior institutions, at their request, about specific cases of the appearance of a conflict of interests, as well as on the period registration of interests;
- ❖ the verification and administrative investigation of the periodic declarations of interests;
- ❖ the verification and administrative investigation of case by case conflicts of interest;
- ❖ the setting of punitive administrative measures in its competency, according to the definitions in this law;



Responsible Structures on the Prevention of Conflict of Interest

1. The High Inspectorate for the Declaration and Audit of Assets is the Central Authority Responsible for the implementation of the law on conflicts of interest.
2. The authority or structure responsible for the implementation of this law in the public institutions is:
 - the superiors of the officials, according to the hierarchy, within a public institution;
 - the directorates, units of human resources or units especially charged, according to the need and the possibilities of every public institution;
 - the superior institutions

Relations of HIDAA and Representative Authority and Subjects





HIDAA in the role of a trainer

❖ Trains and Assists

- ❖ The Representatives Authorities
 - ❖ The Subjects/ officials
- ❖ to understand the legal framework and the amendments of this framework.
 - ❖ in the completion of the declaration forms in accordance to the type of declaration and official document “declaration forms of private interests”
 - ❖ to understand, prevent, treat and solve conflicts of interest cases.



Transparency

- ❖ **Legislation on publication**
 - Article 34, law “On declaration of assets”
 - Law “On public Information” (30 June 1999)
 - The decision no.11 Constitutional Court (2004)
- ❖ Transparency on the legal procedures on the declaration of the assets and the prevention of the conflict of interest.
- ❖ Efficient Collaboration with Media, NGOs and public



HIDAA's Strategy

- ❖ Commitment in the implementation of the legislation on the audit of assets and the prevention of conflicts of interest;
- ❖ Strengthening of the investigative capacities of the institution;
- ❖ Collaboration with the Prosecution Office and other institutions for the prevention of the corruption and economic crime as the main scope;
- ❖ Collaboration with civil society and media in the fight against corruption;
- ❖ Intensification of the training work for public officials in order to orientate them to identify, treat and solve the cases of conflict of interest.

THANK YOU



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