



REGULATION¹

ON THE COMMISSION OF NOMENCLATURE AND THE FUNCTION OF HIS SECRETARIAT

This regulation is drafted based on article 24 of Law no. 17/2018, "On official statistics", Law no. 8480, dated 27.05.1999 "On the functioning of collegial bodies of state administration and public entities" and point 4 of DCM no. 671, dated 7.11.2018 "On the establishment, functioning and duties of the National Commission for Nomenclature".

CHAPTER I GENERAL PROVISIONS

Article 1

Purpose of the National Commission for Nomenclature

1. National Commission for Nomenclature, hereinafter "Commission" is the body, which has the task of updating, adapting and implementing statistical, economic and social classifications, in accordance with European and international statistical classifications.
2. The Commission exercises its activity in accordance with Article 24 of Law no. 17/2018 "On official statistics" and bylaws governing the establishment, operation, duties and remuneration of members of this commission

Article 2

Object

1. The purpose of this regulation is to determine the most detailed rules for the activity of the Commission in accordance with and implementation of Law no. 8480, dated 27.05.1999 "On the functioning of collegial bodies of state administration and public entities" and DCM no. 671, dated 7.11.2018 "On the establishment, functioning and duties of the National Commission for Nomenclature".
2. This regulation determines the rules for the functioning of the Secretariat of the Commission, based on point 4 of DCM no. 671, dated 7.11.2018.

¹ This is not an official translation



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Article 3 **Definitions**

In this regulation, the following terms have the following meanings:

- 1) "member" means the members of the National Nomenclature Commission;
- 2) "Commission" means the National Nomenclature Commission;
- 3) "Chairman" means the Chairman of the National Nomenclature Commission;
- 4) "Nomenclature" means the systematic naming of categories, phenomena or items for statistical purposes;
- 5) "Secretariat" means the persons designated to cover the duties of the Secretariat of the National Nomenclature Commission;

CHAPTER II **ORGANIZATION AND COMPETENCES**

Article 4 **Commission**

1. The Commission exercises its functions in the implementation of:
 - a) legislation on official statistics;
 - b) legislation on the functioning of collegial bodies of state administration and public entities;
 - c) the relevant decision of the Council of Ministers, approved in support of point 4 of article 24 of Law no. 17/2018 "On official statistics";
 - ç) relevant decisions of the Council of Ministers for the approval of nomenclatures;
 - d) decisions and instructions of the Commission, as well as this regulation.
2. The institutions represented in the Commission are determined by a special decision of the Council of Ministers.
3. The Commission works for the adaptation and implementation of nomenclatures in the country. In exercising its functions, the Commission performs the following tasks:
 - a) approves the regulation for the organization and functioning of the Commission;
 - b) discusses and decides on the further decomposition of the nomenclature structure and, where appropriate, on the aggregation or abolition of its subdivisions, in accordance with the specific situation of the country and the international rules for the construction of nomenclatures;
 - c) proposes to the Council of Ministers the approval with a special decision of the nomenclature agreed by the members of the Commission, to be implemented in the Republic of Albania;
 - ç) drafts and approves within the first quarter of the year the annual plan of its activities;
 - d) issues instructions for the practical implementation of nomenclatures by public institutions;

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- dh) monitors every 6 months the implementation in practice of the nomenclatures approved by decision of the Council of Ministers;
- e) contributes to the drafting of training materials for the staff of public institutions which are responsible for the implementation of the nomenclature;
- e) elects the Deputy Chairman of the Commission.

Article 5

Structures

The structures of the Commission are:

- 1) Chairman of the Commission;
- 2) Deputy Chairman of the Commission;
- 3) Members;
- 4) Secretariat.

Article 6

Chairman of the Commission

- 1. The Chairman of the Commission is the General Director of INSTAT due to the law.
- 2. The Chairman has the following competencies:
 - a) proposes to the Commission the candidate for Deputy Chairman of the Commission;
 - b) convenes and chairs the meeting of the Commission;
 - c) determines the meeting place and the agenda;
 - ç) forwards to the members of the Commission, through the Secretariat, the documentation of the meeting;
 - d) signs the accompanying documents issued by the Commission and the records of its meeting;
 - dh) takes measures for the publication of the activity of the Commission on the official website of INSTAT;
 - e) reports the activity of the Commission to the Council of Statistics and the Assembly of Albania.

Article 7

Deputy Chairman of the Commission

- 1. The Deputy Chairman is a member of the Commission and a representative of one of the statistical agencies in the Commission.
- 2. The Deputy Chairman of the Commission has the following competencies:
 - a) chairs the meeting in the absence of the Chairman;

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- b) covers the tasks delegated by the Chairman only for issues of organizing the meeting of the Commission;
- c) gives an opinion on the place, the agenda and the documentation of the meeting, before being signed by the Chairman;
- ç) signs the minutes of the meeting of the Commission, if this meeting is chaired by the deputy Chairman.

Article 8

Election of the Deputy Chairman

1. The Deputy Chairman is elected at the first meeting of the Commission, after the approval of this Regulation.
2. The candidate for Deputy Chairman is proposed by the Chairman of the Commission. The proposal for the candidate is made in writing, with the signature of the Chairman and submitted to the Secretariat of the Commission. The proposal letter must contain the name of the candidate and the justification of the proposal.
3. The Deputy Chairman is elected without debate, by a majority vote and when $\frac{3}{4}$ members are present. The manner of voting is agreed in advance by the members of the Commission.
4. In case the proposed candidate does not receive the majority of votes of the members present, then the Chairman proposes a second candidacy, with the same criteria, which is voted in the next meeting.
5. If the result of the voting is equal, then the voting is repeated and, if again the result of the voting is equal, then the vote of the Chairman decides.
6. The proposed member for Vice President reserves the right to reject the candidacy at any time, until the beginning of the voting process.

Article 9

Dismissal and dismissal of the Deputy Chairman

1. The Deputy Chairman is dismissed by the Commission:
 - a) at his request;
 - b) if he leaves the institution he represents in the Commission or if he moves to another position;
 - c) if the head of the institution he represents replaces him with another member.
2. The Deputy Chairman is dismissed by the Commission when:
 - a) violations of professional ethics are ascertained during the time it exercises its activity in the Commission;

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- b) an administrative measure is taken to be a “serious violation” according to the legislation on the civil servant or a measure of this nature when the Deputy Chairman is not part of the civil service;
 - c) due to illness, which makes him unable to perform the assigned functions for more than 3 months;
 - ç) does not participate in the meeting at least 3 times in a row.
3. The Deputy Chairman may be replaced by the Commission upon the written proposal of at least one of its members. The proposal for dismissal must contain the reasoning, reasons and circumstances of dismissal, written documents on which the proposal is based and must be submitted to the Secretariat of the Commission no later than 5 days from the date of the meeting.
4. The Secretariat immediately protocols the proposal for replacement according to point 3 of this article and, through the Chairman, immediately notifies the members of the Commission. The Chairman convenes the extraordinary meeting of the Commission within 5 (five) days to review the proposal.
5. Voting for the replacement of the Deputy Chairman is done by simple majority and secret ballot, in the presence of $\frac{3}{4}$ all members.

Article 10

Appointment and dismissal of a member of the Commission

1. The member represents the relevant public institution in the Commission.
2. The members are appointed by the head of the respective institutions according to the request of INSTAT and these criteria:
 - a) be at least in the position of lower management level according to the hierarchy defined by the legislation for the civil servant, or a similar position for other civil servants;
 - b) to be a user of nomenclatures and classifications due to the task he / she covers in the institution;
 - c) be authorized to make decisions on behalf of the institution, as a member of the Commission.
4. The member loses the right of representation in the Commission when:
 - a) the head of the institution he represents appoints another person;
 - b) leaves the institution he represents or passes to another task;
 - c) violations of professional ethics are ascertained during the time it exercises its activity in the Commission;
 - ç) an administrative measure “serious violation” has been taken against him according to the legislation on the civil servant or a measure of this nature when the member is not part of the civil service;

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- d) due to illness, is unable to perform the assigned functions for more than 3 months;
 - dh) does not participate in the meeting at least 3 times in a row.
5. If one of the cases provided in point 4 of this article is ascertained, the President sends a written notification to the head of the relevant institution for replacement with another member according to the criteria provided in point 2 of this article.

Article 11

Competencies of members

1. The members of the Commission give their contribution in all stages of the preparation of the nomenclature, according to the responsibility.
2. If deemed reasonable, members have the right to be assisted by other experts of the institution they represent, but without the right to vote.
3. The member may be charged with duties and responsibilities by the Commission, to follow or lead a certain process regarding the adaptation of the nomenclature. The responsible member cooperates closely with the Secretariat for the preparation of the meeting documentation regarding the nomenclature under his / her responsibility.
4. The member reports to the Commission the progress of the implementation of the nomenclature and proposes solutions in case of problems encountered in practice.
5. Each member is obliged to keep the Secretariat up to date regarding contact references:
 - a) telephone number;
 - b) e-mail address.

Article 12

Secretariat of the National Commission for Nomenclature

1. The Secretariat is a structure set up in support of point 4 of DCM no. 671, dated 7.11.2018 "On the establishment, functioning and duties of the National Commission for Nomenclature".
2. The Secretariat consists of 2 (two) INSTAT specialists, who are appointed by special order of the General Director of INSTAT.
3. The Secretariat is presented to the Commission by the Chairman at the next meeting of the Commission.
4. The composition of the Secretariat is reviewed by the Chairman if requested by the members of the Commission due to conflict of interest.
5. The Commission appoints one of its members with the task of supervising the work of the secretariat.

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Article 13

Duties of the Secretariat

1. The Secretariat has the following duties:
 - a) to maintain written correspondence between the members of the Commission regarding the exchange of opinions and proposals on the issues under discussion;
 - b) prepare the documentation of the meetings and make it available to the members of the Commission according to the agenda;
 - c) facilitate the organization of meetings by taking measures to ensure the environment, logistics and online infrastructure;
 - ç) to keep records on the presence of members;
 - d) to keep the minutes of the meeting and, after the minutes are agreed by the members, to compile the relevant minutes of the meeting.
2. In order to exercise the task defined in letter (c) of point 1 of this article, the Secretariat has the right to request the assistance of the IT support staff of INSTAT and the institutions represented in the Commission.

CHAPTER III

COMMISSION MEETINGS AND DECISION MAKING

Article 14

Meetings of the National Commission for Nomenclature

1. Meetings of the Commission are held in accordance with Article 4 of Law no. 8480, dated 25.08.1999.
2. The Commission meets no less than 3 (three) times a year and as many times as necessary for cases related to the issues provided in point 3 of article 4 of this regulation.
3. The meeting of the Commission is convened by the Chairman.
4. In exceptional cases, the Commission may convene on the proposal of 2 (two) or more members, after approval by the Chairman of the Commission.
5. The Chairman decides on the agenda, date, time and place of the next meeting and, through the Secretariat, notifies in writing and electronically the members of the Commission no later than 7 (seven) days before the date of convening the meeting.
6. The announcement of the meeting is signed by the Chairman, is secreted in the protocol of INSTAT and contains at least:
 - a) the agenda of the meeting;
 - b) place, date and time of the meeting;
 - c) the name of the initiating member of the meeting;



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- ç) references to the materials and documentation to be reviewed.
7. As a rule, the meeting of the Commission takes place in the premises of INSTAT, unless the Chairman decides otherwise.
8. In special cases, meetings are held online on one of the platforms for organizing online meetings, which is communicated to the members of the Commission by the Secretariat before the meeting.
9. The date of the electronic notice for the meeting shall be considered the date of sending the notice by electronic means to the address of the member. As a rule, the member of the Commission sends the preliminary confirmation for participation online or in person.
10. In the cases provided in point 4 of this article, the above deadlines on the notification of the meeting may not be followed. However, the content of the meeting notice must be as provided in point 6 of this article.
11. The meeting of the Commission is chaired by the Chairman and, in his absence, by the Deputy Chairman and is valid when attended by not less than $\frac{1}{2}$ members.
12. Before the beginning of the meeting, the Secretariat certifies the presence of the members of the Commission, through a list of attendance signed by the members of the Commission present in the meeting room. In cases when the members or a part of them are present on-line, then the attendance list for these members is signed by the Secretariat, reflecting next to each member's name the word "on-line".
13. If it is ascertained that less than $\frac{1}{2}$ of the number of members of the Commission are present at the meeting, then the chairman decides to postpone the meeting to another day, which must take place no later than 10 (ten) days.
14. The meeting of the Commission is valid even when the procedures provided for its convening and development are not respected, only if in that meeting participate all the members with the right to vote, who, in advance, approve the agenda and the development of the meeting.

Article 15

Meeting materials and the way they are presented for review

1. The materials for review at the meeting of the Commission according to the agenda, are deposited with the Secretariat, which distributes to the members no later than 5 (five) days from the date of the meeting.
2. In cases when the submitted materials are considered incomplete by the Chairman or the member in charge of the Commission for the supervision of the Secretariat, according to point 5 of article 12 of this regulation, then the Secretariat returns for review to the responsible structures which have prepared it. .



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3. The responsible structures review the materials and send them back to the Secretariat within three days.
4. The Secretariat shall take measures to keep in a separate file the written reports of the members, the minutes of the meeting and the decisions taken by the Commission. The documentation of each meeting is deposited in the archive / protocol of INSTAT.

Article 16

The decision-making and voting procedure in the Commission meetings

1. The Commission takes decisions collegially by open voting.
2. Decisions are taken by a majority vote of the members who participate in the meeting and who have the right to vote.
3. Each member of the Commission has the right to one vote.
4. The chairman votes last.
5. Abstention is not allowed in voting. The vote against is argued and reflected in the minutes of the meeting.
6. In case the result of the open voting is equal, then the voting procedure is repeated once more. In case the voting is equal again, then the vote of the President is decisive.
7. In cases where remarks are made on the submitted material, then the Commission votes on it in principle and, if it is voted in favor in principle, then it goes to the voting of each proposal made by each member and, finally, decides on the material as a whole with changes made in the meeting. Otherwise, the material is not approved and the procedure provided in point 4 of article 19 of this regulation is followed.
8. The decisions of the Commission are signed by the Chairman and the Secretariat of the Commission. The Deputy Chairman signs in the absence of the Chairman.
9. If deemed reasonable by the Commission, INSTAT shall publish the decisions of the Commission on its official website.

Article 17

Meeting records

1. In each meeting of the Commission, a record is kept which contains at least a summary of the discussions held, the date and place of the meeting, the members who participated, the issues discussed, the decisions taken and the form and result of the voting.
2. The minutes are drafted by the Secretariat and sent within 3 (three) days for approval electronically to each member who participated in the meeting. If there are no objections from the members, then the minutes of the meeting are whitewashed and signed by the Chairman and all members participating in the meeting, on all its pages.

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3. In cases when the meeting took place during a period of more than one day, then the minutes present in summary form the discussions held during each day.
4. The arguments of the members who voted against the approved decision are also recorded in the minutes.

CHAPTER IV NOMENCLATURE ADAPTATION

Article 18

Proposal for adaptation of nomenclatures

1. Each institution represented in the Commission has the right to submit a request or proposal for the adaptation of a certain international nomenclature, for statistical purposes.
2. The proposal for the adaptation and implementation of the nomenclature is submitted in writing at any time to the chairman of the Commission by the representative member of the institution in the Commission. The proposal contains at least:
 - a) the international act on which the application of the nomenclature is based;
 - b) nomenclature translated into Albanian;
 - c) the explanatory report which, in turn, must contain:
 - i) The purpose of the nomenclature and the objectives to be achieved;
 - ii) Evaluation of the nomenclature in relation to official statistics development policies or governance programs;
 - iii) Advantages of the nomenclature approximation and expected effects;
 - iv) the degree of approximation with the international act;
 - v) explanatory summary;
 - vi) financial impact.
 - ç) the institution responsible for monitoring and reporting on the implementation of the nomenclature.
3. The Chairman of the Commission forwards the documentation to the Secretariat for the preparation of the documentation in the next meeting. The Secretariat of the Commission forwards it to the members of the Commission for review within 3 (three) days.
4. The member of the proposing institution reports the adaptation of the nomenclature to the meeting of the Commission and supports INSTAT in the further steps for the approval procedures in the Council of Ministers.

Article 19

Review of proposals



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1. Each member of the Commission has the right to review the documentation for proposing and adapting the nomenclature.
2. Before the proposed Draft Nomenclature is approved as such by the Commission, the member of the proposing institution shall arrange for the material to be officially translated into Albanian. During the review of the draft nomenclature, the Commission has the right to comment on the translation of the material in order to achieve the appropriate technical adaptation.
3. The members of the Commission send the comments and proposals for the nomenclature within 30 (thirty) days from the submission of the materials according to point 3 of article 18 of this regulation. The Chairman, within 5 (five) days from the end of the deadline for submission of comments, convenes the meeting of the Committee, including in the agenda the discussions on the proposed nomenclature.
4. If the members of the Commission judge during the meeting that the draft nomenclature has deficiencies or need further elaboration, then the Commission decides to return the draft nomenclature to the proposing institution for review and correction of deficiencies within 30 (thirty) days.
5. In case the members of the Commission deem that the draft nomenclature does not need further elaboration, then it is approved in principle by open voting and passed to INSTAT for the preparation of the appropriate practice for a proposal to the Council of Ministers.
6. The Commission may set up working groups, according to its fields and needs, composed of all institutions included in the Commission or a part of them. The rules for the functioning of these groups and the degree of their responsibility are determined by a special decision of this commission.

Article 20

Approval of the Draft Nomenclature

1. The Commission approves with a special decision the draft nomenclature and accompanying documentation according to article 16 of this regulation and forwards it to INSTAT for the preparation of the necessary practice for the approval of the draft nomenclature in the Council of Ministers.
2. In the decision according to point 1 of this article, the Commission also appoints the institution responsible for monitoring and reporting on the implementation of the nomenclature.
3. The decision for the approval of the draft nomenclature is taken in accordance with the provisions of article 16 of this regulation.
4. The Commission instructs INSTAT to send the draft nomenclature for approval to the Council of Ministers, within 5 (five) days from the date of the decision of the Commission.

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Article 21

Monitoring the implementation of the nomenclature and the form of reporting

1. The Commission has the right to monitor and report on the level of implementation of the nomenclature entered into force by a special decision of the Council of Ministers. The Commission exercises this right by submitting the request for reporting to the responsible member, at the meeting.
2. The representative member of the institution responsible for monitoring, appointed according to point 2 of article 20 of this regulation, submits to the Commission reports on the level of implementation of the nomenclature, problems encountered and, where appropriate, proposals for possible solutions.
3. The monitoring report is prepared and sent to the Chairman of the Commission within 45 days from the request of the Commission for the preparation of the report. The Chairman forwards the report to the members of the Committee through the Secretariat of the Committee and includes it for discussion in the agenda of the next meeting.
4. The content and form of reporting shall be determined by the Commission and shall be the same for all nomenclatures.

CHAPTER V OTHERS

Article 22

Repeal

Regulation "On the functioning of the National Commission for the adaptation and implementation of Nomenclatures" No. 425/19 Prot., Dated 03.10.2018, is repealed.

Article 23

Entry into force

This regulation enters into force immediately and is published on the official website of INSTAT.

NATIONAL COMMISSION FOR NOMENCLATURE

CHAIRWOMAN

ELSA DHULI

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