

ALBANIAN REPUBLIC

PARLIAMENT

LAW

Nr. 8734, date 01.02.2001

**GURANTEERING WORKING TOOLS SECURITY AND ELECTRICAL
INSTALATIONS**

Based on articles 78 and 83, point 1 of the Constitution, proposed by the Council of Ministers.

PARLIAMENT OF ALBANIAN REPUBLIC

DECIDED:

SESSION I

GENERAL DISPOSITIONS

ARTICLE 1

THE OBJECT

The object of this law is the general features' determination, which guarantee people security, domestic animals or materials from electrical risk.

ARTICLE 2

DEFINITIONS

In this law, the following terms have these meanings:

1. "Entering into market" is meant movement or disposal of the third (person), of electrical equipments, determined in this article.
2. "EEII" is Electrical Equipment and Installation Inspectorate,

3. “Technical Control” is the organized inspection in specific periods and when is necessary even in other periods for verifications and fulfillment of essential security requirements.
4. “Equipments and installations” mean:
 - a) Equipments and installations of low tension, projected for alternative tension 50-1000 volts and 75 - 1500 for on going tension.
 - b) Equipments and networks of middle and high tensions over 1000 volts.
 - c) Electrical radiological equipments and medical apparatus.
 - ç) Electrical equipments for goods and passengers transportation, as well as special equipments for vessels, aviation and railways.
5. “Electrical equipment usage” means every action related to electrical equipment usage, as exploitation or termination, usage, transportation, reparation, modification and maintenance, including even cleansing.
6. “Inspective body “staff”” is a monitoring group approved by Electrical Equipment and Installation Inspectorate and authorized from the respective minister for fulfillment of duties in accordance to article 3 of this law.

ARTICLE 3

Essential security requirements

1. Equipments, installations and electrical networks should fulfill essential security requirements, determined in powerful statute of projection, usage, exploitation, and evaluation conformity.
2. According to point 1 of this law, Ministry of Public Economy and Privatization, writes the necessary sub legal acts.

ARTICLE 4

Entrance into market

1. Equipments and electrical materials are allowed to enter into market and to be exploited, only if the security of people isn't endangered and in any case of domestic animals or material values.
2. Before entering into market, the equipment and electrical materials manufacturer or importer, should be subdued to an inspectional procedure according to article 3, point 2.
3. In case of existing two party or multiparty agreements, the entrance of certified equipments and materials from foreign organisms, is allowed into market.

ARTICLE 5

Supervision and withdrawing from market

1. When Electrical Equipment and Installation Inspectorate notices that an electrical equipment or installation determined, according to article 2 and used toward its destination, endangers people's security and also domestic animals or material values,

take the necessary measures for withdrawal and exploitation of equipment or installation from the market.

2. The taken measure is announced immediately to the interested persons. Against this measure can be complained within 5 days in the Ministry of Public Economy and Privatization.

SESSION III

ELECTRICAL EQUIPMENTS USAGE

ARTICLE 6

Electrical control

1. Before exploitation, electrical equipments and installations should be controlled from the electrical specialist, especially determined by the supplying subject with electrical energy according to people lives, domestic animals or material values security. Monitoring results are presented in written form and are kept from both parties.
2. According to the determined technical security regulation for the electrical equipments and installation approved by Ministry of Public Economy and Privatization, the juridical person, who uses electrical equipments or installations, takes all the necessary measures to make periodical technical controls for every equipment or installation.
3. For its normal work, Electrical Equipment and Installation Inspectorate inspects in every moment electrical equipments or installations, problems or whenever happening accidents, keeping security conditions to discover and avoid presented faults.
4. For the results of technical controls, are taken duty act controls and periods of avoiding presented faults.
5. Technical controls are done by:
 - a) Electrical specialist appointed particularly from the employer;
 - b) An inspector or a group of inspectors from Electrical Equipment and Installation Inspectorate;
 - c) Inspectors' staff, third party authorized by Electrical Equipment and Installation Inspectorate

ARTICLE 7

Employer's compulsion

1. In order to be adequate for the work, the employer takes the necessary measures for the electrical equipments and installations, in disposition of the employees of manufactures or institutions, guaranteeing health and security.

2. According to the fulfillment of technical regulatory requirements, the employer takes the necessary measures during the usage of electrical equipments and installations being maintained through services, reparations and cleansing.
3. Every electrical installation should have the respective project. Every reconstruction or assembling in electrical installation is done by a project.

ARTICLE 8

Employees' information

1. The employer takes the necessary measures that the employee takes the information and the respective guidance for electrical equipments usage.
2. Data and reconstructions for electrical equipment usage, should at least be taken for health and security indexes, according to the following:
 - a) electrical equipment exploitation conditions
 - b) foreseen abnormal situations;
 - c) individual or group protective equipment usage for the prevention of work accidents;
 - ç) in case of accidents medical primary aid.
3. Data and instructions for electrical equipment usage, should be comprehensible for the user.

ARTICLE 9

Employees' formation

1. The employer takes the necessary measures that:
 - a) electrical equipment usage should be done from employees who have sufficient preparation, documented by ability certificates, given from the Electrical Equipment and Installation Inspectorate or from the commission approved by;
 - b) in case of reparation, modification or maintenance of electrical equipments or installation, the interested employees should be qualified in a special way in order to achieve these duties.
2. the employer secures that the employee will get known to the necessary data and get instructed as followed:
 - a) when are determined in the working place;
 - b) when are done modifications in the used electrical equipment;
 - c) periodically, at least once a year.
3. According to article 8 point 2, data and instructions should keep at least health and security indexes.

4. Employers should be aware of the dangers represented to them by electrical equipments used and for every change influencing on their security.

ARTICLE 10

Problem examination

1. For every problem in the electrical equipments and installations, or any accident caused from electrical equipments and installations, the employer or his/her representative should immediately inform for the accident or problem observed, the Electrical Equipment and Installation Inspectorate and also National Working Inspectorate.
2. Until the end of observation, reparation is prohibited and also place change, because further equipment damages or impedes production, except the case where endangers people's lives.
3. The employer or his/her representative is obliged to give to the Electrical Equipment and Installation Inspectorate, every data for observation.
4. In case of accident at work, caused by electrical equipments or installations, the inspector of Electrical Equipment and Installation Inspectorate collaborates with the observing accident inspector.

SESSION III

ELECTRICAL EQUIPMENT AND INSTALLATION INSPECTORTE

ARTICLE 11

Supervision of law implementation

Electrical Equipment and Installation Inspectorate supervises the implementation of dispositions of this law and sub legal acts made from its implementation.

ARTICLE 12

Electrical Equipment and Installation Inspectorate statute

1. Electrical Equipment and Installation Inspectorate is a technical and controlling organism, depended from Ministry of Public Economy and Privatization.
2. Electrical Equipment and Installation Inspectorate is a juridical individual and has a special place in the Budget of the Ministry of Public Economy and Privatization. Organization, operation and its structure are determined by decision of the Council of Ministers.

3. Electrical Equipment and Installation Inspectorate is managed from the Chief Inspector, who is nominated and discharged from the Minister of Public Economy and privatization.

ARTICLE 13

Electrical Equipment and Installation Inspectorate duties

Parallel to duty requirements implementation of above mentioned Electrical Equipment and Installation Inspectorate are executed also these duties:

- a) Compiles the function of the regulation, which is approved by the Minister of Public Economy and Privatization, who controls the requirements security fulfillment of equipments or electrical installations, for re-licensing the activity from the responsible authorities.
- b) Approves electrical projects of objects over 20 kilovolt installed power.
- c) Monitors the work in public or private objects, interacting with equipments and electrical installations. Takes notes for the inspections done, as well as for the problems or accidents of electrical nature.
- ç) Approves the authorization from the Minister of Public Economy and Privatization, to the inspecting staffs or third parties, for duty accomplishments determined on article 3 of this law.

ARTICLE 14

Electrical Equipment and Installation Inspectorate Rights

1. For the implementation of determined duties of this law, Electrical Equipment and Installation Inspectorate has the right to enter in every moment in the employer's presence, administrator or their representative, in objects where are situated electrical equipments and installation.
2. When Electrical Equipment and Installation Inspectorate notices infringements of this law dispositions and regulations, is obliged to:
 - a) Determine duty act controls and periods of infringements' avoidance;
 - b) Determine act-prohibitions for a certain period or forever, when is judged that an electrical equipment or installation do not guarantees security.
 - c) For employees who do not have the right information of technical security regulations, is proposed expulsion from work of electrical equipments and installation;
 - ç) According to article 17, will be taken administrative measures with penalties, and for grave infringement cases of technical security regulations, followed by people's lives consequences, will be asked for legal prosecution.

3. Together with the request of the user and when justified with the taken measures, Electrical Equipment and Installation Inspectorate, for a determined period, postpones it for periodical technical control.
4. Electrical Equipment and Installation Inspectorate needs Public Order forces in:
 - a) Infringing inspectors during their duty;
 - b) If there is no implementation of prohibiting dangerous electrical equipment and installation for humans' security;
 - c) Prohibiting entrance in the object where is the electrical equipment or installation.
5. Electrical Equipment and Installation Inspectorate collaborates with persons or respective public or private services, for expertise accomplishment, group work formation and special controls' execution.

ARTICLE 15

Electrical Equipment and Installation Inspectorate Financial Sources

1. Electrical Equipment and Installation Inspectorate financial sources are:
 - a) National budget
 - b) Incomes with destination realized for the third persons' services
2. Electrical Equipment and Installation Inspectorate realizes incomes from services done from public or private subjects;
 - a) Essential activities are done according to this law, articles 4, 6, 9. These incomes are deposited in the national Budget
 - b) Incomes with destination from third services are deposited in Electrical Equipment and Installation Inspectorate account, and are used to cover expenses, while 10% passes to the national Budget.
3. Tariffs for these incomes are determined from Ministry of Public Economy and Privatization.

ARTICLE 16

Independence and equitability

1. Electrical Equipment and Installation Inspectorate, chief inspectors and other inspectors can't be designers, manufactures, suppliers, fitters or electrical equipments and installations users, neither their representatives. They can not interfere in a direct way, in the projection, production, business intercourse or maintenance of these equipments and installations, neither to represent parties taking part in these activities. This does not exclude the exchange of technical information between electrical equipment and installation manufacturer and Electrical Equipment and Installation Inspectorate.
2. Being free from every pression or incitement, especially of financial nature, Electrical Equipment and Installation Inspectorate Inspectors should evaluate with full professional and technical responsibility. These incitements can affect in their judgment

or in results' control, especially coming from persons or group of persons interested in results' verification.

3. Electrical Equipment and Installation Inspectorate Inspectors should accomplish requests standards related to:
 - a) technical and professional formation;
 - b) recognition of requirements for controls and an adequate experience in these controls;
 - c) Capability to compile certifications and reports, you should concretize control accomplishments.
4. Inspectors should be equitable during their work.
5. According to this law, Electrical Equipment and Installation Inspectorate Personnel keep all professional secrets known during the activities.
6. If Electrical Equipment and Installation Inspectorate Personnel reveal any manufacturing or business intercourse work process secret, are taken disciplinary measures, determined in the Internal Regulation of Electrical Equipment and Installation Inspectorate of this law.

ARTICLE 17

Administrative Infringements

1. Administrative infringements are penalized with penalties:
 - a. Infringements' dispositions of articles 3, 4, 6, 7, 8, 9, and 10 of this law, endanger people's security, domestic animals and materials' values;
 - b. Period surpass allowance, from Electrical Equipment and Installation Inspectorate for infringements' elimination;
 - c. The infringements of regulations' technical supervision, determined by Electrical Equipment and Installation Inspectorate regulation, from employer or appointed employee for technical supervision.
2. The penalty starts from 2000 leke to 500 000 leke.
3. Penalty calculation is done according to regulations method formed by Ministry of Public Economy and Privatization.
4. Electrical Equipment and Installation Inspectorate Inspector, who consists on infringements, immediately compiles a report, which is examined from Penalty Examining Commission of Electrical Equipment and Installation Inspectorate, lead by Chief Inspector.
5. Administrative infringement examinations are always done in the presence of infringer. When is verified that the infringer is informed, but has no reasonable justifications for his absence, the examination can also be done during his absence.

6. Against the decision of Penalty Examining Commission of Electrical Equipment and Installation Inspectorate, could be complained within 5 days from the decision taken from District Court, where is done the infringement, as a peremptory decision.

ARTICLE 18

Penalty execution

1. The penalty is paid from the infringers within 5 days, from the peremptory decision. After the passing period for every single delayed day is paid a 2% interest nearly for one month. If the penalty isn't paid after this period, is executed law nr. 7697 date 07.04.1993 "For Administrative Infringements".
2. Penalties are deposited in the National Budget

ARTICLE 19

Invalidities

Decree nr. 3503, date 07.05.1962 "Upon National Technical Security Inspectorate for Electrical Equipment and Installation" and every single provision contrary to this law, is invalidated.

ARTICLE 20

Entering into force

This law enters into force within 15 days after being published in the Official Gazette.

Chairman

Skender Gjinushi