

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.

### New Draft Law on the Registration of Non-Profit Organizations

On 10.06.2020, the *Council of Ministers* has submitted for public consultation a new draft law "*On the Registration of Non-Profit Organizations*" (**draft law**) abolishing the existing law no. 8789/2001.

On 14.09.2020, the draft law was submitted to the Parliament.

The necessity for a new law derives because of the challenges that have been encountered in practice during these years on the registration of Non-Profit Organizations (NPOs) due to the centralized registration procedure and the lack of an efficient electronic registration system. The draft law proposes substantial changes by introducing an *electronic platform for the registration of NPOs and data digitization*, which creates a unique system on the exchange of the information, enabling remote public services through electronic means. Such changes will guarantee more transparency in administrative actions, avoiding insofar as possible, any potential mismanagement by state authorities.

The registration of NPOs still remains a competence of the *Tirana District Court*. The draft law stipulates that the initial registration and any other filings can be carried out by submitting an application to Tirana District Court, in writing or

electronically. Electronic registration is conducted on the *electronic counter* of Tirana District Court accessible via *e-Albania*.

The establishment of the *electronic register* of NPOs is one of the main novelties of this draft law in terms of transparency of NPO activities. The electronic register will be established and administered by the Tirana District Court and will contain data regarding the establishment, activity and deregistration of the NPO, any changes in the status and organization of the entity, etc. The electronic register is *public* and can be accessed by any interested person, free of charge, to search for any data registered for NPOs, in any case in accordance with the restrictions imposed on the protection of personal data.

The electronic registry secretariat may issue extracts to confirm certain data of non-profit organizations as well as the history of actions performed by a non-profit organization.

The draft law provides that until the establishment of the electronic register, the registration procedures of NPOs will be conducted according to the provisions of law no. 8789/2001, "*On the registration of non-profit organizations*".

# BOGA & ASSOCIATES

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)

## **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)

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**IFLR1000 2021:** Ranked in Tier 1 in Financial and Corporate

**Chambers Global 2020:** Ranked in Band 1 in General Business Law

**Chambers Europe 2020:** Top Ranked in 5 practice areas

**The Legal 500 2020:** Top Ranked in Legal Market Overview

**Benchmark Litigation Europe 2021:** Top Ranked in Dispute Resolution

**WTR1000 2021:** Top Ranked in Trademarks

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