

Water Regulatory Authority of Albania

INTEGRITY CODE



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Water Regulatory Authority of Albania (WRA)

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FOREWORD

Our task of regulating the Albanian water supply and sewerage sector involves us continuously dealing with a wide variety of stakeholders, all pursuing their different institutional interests. Sometimes we are confronted with having to take difficult decisions. If we are to carry out our institutional and legal duties in a fair and in the best possible way for the public interest, it is crucial not only to safeguard our institutional as well as our individual independence but also our accountability towards the Albanian citizens.

Under the guidance of an experienced Commission and with support from a motivated staff, we have been able to strengthen our regulatory processes in the water supply and sewerage sector and professionalize our work considerably over the past years. We have now reached a point in our institutional development process where we feel it to be important to highlight one particular issue that is key both for the effectiveness and the sustainability of our work: our commitment to act with integrity. The Integrity Code presented in this document explicitly reaffirms this core value for ourselves, and will provide guidance for future generations of WRA officials.

The recognition of this Code is an institutional obligation for all our officials and for everyone who will join our institution in the future. It is our internal and external commitment to comply with all relevant Albanian laws and regulations, especially those concerning anti-corruption, conflicts of interest and issues related to integrity and ethics, and the Code has been drafted to reflect the particular challenges related to our regulatory work. Finally, the Code is also a specific contribution to Albania's Strategy for the Prevention, Fight against Corruption and Transparent Governance and our country's compliance with Article 8 of the United Nations Convention against Corruption (UNCAC).

This Integrity Code takes into account Law No 8102 of 28.03.1996 “On the Regulatory Framework of the Water Supply and Wastewater Disposal and Treatment Sector” and all its present and future amendments, Law No 9131 of 08.09.2003 “On the Public Administration Rules of Ethics”, the Law no 9367 of 07.04.2005 “On Preventing the Conflict of Interest while Exerting Public Functions”, Law No 8484 of 12.05.1999 “On the Administrative Procedure Code”, and Law No 9049 dated 10.04.2003 “On the declaration and audit of assets, financial obligations of elected officials and certain public employees” and Law No. 8503 dated 30.06.1999 “On the right of information for official documents”, as well as the respective WRA internal regulations.

ARTICLE 1 – PURPOSE

1.1 By establishing this Integrity Code, we commit ourselves to responsibly and independently carry out our mandate and achieve our vision/mission.

ARTICLE 2 – SCOPE

2.1 The code is applicable to all officials working for the WRA. In the understanding of this code, “officials” comprise both the members of the commission and the staff.

2.2 Persons engaged under a consultancy contract shall be subject the same code and must sign it together with their contract.

ARTICLE 3 – RESPONSIBILITIES

3.1 The responsibility for the enforcement of this code lies with the respective hierarchy of accountability.

3.2 An Integrity Committee supports the implementation of this code. The Integrity Committee is composed by representatives of the Legal Department and Human Resource Department, proposed by the Chair and approved by the Commission for one year.

3.3 The tasks of the Integrity Committee are to:

- a.** provide guidance regarding the contents or the application of the code;
- b.** advise officials facing a situation which is not specifically addressed by the legislation or the code;
- c.** coordinate activities that ensure the understanding of the code;
- d.** provide the Commission with information and suggestions for required changes to the code.

3.4 Officials who violate the code, and its underlying Laws and regulations, are sanctioned according to the standard administrative procedures.

ARTICLE 4 – GENERAL PRINCIPLES

- 4.1** All WRA officials have been entrusted with a position to act in the public interest. Therefore, their ultimate loyalty shall be to the public interest of Albania as expressed through the democratic institutions of government.
- 4.2** Officials shall perform their duties and functions with integrity and professionalism. They shall ensure that public resources for which they are responsible are administered in the most effective and efficient manner, so that they can always publicly justify their use as consistent with the proper exercise of their professional duties.
- 4.3** Officials shall be attentive, polite, fair and impartial in the performance of their functions and, in particular, in their relations with the public. They shall perform their official duties in a way that enhances public confidence in the WRA.
- 4.4** Officials shall at no time practice any undue preferential treatment, including gifts and favours, to any group or individual or improperly discriminate against any group or individual, or otherwise abuse the power and authority vested in them.
- 4.5** Any distinction on such grounds as race, nationality, age, disability, gender, civil status, family connections, social origin, religion, sexual inclinations, and political affinity in all the activity of the WRA is prohibited.

ARTICLE 5 – IMPARTIALITY

- 5.1** Officials shall honestly and impartially treat all individuals and organisations they enter into relations with.
- 5.2** While performing their tasks, the officials shall not:
- a.** make commitments, provide informal guidance or make promises with regards to proceedings in which a decision has not yet been reached;
 - b.** take part in informal meetings addressing proceedings in which a decision has not yet been reached by the WRA or officially communicated to the parties concerned. For all other informal meetings addressing matters relevant to their work, officials shall seek authorisation of the Chair or, if this is not possible for objective reasons, notify the Chair afterwards. If a member of the Commission is concerned, he/she will inform the Chair and the other Commission members.
- 5.3** Professional staff shall not meet with persons involved in ongoing proceedings of the WRA, unless they are accompanied by at least one other official.
- 5.4** Officials can be a member of various political and non-political organizations, but the political viewpoints or opinions of the official shall be clearly expressed as individual viewpoints, and in no case in their function as an official of the WRA.

ARTICLE 6 – CONFLICT OF INTEREST

- 6.1** Officials shall not abuse their entrusted position for the improper advancement of their own private interest or that of their family or friends.
- 6.2** Officials must declare assets, business, commercial and financial interests or activities undertaken for financial gain that may raise an actual, apparent or potential conflict of interest, as specified in the Law and regulations.
- 6.3** Officials shall at no time improperly use public funds, property, services or information that is acquired in the performance of, or as a result of, their official duties for activities not related to their official work.
- 6.4** After leaving their positions officials shall not take improper advantage of their previous position with the WRA.

ARTICLE 7 – GIFTS AND OTHER FAVOURS

- 7.1** Officials shall not ask for or accept directly or indirectly any gift or other favours from individuals, businesses or entities that have dealings of any kind with the WRA.
- 7.2** Officials who unwillingly receive gifts or favours of any significant value shall immediately notify the direct superior in writing, who will inform the Integrity Committee to arrange for their return through the WRA's administration service. If a member of the Commission is concerned, he/she will notify the Commission.

ARTICLE 8 – INFORMATION AND CONFIDENTIALITY

- 8.1** Officials shall ensure the security and confidentiality of printed and electronic information, as stipulated in the respective Laws and regulations.
- 8.2** Officials shall not:
 - a. disclose information on inquiry, inspection or investigation activities in progress within the WRA;
 - b. disclose information or publicly express opinions on ongoing proceedings before an official decision is issued by the WRA and notified to the parties concerned;
 - c. use information acquired during the course of their work for personal purposes.
- 8.3** These restrictions shall also apply after terminating a contractual relationship with the WRA.
- 8.4** Officials shall allow access to information by individuals and organisations, internal and external to the WRA, entitled to receive such information as specified in the respective laws and regulations. Information shall not be provided if restricted by professional secrecy, laws or regulations or the duty of discretion.

ARTICLE 9 – EXTERNAL RELATIONS

- 9.1** Officials shall refrain from making public declarations, which could affect in a negative way the image of the WRA.
- 9.2** Officials shall inform the Chair and the National Commission, if they receive requests for information or clarification from the media. They shall under no circumstances comment on, publicise, or release in any form, news associated with the activities of the WRA unless they are mandated by the Chair.
- 9.3** Officials proposing to publish articles or other documents matters related to the mandate of the WRA shall inform the Chair of their intention.
- 9.4** All official email communication with external individuals and organisations shall reflect the professionalism of the WRA and shall be done through the official WRA email addresses only.
- 9.5** For all official external communication processes, officials shall seek a mandate by the Chair. For members of the Commission, mandates are agreed upon with the Chair and the other Commission members.

law
code
trust
ethics
guidance transparency
conflict of interest
law right practice
responsibility
rules **honesty**
standards code
rules impartiality trust
values law
conduct
independently
trust **respectability**
integrity
law responsibility
trust **principles**
guidance **honesty** code
confidentiality
internal regulations
rules impartiality
enforcement **trust**
respectability
principles
code