

REPUBLIKA E KOSOVËS

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AGJENCIA PER PARANDALIMIN E KORBUPSIONIT

AGENCIJA ZA SPRJEĆAVANJE KORUPĆIJE THE AGENCY FOR PREVENTION OF CORRUPTION



GUIDELINES FOR ASSET DECLARATION PROCEDURE THROUGH THE ELECTRONIC SYSTEM

December 2023

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Summary

The Agency for the Prevention of Corruption, in accordance with its mandate and powers as defined in Law No. 08/L-017 on the Agency for Prevention of Corruption and Law No. 08/L-108 on Declaration, Origin and Control of Assets and Gifts, is responsible for overseeing the declaration of assets as well as the acceptance of gifts related to the performance of official duties.

According to Law No. 08/L-108 on Declaration, Origin and Control of Assets and Gifts, asset declaration is conducted by declaring entities categorized as senior officials and public officials, as specified by the law.

The asset declaration by declaring entities includes the type of asset declaration, personal data of the declarant, their function (role), the family composition, additional information (data) on their functions or activities, immovable and movable assets, possession of shares in business organizations, possession of securities, cryptocurrencies, cash in current accounts, deposits or loans, financial rights and obligations, donations to political parties, donations and expenses, personal and family income, etc.

The declaration of assets by declaring entities is done electronically through the Agency Electronic Declaration System (DMSA).

These Guidelines provide practical explanations on the steps that declarants should follow when declaring assets through the electronic system.

Introduction

Law No. 08/L-108 on Declaration, Origin and Control of Assets and Gifts entered into force in February 2023. This law regulated the process of asset declaration, outlining the methods and procedures for declaring assets and gifts, the origin and supervision of declared assets and gifts, as well as the declaring entities in order to prevent corruption, conflict of interest and enhance the integrity of public institutions, including their sanctioning.

The law has defined the obligations and responsibilities of declaring entities to declare assets electronically using the Agency Electronic Declaration System, which ensures that declaring entities have secure and individual access to the electronic system, and guarantees unlimited and complete access to their declarations.

The Agency for Prevention of Corruption, based on Law No. 08/L-108 on Declaration, Origin and Control of Assets and Gifts, has built and operationalized the electronic platform for asset declaration, called the Data Management System of Agency - DMSA, which was launched on March 3, 2023.

The platform is hosted by the State Agency for Information Society (AIS), and it is managed by the Agency for Prevention of Corruption (hereinafter referred to as the APC), the E-Services and Information Technology Division.

The approval of the Guidelines is based on the obligation defined in Article 11 (paragraph 7) of Law No. 08/L-108.

The guidelines provide information on the procedure and steps to follow during the process of declaring assets through the electronic system, and it serves as a guide for declaring entities, contact points, and the APC.

The guidelines are designed in the form of modules and steps to be followed when accessing the electronic system, in the asset declaration module.

These guidelines provide explanations for the asset declaration module, which is part of the DMSA platform, and contains instructions for three sub-modules as follows:

- APC Admin Module: provides instructions on how to access the system, through structured levels, such as Super Admin, Administrator, Standard User, Leader, Department Director, and Director.
- Contact Points Module: provides instructions for the contact points, through which
 the contact officials of the declaring institutions of the RKS can access the system,
 enabling the registration of declaring entities for each institution separately, and
 creating an institutional list of declaring entities.
- Online Declaration Module: provides instructions on the method and form of the online declaration of assets by declaring entities.

The purpose of these guidelines is to facilitate access for users of the DMSA platformsystem's asset module, which provides practical explanations through a series of steps, as detailed in the following section of this document.

1. Access and Use of the APC Admin Module

The APC Admin module is specifically designed for administration of the DMSA application section, and the access to this module is structured through various levels, such as: Super Admin, Administrator, Standard User, Leader, Department Director, and Director. The module consists of several sections:

Administration which means: Users, Roles, Password Change, and Audit Log;

Definitions which means: Types of declaration, Period of declaration, Institutions, Departments, APC Departments, Divisions, Positions, Units, Cities, Emails, and Notifications; and

Reports which means: Dismisal from the position of senior officials.

Access to the Super Admin and Administrator is limited only to the E-Services and Information Technology Division within APC. Other access levels are available to APC staff. The E-Services and Information Technology Division is responsible for creating these access levels for APC staff based on a request form (Form-Request_for_access_to-DMSA) that must be completed and signed by the applicant who will be using the application.

Upon receiving a request, the E-Services and Information Technology Division creates a user account and provides a temporary password for users of the DMSA system, such as standard users, division managers, department directors, or directors.

Within 48 hours of receiving the request, the E-Services and Information Technology Division creates staff user accounts for the Department for Control and Verification of Assets and Gifts within APC. The created user accounts are then sent through the official e-mail, who subsequently create (grant) access to the contact officials of the respective institutions.

Standard users of the APC Admin module have full access to the "Declaration" sub-section, and also have full access to create contact point users (the institution's contact officials), reset their password, and modify and change all the contact official's data, except for the ID number, which cannot be changed. Changing the ID number for each user of the DMSA system is solely the responsibility of the E-Services and information Technology Division. This change requires intervention in the database and can only be done upon receiving a written request from an authorized person.

2. Access and Use of the Contact Points Module

The Contact Points Module is an interface known as a page through which the contact officials of the declaring institutions of the RKS can access the system. This system enables the registration of declaring entities for each institution separately, creating an institutional list of declaring entities. The contact officials of the asset declaration can register, change and delete the declaring entities of their institution by appointing and updating the List of Senior Officials.

In the "Add Senior Official" category, the contact official adds the declaring entity along with their identification data and data for their declaring position, specifying also the appointment/dismissal date to the position, the position itself, the declaration language, and the categorization according to Article 4 and Article 5 of the asset declaration. Additionally, in this module, the contact official, completes also the role (function) of the reporting entities of the respective institution.

The interface or front page for Contact Points appears when the official from the Department for Control and Verification of Assets and Gifts within APC registers the contact official in the system, thus creating access for the contact official through a special username and password which they will receive in their official email from the DMSA system.

The Contact Points module can be accessed by clicking on the following link: https://pikatekontaktit.rks-gov.net/.

2.1 Registering the Declaring Entity in the System by the Contact Official

When the contact official registers a reporting entity in the system for the first time, they also enter the date of appointment for the reporting entity. After the declaring entity is registred in the system by the contact official, the DMSA system will send an informative email to the declarant's email address, providing them with their credentials for accessing the asset declaration system.

For declaring entities that are registered for the first time, the DMSA system will calculate a period of 30 calendar days for declaring assets, depending on the date of their appointment to the position. After this period, the declaration time will expire. In the case of a declaring entity being removed from the list, either due to retirement or termination of their function, the DMSA system will calculate a period of 30 calendar days for the declaration of assets, starting from the date of dismisal or the end of the declarant's function.

The regular annual asset declaration is made every year from March 1 to 31, and a notification is sent by the DMSA system to all declaring entities registered in the system. This notification is sent through the system by the responsible official of the E-Services and Information Technology Division of the APC.

3. Access and Use of the Online Declaration Module

The Online Declaration module is an interface, also known as a webpage, for electronically declaring assets through web browsers, and it is designed in three languages: Albanian, Serbian and English.

Once an email is received from the DMSA system regarding the declaration of assets, the declaring entity will be provided with access credentials and a link to the webpage for declaring assets, which is: https://e-deklarimi.rks-gov.net/.

Clicking on the link, the online declaration page "e-declaration" will open, where the declaring entity will be required to provide credentials to access the declaration.

For safety purposes, the DMSA system will require the user to change their password upon first access. The password must have a minimum of 8 characters and include a combination of uppercase and lowercase letters, numbers and symbols (e.g.: deKLarimi2\$23).



Figure 1. Pamie e troies ni sistemin e debiarimit il passola-

After changing the password, the declaring entity must access their profile using the new personally assigned credentials.

The password you have already set will remain valid unless you change it. If you forget your password, click on the text "Forgot your password!" in the window shown above (Figure 1). A new window will open where you can enter your ID number and click the "Send" button. The DMSA system will generate a new password for you, which will be sent to your email, just like when you first opened your account in the system.

In their profile, the declaring entity can view their declarations, including the type of declaration, declaration period, request date, last declaration date, and an "Action" column with a blue "Declare" button. By clicking the "Declare" button, the declarant initiates the asset declaration process, which will be saved in the system step by step. Once clicked, a "Start Declaration" window appears, displaying the declarant's data as recorded by the contact official of their institution. If there are any errors in this data, the declaring entity must notify the contact official of their institution, otherwise they can begin the declaration by clicking the "Start Declaration" button located at the bottom of the window.

After clicking the "Start Declaration" button, the interface/page of your asset declaration will appear, consisting of thirteen (13) steps. Each step is designed to correspond to the type of data required to be declared by the declaring entity.

Steps for Completing the Electronic Asset Declaration Form

When filling out the online asset declaration form, it is important for the declarant to carefully follow these steps. The form includes certain mandatory fields marked with a red asterisk symbol (*) that must be filled in. Failure to do so will prevent you from proceeding to the next steps of the form and entering your data. The data in the electronic asset declaration form is provided through thirteen (13) steps, as follows:

Step 1. Personal Data of the Declarant

As the first and mandatory step, the declaring entity must provide their personal data, including: Name, Surname, Parent's name, Personal Number (automatically obtained from the contact point register section), Date of birth, Marital status, Gender, Place of birth, Permanent address of residence, Temporary address of residence, email address, Fiscal number (if applicable), Municipality, Landline phone, and Mobile phone.

Once all the above-mentioned data has been filled in (at least the fields marked with the asterisk symbol " are mandatory), you can proceed to the next step by clicking on the "Next>" button highlighted with a green background in the bottom right corner of the window.

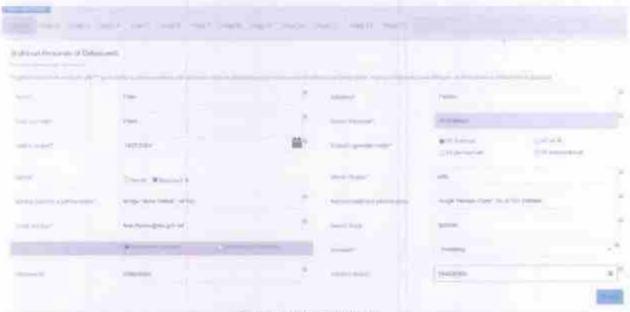


Figure 2. 37 divinal personals of differential

Step 2. Family Composition

In this step, the declaring entity is required to answer the question: "Do you have to declare?" by selecting either the "Yes" or "No" option. If the "No" option is selected, an explanation must be provided in the field of family composition. Proceed to the next step by clicking on the "Next>" button highlighted with a green background in the bottom right corner of the window.

If you select the "Yes" option, then the declaring entity is obliged to complete the data for their family, including spouses, common-law spouses, parents and children with whom they live in a family community. For each family member, the correct data must be filled in the required fields, such as Relationship to the declarant, Personal Number, First Name, Last Name, Date of Birth, Gender, and Marital Status. Click on the "Add/Save +" button and the registered member will be added to the list of family members, which can be found at the bottom of this window. Registration is done in the same way for each member.

Once all family members of the declaring entity have been registered, proceed to the next step by clicking on the "Next>" button highlighted with a green background in the bottom right corner of the window.



Step 3. Data on functions and activities of the senior official

In this step, the declaring entity is required to answer the question: "Do you have any other function or activity in addition to the functions declared above?", by selecting either the "Yes" or "No" option. If the "No" option is selected, then you must click on the "Next>" button highlighted with a green background in the bottom right corner of the window and proceed to the fourth step.

If you select the "Yes" option, then the declaring entity is required to complete the data on their functions or activities, which they exercise in addition to the declared function. For each activity, the declaring entity must complete the following fields: Type of institution, Name of the institution, Organizational unit, Level of position (function), Function/Activity, Address of the institution, Municipality, Start date, and End date. Click on the "Add/Save +" button and the activity/function will be added to the list of activities, which can be found at the bottom of this window. Registration is done in the same way for every other activity.

Once all the activities/functions performed by the declaring entity have been registered, proceed to the next step by clicking on the "Next>" button highlighted with a green background in the bottom right corner of the window.



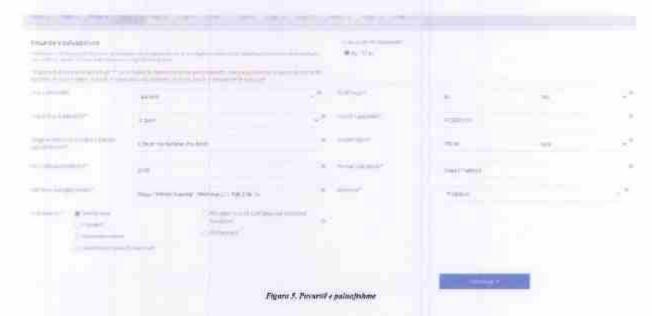
Step 4. Immovable Property

In this step, the declaring entity is first required to answer the question: "Do you have to declare?" by selecting either the "Yes" or "No" option. If you or your family members do not own any immovable property, select the "No" option and provide an explanation where you currently live. After that, click on the "Next>" button highlighted with a green background in the bottom right corner of the window and proceed to the fifth step.

If you own immovable property, select the "Yes" option, and fill in the data for each immovable property separately. Immovable property is registered by filling in the following fields: Type of property, Area (numerical value) and the measurement unit of the surface, Origin of the property, Plot number (as registered in the cadastral register), Origin and/or method of purchase or acquisition, Price/Value and currency should be selected, Year of purchase/acquisition, Previous owner, Address of immovable property, Municipality, and ownership of immovable property. Click on the "Add/Save +" button and the property will be added to the list of properties at the bottom of this window. Registration is done in the same way for each immovable property.

At this step, and at all other steps where there is a numerical value, such as Area, Price, etc., the number must be marked with a decimal point, not a decimal comma, and there should only be one point within a digit (e.g.: in the area 82.23, or in the price 78248.80).

Once all the immovable property of the declaring entity and their members have been registered, proceed to the next step by clicking on the "Next>" button highlighted with a green background in the bottom right corner of the window.



Step 5. Movable Property

In this step, the declaring entity is first obliged to answer the question: "Do you have to declare?" by selecting either the "Yes" or "No" option. If you or your family members do not own any movable assets, select the "No" option, and click on the "Next>" button highlighted with a green background in the bottom right corner of the window to proceed to the next step.

If you own movable property, select the "Yes" option, and fill in the data for each movable property separately. The movable property is registered by filling in the following fields: Type of property, Model, Origin and/or method of purchase or acquisition, Plot number (as registered in the cadastral register), Origin and/or method of purchase or benefit, it is determined with "Yes" or "No" if the property consists of separate parts (such as gold jewelry property can consist of a ring, necklace, etc.) or not, Price/Value and the currency are selected, Year of purchase /benefit, Previous owner, and ownership of movable property is selected. Click on the "Add/Save +" button and the movable property will be added to the list of movable properties at the bottom of this window. Registration is done in the same way for each movable property.

Once all the movable properties of the declarant and their family members have been registered, proceed to the next step by clicking on the "Next>" button highlighted with a green background in the bottom right corner of the window.



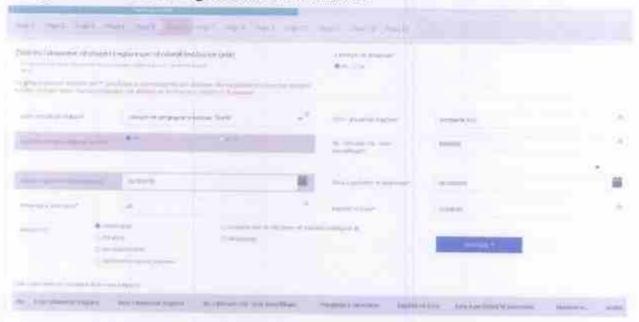
Figure 6. Persont a Legisland

Step 6. Possession of shares in a business organization or any other institution

In this step, the declaring entity is required to provide a detailed description of the shares they own in a business organization or any other institution. However, before proceeding, you need to answer the question: "Do you have to declare?" by selecting either the "Yes" or "No" option. If you or your family members do not own any shares, select the option "No", and click on the "Next>" button with a green background in the bottom right corner of the window to proceed to the next step.

If you own shares, select the "Yes" option, and fill in the data for each share separately. The shares are registered by filling in the following fields: Type of business organization, Name of the business organization, Country (in RKS or another country), Unique Identification Number, Date of registration, Date of acquiring shares, Percentage of shares, Capital in Euros, and the ownership of declared shares is defined. Click on the "Add/Save +" button and the shares will be added to the list of shares held in the business organization, and such list can be found at the bottom of this window. Registration is done in the same way for each share.

After all the shares of the declaring entity and their family members have been registered, proceed to the next step by clicking on the "Next>" button highlighted with a green background in the bottom right corner of the window.



Step 7. Securities and Cryptocurrencies

In this step, the declarant is required to provide a description on the types and values of securities and stocks, including securities denominated by a foreign government and corporate bonds if, at the time of asset declaration, their total value exceeds the amount of three thousand (€3000) Euros. First, you need to answer the question: "Do you have to declare by selecting either the "Yes" or "No" option. If you or your family members do not own any securities or cryptocurrencies, select the "No" option, and click on the "Next>" button highlighted with a green background in the bottom right corner of the window to proceed to the next step.

If you selected the "Yes" option, fill in the data for each type of securities or cryptocurrency. The securities and cryptocurrencies should be registered by filling in the following fields: Type of securities, Current value, Origin of Securities, Date of acquisition, and the ownership of the declared securities is determined. If the type of security is a Cryptocurrency, you must also provide data on the purchase value and the amount of cryptocurrency. Click on the "Add/Save +" button and the securities will be added to the list of securities, and such list can be found at the bottom of this window. Registration is done in the same way for each share.

After all the shares of the declaring entity and their family members have been registered, proceed to the next step by clicking on the "Next>" button highlighted with a green background in the bottom right corner of the window.

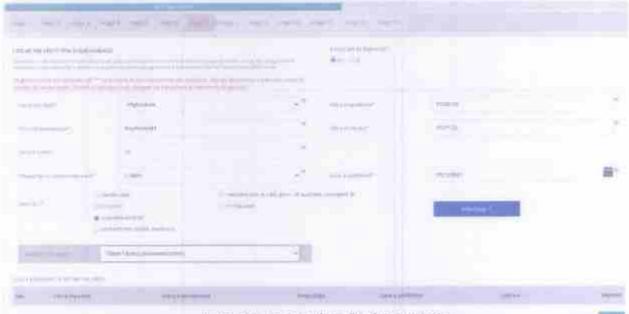


Figura 8. Letrat me viere dhe kriptovalutat

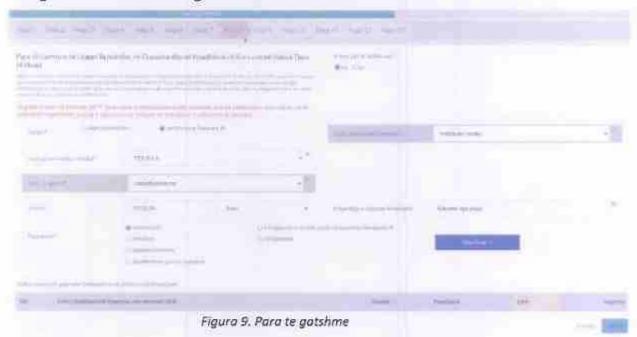
Step 8. Cash in Current Accounts, Deposits and Loans in Euros or Other Foreign Currencies

In this step, the declaring entity is required to provide information about the cash available, cash deposited in current and savings accounts, as well as savings and interest earned from deposits inside and outside the country, including accounts in foreign currencies, accounts in non-resident banks, dividends, savings from participation in a trust pension or other saving

schemes for yourself and other family members, the total value of which assets exceeds the amount of three thousand Euros (€3000). First, you need to answer the question: "Do you have to declare?" by selecting either the "Yes" or "No" option. If you have nothing to declare in this step, select the "No" option, and click on the "Next>" button highlighted with a green background in the bottom right corner of the window to proceed to the next step.

If you do have something to declare, select the "Yes" option and fill in the data for the financial means, or money held in banking institutions. In both cases, fields such as amount, currency, origin of financial means, and ownership or possessor must be filled. When the money is held in financial institutions, you must also select the type of banking institution and the account type field. Then, click the "Add/Save +" button to save the money data in the List of cash held in financial institutions. Registration is done in the same way for each type of money in possession.

After all the money of the declaring subject and their family members have been registered, proceed to the next step by clicking on the "Next>" button highlighted with a green background in the bottom right corner of the window.



Step 9. Financial Rights and Obligations to Legal and Natural Persons

In this step, the declaring entity is required to provide a detailed description of all financial rights and obligations to legal and natural persons. First, you need to answer the question: "Do you have to declare?" by selecting either the "Yes" or "No" option. If you have nothing to declare in this step, select the "No" option, and click on the "Next>" button highlighted with a green background in the bottom right corner of the window to proceed to the next step.

If you need to declare, select the "Yes" option and then click either the "Legal Person" or "Physical Person" option. The information for the following sections must be filled in: Lender/ Borrower/ Guarantor, Initial value, Remaining value (current), Purpose, Duration (in months), Loan start date, Loan end date, Total loan amount, and associated rights or obligations.

To register a right or obligation, click on the "Add/Save +" button and it will be added to the list of obligations in financial institutions. Registration is done in the same way for each type of right/obligation.

After all the obligations/rights of the declaring entity and their family members have been registered, proceed to the next step by clicking on the "Next>" button highlighted with a green background in the bottom right corner of the window.

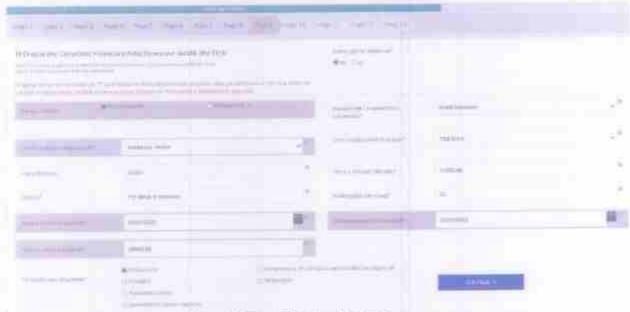


Figura 10. Te dreitat dhe detyrimet

Step 10. Donations

In this step, the declaring entity is required to provide a detailed description of all expenditures and donations. First, you need to answer the question: "Do you have to declare?" by selecting either the "Yes" or "No" option. If you have nothing to declare in this step, select the "No" option, and click on the "Next>" button highlighted with a green background in the bottom right corner of the window to proceed to the next step.

If you need to declare, select the "Yes" option, and fill in the information for the following sections: Type of donation, Amount of donation, Year of acquisition, Date of acceptance, Ownership, Purpose, Name. To register the donation/expenditure, click on "Add/Save +" button, and it will be added to the list of expenditures and donations. Registration is done in the same way for each type of expenditure/donation.

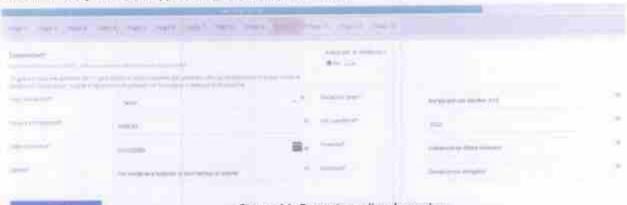


Figura 11. Donacione dhe shpenzime

After all the expendituresses/donations of the declaring entity and their family members have been registered, proceed to the next step by clicking on the "Next>" button highlighted with a green background in the bottom right corner of the window.

Step 11. Personal income

In this step, the declaring entity is required to provide a detailed description of all net personal income for the year. This includes income from salary, participation in boards or commissions, and any other activity that generates net personal income, including payments for abroad trips which should be divided according to the number of trips, as well as any payments or other specific allowances received for participation in commissions and other similar groups. Each source of income must be declared separately. In this step, all functions declared by the declaring entity in step 3, are listed. For each function/activity from the list of functions, you must indicate whether or not you have income for it. The following fields must be filled out: Type of income, Institution, Country, Money, Amount, Currency, type of bank, and name of the bank. To register an entry, use the "Add/Save" button. After you have registered all the income for the listed activities, you must answer the question: "Do you have other personal income?". Once you have filled in all the income of the declarant, the List of functions will become empty, while the list of annual income for functions will be filled with the recorded data.



Figura 12. Te hyrat personale

Once you have registered all the incomes of the declaring entity, click on the "Annual incomes of family members" button to proceed with the completion and registration of your family members' incomes. In this new window, indicate whether each family member has an income by selecting "Yes" or "No" button. If you select the "No" option, proceed to the next step by clicking on the "Next>" button highlighted with a green background in the bottom right corner of the window. If you need to declare an income for a family member, select "Yes" button and enter the income for each family member by using the "Add/Save +" button. Once you have recorded all the necessary data in this window, you can proceed to the next step by clicking on the "Next>" button.

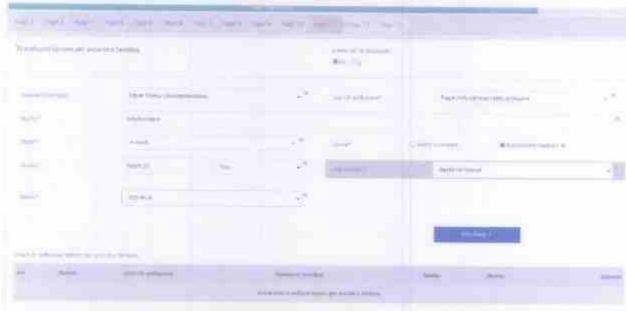


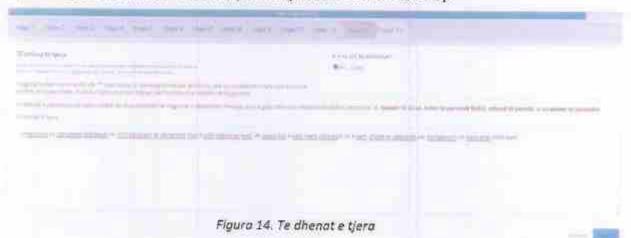
Figura 13. Te hyrat familjare

Step 12. Other data

This step is designed for the purpose of allowing the declarant to disclose any information that has not been previously mentioned in the previous eleven (11) steps. The clarification in this step is textual and should be clear and concise. Additionally, any important clarifications regarding the declarant's property that could not be explained in the previous sections can be provided here.

Note: the data declared in this step is made public in the declaration register, therefore, any data that affects the privacy of the individual should not be declared here. Otherwise, the responsibility falls on the declarant!

By clicking on the "Next>" button, you will proceed to the next step.



Step 13. Asset Declaration Form

This is the final view step, also known as the "Print Preview", where you can review all the data you have declared in the previous twelve (12) steps. Please take a moment to carefully examine the information. If you realize that you have forgotten to declare something or have made any errors, you can easily go back to the previous steps to add or correct any information by clicking on the "<Back to previous step" button.

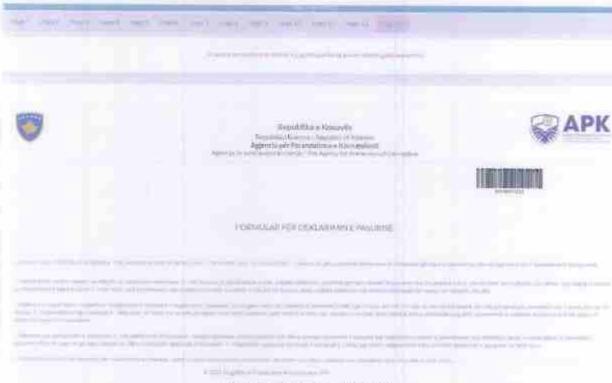


Figura 15. Pamja e deklarimit

When everything/every information is correct, on the last page of this form, click on the empty box in front of the red text that says "The declaring entity, when filling out the form for the asset declaration, must also sign the authorization which is part of the declaration form".



Figura 16. Konfirmimi

To send the completed form to APC, you must click on the green "CONFIRM" button that is at the bottom right of the page (Figure 16). Once you have confirmed the declaration, you will be able to view and print the declaration at the top of the form, along with the barcode of your form, as shown in Figure 17.



Figura 17. Pamja pas konfirmimit te deklarimit nga subjekti deklarues

When the form has been sent to APC, the blue "PRINT" button will appear in your declaration profile under the "Action" section, while the "Confirmed by APC" button will remain empty until the Agency confirms it.



Figura 18. Pamja e profilit tuaj pasi keni kryer deklarimin

Confirmation of the Declaration by the Agency and Request for Correction

Once you have submitted your declaration to APC by clicking the "Confirm" button, the designated official at APC will review if the declaration is complete. If any corrections are necessary, they may send your declaration back for revision/correction, or confirm its acceptance. However, if your declaration is accepted, you will receive an email from the DMSA system confirming that APC has accepted your declaration. The date of acceptance of the declaration will be displayed in the "Confirmed by APC" column in your declarant profile (as shown in Figure 19).



Figura 19. Pamja e profilit te deklaruesit pas konfirmimit te pranimit te deklarimit nga Agjencia

If the APC sends back your declaration for correction/revision, you will receive a notification email from the DMSA system. The system will automatically enable you to correct your declaration by changing the "Action" column from "Print" to "Declare" (as shown in Figure 20). In this case you can make the necessary modifications by following the previous steps, from Step 1 to Step 13.



Figura 20. Pamja e profilit tuaj pas kthimit per permiresim te deklarimit nga Agjencia

Note: Any declaring entity who has received an acceptance confirmation of their declaration from APC can officially request a correction of their declaration, if they have forgotten or filled in any information incorrectly. This request must be sent to APC within 30 days of the publication of their statement on the official APC website. In this case, APC will review the request and decide whether or not to return the declaration for correction. If the request is approved, the applicant will be able to complete the asset declaration again, following steps from Step 1 to Step 13.