

IFIAR 2021 Member Profile – POB

1. Jurisdiction	1.1 Insert the name of the jurisdiction in English: Albania
2. Member¹	<p>2.1 Insert the name of the Member, both in the local language and in English:</p> <p>Bordi i Mbikëqyrjes Publike (BMP) Public Oversight Board (POB)</p> <hr/> <p>2.2 Include relevant contact information, including postal address, telephone numbers, a link to the website and other relevant information:</p> <p>Ismail Qemali's Street, Building no. 5, Apt. 8, 2nd floor, Tirana, Albania <u>Telephone no:</u> +355 4 562 8441 <u>Website:</u> http://www.bmp.al</p> <hr/> <p>2.3 Include the basis for establishment of the Member, as well as the legislation or regulations which provide the Member the authority/mandate with respect to audit regulation. Please describe with an appropriate level of detail the mission and responsibilities of the Member with respect to audit regulation:</p> <p>The POB was established in September 2009 according to the Law 10091, dated 05/03/2009, as amended (i.e. Government of Albania law regulating the audit profession in Albania) for the purpose of enhancing the system for the audit oversight and Decision of Council of Ministers (DCM) no.786, dated 09.11.2016 “About the selection procedures and cases of dismissal of members, and rules of organization and functioning of the Public Oversight Board”.</p> <p>The POB carries out the oversight of the profession of statutory auditors and audit firms, either directly, through oversight all statutory auditors and audit firms, as well as through the oversight of the professional organization activity of statutory auditors.</p> <p>The purpose of the public oversight system for statutory auditors and audit firms is to increase the assurance that statutory audits are carried out in a</p>

¹ In the case where there are two or more regulators from the same jurisdiction that have been approved according to Section 2.3 of the IFIAR Charter, they together are considered as one Member. In that case, regulators are requested to include information for both organizations in the Member Profile.

	<p>transparent, controlled, cautious environment on behalf of the public interest.</p> <p>POB has the following right and duties:</p> <p>(a) Prepares the operational regulations of certification and registration authorities of statutory auditors and audit firms, which is sent for approval to the relevant authorities foreseen in this law;</p> <p>(b) Supervise, monitor and evaluates the implementation of the procedures of the certification and registration of statutory auditors and audit firms;</p> <p>(c) Approves the format of public register of statutory auditors and audit firms, registered by Registration Committee and supervise the compliance of the regulations in relation with the identification number of statutory auditors entered in the register;</p> <p>(d) Approves the code of ethics of statutory auditors and audit firms, prepared and proposed by the professional body of statutory auditors and supervises the application of the code requirements;</p> <p>(e) Supervises the quality control process realized by the professional body of statutory auditors;</p> <p>(f) Supervises programs and continuing professional development of statutory auditors;</p> <p>(g) Approves regulations on investigation and disciplinary procedures;</p> <p>(h) Carry out additional investigations on statutory auditors and audit firms, where it is necessary;</p> <p>(i) Analyse and take decision on the candidate's claims with relation to their registration;</p> <p>(j) Approves and publish its annual working programs and reports on its activities;</p> <p>(k) Analyse and take decisions on disciplinary issues that are under its authority;</p> <p>(l) Analyse and take decisions on other issues or aspects foreseen by this law or in other laws, which are within its scope of activity.</p> <p>2.4 Have there been any major changes to the Member's organization or to the governing legislation since completing last year's Member Profile?</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If yes, please describe these changes with an appropriate level of detail:</p>
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3. Governing Body Composition and members	<p>3.1 Describe with an appropriate level of detail the current composition of the Member's governing body, including the ratio between Board members who are independent from the audit profession and those who are not². The audit profession includes, for example: audit firms, professional accountancy bodies and bodies or entities associated with the audit profession.</p> <ul style="list-style-type: none"> • Dritan FINO Chairman (non-practitioner) • Adriana BERBERI Member (non-practitioner) • Luan ABAZI Member (non-practitioner) • Klement MERSINI Member (non-practitioner) • Edlira LUÇI Member (non-practitioner) <p>Public Oversight Board is composed of five non-practitioner members, who are knowledgeable in the areas relevant to statutory audit, appointed by the Minister responsible for finances and have a 4-year mandate, with the right to be re-elected not more than twice. Board members are selected based on defined criteria and through an independent and transparent competition procedure.</p> <p>Mr. Aldo Spahiu is the Executive Director of Public Oversight Board (POB). POB, in exercising its functions, has an internal support structure of Senior Quality Assurance Inspectors, a Finance Specialist, a Legal Issues Specialist, an IT Specialist and an Administrative Issues Specialist.</p> <p>3.2 What are the eligibility criteria / requirements and composition requirements for the members of the governing body?</p> <p>Members of POB must meet the following criteria:</p> <ol style="list-style-type: none"> a) To have Albanian citizenship; b) To have moral and professional integrity; c) To have not been punished by a final decision; d) To possess, at least, "Master of Science" or equivalent diploma with them, under the High Education Legislation, and 10 years of experience, or a degree or academic title and 7 years of experience in matters of statutory auditing and accounting. e) To not have close ties, up to the second degree, with people in the elected bodies of the professional organization of statutory auditors. <p>As mentioned in the above section, POB is composed of five non-practitioner members. The head and three members are nominated by the Minister of Finance, one of which must be selected from higher education institutions; One member is nominated by the Parliamentary Committee for Economy and Finance.</p>
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² An individual is independent of the profession even if he is a CPA, Chartered Accountant, or holder of another equivalent qualification, as long as this individual is not employed by or affiliated to a registered audit firm, nor employed by or affiliated to of a professional accountancy body, nor employed by or affiliated to bodies or entities associated with the audit profession.

	<p>3.3. Is each member of the governing body independent from the audit profession? The audit profession includes, for example: audit firms, professional accountancy bodies and bodies or entities associated with the audit profession.</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <hr/> <p>3.4 If the answer to question 3.3 is “No”, is the majority of the members of the governing body non-practitioner?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <hr/> <p>3.5 If the answer to question 3.3 is “No”, which safeguards are in place to provide for the Member’s overall independence from the audit profession?</p> <hr/> <p>3.6 Is there a restriction or recusal process that is applicable to members of the governing body of the Member who are current or former auditors/practitioners?</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Does this include a “cooling-off” period for former auditors?</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes to either of the above, please describe:</p> <p>Based on the Law no. 10091, dated 05.03.2009 “On statutory audit, organization of statutory auditor and chartered accountant professions”, as amended, non-practitioner is a person who has knowledge in the field of statutory auditing and has not conducted audits and has not been employed or engaged in other forms in an audit company for at least three years before his/her appointment to the position of member of POB, has not had the right to vote in an audit firm, at least for a period of three years before his/her appointment to the position of member of POB and has not been member of the government and/or management of an audit company, at least, for a period of three years, before his/her appointment to the position of member of POB.</p>
	<p>3.7 Other than the governing body, are members of the profession involved in the Member’s organization (including in any inspections, committee or panel role)?</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, please describe their role with an appropriate level of detail, including the ratio between those who are independent and those who are not in the relevant function and whether such role includes decisional or control authority:</p>

	<p>The Professional Aptitude Exams Commission, according to the Regulation No. 2 “For the functioning of the Professional Aptitude Exams Commission and the oversight of the exams process of the candidates for chartered accountants and statutory auditors” is composed of five members, who are appointed by POB for a four-year period. Two members out of 5 are proposed from the professional organization of statutory auditors.</p>
4. Funding Arrangements	<p>4.1 Describe the main funding arrangements of the Member, including the setting and approval of the budget and the fees, if any:</p> <p>Board’s activity is funded as follows:</p> <p>Own sources of funding as below:</p> <p>a) A fee of 3 percent on the invoiced fee for each statutory auditor of the Public Interest Entities, paid by statutory auditors and audit firms performing audits in Public Interest Entities.</p> <p>b) Other funds generated from the contribution of professional body of auditors, which is subject of supervision by Public Oversight Board.</p> <p>c) Fees charged to statutory auditors and audit firms, subject to disciplinary measures to cover the costs of disciplinary procedures, imposed by the Public Oversight Board.</p> <p>d) Surplus funds from the testing process for chartered accountants and candidates for statutory auditors.</p> <p>e) Other funds from legal sources and uninfluenced by statutory auditors, including but not limited to grants allocated for quality assurance and oversight of the profession.</p> <p>POB has approved an internal regulation, (Regulation no.1, dated 26.07.2017, “On the revenue collection of POB”, where are explained in detail, the manners of the financing of POB activities, as amended).</p> <hr/> <p>4.2 Is the funding free from undue influence by the profession?</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Please describe with an appropriate level of detail the safeguards in place to prevent undue influence by the profession:</p> <p>POB has approved an internal regulation, (Regulation no.1, dated 26.07.2017, “On the revenue collection of POB”, as amended) where there are explained in detail, the manners of the financing of POB activities, which foresees all the necessary funding resources uninfluenced by the profession, in order to conduct its normal activity.</p>

5. Inspection System	<p>5.1 Does the Member have the responsibility for recurring inspections of audit firms undertaking audits of public interest entities (PIEs)?</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <hr/> <p>5.2 Is this responsibility undertaken directly or through oversight of inspection conducted by another organization?</p> <p><input checked="" type="checkbox"/> Directly <input type="checkbox"/> Through Oversight</p> <p>POB has a division unit composed of 4 full-time employed High-Quality Assurance Inspectors who have significant experience in auditing, financial reporting and related fields and are independent of statutory auditors and audit firms. Inspections are delivered in a transparent, controlled and caring environment on behalf of public interest. Furthermore, High-Quality Assurance Inspectors have accomplished the inspections under the assistance of an international expert contracted with the support of the World Bank.</p> <p>The Public Oversight Board may delegate to the professional organization of statutory auditors the conduction of the quality assurance of non-PIE audits. The professional organization has to report every year to POB regarding to the results of the quality assurance system.</p> <p>If through oversight of another organization, please describe with an appropriate level of detail the other organization, its relation to the Member, its role, and the arrangements for oversight:</p> <hr/> <p>5.3 Please describe with an appropriate level of detail the requirements and practices regarding the frequency of inspections:</p> <p>The quality assurance review shall take place on the basis of an analysis of the risk, however, such a review is done at least once every three years for statutory auditors and audit firms that perform audits of Public Interest Entities and once every six years for auditors and audit firms that perform audits of other entities. For statutory auditors who have less than 5 years of experience, the quality assurance review is made once every two years, until the required level of experience is reached.</p>
6. Audit and Financial Market	<p>6.1 Provide the number of audit firms subject to inspections. Include an indication of the number of public interest audits (PIEs) and other audits that fall under the Member’s oversight or mandate.</p> <p>In total, there are 58 audit firms and 148 sole practitioners subject to inspection from POB. The new decision of council of minister’s no. 17 date 16 January 2019, defines the entities that constitute “PIE’s”. In 2020, there</p>

	<p>were 3288 audited entities where 866 are PIEs, from which, 78 entities are financial institutions (banks and non-banks). The oversight responsibilities for the audits of PIE's remain with POB. Over 2,422 entities are non-PIE entities, whose audits fall under the POB.</p> <p>For the year 2020 there has been a setback for field inspections due to the pandemic situation. During these times POB focused on improvements of the regulatory framework and proceeded to release the inspections report for 2019 quality assurance inspections performed at 10 audit firms/sole practitioners.</p> <p>6.2 What are the sizes and market shares of each of the largest audit firms in the Member's jurisdiction?</p> <p>The largest audit firms (10 largest firms) account for about 56 % of the public interest companies audit market.</p>
<p>7. Main Other Responsibilities of the Member <u>within</u> the area of Audit Oversight</p>	<p>7.1 Please indicate whether the Member has responsibility for tasks other than Inspections within the area of Audit Oversight:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Registration/Licensing <input checked="" type="checkbox"/> Audit and/or Ethics Standard Setting <input checked="" type="checkbox"/> Permanent Education of Auditors <input checked="" type="checkbox"/> Enforcement <input checked="" type="checkbox"/> Other: Chartered Accountant <p>POB has the following right and duties:</p> <p>(a) Prepares the operational regulations of certification and registration authorities of statutory auditors and audit firms, which is sent for approval to the relevant authorities foreseen in this law;</p> <p>(b) Supervise, monitor and evaluates the implementation of the procedures of the certification and registration of statutory auditors and audit firms;</p> <p>(c) Approves the format of public register of statutory auditors and audit firms, registered by Registration Committee and supervise the compliance of the regulations in relation with the identification number of statutory auditors entered in the register;</p> <p>(d) Approves the code of ethics of statutory auditors and audit firms, prepared and proposed by the professional body of statutory auditors and supervises the application of the code requirements;</p> <p>(e) Supervises the quality control process realized by the professional body of statutory auditors;</p> <p>(f) Supervises programs and continuing professional development of statutory auditors;</p> <p>(g) Approves regulations on investigation and disciplinary procedures;</p>

	<p>(h) Carry out additional investigations on statutory auditors and audit firms, where it is necessary;</p> <p>(i) Analyse and take decision on the candidate’s claims with relation to their registration;</p> <p>(k) Analyse and take decisions on disciplinary issues that are under its authority;</p> <p>(l) Analyse and take decisions on other issues or aspects foreseen by this law or in other laws, which are within its scope of activity.</p>
	<p>7.2 If the Member has the responsibility for <u>Registration/Licensing</u>, please indicate whether this responsibility is undertaken directly or through oversight of Registration/Licensing conducted by another organization?</p> <p><input type="checkbox"/> Directly <input checked="" type="checkbox"/> Through Oversight</p> <p>If directly, please describe the responsibility with an appropriate level of detail. If through oversight, please indicate the name of the other organization and its composition (i.e. whether practitioners from the audit profession are involved in decision-making). Also give a description of the powers of the other organization and procedure applied, as well as the role of the Member in these procedures.</p> <p>In order to tests the candidates for statutory auditors, concerning the final exam, the Public Oversight Board establishes the Professional Skills’ Exam Commission. This Commission is composed by 5 members, appointed by Minister of Finance, proposed by: professional organizations or NAC, universities, professional organizations of statutory auditors and the chairman from the Ministry of Finance. The functioning regulations of the Professional Skills’ Exam Commission shall be drafted and approved by the Public Oversight Board. The regulations and procedures of the tests and the system of the evaluation of each discipline are proposed by the professional organization of statutory auditors and approved by the Public Oversight Board.</p> <p>The professional organization of statutory auditors shall establish a committee for the application of registration procedures in the public register of statutory auditors, national and foreigners, of the auditing firms, be them national or foreign. Detailed rules on functioning of the Registration Committee as well as the procedures for taking decisions and approving the registration is proposed the professional organization of statutory auditors and is approved by the Public Oversight Board.</p>
	<p>7.3 If the Member has the responsibility for <u>Audit and/or Ethics Standard Setting</u>, please indicate whether this responsibility is undertaken directly or through oversight of Audit and/or Ethics Standard Setting conducted by another organization?</p> <p><input type="checkbox"/> Directly <input checked="" type="checkbox"/> Through Oversight</p>

	<p>If directly, please describe the responsibility with an appropriate level of detail. If through oversight, please indicate the name of the other organization and its composition (i.e. whether practitioners from the audit profession are involved in decision-making). Also give a description of the powers of the other organization and procedures applied, as well as the role of the Member in these procedures.</p> <p>The professional body of statutory auditor ensures that its members are subject of the regulations foreseen by the Code of Ethics of statutory auditors, which is drafted in conformity with the Code of Ethics for professional Accountants of International Federation of Accountants. POB approves the code of ethics.</p> <hr/> <p>7.4 If the Member has the responsibility for <u>Permanent Education of Auditors</u>, please indicate whether this responsibility is undertaken directly or through oversight of Permanent Education of Auditors conducted by another organization?</p> <p><input type="checkbox"/> Directly <input checked="" type="checkbox"/> Through Oversight</p> <p>If directly, please describe the responsibility with an appropriate level of detail. If through oversight, please indicate the name of the other organization and its composition (i.e. whether practitioners from the audit profession are involved in decision-making). Also give a description of the powers of the other organization and procedures applied, as well as the role of the Member in these procedures.</p> <p>Statutory auditors are subject of continuing professional training, which is compulsory and last at least 40 hours per year. The professional body of statutory auditors determines periodicity of continuing professional developments.</p> <p>In addition to the professional body of statutory auditor, training for continuing professional developments is organized by: institutions of higher education, other professional training centres properly equipped with facilities and staffs for ensuring a qualitative training that complies with the approved continuing professional development programs and audit firms, which have enough facilities and staff for organizing training of their employees. These organizations have to inform POB before conducting this activity.</p> <p>The professional organization of statutory auditors shall propose for approval to the Public Oversight Board the regulations for the continuous qualification, containing suitable sanctions starting with a penalty and going as far as removing the right to exercise the profession for up to three years for failure to meet the continuous education requirements.</p>
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	<p>7.5 If the Member has the responsibility for <u>Enforcement</u>, please indicate whether this responsibility is undertaken directly or through referral to other organization(s)?</p> <p><input checked="" type="checkbox"/> Directly <input type="checkbox"/> Through Referral</p> <p>If through referral, please indicate the name of the other organization and its composition (i.e. whether practitioners from the audit profession are involved in decision-making). Also give a description of the enforcement powers of the other organization and procedures applied, as well as the role of the Member in these procedures.</p> <p>The competent body for imposing disciplinary measures is the Public Oversight Board. Within the POB is established the <i>The Commission for Investigation and Disciplinary Issues</i>.</p> <p>However, even though the professional organization of the Statutory Auditors and the professional organizations of the Certified Accountants through their own investigation structures which operate under the regulations approved by POB, or any other person, who identifies the cases that are not in conformity with this law provisions or other secondary laws and regulations issued following this law, is entitled to inform immediately the POB, making available all the relevant documents that prove for the infringement.</p> <p>Then, the whole process is investigated by POB itself though its <i>Investigation and Disciplinary Issues Commission</i>.</p> <p>7.6 If the Member has the responsibility for other tasks within the area of Audit Oversight, please describe with an appropriate level of detail:</p> <p>The activities of the POB are related with the approval of chartered accountant title. These accountants are part of the test of the Professional Skills' Exam Commission. The functioning regulations of the Professional Skills' Exam Commission shall be drafted and approved by the Public Oversight Board. The regulations and procedures of the tests and the system of the evaluation of each discipline are proposed by the professional organization of statutory auditors and approved by the Public Oversight Board.</p>
<p>8. Main Other Responsibilities of the Member <u>outside</u> the area of Audit Oversight</p>	<p>8.1 Please describe with an appropriate level of detail whether the Member has responsibility for tasks outside the area of audit oversight such as Supervision of Financial Reporting or Securities Regulation:</p> <p>No</p>

9. Major Events and Activities	9.1 Describe any recent major events and activities: July 2020 <ul style="list-style-type: none">• Regulation no. 12, dated 02.07.2020 "On the measures of extended due diligence by the subjects of the law on the prevention of money laundering and terrorist financing". October 2020 <ul style="list-style-type: none">• Amendments of the regulation no. 2, dated 22.02.2018 "On the functioning of the commission for examinations of professional skills and supervision of the testing process of candidates for legal auditors and accountants approved by the Board of Public Supervision".• Amendments of the regulation no. 6, dated 31.05.2018 "On testing procedures and evaluation system in the examination of professional skills of candidates for Statutory Auditors and Certified Accountants".• Amendments of the regulation no.7, dated 02.10.2018 on "Procedures and methodology for the quality assurance of Statutory Auditors".
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