



REPUBLIKA E SHQIPËRISË
**ELECTRONIC AND POSTAL COMMUNICATIONS AUTHORITY
STEERING COUNCIL**

No. _____ prot.

Tirana, on __. __. 2026

DECISION

No.3, dated 02.02.2026

ON

**“APPROVAL FOR PUBLIC CONSULTATION OF THE DOCUMENT ‘DRAFT
GUIDELINE ON THE IMPLEMENTATION OF OPEN INTERNET RULES’”**

The Steering Council (SC) of the Electronic and Postal Communications Authority (AKEP), with the participation of:

Mr. Gentian Sala, Chairman
Ms. Edlira Dvorani, Member
Mr. Lorenc Bako, Member
Mr. Bleron Dokle, Member
Mr. Armer Juka, Member

and secretary Ms. Dania Nallbani, at the meeting held on 02 February 2026, in accordance with the procedure set forth in Law No. 54/2024 “On Electronic Communications in the Republic of Albania”, and the Internal Regulation on the “Functioning of the Steering Council of the Electronic and Postal Communications Authority”, approved by AKEP Steering Council Decision No. 7, dated 16.02.2017, as amended, reviewed the matter with the subject:

“Approval for public consultation of the document ‘Draft Guideline on the implementation of open internet rules’”

LEGAL BASIS:

1. Paragraph 4 of Article 179 of Law No. 54/2024 “On Electronic Communications in the Republic of Albania” (Law No. 54/2024);
2. Regulation “On Public Notification and Consultation Procedures”, approved by Decision No. 21 of the AKEP Steering Council, dated 7.12.2021.

THE STEERING COUNCIL:

Upon reviewing the written material consisting of:

1. The document for public consultation: “Draft Guideline on the implementation of open internet rules”;
2. The formatted and reasoned draft decision;
3. The explanatory report accompanying the Draft Decision;

NOTES:

1. Law No. 54/2024 “On Electronic Communications in the Republic of Albania”, which entered into force on 20.12.2024 (repealing Law No. 9918/2008), transposes into national legislation Directive (EU) 2018/1972 of the European Parliament and of the Council “Establishing the European Electronic Communications Code” (hereinafter EECC), and contains a number of new provisions regarding the rights of end-users of electronic communications services and networks, some of which constitute innovations for the electronic communications market, and their implementation by service providers must be carried out in accordance with the regulatory acts issued by AKEP for the implementation of the new law.
 2. In addition to the transposition of the EECC, Articles 177–179 of Law No. 54/2024 establish the national framework for open internet access in Albania, fully aligned with Articles 3–5 of Regulation (EU) 2015/2120, which set out the rules on open internet access mandatory for implementation in all EU Member States. Paragraph 4 of Article 179 of Law No. 54/2024 stipulates that AKEP, after consultation with interested parties and based on the relevant BEREC documents, shall issue guidelines with the aim of ensuring consistent implementation of the open internet rules.
 3. Pursuant to Paragraph 4 of Article 179 of Law No. 54/2024, AKEP has prepared the document for public consultation “Draft Guideline on the implementation of open internet rules”, based on the latest BEREC Guidelines on the Implementation of the Open Internet Regulation, making the necessary adaptations of the references to Regulation (EU) 2015/2120 (Articles 3–5) contained in the BEREC Guidelines with the corresponding references in Law No. 54/2024 (Articles 177–179), as well as other BEREC documents referred to in the Explanatory Memorandum of the public consultation document (Annex 1 of the Draft Guideline document).
 4. The document “Draft Guideline on the implementation of open internet rules” contains AKEP’s proposal for the implementation of open internet obligations in Albania, aiming to ensure:
 - a uniform interpretation of Articles 177–179 of Law No. 54/2024 with the purpose of ensuring their consistent implementation by all internet access service providers (ISPs);
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¹ Regulation (EU) 2015/2120 of the European Parliament and of the Council of 25 November 2015 laying down measures concerning open internet access and retail charges for regulated intra-EU communications and amending Directive 2002/22/EC and Regulation (EU) No 531/2012.

² [BoR \(22\) 81 BEREC Guidelines on the Implementation of the Open Internet Regulation, 9 June 2022](#)

- full harmonization of the implementation of open internet rules in Albania with BEREC practices and their implementation in EU countries;
 - promotion of the continuous availability of internet access services on a non-discriminatory basis and at quality levels reflecting technological advancements;
 - better protection of consumers/end-users of internet access services;
 - transparency and predictability for internet access service providers (ISPs) in the implementation of Articles 177–179 of Law No. 54/2024;
 - consultation with interested parties regarding the prepared guidelines (Paragraph 4 of Article 179), as well as regarding the possibility/alternatives for imposing minimum quality requirements for internet access services (Paragraph 2 of Article 179), and the proposed implementation plan/timelines for their application.
5. The public consultation document “Draft Guideline on the implementation of open internet rules”:
- is an important regulatory document prepared within the framework of AKEP’s drafting of the relevant secondary legislation necessary for the implementation of Law No. 54/2024;
 - contains AKEP’s proposal regarding the implementation of the open internet rules set out in Articles 177–179 of Law No. 54/2024 by all internet access service providers in a consistent manner;
 - from the legal standpoint, is in conformity with the provisions of Paragraphs 5 and 6 of Article 141 of Law No. 54/2024;
 - in accordance with Paragraph 4 of Article 179 of Law No. 54/2024, has taken into account BEREC guidelines, opinions, recommendations, common positions, best practices and methodologies, as well as the relevant decisions of the European Commission, based on the latest BEREC Guidelines on the Implementation of Open Internet Rules (BoR (22) 81) and other BEREC guidelines referred to in the document;
6. Based on Articles 44 and 45 of Law No. 54/2024, and the Regulation “On Public Notification and Consultation Procedures”, approved by Decision No. 21 of the AKEP Steering Council, dated 7.12.2021, the document approved through this decision shall be submitted for public consultation, with the purpose of obtaining the opinion of interested parties.

FOR THESE REASONS:

Based on Paragraph 1 of Article 14, and Paragraph 1 of Article 15 of Law No. 54/2024, the AKEP Steering Council,

DECIDED:

1. To approve the launch for public consultation of the document “Draft Guideline on the implementation of open internet rules”, according to the attached document;
2. The public consultation procedure shall be conducted for a period of 30 days from the date of publication of the document pursuant to point 3 below.
3. This Decision and the Public Consultation Document “Draft Guideline on the implementation of open internet rules” shall be published on the website www.akep.al.

4. The Directorate for Consumer Protection, Statistics and Inspection is entrusted with the follow-up and implementation of this decision.

This decision shall enter into force immediately.

Chairman	Member	Member	Member	Member
Gentian Sala	Edlira Dvorani	Bleron Dokle	Lorenc Bako	Armer Juka