



**REGULATION
ON
THE INSPECTION AND SUPERVISION OF UNDERTAKINGS PROVIDING ELEC-
TRONIC COMMUNICATIONS NETWORKS AND/OR SERVICES**

Public Consultation Document

Approved by Decision of Steering Council (DSC/VKD) of AKEP, No. 28 dated 14.11.2025

Pursuant to article 181 et seq. of Law No. 54/2024, “On Electronic Communications in the Republic of Albania”, as well as Law No. 99/2024 “On Inspection in the Republic of Albania”

THE STEERING COUNCIL OF AKEP

DECIDED:

CHAPTER I GENERAL PROVISIONS

Article 1 Purpose of inspection

1. AKEP carries out inspection activities for the purpose of supervising, monitoring, and enforcing compliance with the activities of undertakings providing electronic communications networks and electronic communications services, in order to assess and verify their compliance with the provisions set out in Law No. 54/2024 “On Electronic Communications in the Republic of Albania” (Law No. 54/2024), other acts adopted for its implementation, the general conditions laid down in the General Authorization, and individual authorizations.
2. This Regulation lays down the rules governing the exercise by AKEP of inspection and supervisory powers, in accordance with the legislation on inspection in the Republic of Albania, taking into account the specific technical, operational, and methodological characteristics of the electronic communications sector, as provided for in Law No. 54/2024 and the secondary and regulatory acts issued for its implementation.

Article 2 Principles of inspection

The principles guiding the exercise of inspection activities by AKEP are:

- a) **Independence:** The inspector or inspection team shall act independently and impartially in carrying out the inspection procedure and in taking decisions within the scope of their legal mandate;
- b) **Proportionality:** Inspection actions shall be planned and carried out so that the intervention in the activity of the inspected subject is limited to what is necessary and appropriate to achieve the purpose of the inspection, using the most suitable means to attain the intended objective;
- c) **Inspection programming:** Inspection of the activities of undertakings is carried out according to a program with thematic priorities assessed on the basis of risk analysis in relation to the implementation of the general conditions of the General Authorization and the specific conditions under individual authorizations, as well as the need to protect national security, public interest, and in particular users;
- d) **Public information:** AKEP informs undertakings and publishes findings and measures

taken during the administrative inspection procedure in accordance with the legal provisions on transparency and publication of information provided for in Law No. 9918/2008 and the applicable legislation for this purpose;

- e) **Protection of confidentiality:** Inspection actions and the publication of information are carried out in compliance with the requirements and conditions laid down in the legislation on the protection of personal data and the protection of data related to the commercial secrets of undertakings.
- f) **Principle of the most favorable provision:** In the exercise of inspection powers, where the inspector observes that an undertaking has applied a law that is in conflict with another law, such application shall be considered lawful, and in all cases the most favorable provision within the hierarchy of laws of equal legal force shall be applied.

Article 3 **Types of inspection**

1. Inspection includes any supervisory or enforcement activity carried out by AKEP to verify compliance with legal requirements and the regulatory framework under the General Authorization and individual authorizations by the undertaking subject to inspection. Inspection is carried out at the place or places where the inspected entity conducts its activity, as well as from the offices of AKEP for the control of remotely monitored activity, in accordance with legal provisions and acts in force issued by AKEP.
2. Inspections, by the form of authorization and organization, are divided into:

a) Programmed (scheduled) inspection

b) Unscheduled inspection

Article 3/1 **Scheduled inspection**

1. Scheduled inspection shall be carried out on the basis of the approved annual inspection program, adopted by the Chair of the Steering Council of AKEP, prepared in accordance with a documented risk-assessment methodology
2. As a general rule, undertakings shall be inspected in accordance with the approved inspection program, without prejudice to the provisions on unscheduled inspections.

Article 3/2 **Unscheduled inspection**

1. By way of exception, an unscheduled inspection may be authorized outside the inspection program by a special order of the Chair of the AKEP Steering Council only where objectively justified, including where:
 - a) as a result of information received from a domestic or foreign public institution, or an international organization, the initiation of an inspection is deemed necessary, following an objective and reasoned assessment by the directorate responsible for inspection;
 - b) events, accidents, or incidents occur that have affected or pose a risk of affecting other lawful rights and interests, to the detriment of effective competition, network infrastructure, or consumers;
 - c) in cases of crisis and emergency;
 - d) it is provided for by the provisions of Law No. 54/2024.

2. An unscheduled inspection may also be authorized on the basis of a complaint or information received from entities other than those referred to in point (a) of paragraph 1 of this Article.
3. An unscheduled inspection in cases of flagrante delicto is carried out when the inspection body establishes that the subject is carrying out an activity in violation of legal requirements, which must be documented with objects or material evidence. The initiation of inspection under this point shall be accompanied by the immediate issuance of authorization by the Chair of AKEP.

Article 4

Organization of the inspection system in AKEP

1. The inspection system in AKEP consists of the entirety of structures that are involved in and perform inspection functions within the directorate responsible for inspection.
2. Inspection is carried out by inspectors appointed in accordance with the structure and organizational chart of AKEP, with inspection groups supported by expertise, depending on the case and the subject matter of the inspection.

Article 5

Role and responsibilities of AKEP the inspection structure

1. The role of the directorate responsible for inspection in AKEP is to improve effectiveness and accountability in inspection activity carried out by AKEP in the field of electronic communications. Each AKEP inspector is provided with his inspection card approved in accordance with (Annex X). The inspection card is the property of AKEP and constitutes the official identification document of the inspector.
2. During the exercise of his legal responsibilities for the inspection of entities provided for by Law No. 54/2024, the inspector has the right to:
 - a) freely enter the premises where the electronic communications undertaking carries out its activity;
 - b) take samples of goods, materials or products for further examination;
 - c) take copies of and seize documentation of the activity in accordance with the object of the inspection;
 - d) request the support of law enforcement authorities during the exercise of inspection activity.

Article 6

Rights of the inspected subject

1. During the inspection, the inspected subject has the following rights:
 - a) to request to be informed of the inspection order prior to the commencement of the inspection;
 - b) to request identification of the inspectors;
 - c) to be present and follow, personally or through its representative, all inspection actions when the inspection is carried out at the place where the activity is exercised;
 - d) to submit opinions and explanations regarding facts, circumstances, or legal issues related to the inspection, or to submit proposals for resolving the matter, as well as the relevant documents or materials supporting them;
 - e) to request to be informed of and notified with the inspection report;
 - f) to submit objections regarding the assessment of evidence administered, the results of the

investigation, and the decision intended to be taken.

Article 7

Obligations of the inspected subject

1. During the inspection, the inspected subject has the following obligations:
 - a) When unable to communicate directly with inspectors, to appoint a representative and accompany them to any place/premises as specified in the inspection order;
 - b) To cooperate and not obstruct the performance of inspection actions and the collection of evidence;
 - c) To provide a suitable workspace for inspectors if the inspection is carried out at the place of activity, and to grant them access to equipment and/or infrastructure under its possession or administration;
 - d) To submit any information, data, or document, and to provide any explanations regarding established facts and circumstances necessary for the inspection, if requested by inspectors, while respecting the time limits set by them;
 - e) To allow and facilitate the taking of testimonies from its employees, if requested by inspectors.

CHAPTER II

PROGRAMMING OF INSPECTION ACTIVITIES

Article 8

Inspection planning

1. Inspection activities in AKEP are carried out on the basis of programming as follows:
 - a) The annual plan defines in greater detail the inspection activities to be undertaken during the fiscal year by AKEP throughout the territory of the Republic of Albania. The annual inspection plan is proposed by the directorate responsible for inspection and prepared based on a risk matrix. The annual plan is approved by the Chair of the AKEP Steering Council
 - b) The monthly plan, which implements the annual plan, is proposed by the directorate responsible for inspection and approved by the Chair of the AKEP Steering Council. The monthly inspection plan shall ensure coverage of issues identified in the activities of undertakings, as well as the themes and objectives planned annually.

Article 9

Risk-based inspection planning

1. Inspection planning is prepared using a risk-based approach, meaning that inspection focuses on those subjects (undertakings) whose activities contain aspects with potential for non-compliance or conflict with legal obligations and the regulatory framework.

2. Risk assessment is carried out throughout the entire inspection process, particularly during the annual planning phase and during the inspection process itself. Risk analysis primarily considers the most relevant factors affecting the market, such as:
 - a) The market significance of the undertaking in terms of networks, public services, and market share relative to the number of users;
 - b) The type, diversity, and technology of networks and services offered to the public by undertakings;
 - c) Technical standards, network infrastructure, and quality of services delivered;
 - d) The volume of subscriber complaints and the undertaking's performance in resolving disputes with subscribers and between undertakings;
 - e) Performance in fulfilling obligations related to national security, network security, personal data protection, registration of subscriber identification data, measures for emergency situations, etc.;
 - f) Outcomes of previous inspections;
 - g) Responsiveness index and compliance with recommendations for remedying violations identified and imposed by inspectors and/or AKEP in inspection acts;
 - h) Performance in implementing special conditions set out in AKEP acts for the use of scarce resources.
3. Risk assessment is based on an overall analysis of undertakings listed in the AKEP database, considering the factors above. For methodological assessment purposes, inspected subjects are categorized according to the potential level of risk: **high, medium, and low.**

CHAPTER III

GENERAL RULES ON AUTHORIZATION AND THE INSPECTION PROCESS

Article 10

Inspection Forms

1. The standard formats for documenting inspection activities, attached to this Regulation in the Annexes, are as follows:
 - a) Inspection Order;
 - b) Inspection Report on the Commencement of the Inspection;
 - c) Inspection Report on Electronic Communications Activities;
 - d) Inspection Report on Identified Violations;
 - e) Inspection Report on the Suspension of the Operation of Equipment Used for the Exercise of Electronic Communications Activities;
 - f) Decision on the Blocking, Suspension of Operation, Inventory and Seizure of Equipment Used for the Exercise of Electronic Communications Activities without Authorization from AKEP;
 - g) Inspection Decision on Administrative Measures;
 - h) Inspector Identification Card, approved by AKEP;
 - i) Seal for the Blocking of Transmission Equipment and/or the Suspension of Their Operation.

Article 11

Inspection order and notification of the inspected subjects

1. Inspection of a subject is generally carried out according to the monthly inspection program, prepared and approved under Chapter II of this Regulation. Exceptionally, an inspection may be authorized outside the inspection program as permitted by special legislation or the Inspection Law.
2. As a rule, upon issuance of the inspection order, the subject designated for inspection shall be notified in advance, no later than 3 (three) days, by the head of the inspection team, via electronic message (email), of the inspection to be carried out, together with a scanned copy of the Inspection Order.

However, following the issuance of authorization, inspection may also be carried out without prior notification of the subject, depending on the object of inspection, the risk matrix, and factual circumstances. Prior notification shall not be carried out when:

- a) There is a risk that notification may hinder the effective conduct of the inspection;
 - b) Non-notification is expressly determined by special law;
 - c) Inspection concerns verification of the correction of violations upon expiry of the prescribed deadline;
 - d) A violation of a legal requirement within the inspector's inspection field is detected in flagrante delicto;
 - e) Inspection is conducted due to events, accidents, or incidents that have affected or may affect human life or health, animals, or the environment.
3. The inspection order is accompanied by a checklist to be applied by the inspection team. The checklist reflects the inspection's scope and may involve full or partial verification of:
 - f) The subject's legal documentation and authorizations issued by AKEP;
 - g) Documentation proving fulfillment of the subject's payment obligations to AKEP and the radiocommunication fee;
 - h) Documentation proving compliance with the general conditions of the General Authorization and the special conditions of individual authorizations for the use of scarce resources and acts issued by AKEP;
 - i) Implementation of the notified technical measures, conditions, and technologies;
 - j) Capacities for shared use of facilities and assets;
 - k) Possession of permits and acts issued by competent authorities required to be complied with by the subject pursuant to Law No. 54/2024 and its implementing secondary legislation.

Article 12

Actions of the Inspection Group

1. The inspection group, on the date specified in the order, shall appear at the premises of the entity, present the inspection order, checklist, and inspector identification cards. Regardless of whether the inspection order has been notified in advance or not, in all cases, prior to the commencement of inspection actions, the inspector verbally informs the representative of the inspected entity about the object of the inspection and about the rights and obligations of the inspected entity, in accordance with the law, as well as the legal

consequences of non-compliance with these obligations, and subsequently the inspection method and the deadlines for completion of the inspection.

2. The entity specified in the inspection authorization, upon receipt of the inspection notification, is legally obliged and shall take the appropriate measures to enable the inspectors to carry out the inspection. The inspected entity, even in cases where inspectors appear without prior notification, immediately after the inspection group presents the authorization and inspector cards, allows the inspection to be carried out, fully engaging to facilitate the performance of inspection actions in accordance with the lawful requests of the inspectors. The representative of the entity is responsible for making available to the inspectors:
 - a) the requested documentation and information;
 - b) the technological premises where equipment is installed;
 - c) network infrastructure and accompanying facilities;
 - d) responses to questions asked by inspectors;
 - e) the provision of necessary explanations.
3. The administrator/legal representative of the entity or a person authorized by them in writing pursuant to the company statute (the inspected entity) accompanies the inspectors during the inspection actions and signs the acts issued by the inspector.
4. The administrator/legal representative must ensure that the registered office, activity locations, and notified electronic address are accurate in accordance with the general authorization. In the event of inaccuracy or false notification of the address, the entity shall be penalized in accordance with legal provisions.
5. Refusal to allow inspection and the intentional creation of obstacles to the performance of inspection constitute an administrative offense and are punishable in accordance with legal provisions.

Article 13

Remote control of the activities of entities

1. Part of the inspection implementation procedure is also the remote control of the activity of entities (entrepreneurs), which is carried out by AKEP inspectors/experts by monitoring from their working premises or from locations where fixed or mobile monitoring equipment is installed for monitoring the use of frequencies and quality indicators of the provision of public electronic communications networks and services. Remote control of the activity of entities consists of:
 - a) Monitoring activities for which entities are required to submit documentation to AKEP in accordance with the law;
 - b) Monitoring compliance with obligations set out in the General Authorization, the implementation of which can be verified through their public availability or through the use of various applications;
 - c) Monitoring the use of the frequency spectrum allocated under individual authorizations issued by AKEP in accordance with the law;
 - d) Administration of complaints submitted by users and subscribers of public electronic communications networks and services;
 - e) Administration of complaints or monitoring carried out by other state or public institutions in specific fields related to the implementation of Law No. 54/2024 and the

secondary legislation adopted pursuant thereto.

2. The results of remote control are made available to the entities by AKEP, accompanied by the administered evidence, relevant recommendations with specified deadlines for remedying identified violations, as well as administrative acts applying possible administrative measures provided for bylaw for administrative offenses, applying a procedure in accordance with the Code of Administrative Procedures

Article 14 **Inspection findings process**

1. During the inspection, inspectors shall verify the activity of the entity within the scope defined in the Inspection Order and checklist. If, during the inspection, violations or irregularities not foreseen in the object of the Inspection Order are identified, inspectors shall notify the Chair of the AKEP Steering Council and request an extension of the inspection scope. The Chair of the AKEP Steering Council, depending on the risk and factual circumstances, decides on the extension of the inspection scope or issues a new order appointing another inspection group.

Article 15 **Inspection report**

1. Generally, the inspection report is completed during fieldwork by the head of the inspection group in cooperation with the inspectors/experts carrying out the inspection of the entity and is notified without delay to the inspected entity. Inspectors/experts in the composition of the working group must agree on the accuracy of their factual findings from fieldwork.
2. If completion of the report at the inspection site is not possible, it shall be completed at AKEP offices and notified within 5 (five) working days from the date of completion of the inspection at the entity. Upon expiration of this deadline, within 30 days, the final inspection decision shall be taken. The report is prepared in three copies and signed by the inspection group. In case of disagreement, the inspector/expert holding a different view from the rest of the group shall submit their observation in writing, providing legal and factual justification.
3. The report begins with the recording of general data:
 - f) Data on the entity
 - g) Accuracy of the notified address;
 - h) Notification of the inspection or not;
 - i) Inspection authorization together with the inspection object and checklist;
 - j) Allowance or obstruction of the inspection;
 - k) Participation or exclusion of the authorized representative of the entity, recording also the reason for exclusion.
4. In the report, the inspection group chronologically records all work performed, noting all findings at the entity and evidencing all verified documentation. The report identifies

detected violations, evidence substantiating the violation, seized documents and blocked equipment (if any), proposed or imposed administrative measures, communication of the rights available to the entity for appeal, as well as assigned tasks and recommendations. An integral part of the report is the “Checklist”.

5. At closure, the procedure is formalized by the signatures of the inspectors and the entity. The entity is obliged to sign the report in all cases. If the entity disagrees with the report, it signs it “with reservation” and attaches to the report its act of objections. A report not signed by the inspected entity, not accompanied by the note “signature with reservation” and the act of objections, shall be considered valid and shall have the same legal force as if it were duly signed by the entity.

Article 16

Urgent Measures

1. During the inspection, the inspector may take urgent measures if violations or suspected violations could cause immediate, serious, or irreparable harm to the public interest, including further verification or testing.
2. Where possible, the intention to take an urgent measure shall be communicated verbally in advance to the representative of the inspected entity, giving them the opportunity to promptly submit comments and explanations.
3. The inspector records in the inspection report the urgent measures taken due to identified violations of legal requirements and the immediate harmful effect that may arise to public safety. In cases of urgent measures, an on-the-spot Report and an Interim Decision are completed, which provide space for uploading documents into the inspection report.
4. Urgent measures may include:
 - a) Suspension of the performance of an action, activity, or part thereof;
 - b) Prohibition of the operation of a network installation or equipment;
 - c) Blocking of unauthorized equipment;
 - d) Ordering the inspected entity to notify third parties or the public of possible risks;
 - e) Any other measure deemed necessary and proportionate to achieve the purpose of the urgent measure.

Article 17

Interim decision

1. The interim decision is immediately enforceable. If it is not voluntarily executed without delay by the inspected entity, or if it declares or circumstances indicate that it will not execute the decision, the decision shall be executed immediately by the relevant inspector within the inspection group, at the expense of the inspected entity, which shall be reflected in the final decision or in a separate act.
2. Against the urgent measure decision, with the exception of point “c” of paragraph 4 of Article 16, the interested entity has the right to lodge a separate appeal within 5 days to the AKEP Steering Council. The handling of the appeal and drafting of acts for review

and approval by the Steering Council is carried out by the directorate responsible for legal matters and the directorate responsible for inspection.

3. The interim decision expires automatically upon the lapse of the period provided therein, and if no such period is provided, upon:
 - a) Notification of its revocation;
 - b) Notification of the termination of the procedure or notification of the final decision finding no violation of legal requirements;
 - c) Expiry of the deadline for notification of the final inspection decision without such a decision;
 - d) Notification of the decision resolving the appeal against the final inspection decision, where an appeal has been lodged;
 - e) Expiry of the deadline for filing an administrative appeal against the final decision without an appeal being lodged;
 - f) Express ordering by a court decision.
4. The interim decision on taking an urgent measure is reflected in the report and notified to the entity without delay, verbally. A written act with the same content is notified within 24 hours. Urgent measures may be taken until the moment of adoption

Article 18 **Final decision**

1. The final inspection decision is the act that closes an inspection procedure and is issued by the inspection group after the signing of the inspection report. Where violations have been identified, the inspection group, based on the inspection report and the administration of explanations, evidence, and objections provided by the inspected entity, prepares the final inspection decision and within 30 days from the date of notification of the report sends it to the inspected entity, specifying also the administrative measures. Where no violations are identified, the final inspection decision is attached to the report and delivered to the entity on the spot and simultaneously.

Article 19 **Criteria for imposing administrative measures**

1. Where violations verified by the inspection group constitute administrative offenses, they are punishable by a fine in accordance with Article 184 of Law No. 54/2024. For imposing or proposing a fine or administrative measures, the inspector considers the following criteria:
 - a) the seriousness and duration of the violation;
 - b) the circumstances under which the violation was committed;
 - c) whether the entrepreneur in violation has a history of non-compliance;
 - d) the consequences resulting from the identified violation.

2. AKEP determines by decision the methodology for calculating the fine, in implementation of paragraph 3 of Article 183 of Law No. 54/2024.
3. In cases where inspectors propose to the AKEP Steering Council the adoption of administrative measures provided for in paragraph 5 of Article 183 of Law No. 54/2024, the entity retains the right to a hearing, in order to provide explanations.
4. The Steering Council of the Authority of Electronic and Postal Communications, after reviewing the inspectors' proposal in accordance with letters "a" and "b" of paragraph 5 of Article 183 of Law No. 54/2024, and after conducting a hearing with the entity, decides:
 - a) Initially, to issue a written warning to the entrepreneur, specifying the violation committed and granting a reasonable deadline for remedying it;
 - b) If the entrepreneur fails to fulfill obligations within the deadline set by the AKEP Steering Council, the Steering Council decides to revoke:
 - i. the right to use one or more frequencies or numbering; or
 - ii. the right to provide electronic communications services or networks.
5. An appeal against the decision of the AKEP Steering Council may be filed with the competent court within 45 days from notification of the decision.

Article 20

Blocking of Equipment and/or Prohibition of Their Operation

1. Blocking of equipment and/or prohibition of their operation, as well as their inventory and seizure, is carried out in accordance with Article 182 of Law No. 54/2024.
2. If inspectors, during the inspection, discover that radio equipment of electronic communications networks and services causes harmful interference, regardless of whether authorization/license has been obtained for their use, they decide to prohibit their operation, which is immediately notified to the representative of the entity.
3. The prohibition of operation of equipment is carried out through the relevant report, which is signed by the inspectors and a representative of the entity. If the representative refuses to sign, this fact is recorded in the report and the report is posted at the inspection site.
4. Upon written request of the entity that caused the interference, inspectors conduct the necessary verification and, if they observe that harmful interference has been eliminated, decide to allow further operation of the prohibited equipment.
5. When a natural or legal person carries out activity in the field of electronic communications without authorization/license from AKEP, inspectors decide to block, inventory, and seize the equipment used for carrying out such activity, which is immediately notified to the representative of the entity.

6. Inventory and seizure of equipment is carried out through the relevant report, which is signed by inspectors and a representative of the entity. If the representative refuses to sign, this fact is recorded in the report and the report is posted at the inspection site.
7. Blocked equipment is inventoried and seized. Upon expiration of the 30-day period from the date of blocking, if no appeal has been filed by the entrepreneur, the Chair of AKEP orders the transfer of the equipment for sale to the competent authority charged by law, in accordance with the provisions of the Law on Administrative Offenses No. 10279/2010.
8. For the execution of equipment blocking duties, AKEP cooperates with local public authorities, the State Police, and the enforcement service.
9. Blocking of equipment and/or prohibition of their operation is indicated by a seal, the content of which is according to the model attached to this Regulation.

Article 21

Appeal against the final inspection decision

1. After issuance of the final decision, the entity has the right to lodge an administrative appeal against the imposed fine. The administrative appeal is addressed to the AKEP Steering Council within 30 days from the day the inspected entity receives notification of the final decision, which also specifies the right to submit an appeal to the AKEP Steering Council regarding the imposed fine.
2. Submission of an administrative appeal suspends the execution of the appealed final decision; however, submission of an administrative appeal does not affect the execution of urgent measures taken by the inspection group during the inspection process.

Article 22

Decision-making of the Steering Council

1. Upon receipt of the appeal, the Cabinet of the Chair of the Steering Council informs the Steering Council and forwards the appeal together with the accompanying documentary file to the directorate responsible for legal matters and the directorate responsible for inspection.
2. The directorates referred to in paragraph 1 of this Article process the appeal by preparing opinions and acts for review at the Steering Council meeting. The deadline for review of the appeal is 30 days from the date of filing the appeal, and procedures are applied in accordance with the provisions of the Code of Administrative Procedures. Upon completion of the review, the Steering Council issues a final decision, which is sent to the entity and to AKEP inspection structures for its execution.
3. Against the decision of the Steering Council, the inspected entity has the right to lodge an appeal with the Court in accordance with the legislation in force, within 45 days from the date of receipt of the decision.

Article 23

Execution of the final decision

1. Upon completion of the appeal procedure and issuance of the AKEP Steering Council Decision, the responsible inspection structure forwards the documentary file according to

the case file opened by the inspection group to the directorate responsible for financial management, for the purpose of collecting the fine through voluntary execution of the obligation within a 30-day period from the date of notification to the inspected entity or publication of the voluntary execution request.

2. Pursuant to Article 184 of Law No. 54/2024, if the imposed fine is paid by the responsible entity within 30 days (voluntary execution) from notification of the relevant AKEP decision, the amount of the fine is automatically reduced by 15%.
3. After the voluntary execution period, if the entity does not comply with execution of the decision, the responsible structures at AKEP initiate execution procedures through enforcement services.

Article 24

Correction and follow-up of violations identified by inspection

1. Where necessary, the administrative penalty is accompanied by an order requiring the inspected entity to correct the identified violations and eliminate their consequences, setting a reasonable deadline for this purpose. The penalty decision includes written advice (recommendations) to the entity on how to correct the violations, reflected in an accompanying sheet.
2. The responsible inspection structure prepares the follow-up process for correction of identified violations to monitor and ensure that assigned tasks have been effectively implemented; for this purpose, inspections are also planned to verify fulfillment of tasks assigned in the previous inspection. The deadlines of this type of inspection are not included in the general deadlines set for the maximum duration of stay at an inspected entity during the fiscal period.
3. The inspected entity is obliged to notify the correction of violations within the deadline specified by inspectors in the instruction sheet left together with the final decision of the previous inspection and, if necessary, to submit evidence substantiating this fact.
4. To verify the correction of violations, a new inspection may be conducted. The inspection for follow-up of correction ensures that the inspected entity has completed the work for which it was informed by the final decision and the inspection instruction sheet.
5. Although all tasks assigned by the inspection group are important, some may be more important than others. Consequently, inspectors should determine a level of importance for each task, and the three criteria to be used for their assessment are as follows:
 - a) **High** – Applies to significant irregularities identified during inspection and represents a problem that must be addressed immediately by the inspected entity due to high risk;
 - b) **Medium** – Applies to a significant irregularity identified during inspection, which must be addressed immediately by the inspected entity but is not of high risk;
 - c) **Low** – Applies when minor (not significant) irregularities have been identified during inspection. Changes should be implemented over time and are not a priority to be addressed immediately.

Article 25
Reporting on Follow-Up of Assigned Tasks

1. Certain entities or inspection areas may be a significant part of AKEP's inspection activity and may therefore be reviewed annually. In such cases, inspectors must include progress in the implementation of tasks assigned in the previous inspection for that entity or inspection area. Inspectors, in the following year, must require periodic reports from the inspected entity, specifying the progress made in implementing tasks for correcting violations identified in the previous inspection.
2. Inspectors summarize findings clearly and accurately and record them in specific parts of the inspection report, and must be attentive both to the entity's reactions and to deadlines for implementing assigned tasks.
3. All tasks assigned by inspectors at the end of the inspection procedure must be:
 - a) Specific regarding the actions to be taken by the inspected entity;
 - b) Useful, practical, and based on an assessment of the entity's ability to implement them;
 - c) Take into account implementation costs, and if such costs are significant, this must be reported.

CHAPTER IV
INSPECTION REPORTING AND COMMUNICATION

Article 26
Structure of inspection reports

The structure of inspection reports at AKEP includes the following main headings:

- a) Executive summary;
- b) Introduction;
- c) Inspection methodology;
- d) Findings and conclusions;
- e) Recommendations.

Article 27
Periodic reports and annual inspection report

1. Inspection reports are prepared by the inspection sector and, after confirmation by the director of the structure responsible for inspection, are forwarded to the Cabinet for procedure. The Cabinet, after obtaining the approval of the Chair, forwards the annual report to the AKEP Steering Council. Reports are monthly and annual.
2. Monthly reports reflect the work performed and expectations, while the annual report analytically reflects the results achieved from the implementation of measures and tasks for correcting violations.
3. The annual report must be objective and fair and include all inspection areas within AKEP's jurisdiction. Its format must mainly include:
 - a) Main headings and appropriate subheadings;

- b) Comments on working documents and periodic reports;
- c) Examples to support the comments provided;
- d) A summary providing a brief description of the inspection activity carried out;
- e) Constructive recommendations and suggested improvements;
- f) Objectives for the following year.

CHAPTER V TRANSITIONAL AND FINAL PROVISIONS

Article 28 Repeal

Regulation No. 46, dated 27.10.2016 “Methodology for the inspection of the activity of entrepreneurs of electronic communications networks and services” is repealed.

Article 29 Publication

This Regulation, as well as any amendments thereto, shall be published on the official AKEP website after its approval.

Article 30 Entry into Power

This Regulation enter into force on the date of its approval by the AKEP Steering Council



REPUBLIKA E SHQIPËRISË

ELECTRONIC AND POSTAL COMMUNICATIONS AUTHORITY

No. ____ prot.,

Tirana on ____ . ____ . ____

INSPECTION ORDER

No. ____, Date ____ . ____ . ____

Based on Article 181 and the following provisions of Law No. 54/2024, “On Electronic Communications in the Republic of Albania”, I order the inspection of the subject/s, as follows:

Details of the inspection subject(s):

Name of the subject: _____ NIPT: _____

Address/location: _____

Description of the inspection object:

Authorized inspectors to carry out the inspection:

1. _____ ID: _____

2. _____ ID: _____

3. _____ ID: _____

as well as other authorized persons:

1. ID: _____

2. ID: _____

Duration of inspection: _____

Place(s) where the inspection will be carried out (address(es): _____

Announcement prior the inspection order subject/s the Inspection: Yes No

Prior notification of the inspection order is not provided for the following reason(s): _____

CHAIRPERSON

Signature and institutional seal



REPUBLIKA E SHQIPËRISË
ELECTRONIC AND POSTAL COMMUNICATIONS AUTHORITY

No. ____ prot.,

Tirana on ____.

INSPECTION REPORT FOR THE START OF THE INSPECTION

Held today, on date __. __. __, at the premises of the undertaking/subject, _____, located at _____, by:

AKEP inspectors:

1. _____
2. _____
3. _____
4. _____
5. _____

Based on the Order of the Chairperson of AKEP, No. __, dated “On the inspection of the activity of undertakings/subjects of electronic communications”, the Inspection Group hereby notifies the subject _____, represented by _____, holding the position of _____ within the said subject, of the scope and object of Order No. ____, dated _____, issued by the Chairperson of AKEP.

FOR THESE REASONS

Based on Article ____, of Decision No. ____, dated __. __. ____, “On the approval of the regulation “On the inspection of the activity of entrepreneurs of electronic communications networks and services”, of the AKEP Steering Council, this attendance record was kept, for the further continuation of the inspection procedure.

INSPECTION GROUP

FOR THE SUBJECT OF INSPECTION



REPUBLIKA E SHQIPËRISË
ELECTRONIC AND POSTAL COMMUNICATIONS AUTHORITY

No. ____ prot.,

Tirana on ____ . ____ . ____

INSPECTION REPORT No. 2
ON
THE INSPECTION OF ELECTRONIC COMMUNICATIONS ACTIVITIES

Held today, on date, *by the Inspection Group of the Authority of Electronic and Postal Communications (AKEP), based on Order No. _____ dated ____ . ____ . ____*, issued by the Chairperson of AKEP, at the premises of the subject _____, located at _____, in the presence of the representative of the inspection subject _____, during the conduct of the inspection of electronic communications activities.

Prior notification provided to the subject: Yes No

Inspection ordered by decision: Yes No

On-site inspection: Yes No (Remote)

Forced entry and inspection in the presence of a State Police officer:

Yes No

Urgent measures: Yes No

FINDINGS:

1. **Evidence (samples) collected:** Yes No

2. **Documents obtained:**

Document number and description, including number of pages:

3. **Decision on seizure of documentation:**

Seized document number and description, including number of pages:

1. _____

2. _____

4. **Unfulfilled obligations from the previous inspection:**

5. **Obligation of the subject to appear at the inspector's office:**

Yes No

The authorized representative of the subject _____, on ____ . ____ . ____ at _____, is required to appear at the following address: _____, for the continuation of the inspection procedure.

6. **Documentation and items to be submitted:**

1. _____

2. _____
3. _____

Documents submitted:

Document number and description, including number of pages:

- 1.
- 2.

Items submitted:

Item number and description Quantity

- 1.
- 2.

Failure to submit the requested documentation shall be considered an obstruction of the Inspection Group in the performance of its duties, pursuant to paragraph 3 of Article 181 of Law No. 54/2024, *“On Electronic Communications in the Republic of Albania”*.

FOR THESE REASONS:

Based on Law No. 54, dated 30.05.2024, *“On Electronic Communications in the Republic of Albania”*, and Decision No. _____, dated .._____, *“On the approval of the Regulation ‘On the inspection of the activity of undertakings of electronic communications networks and services’”*, adopted by the AKEP Steering Council, these inspection minutes have been drawn up for the continuation of the inspection procedure.

THE INSPECTION GROUP

FOR THE INSPECTION SUBJECT



REPUBLIKA E SHQIPËRISË
ELECTRONIC AND POSTAL COMMUNICATIONS AUTHORITY

No. _____ prot.,

Tirana on ____ . ____ . ____

INSPECTION REPORT. _____
ON THE FINDING OF VIOLATIONS

Based on Order No. __, dated .., issued by the Chairperson of the Authority of Electronic and Postal Communications (AKEP), and further to Minutes No. __, dated .., the Inspection Group, during the inspection carried out at the premises where the equipment of the inspection subject _____ is installed, and in the presence of the representative of the subject _____, found the following violations:

1. _____
2. _____
3. _____
4. _____
5. _____

INSPECTION GROUP

FOR THE SUBJECT OF INSPECTION



REPUBLIKA E SHQIPËRISË
ELECTRONIC AND POSTAL COMMUNICATIONS AUTHORITY

No. ____ prot.,

Tirana on ____ . ____ . ____

INSPECTION REPORT No. ____
ON THE SUSPENSION OF OPERATION OF EQUIPMENT USED BY THE
SUBJECT _____ DURING THE CONDUCT OF ELEC-
TRONIC COMMUNICATIONS ACTIVITIES

Held today, on _____, at the premises of the subject _____, located at _____, in the presence of the representative of the subject _____, the Inspection Group, based on Article 182 of Law No. 54/2024 “On Electronic Communications in the Republic of Albania”, as well as Decision No. _____, dated .., “On the approval of the Regulation ‘On the inspection of the activity of undertakings of electronic communications networks and services’”, adopted by the AKEP Steering Council, hereby suspends the operation of the equipment used by the subject _____, according to the following inventory:

No.	TITLE	Unit	Device serial number

Other notes:

INSPECTION GROUP

FOR THE SUBJECT OF INSPECTION



REPUBLIKA E SHQIPËRIË
ELECTRONIC AND POSTAL COMMUNICATIONS AUTHORITY

No. ____ prot.,

Tirana on ____ . ____ . ____

DECISION

No. __, Date __. __. ____

**ON THE BLOCKING, INVENTORY, AND SEIZURE OF EQUIPMENT USED
BY THE SUBJECT _____
DURING THE CONDUCT OF ELECTRONIC COMMUNICATIONS ACTIVI-
TIES, WITHOUT AKEP AUTHORIZATION/LICENSE**

Based on Order No. __, dated ____, issued by the Chairperson of the Authority of Elec-
tronic Communications (AKEP), the Inspection Group,

1. _____
2. _____
3. _____

finds that: _____

For the above reasons, pursuant to Article 182 of Law No. 54/2024, “*On Electronic Com-
munications in the Republic of Albania*”, as well as Decision No. ____, dated ____, “*On
the approval of the Regulation ‘On the inspection of the activity of undertakings of elec-
tronic communications networks and services’*”, adopted by the AKEP Steering Council,
the Inspection Group,

DECIDED:

1. To block, inventory, and seize the equipment of the subject
_____ used during the con-
duct of electronic communications activities without AKEP authorization.
2. The subject may appeal this decision to the AKEP Steering Council within 30 (thirty)
days from notification of the decision.
3. After the appeal period has expired, and if, following the review of the appeal process,
the inspection decision on the blocking and seizure of the equipment is deemed lawful,
these devices shall be confiscated.

This decision enters into force immediately.

THE INSPECTION GROUP



REPUBLIKA E SHQIPËRIË
ELECTRONIC AND POSTAL COMMUNICATIONS AUTHORITY

No. ____ prot.,

Tirana on ____ . ____ . ____

DECISION

No. __, Date __. __. ____

**ON THE SUSPENSION OF OPERATION OF EQUIPMENT USED BY THE
SUBJECT _____
DURING THE CONDUCT OF ELECTRONIC COMMUNICATIONS ACTIVI-
TIES**

Based on Order No. __, dated ____, issued by the Chairperson of the Authority of Electronic Communications (AKEP), the Inspection Group:

1. _____
2. _____
3. _____

and further to Minutes No. __, dated ____, according to which it was found that:

For the above reasons, pursuant to Article 182 of Law No. 54/2024, “*On Electronic Communications in the Republic of Albania*”, as well as Decision No. ____, dated ____, “*On the approval of the Regulation ‘On the inspection of the activity of undertakings of electronic communications networks and services’*”, adopted by the AKEP Steering Council, the Inspection Group

DECIDED:

1. To suspend the operation of the equipment used by the inspected subject _____, during the conduct of electronic communications activities, in violation of Law No. 54/2024, “*On Electronic Communications in the Republic of Albania*”.
2. The subject may appeal this decision to the Steering Council within 5 (five) days from the notification of the decision.

This decision enters into force immediately.

THE INSPECTION GROUP



REPUBLIKA E SHQIPËRISË
ELECTRONIC AND POSTAL COMMUNICATIONS AUTHORITY

No. _____ prot.,

Tirana on _____.____._____

DECISION

No. __, Date __.__.__

ON THE ADMINISTRATIVE SANCTION OF THE SUBJECT

Based on Order No. __, dated ____, issued by the Chairperson of the Authority of Electronic Communications (AKEP), the Inspection Group:

1. _____
2. _____
3. _____

and further to Minutes No. __, dated ____, according to which it was found that:

For the above reasons, pursuant to Articles 184 and 185 of Law No. 54/2024, “*On Electronic Communications in the Republic of Albania*”, as well as Decision No. ____, dated __.____, “*On the approval of the Regulation ‘On the inspection of the activity of undertakings of electronic communications networks and services’*”, adopted by the AKEP Steering Council, the Inspection Group finds that the violations committed by the subject _____ constitute administrative offenses and therefore:

DECIDES:

1. Administrative sanction:
 - a. _____;
2. Correction of the identified violations and elimination of their consequences within a reasonable timeframe. Tasks to be completed according to the respective deadlines:

3. The subject may appeal this decision within 30 (thirty) days from the date of notification, to the AKEP Steering Council.
4. The fine constitutes an enforceable title and shall be transferred to the State Budget. If the imposed fine is paid by the sanctioned subject within 30 (thirty) days from the notification of the AKEP decision, the fine shall be automatically reduced by 15% of the imposed amount.

Correction of the identified violations and elimination of their consequences within a reasonable timeframe. Tasks to be completed according to the respective deadlines:


THE INSPECTION GROUP



REPUBLIKA E SHQIPËRISË
ELECTRONIC AND POSTAL COMMUNICATIONS AUTHORITY

No. ____ prot.,

Tirana on ____ . ____ . ____



REPUBLIKA E SHQIPËRISË
ELECTRONIC AND POSTAL COMMUNICATIONS

Photograph of
inspector

Name:

Last name: ...

Regional Sector:

Release date: xx/xx/20xx

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