

BOGA & ASSOCIATES NEWSLETTER

To keep you up to date with the latest legal and economic developments, this newsletter prepared by our Team provides information that may affect the operation of your business in Albania.

Notable Changes in Regulations for Foreigners



Decision no. 857 “On the establishment and operation of the National Electronic Register for Foreigners in the Republic of Albania”

The Council of Ministers adopted Decision no. 857, dated 29.12.2021 *“On the establishment and operation of the National Electronic Register for Foreigners in the Republic of Albania”*.

The Decision introduces the National Electronic Register for Foreigners (NERF), which will comprise a state database on foreigners, who enter or intend to enter the Republic of Albania, with purpose of staying, transiting, being employed, studying and exiting the Republic of Albania.

NERF shall contain data on foreign nationals that:

- Have an entry visa, stay or transit in the Republic of Albania;
- Have a temporary or permanent residence permit;
- Have a unique permit (residence and employment) in the Republic of Albania.

For this purpose, NERF will interact with the TIMS (Total Information Management System) and NRCS (National Register of Civil Status) registers, employment services system, e-visas and any other state register or agreed upon by international agreements.

The Decision also stipulates that the administration of the data in the register will be enabled by the structures responsible for information management and data protection in the General Directorate of State Police in cooperation with the National Agency of Information Society.

Border and immigration management structures as well as the structures responsible for consular affairs and employment will be able to collect, record, administer and consult data on foreigners in accordance with the terms and procedures set out in the law on foreigners and the applicable bylaws.

Users will also have the right to access and consult data of the register to the extent necessary to perform their duties. Considering the aforesaid, misuse of data and disclosure of information to unauthorized persons on their content will be subject to sanctions under the legal provisions in force for the protection of personal data.

Decision no. 858 “On determining the criteria, procedures and documentation on the entry, stay and treatment of foreigners in the Republic of Albania”

The Council of Ministers adopted Decision no. 858, dated 29.12.2021 *“On determining the criteria, procedures and documentation on the entry, stay and treatment of foreigners in the Republic of Albania”* (the “**Decision**”).

The Decision is part of the ongoing efforts to harmonize the domestic legal framework with the *acquis communautaire*. To this end, the Decision has been partially aligned with a set of Directives of the European Parliament and of the Council regarding conditions, opportunities, procedures on entry and residence of third-country nationals.

The Decision anticipates that border authorities have the right to request on a case-by-case basis from foreigners, the following documents:

- invitation of the guarantor/inviter in Albania;
- return ticket/reservation;
- documents proving the accommodation;
- employment authorization (if the entry in Albania is for employment purposes);
- financial means (check, credit cards);
- evidence of financial means such as bank account contract for the period of intended stay and return to the foreigner’s country of origin or the period when the foreigner shall stay in transit in a third country;

- international vaccination certificate – on condition that the foreigner arrives from countries affected by epidemics or diseases, for which are required by Albanian legislation.

Further, the Decision comprises a detailed description of the criteria, baseline documentation and additional documentation necessary for the provision of:

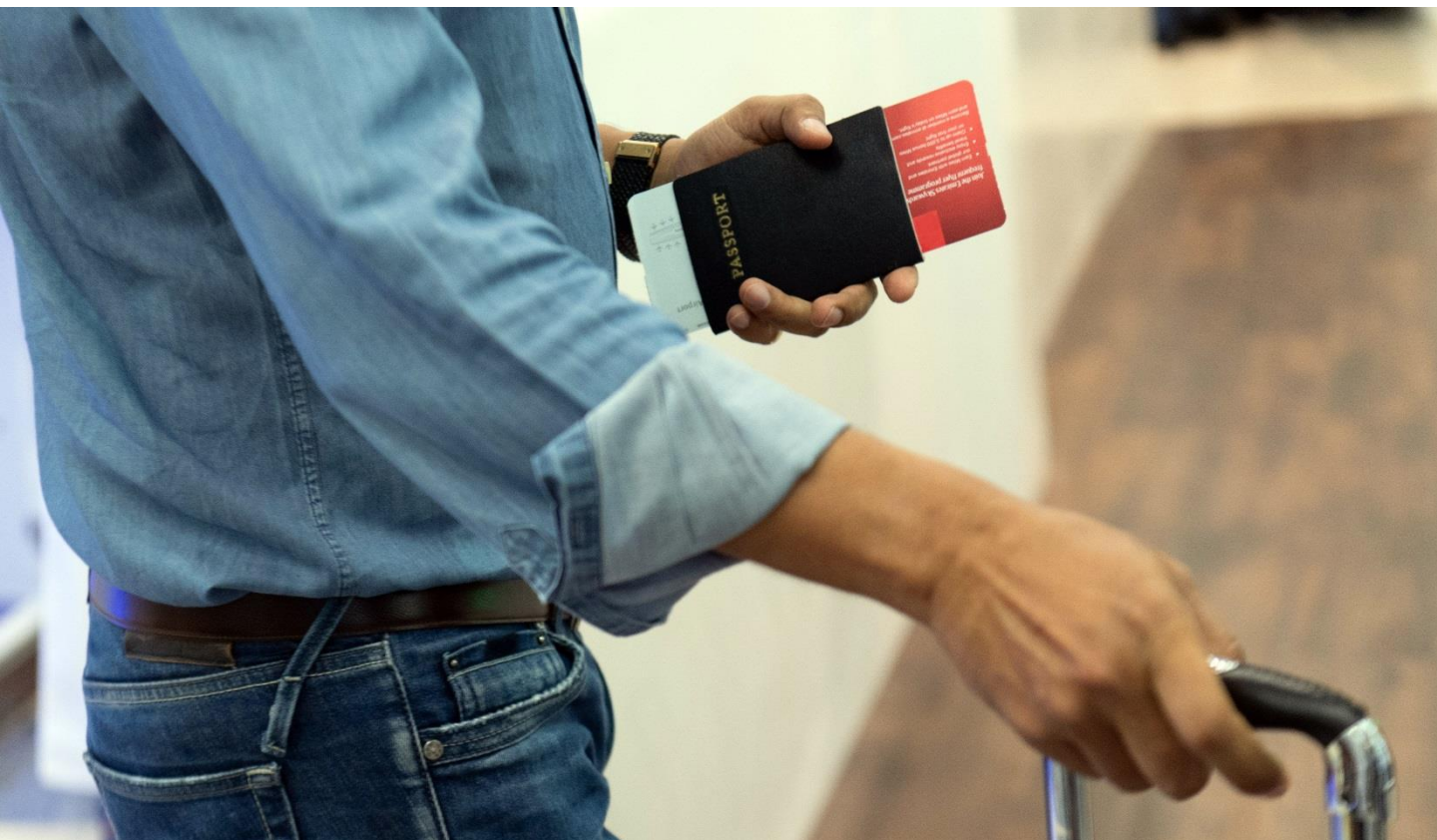
- Type “A”, “C”, “D” Visas and the respective subcategories;
- Residence permits including temporary and permanent residence permits, residence permits for humanitarian cases of type “A”, unique permits and the pertinent subcategories.

The application for residence permits can be conducted *online*. In the same way, visa applications can be made *online* or in person at the consulate or in cases of bilateral or multilateral agreements with other

countries, at the respective representative offices of these countries.

The application process consists of filling out the forms pursuant to the required category of visa or residence permit, which can be downloaded from the system free of charge. Following, the applicant must also submit the supporting documentation.

Finally, applications for residence permits for foreigners in Albania shall continue to be regulated based on the previous provisions of Decision of the Council of Ministers no. 513, dated 13.06.2013 “*On determining the criteria, procedures and documentation on the entry, stay and treatment of foreigners in the Republic of Albania*” until the establishment and operation of the electronic system for foreigners by the National Agency for Information Society.





Follow us:

LinkedIn: <https://www.linkedin.com/company/boga-&-associates>

Facebook: <https://www.facebook.com/BogaAssociates>

If you wish to know more on issues highlighted in this edition, you may approach your usual contact at our firm or the following:

info@bogalaw.com

Tirana Office

40/3 Ibrahim Rugova Str.

1019 Tirana

Albania

Tel +355 4 225 1050

Fax +355 4 225 1055

www.bogalaw.com

Pristina Office

50/3 Sylejman Vokshi Str.

10000 Pristina

Kosovo

Tel +383 38 223 152

Fax +383 38 223 153

www.bogalaw.com

**BOGA & ASSOCIATES
TOP TIER ACHIEVEMENTS 2021-2022**

IFLR1000 2022: Ranked in Tier 1 in Financial and Corporate

Chambers Global 2022: Ranked in Band 1 in Corporate/Commercial

Chambers Europe 2021: Top Ranked in 4 practice areas

The Legal 500 2021: Top Ranked in Legal Market Overview

Benchmark Litigation Europe 2022: Top Ranked in Dispute Resolution

WTR1000 2021: Top Ranked in Trademarks

The Newsletter is an electronic publication edited and provided by Boga & Associates to its clients and business partners. The information contained in this publication is of a general nature and is not intended to address the circumstances of any particular individual or entity. The Newsletter is not intended to be and should not be construed as providing legal advice. Therefore, no one should act on such information without appropriate professional advice after a thorough examination of the particular situation. Although we endeavor to provide accurate and timely information, there can be no guarantee that such information is accurate as of the date it is received or that it will continue to be accurate in the future. You can also consult the Newsletter on the section “Library” of our website.

© 2022 Boga & Associates. All rights reserved.

This publication is copyrighted and is protected to the full extent of the law. Nevertheless, you are free to copy and redistribute it on the condition that full attribution is made to Boga & Associates. If you have not received this publication directly from us, you may obtain a copy of any past or future related publications from our marketing department (marketing@bogalaw.com) or consult them in our website (www.bogalaw.com). To unsubscribe from future publications of Newsletter, please send “Unsubscribe” by replying to our email accompanying this edition.

Boga & Associates

Boga & Associates, established in 1994, has emerged as one of the premier law firms in **Albania** and **Kosovo**, earning a reputation for providing the highest quality of legal, tax and accounting services to its clients. From the year 2000 until May 2007, the firm was a member firm of KPMG International and the Senior Partner/Managing Partner, Mr. Genc Boga, was also the Senior Partner/Managing Partner of KPMG Albania.

The firm’s particularity is linked to the multidisciplinary services it provides to its clients, through an uncompromising commitment to excellence. Apart from the widely consolidated legal practice, the firm offers the highest standards of expertise in tax and accounting services, with keen sensitivity to the rapid changes in the Albanian and Kosovo business environment. The firm delivers services to leading clients in major industries, banks and financial institutions, as well as to companies engaged in insurance, construction, energy and utilities, entertainment and media, mining, oil and gas, professional services, real estate, technology, telecommunications, tourism, transport, infrastructure and consumer goods.