

REPUBLIC OF ALBANIA
THE COUNCIL OF MINISTERS

VERDICT

Nr. 130, date 18. 03. 1999

FOR THE NATIONAL INSPECTORATE CONTROL OF OIL, GAS AND THEIR
BY-PRODUCTS.

Based on article 100, of the Constitution of the Republic of Albania, as well as of article 23, of the law number 8450, date 24.02.1999 “For the processing, transportation and business intercourse of oil, gas and their by-products”, with the proposal of the Ministry of Public Economy and Privatization, the Council of Ministers..

DECIDED:

1. To create the National Inspectorate Control of Oil, Gas and their By-Products, as a national organ, specialized for the control of the activities of the juridical individuals, in accordance with the provisions of law number 8450, date 24.02.1999 “For the processing, transportation and business intercourse of oil, gas and their by-products”, and also sub legal acts, settled in its outcome.
2. The National Inspectorate Control of Oil, Gas and their By-Products, is under the control of the Minister who covers the hydro carburet activities.
3. Composition and operation:
 - a) The inspectorate is managed from the chief inspector, which is nominated from the minister. In composition of the inspectorate are the inspectors and the workers of the Central Control Laboratory.
 - b) The inspectorate is national, not depending from its budget. It has its center in Tirana. The inspectorate has its inspectors near the region, according to the district organizational management. The structure and the number of workers within the organic of the Inspectorate are determined from the minister.
 - c) The Inspectorate acts for the control of the implemented foreseen conditions in the permissions or respective authorizations, which are given to juridical individuals, in the installations, plants and used tools, in a way that they could respect the technical norms of the protective measures toward fire, qualitative features, national standards and also legal and sub legal dispositions, to prevent abuse or possible falsification that could be done from the juridical individuals.
 - ç) To compose the inspectorate, is the Central Fuel Laboratory, which

functions according to the rules approved by the minister as well as from the administration of the portal oil deposit and their by-products.

- d) The chief inspector is responsible and reports for the activity of the inspectorate in front of the minister. According to the salary, he has the same place with the General Directory Director, and the inspectors and the responsible of the laboratory, with that of the chief sector in the ministry. The other workers are classified as specialists and analog workers in the ministry.
 - dh) The inspector covers his/her own expenses with the incomes that are secured from the deposit of fuel and combustible fuel in the portal storehouse, from the periodic and obliged analyses done according the quality, as well as from the service of the third persons, in base of legal provisions.. The balance sheet of the incomes and expenses of the inspectorate is approved from the minister. In the end of each year, the resulted over pluses pas into the national budget.
4. The duties of the National Control Inspectorate of Oil, Gas and their By-Products are:
- a. To control the implementation of the dispositions of law number 8450, date 24.02.1999 “For the processing, transportation and business intercourse of oil, gas and their by-products”, from all the subjects, national or private, and to take the respective precautions for any infringement observed.
 - b. To control the implementation of the sub legal dispositions acts, for the technical conditions and criteria, which should execute the subjects, which act in the field of processing, transportation and business intercourse of oil, gas and their by-products.
 - c. To control the quantitative, qualitative and trade mark features of oil, gas and their by-products, which are shown to be in quantities in the store houses of the subjects, or which are traded abundantly or in small quantities, take the respective precautions for the respectfulness of legal dispositions.
5. All the inspectors of the inspectorate have the right of control, and are equipped with identity documents from the chief inspector. They have the right to take trade marks from every single liquid or special subjects found in the store hoses, and act in base of law 8450, date 24. 02. 1999. The trade marks taken if free of charge.

The workers of the Central Control Laboratory, equipped with identity documents from the chief inspector have the right to control only the quality of the fuel or combustible material, which are traded or in quantities, as well as to take without money the respective trade marks at all the deposed places, transportation or business intercourse of the subjects equipped by the concession permission, business intercourse permission or authorization.

6. The control for the quality, the way of taking the trade mark and its quantity, its payment, as well as the respective documentation are determined by ministers' order.

7. The control for the respectfulness of the technical conditions and the quality of oil, gas and by-products trade marks, are done in all the subjects, which are properties of the equipped subjects with the concession permission, business intercourse permission or authorization, as well as in every object, which are rented by them, in use or every other form, for processing, depositing, transportation and oil, gas, and their by-products business intercourse.
8. The control is done within the subject activity timetable or the activity timetable of the respective object. The control in the objects, deposits, plants, trading stations or sessions of fuel, may be controlled even out of the working timetable, by written order of the chief inspector, but always in presence of the company representative or physical individual, who owns or uses the respective object.
9. Except the penalty determined in law 8450, date. 24.02.1999 “For the processing, transportation and business intercourse of oil, gas and their by-products”, determined at the ministers’ order, the inspectors have the right to take off the permission, where there have been viewed technical condition infringement or other rules violation.
10. The results of the control are written in the report, which is signed from the inspector who controls, and from the representative of the object. When the representative has remarks, signs them in the report. In the case where the subject representative refuses to take part in the controlling process or refuses to sign according to the conditions prescribed, than the inspector writes, “refuses to sign”, making the report valuable. In the requirements of taking off the permission or authorization, a copy of the report is sent to the organ that has given them.
11. Against the measures taken from the inspectors, according to the dispositions of law number 8450, date 24.02.1999, “For the processing, transportation and business intercourse of oil, gas and their by-products”, may be complained in written form to the chief inspector, within 10 days from the report date. The sentence of the complaint is given within the period of 10 days from the reception of the complaint in the inspectorate.
12. The Ministry of Public and Privatization is responsible for the application of this sentence.

This sentence comes into force within 15 days from its publication in the “National Copybook”.

PRIME MINISTER

PANDELI MAJKO

**THE MINISTER OF PUBLIC
ECONOMY AND PRIVATIZATION
YLLI BUFI**

**REPUBLIC OF ALBANIA
THE COUNCIL OF MINISTERS**

VERDICT

Nr. 322, date 23.06.2000

**FOR SOME CHANGES IN THE VERDICT NR. 130, DATE 18.03.1999, OF THE
MINISTERS' COUNCIL, "FOR THE NATIONAL INSPECTORATE CONTROL
OF OIL, GAS AND THEIR BY-PRODUCTS".**

Based on article 100, of the Constitution of the Republic of Albania, as well as of article 23, of the law number 8450, date 24.02.1999 "For the processing, transportation and business intercourse of oil, gas and their by-products", with the proposal of the Ministry of Public Economy and Privatization, the Council of Ministers.

DECIDED:

In point 3, of the verdict number 130, date 18.03.1999, of Ministers' Council, are done these changes:

1. Letter "a" changes as follow:

"The inspectorate is managed from the chief inspectorate. The members of the Leadership Council of the "National Inspectorate Control of Oil, Gas and By-Products", and chief inspector are nominated by the Prime Minister. Composing the inspectorate are the inspectors and the central control laboratory workers".

2. Letter "d" changes as follow:

"The chief inspector is under the responsibility of the inspectorate and reports for the activities in front of the minister, responsible for hydro carbora.

The inspectors' salary and other workers of the inspectorate are determined according to the criteria of verdict number 317, date 08.07.1999, of Ministers' Council, "For the recompense of the workers' work" and law number 7582, date 13.07.1992, "For the Governmental Enterprises".

3. Letter "dh" changes as follow:

"The inspectorate covers all its expenses from its own income, which are secured from the fuel deposits and combustible in the portal store houses, from the compulsory periodic analyses, done for the quality, as well as from every single service from the third persons, according to legal dispositions. The income balance sheet and expenses of the inspectorate are approved from the minister, responsible for hydro carbora. The inspectorate profits are treated according to article 11, law number 7582, and date 13.07.1992, "For the Governmental Enterprises".

This law comes into force at once.

PRIME MINISTER

ILIR META

**THE MINISTER OF PUBLIC
ECONOMY AND PRIVATIZATION**

MUSTAFA MUCA