STATUTE

OF

THE ACADEMY FOR TRAINING OF JUDGES
AND PROSECUTORS

Skopje, July 2006
Based on Article 5, Paragraph (3), of the Law on Academy for training of judges and prosecutors ("Official Gazette of the Republic of Macedonia" No. 13/2006), the Management Board of the Academy, upon prior opinion of the Government of the Republic of Macedonia established on 7 June 2006, at its session of 3 July 2006, adopted

THE STATUTE OF
THE ACADEMY FOR TRAINING OF
JUDGES AND PROSECUTORS

I. GENERAL PROVISIONS

Article 1

(1) The Academy for training of judges and prosecutors (hereinafter: "the Academy"), established by the Law on Academy for training of judges and prosecutors ("Official Gazette of the Republic of Macedonia" No. 13/2006), (hereinafter: "the Law"), shall operate in accordance with the Constitution of the Republic of Macedonia, the Law, and other applicable regulations, as well as the provisions of this Statute and other general acts of the Academy.

(2) Basic aim of the Academy shall be, through implementation of corresponding programs of initial training and continuous in-service training, to provide for unbiased and efficient exercise of the judge's and prosecutor's office.

Article 2

The present Statute shall regulate in detail the following issues:
- the name and short name of the Academy;
- the form and contents of the seal and the manner of using it;
- the management and administration of the Academy;
- the manner and procedure of appointing director and executive director;
- the procedure for termination of the mandate and dismissal of the director and the executive director;
- the organization and manner of exercise of the activity (initial training and in-service training);
- the rights and the obligations of the beneficiaries of the services of the Academy;
- the composition, the manner of establishment, and the competencies of the Curricular Council;
- the manner of constituting and the work of the Commission for qualifying and admission of candidates and the Commission for final examination;
- the selection and admission of the candidates for judges and prosecutors at the Academy;
- the contents of the curricula for: entrance examination, initial training, final examination, continuous in-service training, training of educators, and other specialized curricula;
- the criteria for selection of educators and mentors at the Academy;
- the principles of organization and work of the professional staff of the Academy;
- the manner of financing and use of resources for work of the Academy
- the manner of determining the achievement, grades, and attained results of the candidates for judges and prosecutors;
- the manner and procedure for determining and reimbursement of expenses in case of unjustified failure to attend the initial training and take the final examination, as well as in case when a candidate fails the initial training;
- and other matter.

Article 3

(1) The Academy, being a public institution, shall have the capacity of legal entity and shall exercise activity of public interest.

(2) The name of the Academy shall be: "Public institution - Academy of the Republic of Macedonia for training of judges and prosecutors and their deputies ".

(3) The short name of the institution shall be: "Academy for training of judges and prosecutors".

(4) The seat of the Academy shall be in Skopje, Boulevard "Jane Sandanski" No. 12.

Article 4

(1) The form of the seal of the Academy shall be round, with the following contents: the Republic of Macedonia, the coat-of-arms of the Republic of Macedonia, Academy for training of judges and prosecutors, Skopje.

(2) The director and executive director of the Academy shall have the right to use the seal within their scope of power.

Article 5
The director of the Academy shall represent and shall act on behalf of the Academy, within the scope of his power and in accordance with the Law and the present Statute.

**Article 6**

In exercise of its work, the Academy shall cooperate with courts, prosecutor's offices, the Judiciary Council of the Republic of Macedonia, and the Council of Public Prosecutors, the Ministry of Justice, the justice institutions, and other national, foreign, and international institutions and organizations.

**Article 7**

When proposing and appointing members of the Curricular Council, and constituting the Commission for qualifying and admission of candidates and the Commission for final examination, without violating the criteria provided for by the Law and the present Statute, consideration shall be made to exercise the principle of equitable and appropriate representation referred to in Article 25 of the Law, as well as the regulations on incompatibility referred to in Article 23, Paragraph (4), Article 26, Paragraph (5), Article 37, Paragraph (3), and Article 39, Paragraph (4), of the Law.

II. **BODIES OF THE ACADEMY**

**Article 8**

The Management Board, the director, the executive director, and the Curricular Council shall exercise their competencies and functions in accordance with the Law and other applicable regulations, the present Statute, the Rules of Procedure of the Management Board, and other general acts of the Academy.

**Article 9**

In addition to competencies defined by the Law, the Management Board shall also have the following competencies:
- to establish commissions on issues within the scope of its competencies, and especially to establish Commission for normative activity; Commission for appointing and dismissal of director and executive director; Employment Commission; Disciplinary Commission; etc.
- to render decision about the request on reviewing the decision on appointing and dismissal of director and executive director of the Academy in second instance;
- to render decision about complaints against decisions with regard to engagement of employees in the professional staff of the Academy in second instance;
- to render decision about complaints and petitions filed by beneficiaries of the services of the Academy and the pronounced sentences in second instance;
- to perform also other work defined by the present Stature.

**Article 10**

(1) The Management Board of the Academy shall exercise its competencies, defined by Article 9 of the Law and the present Statute, during its session.

(2) The Rules of Procedure of the Management Board of the Academy shall regulate more concretely the manner of work of the Management Board.

**Article 11**

The procedure to appoint new composition of members of the Management Board shall commence 30 days before the expiry of the mandate of the current composition of members of the Management Board.

**Article 12**

The procedure to appoint director of the Academy shall be conducted by a commission made up of three (3) members to be nominated by the Management Board from its own composition.

**Article 13**

The director of the Academy shall be appointed on basis of a public advertisement, which shall include:
- announcement to appoint director of the Academy;
- conditions for appointment of director in accordance with Article 16, Paragraph (3) of the Law;
- duration of the mandate;
- contents of the application and documents to be enclosed as proof that the candidate fulfills the prescribed conditions;
- deadline for applying;
- deadline and manner of conducting the selection procedure;
- address where the application and the documents would be sent;
- notice that ill-timed and incomplete applications would not be taken into consideration.

**Article 14**

The Decision of the Management Board of the Academy to make a public advertisement on appointing director of the Academy shall be published in the "Official Gazette of the Republic of Macedonia" and in two daily newspapers at least, of which in one newspaper at least of the newspapers published in Macedonian and of the newspapers which are published in the language that is spoken at least by 20% of the citizens who speak official language other than the Macedonian language.

**Article 15**

The deadline to apply with regard to the public advertisement referred to in Article 13 of the present Statute shall be fifteen (15) days since its publishing in the "Official Gazette of the Republic of Macedonia".

**Article 16**

The Commission referred to in Article 12 of the present Statute shall prepare, within eight (8) days upon expiry of the deadline for submitting applications by interested candidates, a report on the candidates who meet the conditions and shall submit it to the Management Board.

**Article 17**

The Management Board shall appoint the director within 30 days upon expiry of the deadline for submitting applications for the advertisement, or, shall render conclusion to make a new advertisement, provided the Board fails to make appointment from among the applying candidates.

**Article 18**

(1) The decision of the Management Board of the Academy on appointing a candidate for director of the Academy shall be published in the "Official Gazette of the Republic of Macedonia" and on the bulletin board of the Academy. At the same time, all applying candidates shall be notified as well.

(2) Dissatisfied candidates shall have the right to file a request for reviewing of the decision to appoint a director of the Academy to the Management Board of
the Academy within eight (8) days of the day of receiving the decision, as well as the right to court protection within eight (8) days of the day of receiving the ruling.

**Article 19**

In addition to the rights and obligations defined by the Law, the director of the Academy shall have the following rights and obligations:
- to propose amendments to the Statute and other general acts of the Academy;
- to take care that conditions for everyday normal functioning of the Academy do exist;
- to perform also other work provided for by the present Statute.

**Article 20**

The amount of the salary of the director of the Academy shall be equal to the salary of a judge of the Supreme Court of the Republic of Macedonia.

**Article 21**

The executive director of the Academy shall be appointed on basis of a public advertisement, which shall contain:
- announcement to appoint an executive director of the Academy;
- conditions for appointment of an executive director of the Academy in accordance with Article 19, Paragraph (2) of the Law;
- duration of the mandate;
- contents of the application and documents to be enclosed as proof that a candidate meets the prescribed conditions;
- deadline for applying;
- deadline and manner of conducting the selection procedure;
- address where the application and the documents would be sent
- notice that ill-timed and incomplete applications would not be taken into consideration.

**Article 22**

The Decision of the Management Board of the Academy to make a public advertisement on appointing executive director of the Academy shall be published in the "Official Gazette of the Republic of Macedonia" and in two daily newspapers at least, of which in one newspaper at least of the newspapers published in Macedonian and of the newspapers which are published in the language that is spoken at least by 20% of the citizens who speak official language other than the Macedonian language.
Article 23
The deadline to apply with regard to the public advertisement referred to in Article 21 of the present Statute shall be fifteen (15) days since its publishing in the "Official Gazette of the Republic of Macedonia".

Article 24
The Commission referred to in Article 12 of the present Statute shall prepare, within eight (8) days upon expiry of the deadline for submitting applications by interested candidates, a report on the candidates who meet the conditions and shall submit it to the Management Board.

Article 25
The Management Board shall appoint the executive director within 30 days upon expiry of the deadline for submitting applications for the advertisement, or, shall render conclusion to make a new advertisement, provided the Board fails to make appointment from among the applying candidates.

Article 26
(1) The decision of the Management Board of the Academy on appointing a candidate for executive director of the Academy shall be published in the "Official Gazette of the Republic of Macedonia" and on the notice board of the Academy. At the same time, all applying candidates shall be notified as well.

(2) Dissatisfied candidates shall have the right to file a request for reviewing of the decision to appoint an executive director of the Academy to the Management Board of the Academy within eight (8) days of the day of receiving the decision, as well as the right to court protection within eight (8) days of the day of receiving the ruling.

Article 27
The amount of the salary of the executive director of the Academy shall be equal to the salary of a judge of the Appellate Court.
Article 28

The Management Board of the Academy shall render conclusion on manifestation of conditions for termination of the mandate of the director and the executive director of the Academy, referred to in Article 22, Paragraph (1), of the Law.

Article 29

Initiative to dismiss the director or the executive director of the Academy may be submitted by five (5) members of the Management Board at least, and the procedure shall proceed by decision of the Management Board.

Article 30

The president of the Management Board shall inform the director and the executive director on the dismissal procedure thus initiated. The director and the executive director shall be enabled to present their opinion before all members of the Management Board with regard to the reasons for their dismissal.

Article 31

(1) The Management Board shall oblige the Commission referred to in Article 12 of the present Statute to examine the facts, circumstances, and reasons referred to in the initiative to dismiss the director or the executive director.

(2) The Commission shall submit report to the Management Board, with proposal to dismiss or reject the initiative to dismiss the director or the executive director, within eight (8) days upon making the inquiry referred to in the previous Paragraph of this Article.

Article 32

The Management Board shall render decision to dismiss or reject the initiative to dismiss the director or the executive director, within eight (8) days upon receiving the report of the Commission referred to in the previous Article.

Article 33

The director and the executive director shall have the right to file request for reviewing of the decision of the Management Board for their dismissal, within
eight (8) days upon receiving the decision, as well as the right to court protection, within eight (8) days upon receiving the ruling.

**Article 34**

In case of termination of the mandate or dismissal of the director or the executive director before the expiry of the mandate, the Management Board shall empower an acting director or an acting executive director from among the employees, until a new director or executive director is appointed thereof.

**Article 35**

The procedure to appoint a new director or a new executive director shall be conducted within 30 days before the expiry of the mandate of the current director or executive director.

**Article 36**

(1) The Curricular Council, as expert body of the Academy, shall consist of seven (7) members in accordance with Article 23 of the Law. The Management Board shall appoint members of the Curricular Council from among judges, public prosecutors, the Ministry of Justice, as well as other law experts.

(2) The Curricular Council shall propose guidelines and shall establish the program proposals: for entrance examination, initial training, final examination, containing in-service training, training of educators, and other specialized programs.

**Article 37**

The following persons may be appointed member of the Curricular Council:
- a judge or public prosecutor having eight (8) years of working experience at least as judge or public prosecutor; or
- an eminent jurist or professor of law having eight (8) years of working experience at least in the field of criminal, civil, trade, constitutional, administrative, international or law of the European Union;
- and one who has professional and ethical qualities and enjoys reputation in exercise of the office, i.e., the profession.

**Article 38**
Active or retired judges and public prosecutors, as well as active or retired law experts may be appointed members of the Curricular Council, who meet the criteria defined in the previous Article of the present Statute.

Article 39

(1) Institutions, represented in the Management Board through their own representatives and members of the Management Board, shall propose members of the Curricular Council, in the following manner:
- the Supreme Court of the Republic of Macedonia shall propose two (2) members at its general session;
- the Collegium of the Office of the Public Prosecutor of the Republic of Macedonia shall propose two (2) members;
- the Judiciary Council of the Republic of Macedonia shall propose one (1) member;
- the Council of Public Prosecutors shall propose one (1) member; and
- the Ministry of Justice shall propose one (1) member.

(2) The nominators referred to in the previous Paragraph of this Article may propose several candidates for a single seat in the Curricular Council.

Article 40

Together with the proposal to appoint member of the Curricular Council, the nominator or nominators shall enclose also a short CV of the candidate, with information on his professional results, published law expert papers, participation at national and international workshops, conferences and seminars, and other information that supports meeting of the criteria referred to in Article 37 of the present Status.

Article 41

(1) The mandate of members of the Curricular Council shall be two years, with right to be re-appointed.

(2) In case of a vacated seat in the Curricular Council, the Management Board shall appoint new member within 30 days.

(3) The Management Board shall appoint new composition of members of the Curricular Council within 30 days before expiry of the mandate of the current members of the Curricular Council.
Article 42

The Curricular Council shall conduct activities within the scope of its competencies, as referred to in Article 24, Paragraph (1), of the Law, at a plenary session.

Article 43

(1) The director of the Academy shall convene and chair sessions of the Curricular Council, without right to vote.

(2) Other persons, i.e. experts in corresponding fields, may be invited and may attend sessions, which shall contribute to successful exercise of the competencies of the Curricular Council.

Article 44

Decision of the Curricular Council shall be made by majority votes of the total number of members.

III. EDUCATORS AND MENTORS IN THE ACADEMY

Article 45

Educators, being experts who directly conduct the training programs and programs for continuous in-service training, shall be appointed from among judges and public prosecutors, as well as from among eminent experts in a specific field.

Article 46

The educators at the Academy should meet the following criteria:
- to have worked as judge or public prosecutor eight (8) year at least; or
- to have working experience as experts in the concrete field of eight (8) years at least; and
- to have expert and ethic qualities and to enjoy reputation in the exercise of the office, i.e., the profession;
- to have experience and reputation in education of judges and public prosecutors, taking in consideration their career as judge, i.e., public prosecutor, or their professional career;
- to have corresponding knowledge on education methods and on manners of teaching adults.

**Article 47**

Active or retired judges and public prosecutors, as well as active or retired experts in a specific field may be engaged as educators at the Academy, who meet the criteria defined in the previous Article of the present Statute.

**Article 48**

(1) Permanent educators shall be appointed from among judges and public prosecutors, who meet criteria referred to in Article 46 of the present Statute and they shall be engaged in all programs, including the program on initial training and in programs on continuous in-service training at the Academy.

(2) Periodic educators shall be appointed from among prominent experts in a specific field, who meet criteria defined in Article 46 of the present Statute, and, in principle, shall be engaged in general and specialized programs on continuous in-service training at the Academy.

**Article 49**

The director of the Academy shall nominate a list of full-time and part-time educators, which shall be established by the Management Board, upon previous consultation with the Supreme Court of the Republic of Macedonia, the Judiciary Council of the Republic of Macedonia, and the Council of Public Prosecutors.

**Article 50**

(1) The Judiciary Council of the Republic of Macedonia and the Council of Public Prosecutors shall submit to the Management Board a list of mentors from among active judges and public prosecutors, under whose guidance and instruction candidates work during the practical part of the initial training in courts, i.e., offices of public prosecutor.

(2) Judges and public prosecutors shall be appointed mentors who meet criteria for educators defined in Article 46 of the present Statute.

**Article 51**
The Management Board shall regulate, by separate rulebook, the manner of exercise of the right of educators and mentors to reimbursement for work done and right to reimbursement of expenses relating to preparation and conducting of the training and education, upon previous approval by the Minister of Justice.

IV. PROFESSIONAL STAFF OF THE ACADEMY

Article 52

Organization and work of the professional staff the Academy shall be based on the following principles:
- professionalism;
- expertise;
- responsibility;
- economizing;
- equitable and proper representation of all communities in the Republic of Macedonia.

Article 53

(1) The basic organizational structure of the Academy shall consist of Department for initial training, Department for continuous in-service training, General administrative department, and other departments.

(2) Department head and specific number of department officers shall be assigned to each department.

(3) One or more units shall be formed within each department, depending on needs and work organization.

Article 54

The Management Board shall adopt an act on internal organization and systematization of jobs, which in turn shall regulate in detail the organization, and jobs, and duties of employees in the professional staff of the Academy.

Article 55

Employees in the existing Center for education at the Association of judges of the Republic of Macedonia shall continue exercising their jobs and duties in the
Academy; upon adoption of the act on internal organization and systematization, they shall be deployed at corresponding jobs.

**Article 56**

With regard to manner and procedure on new recruitment and exercise of rights, obligations, and responsibilities of employees in the Academy, provisions of the law shall be applied that regulate employment in justice institutions (Article 29 of the Law).

**V. FINANCING AND FUNDS FOR WORK OF THE ACADEMY**

**Article 57**

(1) The Board of Management shall determine, according to procedure defined by the present Statute, the funds for work of the Academy that are provided from the Budget of the Republic of Macedonia via the budget earmarked for the "Judiciary Branch".

(2) The Board of Management shall adopt short-term, midterm, and long-term financial programs, which, depending on the time period for which they are relevant, shall concretize the sources of funds for work and financing of the activity of the Academy.

(3) When concretizing the sources of financing in these programs, the Management Board shall separately determine the sources of funds for the initial training and for the in-service training of judges and public prosecutors, and separately the sources of funds for the in-service training of civil servants in the Ministry of Justice who exercise working tasks in the field of justice and of law clerks in courts and offices of public prosecutors.

**Article 58**

(1) Based on financial programs referred to in the previous Article, the director shall prepare a draft annual financial plan of the Academy, which shall provide detailed planning of funds for work and exercise of activity of the Academy for the following year.

(2) Upon adoption of part of funds from the state budget intended for the judiciary branch, the Management Board shall establish the annual financial plan of the Academy.
Article 59

The annual financial plan of the Academy shall determine the manner of using the funds for work of the Academy

Article 60

The director of the Academy shall prepare a draft financial statement for the current fiscal year and shall submit it to the Management Board for adoption by end of January the following year at the latest.

Article 61

The Management Board shall issue guidelines which activities shall be implemented by securing funds from projects, donations, contributions, etc., by national and international sources, based on special program and proposed projects.

Article 62

The Academy shall make efforts to secure funds as independent revenue for own specific activities, by issuing publications, implementing projects, grants, etc.; in this context, the Academy may not accept funds the contribution of which is conditioned by fulfilling certain requests or advantages which place under question the independence and autonomy in conducting the activity.

ORGANIZATION AND MANNER OF CONDUCTING ACTIVITY

VI. INITIAL TRAINING

Article 63

The Academy shall make admission, selection, and initial training of candidates for judges and public prosecutors. To that end, the Academy shall:
- determine the manner of applying by candidates at the Academy;
- determine the contents of the public advertisement and shall make a public advertisement for admission of candidates at the Academy;
- determine the contents and shall organize a qualifying test and entrance examination;
- secure exercise of the principle of equitable and appropriate representation of all communities in the Republic of Macedonia during the admission process at the Academy;
- prepare program for preparatory classes for entering the Academy;
- constitute and determine the manner of work of the Commission for qualifying and admission of candidates and the Commission for final examination;
- establish the Program for initial training;
- organize and deliver the initial training for admitted candidates;
- establish the Program for taking final examination;
- establish the criteria and system of assessing the achievement of the candidates;
- determine the rights and obligations of the candidates attending the initial training at the Academy;
- exercise also other work relating to the initial training.

**Admission at the Academy**

**Article 64**

Admission of candidates to attending the program for initial training shall be conducted on basis of a public advertisement, which is accessible to every person meeting the criteria for entering the Academy, as defined in Article 34 of the Law on Academy for training of judges and prosecutors and in the present Statute.

**Public advertisement for admission at the Academy**

**Article 65**

The Management Board of the Academy shall make a public advertisement for admission at the Academy without delay, but no later than 15 days, upon receiving the decision on the number of vacancies for judges and deputy public prosecutors at the basic courts, i.e., at the basic offices of the public prosecutor made by the Judiciary Council of the Republic of Macedonia and the Council of Public Prosecutors, in accordance with Article 33, Paragraph (2), of the Law.

**Article 66**

The decision made by the Management Board to make public advertisement for admission at the Academy shall be published in the "Official Gazette of the Republic of Macedonia" and in two daily newspapers at least, of which in one
newspaper at least of the newspapers published in Macedonian and of the newspapers which are published in the language that is spoken by 20% of the citizens at least, who speak official language other than the Macedonian language.

Contents of the public advertisement

Article 67

The public advertisement for admission at the Academy shall contain:
- number of vacancies for judges and deputy public prosecutors;
- basic courts and basic offices of the public prosecutor for which the public advertisement is being made;
- general and specific conditions for admission at the Academy, in accordance with Article 34 of the Law;
- contents of the application and documents that are enclosed;
- deadline for applying by candidates, which shall be 15 days of the day of being published in the "Official Gazette of the Republic of Macedonia", in accordance with Article 33, Paragraph (3) of the Law;
- address where the application and the documents would be sent
- notice that candidates shall be additionally informed on time and venue of taking the qualifying test and entrance examination;
- notice that ill-timed and incomplete applications would not be taken into consideration;
- manner in exercising the principle of equitable and appropriate representation of all communities in the Republic of Macedonia during the admission process at the Academy.

Manner of applying by candidates for admission at the Academy

Article 68

(1) Candidates shall submit application on a form, which shall have data on meeting the admission criteria in accordance with the public advertisement. Necessary documentation shall be enclosed with the application, as proof of meeting the prescribed conditions.

(2) In his application, the candidate shall specifically underline which international language he speaks and level of fluency. He shall also point out his affiliation with one of the communities in the Republic of Macedonia.
(3) The Academy shall prepare the application form in conformity with the contents of the public advertisement provided for in Article 67 of this Statute.

Article 69

A new public advertisement shall be made within 30 days, in case it is concluded that sufficient number of candidates have not applied with regard to the public advertisement for admission to the Academy.

Article 70

In order to have unbiased exercise of selection procedure of applying candidates, a special Commission for qualifying and admission of candidates shall be established. This Commission shall have seven (7) members, in accordance with Article 37 of the Law.

Commission for qualifying and admission of candidates

Article 71

Members of the Commission for qualifying and admission of candidates shall be appointed in the following manner: four (4) members on proposal by the Judicial Council of the Republic of Macedonia; two (2) members on proposal by the Council of Public Prosecutors; and one (1) member on proposal by the Minister of Justice.

Manner of constituting the commission for qualifying and admission of candidates

Article 72

(1) The Management Board shall submit the Decision on announcing a public competition for admission to the Academy referred to in Article 67 of this Statute to the competent authorities, with a request for appointment of members of the Commission for qualification and admission of candidates pursuant to Article 72 of this Statute.

(2) The Management Board shall constitute the Commission referred to in the previous Paragraph in such a way that the President of the Management Board shall convene the first session of the Commission within eight (8) days from the
appointment of its members.

Article 73

(1) The Commission shall elect its President from among its members.

(2) The President of the Commission shall manage the realization of the qualification test and the entrance exam, as well as the work of the Commission.

Article 74

The President shall designate examiners for particular areas and subjects from among the members of the Commission, and shall assign other duties to individual members of the Commission.

Article 75

The Commission for qualification and admission of candidates shall perform its duties in full composition.

Article 76

The decisions of the Commission shall be adopted with majority of the votes of the total number of members.

Procedure for selection of the applicants

Article 77

The selection of the applicants for admission to the Academy shall be made based upon qualification test and entrance examination.

Qualification test

Article 78

(1) The qualification test shall be written and anonymous.

(2) The qualification test shall include questions from the areas of criminal law, civil law, constitutional law, administrative law, international law and EU law, as
well as questions about the current situation in the society.

(3) The qualification test shall also include questions intended to assess the knowledge of one of the world languages by the applicants.

(4) The Commission for qualification and admission of candidates shall produce the questions in the qualification test referred to in Paragraphs (2) and (3) of this Article.

Article 79

(1) The Commission for qualification and admission of candidates shall specify the dates and the venue for taking the qualification test, depending on the number of applicants.

(2) A special Rulebook adopted by the Management Board of the Academy shall closely regulate the method and the procedure of taking the qualification test.

Article 80

The qualification test shall be taken in the presence and under the supervision of the Commission for qualification and admission of candidates.

Article 81

The anonymity of the qualification test shall be provided by means of computer-based coding of the candidates’ tests.

Article 82

The Commission for qualification and admission of candidate shall assess the qualification test with points up to the second decimal according to criteria and valuation system established by the Management Board of the Academy with the Rulebook referred to Article 79, Paragraph (2), of this Statute.

Article 83

(1) The Commission for qualification and admission of candidates shall establish and announce the results in the form of a ranking list within 48 hours after the taking of the qualification test.
(2) The ranking list referred to in the previous Paragraph of this Article shall be posted on the bulletin board and on the web page of the Academy.

**Article 84**

(1) Any dissatisfied candidate has the right to make a complaint within 48 hours from the announcement of the results of the qualification test.

(2) The complaint shall be made to the Management Board and the latter shall decide on the complaint within three (3) days.

(3) The President of the Commission or a member designated by him shall also participate in the session in which the complaints are reviewed, without right to vote.

**Entrance examination**

**Article 85**

(1) Entrance examination shall be taken within eight (8) days following the announcement of the final results of the qualification test.

(2) Candidates that have highest scores at the qualification test shall have the right to take an entrance examination, with two candidates for one vacancy.

**Article 86**

(1) Entrance examination shall consist of a written and an oral part with an interview.

(2) The contents of the entrance examination shall be closely determined with a Curriculum for taking of the entrance examination, where:
- The written part shall consist of solving cases from the criminal and civil law and questions from the areas of criminal law, civil law, trade law, constitutional law, administrative law, international law and EU law, as well as questions checking on the knowledge of one of the world languages;
- The oral part shall consist of questions from the areas of criminal law, civil law, trade law, constitutional law, administrative law, international law and EU law;
- The interview shall include a straightforward conversation and questions about personal opinions and attitudes with regard to the execution of the judge’s and prosecutor’s function.
Article 87

(1) Entrance examination shall be taken in the presence and under the supervision of the Commission for qualification and admission of candidates.

(2) The method and the procedure of taking the entrance examination shall be closely regulated by a special Rulebook adopted by the Management Board of the Academy.

Article 88

The Commission for qualification and admission of candidates shall assess the entrance examination with points up to the second decimal according to criteria and valuation system established by the Management Board of the Academy with the Rulebook referred to in the previous Article of this Statute.

Article 89

(1) The Commission for qualification and admission of candidates shall establish and announce the results of the entrance examination in the form of a ranking list for admission of candidates to the Academy, within 48 hours after the taking of the entrance examination at the latest.

(2) The ranking list for admission of candidates to the Academy shall be posted on the bulletin board and on the web page of the Academy.

(3) The Commission for qualification and admission of candidates shall also submit a report to the Management Board about the results of the entrance examination within the term specified in Paragraph (1) of this Article.

Article 90

(1) Any dissatisfied candidate, i.e. candidate not admitted to the Academy or the one who is not satisfied with his place on the ranking list has the right to make a complaint within 48 hours from the announcement of the results of the entrance examination.

(2) The complaint shall be made to the Management Board of the Academy and the latter shall decide on the complaint within three (3) days.

(3) The President of the Commission or a member designated by him shall also participate in the session in which the complaints are reviewed, without right to vote.
Article 91

The admission of candidates to attend the initial training in the Academy shall be based on the final ranking list, which is developed on the basis of the achieved scores of the candidates at the entrance examination and according to the defined number of vacancies for judges and public prosecutors.

Equitable and appropriate representation

Article 92

(1) The principle of equitable and appropriate representation of the citizens belonging to all communities in the Republic of Macedonia, when selecting the candidates for admission to the Academy, shall be observed in such a way that without interfering with the criteria provided in the Law and this Statute, in a situation of equal scores at the entrance examination, priority shall be given to the candidate from among the (non-majority) communities.

(2) When setting the number of candidates that will be admitted in this way, account shall be taken of the numerical size of the communities according to the data of the last statistical census of the population in the Republic of Macedonia and of the defined number of vacancies for judges and public prosecutors.

Preparatory instruction

Article 93

For the sake of consistent observence of the principle of equitable and appropriate representation of the citizens belonging to all communities in the Republic of Macedonia, the Academy shall develop programs in cooperation with the Law Faculties in the Republic of Macedonia of preparatory instruction for admission to the Academy for interested candidates, especially for those belonging to the communities making up at least 20% of the population in the Republic of Macedonia, with view of preparing them for taking the qualification test and the entrance examination of the Academy.

Initial training of the candidates for judges and public prosecutors

Article 94
(1) Initial training in duration of 15 months shall be delivered according to the Curriculum for initial training of the candidates for judges and public prosecutors established by the Management Board of the Academy, at proposal of the Curricular Council.

(2) The Management Board shall adopt a special Rulebook on the beginning of the initial training, its course of delivery, the order and discipline, the disciplinary responsibility and other rights and obligations of the candidates attending the initial training in the Academy.

(3) On the first day of the beginning of the initial training in the Academy, candidates shall take a solemn oath promising to observe the rules provided in the general acts of the Academy and to keep as confidential the data about concrete court and prosecutor’s cases that they will acquire during the training in the Academy.

Curriculum for initial training

Article 95

(1) The Curriculum for initial training shall consist of two parts: theoretical instruction in duration of five (5) months and practical training in duration of ten (10) months, along with preparation for taking the final examination.

(2) The executive director of the Academy shall organize and coordinate the implementation of the Curriculum referred to in the previous Paragraph.

Theoretical instruction

Article 96

(1) The theoretical part of the initial training shall include instruction in the following areas of law:
- Criminal law;
- Civil law;
- Constitutional and administrative law;
- International law;

(2) The theoretical part also includes general subjects such as communication and speaking skills, legal investigation, drafting of court decisions, accusations and other acts, standards of ethical and professional behavior, court psychology.
and psychiatry, foreign language study, work with computers and new information technologies and other things.

(3) The duration of the classes of theoretical instruction in the areas of law referred to in Paragraph (1) of this Article, and the duration of the classes of the subjects referred to in Paragraph (2) of this Article, shall be closely regulated by the Curriculum for initial training.

Practical training

Article 97

The practical part of the initial training shall be carried out under the guidelines and instructions of the mentors – judges and public prosecutors, primarily in courts/Public Prosecutor's offices, as well as in other judicial bodies, institutions and organizations that have points of contact with the execution of the judge's and prosecutor's function.

Article 98

(1) The practical part of the initial training includes the following principal areas of the law: criminal law and civil law.

(2) The practical part shall be carried out through the following methods:
   - Presence at hearings and trials run by the mentor of the candidate;
   - Drafting of court decisions, accusations and other acts;
   - Participation in simulated trials;
   - Performance of legal duties in other judicial bodies and related institutions and organizations.

(3) The duration of the practical training in the designated areas of the law and in the appropriate bodies and institutions, pursuant to the previous paragraphs of this Article, shall be closely regulated by the Curriculum for initial training.

Article 99

The candidate shall spend the last month in preparing in the Academy for taking the final examination and in actual taking thereof before the Commission for the final examination.

Article 100
For the purposes of objective realization of the final examination and assessment of the qualifications acquired by the candidates that attended the initial training in the Academy in executing the judge’s and prosecutor’s function, a special Commission for the final examination composed of seven (7) members shall be established.

Commission for the final examination

Article 101

The members of the Commission for the final examination shall be appointed in the following manner: four (4) members at proposal of the Judicial Council of the Republic of Macedonia, two (2) members at proposal of the Council of Public Prosecutors, and one (1) member at proposal of the Minister of Justice.

Method of constitution of the Commission for the final examination

Article 102

(1) In the last month of the initial training, the Management Board shall submit a request to the competent authorities for appointment of members of the Commission for the final examination pursuant to Article 100 of this Statute.

(2) The Management Board shall constitute the Commission for the final examination in such a way that the President of the Management Board shall convene the first session of the Commission within eight (8) days from the appointment of its members.

Article 103

(1) The Commission shall elect its President from among its members.

(2) The President of the Commission shall manage the realization of the final examination as well as the work of the Commission.

Article 104
The President shall designate examiners for particular areas and subjects from among the members of the Commission, and shall assign other duties to individual members of the Commission.

**Article 105**

The Commission for the final examination shall perform its duties in full composition.

**Article 106**

The decisions of the Commission shall be adopted with majority of the votes of the total number of members.

**Final examination**

**Article 107**

(1) The final examination shall be taken according to the curriculum established by the Management Board, at proposal of the Curricular Council, which includes:
   - Questions and manner in which the candidate acted, from which one will assess his/her qualification for executing the judge’s and the prosecutor’s function;
   - Drafting of sentences and decision, accusations and other acts;
   - Participation in trial simulations.

(2) By means of a special Rulebook, the Management Board of the Academy shall closely specify the contents and the method of taking and assessing the final examination.

**Article 108**

The Commission for the final examination shall assess the final examination with points up to the second decimal according to criteria and valuation system established by the Management Board of the Academy with the Rulebook referred to the previous Article of this Statute.

**Article 109**
(1) The Commission for the final examination shall establish and announce the results of the final examination in the form of a ranking list within 48 hours after the taking thereof.

(2) The ranking list referred to in the previous Paragraph of this Article shall be posted on the notice board and on the web page of the Academy.

**Article 110**

(1) Any dissatisfied candidate has the right to make a complaint within 48 hours from the announcement of the results of the final examination.

(2) The complaint shall be made to the Management Board and the latter shall decide on the complaint within three (3) days.

(3) The President of the Commission or a member designated by him shall also participate in the session in which the complaints are reviewed, without right to vote.

**System of valuation of the overall performance of the candidates**

**Article 111**

(1) The valuation of the overall performance of the candidates that attended the initial training and passed the final examination of the Academy shall be done on the basis of the following criteria:
   1. The success attained during the theoretical instructions - maximum 30 points;
   2. The marks of the mentors – judges/public prosecutors for the practical part of the initial training - maximum 30 points;
   3. The success attained at the final examination - maximum 40 points.

(2) When determining the overall performance of the candidates, the results and the marks achieved for each one of the three criteria referred to in the previous Paragraph of this Article are added up and expressed in points, up to the second decimal.

(3) It shall be considered that a candidate finished the Academy with success if he has scored at least 80 points out of a total of 100 points, in addition to the requirement of maintaining the ratio between the three criteria referred to in Paragraph (1) of this Article - 3 : 3 : 4 in his overall performance.
Article 112

(1) Based upon the overall performance of the candidates, determined according to the criteria referred to in the previous Article, the Commission for the final examination shall establish a ranking list of candidates within 48 hours at the latest since the announcement of the final results of the final examination.

(2) The Commission for the final examination shall submit the ranking list to the Management Board of the Academy and the latter shall post it on the bulletin board and on the web page of the Academy.

Article 113

Any dissatisfied candidate shall exercise his right to make a complaint pursuant to the provision of Article 40 Paragraph (4) of the Law.

Final ranking list of the candidates for judges and public prosecutors

Article 114

The Management Board shall submit the final ranking list of the candidates for judges and public prosecutors to the Judicial Council of the Republic of Macedonia and to the Council of Public Prosecutors.

Article 115

Depending on his place on the final ranking list, the candidate opts for a candidate for judge or for a candidate for public prosecutor (Article 41, Paragraph (3), of the Law).

Certificates for the candidates for judges and public prosecutors

Article 116

(1) The Academy shall issue certificates to the candidates that successfully completed the initial training, whereby they acquire the capacity of a candidate for judge/candidate for public prosecutor.

(2) Certificates shall be awarded through a graduation ceremony for the whole generation of graduate candidates for judges and public prosecutors.
Rights and responsibilities of the candidates for judges and public prosecutors

Article 117

The rights and the responsibilities of the candidates admitted to the Academy and attending the initial training in the Academy, in addition to the rights and the responsibilities stipulated in Article 41 and other articles of the Law and of this Statute, shall be closely regulated by the Rulebook on the beginning of the initial training, its course of delivery, the order and discipline, the disciplinary responsibility and other rights and obligations of the candidates with regard to the delivery of the initial training in the Academy.

Reimbursement of the expenses in case of unjustified withdrawal from the initial training or from taking the final examination

Article 118

(1) The director of the Academy, within 15 days from the day of a candidate’s withdrawal from the initial training or from taking the final examination, shall notify the candidate who for unjustified reasons withdrew from the training or from taking the final examination to reimburse the Academy for the expenses and the other fees for his training therein.

(2) The amount of the expenses, the period and the method of reimbursement shall be specified by a Decision for each candidate individually, based upon the real expenses incurred for each candidate that participated in the initial training, according to the annual financial plan of the Academy.

(3) The Rulebook on the beginning of the initial training, its course of delivery, the order and discipline, the disciplinary responsibility and other rights and obligations of the candidates attending the initial training in the Academy shall closely regulate the justifiability of the reasons and grounds for exemption from the obligation to reimburse the Academy for the expenses and the other fees for training therein.

(4) The director of the Academy shall decide about the existence of the grounds referred to in the previous Paragraph of this Article, through a Decision act for each candidate that participated in the initial training individually.
Reimbursement of the expenses in case of unsuccessful completion of the initial training

Article 119

(1) The Director of the Academy, within 15 days from the announcement of the final ranking list referred to in Article 114 of this Statute, shall notify the candidate who failed to complete the initial training successfully to reimburse the Academy for the expenses and the other fees for his training therein.

(2) The amount of the expenses, the period and the method of reimbursement shall be specified by a Decision for each candidate individually, based upon the real expenses incurred for each candidate that participated in the initial training, according to the annual financial plan of the Academy.

Article 120

The candidate dissatisfied with the Decision adopted pursuant to Article 118 and 119 of this Statute shall have the right to make a complaint to the Management Board of the Academy within eight (8) days, as well as right to court protection within eight (8) days from the day of receipt of the Decision.

VII. CONTINUOUS IN-SERVICE TRAINING

Article 121

The Academy shall organize and carry out continuous in-service training of judges and public prosecutors, civil servants from the Ministry of Justice working with issues from the judiciary area, as well as court and public prosecutor’s office clerks, through general and customized curricula established by the Management Board, at proposal of the Curricular Council.

Development of the Curriculum for continuous in-service training

Article 122

(1) The Curriculum for continuous in-service training shall be developed upon previous investigation, polling and analysis of the opinions and needs of judges,
public prosecutors and other beneficiaries of the services of the Academy, carried out by the expert service of the Academy for every following year.

(2) While developing the Curriculum referred to in the previous Paragraph, one shall consult the opinions of the institutions represented in the Management Board of the Academy, Law Faculties, professional chambers and other relevant judicial institutions and organizations.

(3) When developing the annual curriculum for continuous in-service training of the Academy, which encompasses both the general and the customized curricula, account shall be taken of the right and the responsibility to attend continuous in-service training of the judges and public prosecutors depending on their length of service in the respective profession, in the meaning of Article 43 of the Law.

Article 123

(1) The Curriculum for continuous in-service training for the following year shall be submitted to the courts, public prosecutor's offices and the Ministry of Justice, at the latest by the end of October in the current year, pursuant to Article 44 Paragraph (1) of the Law, in a printed form and posted on the web page of the Academy.

(2) The interest in participating in specific sections and seminars of the Curriculum for continuous in-service training for the following year shall be notified by the end of November in the current year.

The contents of the Curriculum for continuous in-service training of judges and public prosecutors

Article 124

(1) The Curriculum for continuous in-service training of judges and public prosecutors shall include seminars, conferences, expert hearings, workshops, study visits and other forms of education in the following areas:
- Criminal law;
- Civil law;
- Trade law;
- Constitutional and administrative law;
- International law;
- Law of the European Union;
- Foreign languages;
- Work with computer and new information technologies.
(2) The topics within the Curriculum shall include modern standpoints and practical experiences in the application of the legal provisions, innovations in the legislation, ethical standards of professional behavior, as well as introduction to the experiences and to the latest scientific and expert achievements in the areas of national, international, and EU law.

Methodology

Article 125

Theoretical and practical methods of work shall be applied in both general and customized curricula for continuous in-service training, in particular modern and interactive methods and teaching and education techniques, as well as distant learning methods.

General curricula for continuous in-service training

Article 126

(1) The general curricula for continuous in-service training shall include topics providing for continued professional development and upgrading of the knowledge of the participants about the actual situation in the law area, including the amendments and supplements to the legislation, as well as about the judge’s and public prosecutor’s practice.

(2) A number of participants shall, as a rule, participate in the delivery of the general programs, especially from the areas of criminal law, civil law, trade law, international law and EU law.

Customized curricula

Article 127

(1) Customized curricula shall include topics whereby the knowledge of the participants in certain areas is expanded (e.g. organized crime, economic and financial crime, industrial property rights, management skills, alternative dispute resolution etc.), with less participants (20 – 25), and delivered on the basis of the principle of interactivity.
The Academy shall carry out customized curricula for specific areas of the law depending on the specialization of the judges and public prosecutors, as well as curricula for cases of transfer from one into another subject matter, transfer from one into another section or department of one court or public prosecutor's office or into another court or public prosecutor's office, as well as transfer from one to another instance.

Curricula for newly elected judges and newly appointed prosecutors

Article 128

(1) The Curriculum for in-service training of those newly elected judges and newly appointed prosecutors in basic courts/basic prosecutor’s offices who at the day of entry into force of the Law have less than three years of judge’s/public prosecutor’s experience, shall be carried out within a period of three (3) months pursuant to Article 56 of the Law.

(2) The Curriculum referred to in the previous Paragraph, in addition to topics and issues contained in the general curricula for continuous in-service training, covers special topics and issues depending on the subject matter which the newly elected judges and newly appointed prosecutors work on.

(3) The Curriculum referred to in Paragraph (1) of this Article shall be carried out twice a year: for the judges and prosecutors elected in the first half of the current year the Curriculum begins in the beginning of October, whereas for those elected in the second half of the current year the Curriculum begins in the beginning of April the following year.

Curricula for training of educators

Article 129

The Academy shall carry out special programs for training of new educators and mentors, as well as for training of the permanent and occasional educators and mentors in the Academy for the purposes of upgrading their qualifications and knowledge about the application of modern and interactive methods and techniques of training/education and adult learning, improvement of skills and use of audio-visual aids, with a special emphasis on the specifics of the legal matter and on the execution of the judge’s and prosecutor's function.
In-service training of the civil servants in the Ministry of Justice

Article 130

The civil servants in the Ministry of Justice dealing with judicial matters shall exercise their right to permanent and occasional in-service training in the Academy by way of participating in customized curricula intended primarily for judges and public prosecutors.

In-service training of court and public prosecutor’s law clerks

Article 131

(1) The Academy shall carry out special curricula for in-service training of court and public prosecutor’s law clerks, which are developed upon prior consultation and investigation of the needs of this category of beneficiaries of the services of the Academy and depending on the financial resources available.

(2) Managerial and professional clerks in the courts and in the public prosecutor’s offices, in addition to the special curricula referred to in the previous Paragraph of this Article, may also participate in the general and customized curricula for continuous in-service training intended primarily for judges and public prosecutors.

(3) The special curricula for in-service training of the professional-administrative clerks in the courts and in the public prosecutor’s offices shall include in particular topics and issues related to the methods and techniques of case management, relations with the parties and the public, ethical rules of behavior and other issues of importance for the execution of their duties and for improvement of the court and the public prosecution system.

Training programs for other target groups

Article 132

(1) The Academy may organize and carry out training of lawyers, notaries and other related professional groups, on a commercial basis through conference fee, without this interfering with its basic activity.

(2) The amount of the conference fee for participation in the programs intended for the people referred to in the previous Paragraph shall be set separately for
each program depending on the financial calculation of the costs needed for the realization thereof, according to the parameters established by the annual financial plan of the Academy.

**Article 133**

Depending on the topics and issued included in the general and customized curricula for continuous in-service training of the Academy, the persons referred to in the previous Article may occasionally be allowed and enabled to participate in those programs as well.

**Article 134**

(1) When keeping records and issuing certificates to the beneficiaries of the services of the Academy about the number of hours spent in continuous in-service training pursuant to Article 44 Paragraph (2) and Paragraph (3) of the Law, the regulations on the protection of personal data shall apply.

(2) The records referred to in the previous Paragraph of this Article shall build upon the electronic database on judges of the existing Center for continuous education within the Association of judges of the Republic of Macedonia.

**VIII. FINAL PROVISIONS**

**Article 135**

(1) The draft Statute of the Academy for training of judges and public prosecutors, pursuant to Article 5 Paragraph (3) of the Law, shall be submitted to the Government of the Republic of Macedonia in order for it to give a prior opinion.

(2) The Statute of the Academy shall be adopted within 30 days from the day of constitution of the Management Board (Article 54 of the Law).

**Article 136**

(1) This Statute shall be published in the “Official Gazette of the Republic of Macedonia”.

(2) This Statute shall enter into force on the day of the publishing thereof on the notice board.
(3) The Statute shall also be published on the web page of the Academy, as well as in any other way that provides for its availability.

**Article 137**

Amendments to this Statute shall be introduced by following the procedure prescribed for the adoption thereof.

Skopje, July 3, 2006

Academy for training of judges and public procurors

President of the Management Board,

Agim Miftari

[Signature]