

Legal News

March 2016

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I. Law no. 13/2016, dated 18.02.2016 “On the way of provision of public services through service desks in the Republic of Albania”

On 18.02.2016, the Albanian Parliament passed the Law no. 13/2016 “On the way of provision of public services through service desks in the Republic of Albania” (the “Law”). The Law has entered into force as from 25.03.2016 (i.e. 15 days following its publication with the Official Gazette no. 178, dated 09.03.2016).

The Law sets out the rules related to the provision of public services by the public administration institutions for the persons residing and/or carrying out their activity in Albania, through elimination of administrative burdens and provision thereof in a rapid, efficient and transparent way, as well as in a higher quality. The Law shall apply to all services being provided by the public administration institutions.

The competent governmental bodies in charge for the regulation of the way of provision of public services are the responsible minister (i.e. State Minister for Innovation and Public Administration), the Agency for the Delivery of Integrated Services Albania (“ADISA”) and the public administration institutions entitled by letter of law to perform certain functions in the field of public services. With regard to the way of service provision, the Law stipulates that services shall be provided through service desks, one-stop-shops and/or electronically (through electronic communication means) and in any other form which enables their provision.

Having a crucial role in this regard, ADISA shall carry out, inter alia, the provision of public services to natural and



legal persons, through its service desks, its one-stop-shops, and its service desk providing integrated public services. To this effect, ADISA, in agreement with the local governmental units, independent institutions or private organizations, might establish its service desks in the premises thereof for the provision of integrated public services (currently) offered by the public administration institutions.

In this view, the tasks of ADISA's service desks and one-stop-shops shall include the (i) provision of the information for the service, (ii) processing of applications for the service, (iii) delivery of the request and accompanying pool of documents to the responsible (public) institutions, as well as follows up the completion of the relevant procedure as per the legal deadlines, (iv) notification of the applicants about any administrative action carried out by the responsible (public) institutions, and (v) any other task determined by letter of law.

For the public services provided through ADISA service desks/one-stop-shops, the applicants cannot address (any more) directly to the competent public institution for obtaining the relevant service. In principle, any information available to the public administration institutions that relates to the relevant request for service, submitted by natural and legal persons, shall be exchanged between these institutions, without the need to be provided by the applicants themselves. To such purpose, the service desk obtains all documentation, from the relevant public administration institutions possessing the requested information.

In addition, the law contains several other provisions dealing with the structure and organization of ADISA, the standard models of service, their approval, the administrative and court appeal, etc.

It is to be noted that the entire harmonization process of the Albanian legislation with this Law shall be completed within five years upon entry into force thereof.

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II. Decision of Council of Ministers no. 179, dated 09.03.2016 "On the approval of the bylaws of the National Business Center"

On 09.03.2016 the Council of Ministers approved Decision no. 179 for the approval of the bylaws of the National Business Center ("NBC") that abrogated the respective bylaws of National Registration Center and National Licensing Center (i.e. entered into force on 15.03.2016)

The bylaws reasserts the provisions of the Law no. 131/2015, dated 26.11.2015 "On the National Business Center", that is absorption by NBC of all rights and obligations of these National Registration Center and National Licensing Center as well as provisions of the services used to be provided by such public institutions.

The bylaws in accordance with the aforementioned law provides that the aim of the creation of NBC is to facilitate procedures for the registration and licensing of businesses. In such regard, it will offer various online services.

To guarantee the facilitation of procedures of registration of business and licenses/permits/authorizations, the NBC will effectuate the connection and exchange of data with various institutions and electronic data bases of public institutions.



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