

DECISION

Nr. 141, dated 22.2.2017

FOR ORGANIZATION AND FUNCTIONING OF THE NATIONAL AUTHORITY FOR ELECTRONIC CERTIFICATION AND CYBER SECURITY

Pursuant to Article 100 of the Constitution, Article 10 of Law No. 9880, dated 25.2.2008, "On electronic signature ", as amended, of Article 11, of Law No.130 / 2016," On the Budget of 2017 ", and of Article 6, of Law No. 90/2012, "On the Organization and Functioning of the State Administration", with the proposal of the Minister of State for Innovation and Public Administration, Council of Ministers

DECIDED:

1. The National Authority for Electronic Certification and Cyber Security (Authority) is a budgetary institution, depending on the minister responsible for the information technology field and electronic communications.
2. The National Authority for Electronic Certification and Cyber Security, is organized as a General Directory , based in Tirana, and extends its activity throughout the territory of the Albania Republic.
3. The object of the authority's activity , is to supervise and enforce the force legislation in the field of the electronic signature , electronic identification of trusted services and also in the cyber security field.
4. The Authority carries out the following functional tasks:
 - 4.1 Exercises the competencies envisaged for the responsible authority in the force legislation for electronic signature, electronic identification and trusted services and also in cyber security.
 - 4.2 Ensures security for trusted services, in particular for ensuring reliability and security in electronic transactions between citizens, business and public authorities, to increase public , private services and electronic commerce efficiency.
 - 4.3 Determines the rules for electronic identification schemes, electronic seals, transfer assignments of trusted services, electronic broadcasting service and website authentication.
 - 4.4 Specifies the rules and methods for verifying the validity of products generated by trusted, domestic and foreign services, enabling public access to validate control through the trusted lists of EU member states and on-line status protocol certificates as well as revocation lists of certificates.
 - 4.5 Creates and maintains trusted lists at national level, as defined by EU standards.
 - 4.6 Approves the form and content of the agreements between the qualified providers of trusted service and third parties, in case of transfer's service.
 - 4.7 Supervises and controls third parties in case when are transferred one or more of their trusted services duties.

- 4.8 Realizes the control / monitoring of implementation of standards and issuing qualified certificates procedures from qualified providers of trusted service.
- 4.9 Stimulate and promotes trusted services in public services, provided by public and private institutions, towards citizens and business.
- 4.10 Participates in the preparation of the national strategy in the field of electronic security, in accordance with projections according to the legislation in force for electronic signature, electronic identification and trusted services also in cyber security.
- 4.11 Cooperates with national and international organizations in the area of security electronics regulation.
- 4.12 Guarantees the conditions for free competition between qualified providers of trusted service, which rely on the principles of transparency, neutrality of technology, free economy of market, non-discrimination and honesty.
- 4.13 Solves disputes between qualified providers of trusted service and testing , confirmation organizations.
- 4.14 Protects the rights of trusted service users and solves disputes between qualified providers of trusted service and qualified certificate holders.
- 4.15 Coordinates work with public and private institutions, which have critical and important systems of information, and counter-measures against cyber threats / attacks.
- 4.16 Consults, proposes and cooperates with relevant government structures for drafting programs and the pursuit of special procedures, in order to improve the level of protection of data and network / state computer systems against unauthorized activities and / or attempts to develop an unauthorized activity.
- 4.17 Verifies the security and compatibility of applications developed or implemented by state authorities.
- 4.18 Specifies the minimum technical standards for data security and networks / systems computer information society, in accordance with international standards in this field.
- 4.19 Controls the implementation of all technical standards implemented by the institutions of the information company.
- 4.20 Proposes the completion and improvement of legislation in the area of activity that it covers.
- 4.21 Builds, manages and maintains the unique on-line system for publishing web pages with illegal content, as follows:
- a) Sites with illegal content are considered by public authorities and are officially submitted to the Authority, which enables them the rights of access to the system for their publication, with the intent of closing these pages.
 - b) The Authority issues guidelines for the functioning of the system, defining the rights and obligations of public authorities as well as Internet service providers (ISPs).

4.22 Publishes the list of minimum security rules for all public and private institutions and provides periodic control of their implementation.

4.23 Creates and updates the electronic registry for control procedures.

4.24 Creates and updates the electronic register of cyber events / incidents and register of national / international contact points.

5. The Authority has the official emblem and seal, as specified below:

5.1 The emblem consists of the emblem of the Republic of Albania and notes: "The Republic of Albania, Council of Ministers, National Authority for Electronic Certification and Cyber Security".

5.2 The stamp of the Authority has the form and contains the elements defined in the legislation in force on production, administration, control and preservation of official stamps.

5.3 The stamp of the Authority contains the identification mark "National Authority for Electronic Certification and Cyber Security".

5.4 The seal of the Authority is administered and maintained in accordance with the legislation in force.

6. The Authority is headed by the General Director, who organizes and oversees the activity of institution and is responsible for its well - functioning, and represents the institution in its relations with third parties.

7. The General Director carries out these duties:

7.1 Prepares analyzes, reports and makes proposals for the smooth running of its subordinate structures.

7.2 Directs, elaborates the annual program of directorate engagements and sets priorities in their work.

7.3 Periodically reports on the activity of the institution to the responsible minister.

7.4 Proposes to the responsible Minister of the field to undertake legal initiatives for filling and improving the legal framework in force.

7.5 Takes measures for the efficient management of the human resources, financial resources and material resources of the institution.

8. The internal structure of the Authority is approved by the Prime Minister under the legislation in force.

9. In all bylaws, the words 'National Authority for Electronic Certification ' and National Agency for Cyber Security' are replaced by the 'National Authority for Electronic Certification and Cyber Security'.

10. All rights, obligations, contracts and projects that are in process and belonging respectively to " National Authority for Electronic Certification" and " National Agency for Cyber Security" are transferred to the "National Authority for Electronic Certification and Cyber Security".

11. Current employees of AKCE and ALCIRT pass to the National Authority for Electronic Certification and Cyber Security and will be treated on the basis of Legislative Decrees civil servants, in case of closure and restructuring of the institution.

12. Funds approved for the National Authority for Electronic Certification and the National Agency for Cyber Security in the 2017 budget, are transferred to the National Authority for Electronic Certification and Cyber Security, in the same budget items.

13. National Agency for Cyber Security and National Authority for Electronic Certification, will continue their activity until the moment of commencement of full operation of the National Authority for Electronic Certification and Cyber Security.

14. Decision No. 766, dated 14.9.2011, of the Council of Ministers, 'On the establishment of the National Agency for Cyber Security (ALCIRT)', is abrogated.

15. The Minister of State for Innovation and Public Administration and the Ministry of Finance are responsible for the implementation of this decision.

This decision enters into force after its publication in the Official Journal.

PRIME MINISTER Edi Rama