

DECISION
No. 427, dated 08/06/2016
“ON THE ORGANIZATION AND FUNCTIONING OF THE NATIONAL
TERRITORIAL PLANNING AGENCY”

Pursuant to Article 100(5) of the Constitution and Article 6 of Law No. 90/2012, “On the organization and functioning of the state administration” and letter “b”, Article 6(6), of the Law No. 107/2014, “On territorial planning and development”, as amended, with the proposal of the Minister of Urban Development, the Council of Ministers

DECIDED:

I. GENERAL PROVISIONS

1. The National Territorial Planning Agency, hereinafter referred to as “NTPA”, is organized and functions in compliance with this Decision and Law No. 107/2014, “On territorial planning and development”, as amended.

2. NTPA is a legal, public budgetary entity, responsible for planning, subordinate to the Ministry responsible for territorial planning and development issues, with registered seat in Tirana.

3. NTPA has its official emblem, logo and seal, which are approved by the Minister responsible for urban development upon proposal of the general director of NTPA.

4. The emblem has embedded the emblem of the Republic of Albania and the following text: “Republic of Albania, Ministry of Urban Development, National Territorial Planning Agency”, in compliance with Decision of the Council of Ministers No. 474, dated 10/07/2003, “On the use of the emblem of the Republic of Albania and its size ratio”, as amended.

5. The official seal of NTPA has the shape and elements as determined in paragraph 2 of Decision of the Council of Ministers No. 390, dated 06/08/1993, “On the rules regarding the production, administration, control and security of official seals”, as amended. The seal of NTPA is produced, administered and safeguarded in compliance with the applicable legislation.

II. ORGANIZATION AND FUNCTIONING OF NTPA

1. NTPA is an institution responsible for planning, subordinate to the Ministry responsible for territorial planning and development issues, exercising its activity all over the territory of the Republic of Albania.

2. NTPA is chaired by the general director, who organizes and leads its activities and reports to the Minister responsible for urban development.

3. The General Director of NTPA shall be appointed, released and discharged from duty by order of the Prime Minister, upon proposal of the minister responsible for urban development, in compliance with the applicable legislation.

4. The deputy General Director of NTPA, who is also director of one of the directorates, shall be appointed, released and discharged from duty by order of the minister responsible for urban development, upon proposal of the General Director of NTPA.

5. NTPA is a budgetary institution, financed by the state budget, external donations and other legal sources. NTPA generates income also from services provided to third parties. The fees of these services are set as per the respective applicable legislation.

6. NTPA administers budgetary funds and those generated from services provided to third parties, in compliance with the regulations and principles of the budgetary system in the Republic of Albania.

7. The structure and organizational chart of NTPA shall be approved by order of the Prime Minister.

III. RESPONSIBILITIES AND DUTIES OF NTPA

1. Pursuant to Law No. 107/2014 “On territorial planning and development”, as amended, the NTPA has coordination responsibilities. It coordinates the processes of drafting the territorial planning and development documents and supports coordination between territorial planning authorities, both horizontally and vertically. In framework of coordinating the activities and work of institutions in the area of territorial planning and development, it:

a) organizes appointments, meetings and consultations with the responsible national and local authorities of territorial planning;

b) develops and applies policies that ease, foster and support the cooperation and coordination of activities at each level;

c) cooperates and shares information with these authorities, with the aim of harmonizing the addressing of cases with national and local importance in the field of territorial planning;

ç) offers assistance, counselling, data and information with the aim of ensuring standards and quality during the addressing of cases with national and local importance in the field of territorial planning.

2. NTPA shall guide, coordinate and mediate the activities for the modernisation of the planning model and the promotion of innovatory practices in urban design and planning. In this framework, it:

a) processes, fosters, implements and engages in initiatives for the improvement and modernization of the territorial planning model;

b) organizes, follows, applies, takes part in pilot projects or similar activities, in the country and abroad, that aim at promoting the innovatory models of territorial planning and new practices in architecture and planning;

c) ensures liaison between the projects or activities that represent innovations in the field of planning and the local or foreign expertise, and the development and implementation of these projects and activities.

3. NTPA is responsible for the information of improvement processes for territorial planning and development legislation. It proposes to the Council of Ministers, through the minister responsible for the urban development, the review of acts or development of new sub-legal acts, in compliance with the Law No. 107/2014, “On territorial planning and development”, as amended, or for the development of new legal instruments in the field of planning and architecture.

4. NTPA is responsible for the administration and maintenance of the territorial planning and development integrated database. In this framework, NTPA:

a) organizes, administers, updates and maintains the Integrated Territorial Register;

b) monitors, continuously, the compliance of the acts published in the Integrated Territorial Register with the laws and planning documents in force and offers proposals and assistance for ensuring compliance;

c) develops, updates, improves, on an on-going basis, and shares administrative technical standards of the Integrated Territorial Register;

ç) offers assistance to the planning authorities as regards the registration and administration of the Integrated Territorial Register data.

5. NTPA is responsible for informing the public on territorial planning processes, and the promotion of its participation in the processes for the development and implementation of the planning documents.

6. NTPA engages its responsible units to ensure legal, technical and methodological standards of the field of planning and development. In this framework, it:

a) ensures compliance of the development of the territorial planning documents, at the central and local level, with the provisions of the Law No. 107/2014, “On territorial planning and development”, as amended, through offering technical support to the authorities responsible for the territorial planning. Measures taken by NTPA for this purpose shall include:

i) offering the basic electronic data and technical territorial planning norms that should be used during the development of planning documents, at a national and local level;

ii) organizing trainings on the use of basic electronic data and technical territorial planning norms before the commencement of the development of the planning documents;

iii) assessing the compliance of the planning documents under review, against the General National Plan and other national plans, based on the order of priority of the planning documents, as well as their checking against the basic electronic data and technical planning norms.

b) preparing and publishing the methodological manuals for the territorial planning;

c) ensuring the development of technical standards of the Integrated Territorial Register and providing support to the institutions, to ensure maximum quality in the independent administration of and registrations to this register, in compliance with the provisions of the Point 4, Chapter III of this decision.

7. NTPA is responsible for the preparation of the studies on the Integrated Planning System in the Republic of Albania, and proposals to the Minister responsible for territorial planning and development, the National Territorial Council and the Council of Ministers, and measures on the sustainable territorial development and processes and activities related to territorial planning. Therefore, NTPA shall carry out research activities, analyses and studies in the framework of proposal, support and information for the decision-making processes and the improvement of the policy in the field of territorial planning and development.

8. NTPA ensures that any outcomes of the research, analytical and surveying activities performed in compliance with the obligations of the Point 7, Chapter III of this Decision, or resulting from its practice and activity, be available to the sustainable urban development in Albania. By order of the General Director of NTPA, certain documents may be published as studies, booklets or didactic materials, as well as be available to the vocational training of planning and urban development experts or be available to the public, through the official website of NTPA. More detailed rules on the organization of this activity and on the responsible structures of NTPA shall be determined in the regulation on its functioning, as ratified pursuant to Point 6, Chapter II, of this decision.

9. NTPA shall prepare, on annual basis, the Annual Monitoring Report on the Achievement of the Goals and Objectives, stated in the General Territorial Plan and detailed plans for areas of national importance. NTPA unit responsible for the development of this report and the deadline for its preparation shall be determined in the regulation on NTPA functioning, as ratified pursuant to Point 6, Chapter II, of this decision.

IV. SUPPORT FOR THE DEVELOPMENT AND PROFESSIONAL QUALIFICATION OF PLANNING EXPERTS

1. NTPA is responsible for the training of public and private sector experts that perform professional activities in the field of territorial planning, for the implementation of the Law No. 107/2014 “On territorial planning and development”, as amended, and the bylaws issued thereunder.

2. NTPA shall organize trainings, on an on-going basis, as regards the professional development and continuous update of territorial planning experts knowledge, as determined in the Article 14 of the Law No. 107/2014, “On territorial planning and development”, as amended.

3. For purposes of the initial professional qualification of new experts and continuous professional development of the active territorial planning experts, NTPA shall organize initial and continuous training programs, by using modern on-the-job training and practice-oriented methodologies. When necessary, NTPA, through its respective structures, shall integrate these programs into its research, surveying and analytical activities for the information of decision-making, policies and planning legislation. For the implementation of this item, NTPA shall cooperate with local and foreign experts, higher education institutions, local or foreign, public or private, as well as with other partner organizations. More detailed rules for the organization of these programs, their content and procedures shall be approved by the General Director.

4. NTPA shall organize trainings on the use of basic electronic data and technical territorial planning norms before the commencement of the development of the planning documents, as well as the improvement of the professional and technical qualities of the planning authorities.

5. NTPA, for purposes of offering opportunities of practical training for the students and new experts of the fields related to the territorial planning, shall support the organization, on annual basis, of the internships, organized by the ministry responsible for the approval of the National Plan of Internships.

6. In addition to the provisions of the item 5, aforementioned, NTPA shall organize and develop other internship programs for the students of the branches related to the territorial planning, by applying on-the-job training methodologies. Detailed rules on the duration of these programs, the number of the beneficiaries and the eligibility criteria, the partners, conditions and rules of internships shall be determined for each case, by order of the General Director.

7. NTPA, for purposes of professional qualification of the planning experts in the public or private sector and the students or new experts of this field, shall support the sharing of knowledge and know-how with planning experts, professors, partner institutions and foreign academic institutions.

V. INTERINSTITUTIONAL COOPERATION WITH THIRD PARTIES AND INTERNATIONAL PARTIES

1. In its course of activity NTPA shall be entitled to receive all the necessary support, information, and data from other central and local government bodies in order to exercise its functions. The state institutions are obliged to cooperate with NTPA, to share data and to create facilities for the accomplishment of its purposes and functions in the course of its activities.

2. In discharging its duties, NTPA shall cooperate and coordinate the work with other institutions, at a central and local level, and support them, according to the responsibilities determined in the Law No. 107/2014 “On territorial planning and development”, as amended, and in this decision.

3. NTPA shall cooperate with foreign and international organizations that aim at supporting the territorial planning and development, and with partner agencies from other countries. It shall promote, facilitate and support the international cooperation between national and local territorial planning authorities.

4. NTPA, through the respective unit for the delivery of priorities, shall cooperate with local or foreign consultants, public institutions, education institution, whether public or private, local or foreign, as well as with other partner organizations for the improvement and modernization of the territorial planning model, and for the organization and implementation of different projects in the field of planning, urban planning and architecture.

5. With the aim of informing the public and its involvement in the consultation processes in the field of territorial planning and development, NTPA shall cooperate with institutions, local and foreign organizations, stakeholders, civil society and media.

6. With the aim of practical training and professional qualification of the students, the new experts and the active experts of territorial planning and development, NTPA shall cooperate with experts of the field, state institutions, education institutions, public or private, local or foreign, as well as with partner organizations, local or foreign.

VI. INFORMATION AND CONSULTATION OF THE PUBLIC

1. NTPA is responsible for the information of the public on the territorial planning processes. For this purpose, it:

a) provides public access to information, through public communication means, publications, editions, conferences and different informative activities;

b) updates continuously, the available public information in the official website;

c) organizes and implements activities, initiatives and projects for the information of the public on the territorial planning processes;

ç) ensures a special environment for the communication with the public and serving the public.

2. NTPA is responsible for promoting and ensuring public participation during the process of development and implementation of the planning documents. For this purpose, it:

a) ensures that the stakeholders and the public be informed on such processes;

b) organizes and implements activities for the consultation of the stakeholders and the public, for purposes of obtaining their opinions during the processes of development and implementation of planning documents;

c) serves as a liaison platform between the local expertise, the stakeholders, the public and central institutions in the field of planning.

3. The consulting activities, as mentioned in the item 2, shall include, but are not limited to, round tables for public consulting, public debates, conferences, informative and hearing sessions, with the participation of experts, academics, stakeholders, local and foreign organizations, as well as the civil society and the public.

4. For purposes of public information and involvement in the consultation processes in the planning field, NTPA shall cooperate with local, foreign and international organizations, with the written and electronic media, education institutions, public or private, stakeholders and civil society.

VII. RECRUITMENT OF THE NTPA EMPLOYEES

1. The employment relations of the NTPA employees shall be governed by the procedures provided for in the Law No. 7961, dated 12/07/1995, "Labour Code of the Republic of Albania", as amended.

2. The NTPA employees, other than the supporting staff, must have completed the required higher education, in compliance with the laws and by-laws in force, and satisfy the special requirements determined by the General Director.

VIII. FINAL PROVISIONS

1. The order on the approval of the NTPA functioning regulation shall be approved within 2 months from the entry into force of this decision.

2. The financial effects that derive from the implementation of this decision shall be covered by the state budget for 2016, as approved for the Ministry of Urban Development.

3. Until the restructuring of NTPA and the recruitment of the staff, the responsibilities determined in this decision shall be performed by the existing units and staff.

4. The Ministry of Urban Development shall be in charge of following up and implementation of this decision.

This decision shall enter into force upon its publication in the Official Journal.

DEPUTY PRIME MINISTER
Niko Peleshi