



**bogalaw**  
LEGAL • TAX • ACCOUNTING

Draft Law: “On Amending the Law  
‘On Tourism”

---

# Newsletter



## **Draft Law “On Amending the Law No.93/2015 ‘On Tourism’, as amended”**

On 03.10.2023, the Ministry of Tourism and Environment submitted for public consultation the Draft Law “On Amending the Law No.93/2015 ‘On Tourism’, as amended” (the Draft Law).

The substantial growth in tourism in Albania brings the need of reviewing the existing legislation pertaining to the tourism sector with the goal to diminish informal practices while enhancing service standards and promoting consumer protection.

The proposed Draft Law broadens the categorization of accommodation structures by including additional categories, such as: apartments, apartment blocks, rooms, and villas. Also, the following new concepts are added in the list:

Cultural Heritage Hotel - an accommodation structure located within recognized cultural heritage sites in areas officially designated as cultural heritage sites by the relevant cultural heritage authorities.

Distributed Hotel – an accommodation structure in which hospitality services are provided to guests through houses, apartments, or rooms located in different buildings and managed by the same tourism entrepreneur.

Any entity seeking to operate as an accommodation structure must apply for a 'certificate of categorization', within 30 (thirty) days from its registration with the National Business Center. This certificate shall be issued by the ministry responsible for tourism and does not have an expiration date. Engaging in accommodation services without possessing this

certification can be subject to fines ranging from ALL 20,000 to ALL 400,000.

Also, the Draft Law provides for the obligation of the accommodation structures to conduct the electronic registration of the guests including information about the number of visitors, duration of stay, nationality, place of residence, gender, and age.

Moreover, the Draft Law introduces the establishment of Destination Management Organization (DMO) as a leading organizational entity that includes both public institutions and tourism fostering collaborations within the tourism sector. The administrative structure of DMO can range from a single public institution to a public/private partnership or an NGO model. Its primary role is to initiate, coordinate, and oversee various activities, including the implementation of tourism policies, strategic planning, product development, promotion, marketing, and tourism business operations.

The Draft Law introduces new criteria for entities looking to engage in agritourism activities:

- The necessity of having a farm, whether owned or rented, that is relevant to agritourism activities.
- The necessity of having appropriate accommodations for guests.
- The provision of food and beverages either produced on their own farm or locally sourced.
- The inclusion of entertainment and educational activities.



The specific criteria, documentation requirements, and certification procedures for agritourism shall be determined upon decision of Council of Ministers.

Finally, the Draft Law includes the following additional obligations to all tourism entrepreneurs:

- Display the business name, the procedure for handling complaints,

and the price list for food and services in a prominent location accessible to the public, in both Albanian and English.

- Ensure the quality of the services offered.
- Maintain a valid insurance contract for third-party liability coverage in cases of non-compliance, including insolvency and bankruptcy.



*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](mailto: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](http://www.bogalaw.com)

[www.bogalawip.com](http://www.bogalawip.com)

**Pristina Office**

50/3 Sylejman Vokshi Str.

10000 Pristina

Kosovo

Tel +383 38 223 152

Fax +383 38 223 153

[www.bogalaw.com](http://www.bogalaw.com)

---

**BOGA & ASSOCIATES  
AWARDS AND RECOGNITION 2023**

---

**IFLR1000 2023:** Ranked **Tier 1** in Financial and Corporate

**Chambers Global 2023:** Ranked **Band 1** in Corporate/Commercial

**Chambers Europe 2023:** Ranked **Band 1** in 3 practice areas

**The Legal 500 2023:** Ranked **Tier 1**

**ITR Tax Review 2023** – Top Ranked

**Benchmark Litigation Europe 2022:** Top Ranked in Dispute Resolution

**WTR1000 2023:** Top Ranked in Trademarks

The Tax Alert 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 Tax Alert is not intended to be and should not be construed as providing legal and tax 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 Tax Alert on the section “Library” of our website.

© 2023 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](mailto:marketing@bogalaw.com)) or consult them in our website ([www.bogalaw.com](http://www.bogalaw.com)). To unsubscribe from future publications of Tax Alert, please send “Unsubscribe” by replying to our email accompanying this edition.

## Boga & Associates

**Boga & Associates**, established in 1993, 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 1999 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.