

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.



**DRAFT LAW
ON ELECTRONIC
GOVERNANCE**

Draft Law on Electronic Governance

On 22.10.2021, the Council of Ministers has submitted for public consultation the draft law “*On Electronic Governance*” (**draft law**).

The draft law is proposed as a regulatory instrument in the framework of government policies set for the increase and promotion of electronic services for citizens, businesses and public administration, strictly respecting the European principles of free and fair competition.

Taking into account that there is currently no specific law on e-governance and legal regulations are mainly at the level of bylaws, this draft law is a novelty in domestic legislation, the provisions of which complement the legal framework and enable better implementation in practice of e-governance. It is also in line with the commitments deriving from Article 103 of the Stabilization and Association Agreement.

The proposed draft law aims to define the rights, obligations and responsibilities of public authorities and private entities, in relation to the development and management of information infrastructure systems, the obligation of public authorities and private entities to comply with electronic security standards, to determine the rules for the establishment and provision of e-government services in the Republic of Albania as well as access to the processing and protocolling of information electronically.



The general principle of this draft law is the provision of e-governance services by public authorities, which are guided by the principles of security, legality and the principle of protection of public interest.

E-Albania platform is defined as the only point of contact for the online electronic services to public institutions and private entities.

The only authority responsible for e-government and the central e-governance services infrastructure is the National Agency for Information Technology (NAIT). NAIT has the authority to offer centralized electronic services, administration of the registers, as well as Electronic Certification and Cyber Security pursuant to this law and the legislation in force for public services.

In order to better implement in practice e-governance services against payment, the main novelty of this draft law is the creation of a joint stock company named "Dg Tech", which will be under the “*umbrella*” of NAIT. The draft law stipulates that private entities operating in the field of information technology may own shares but not more than 49 (forty-nine) % of the total number of shares.

Finally, the draft law provides for the possibility of direct electronic payments, independent of the electronic payment platforms from financial institutions for receiving services, as well as the right of every person who uses the platform to evaluate the performance and quality of service.



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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

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Boga & Associates

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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.