

### Issue 01/18

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

#### **New Law “On Judicial Tariffs in the Republic of Albania”**

On November 02, 2017, the Albanian Parliament approved Law no. 98/2017 “On Judicial Tariffs in the Republic of Albania” (the “Law”).

The Law is published in the Official Gazette No. 225 dated 22.12.2017 and will enter into force on 01.06.2018 (except for article 14 which will enter into force 15 days from publication of the Law in the Official Gazette).

The Law introduces new judicial tariffs in connection with civil and administrative court cases which are categorized as below:

#### **1. General tariff**

The general tariff for filing the lawsuit is calculated based on the value of the lawsuit. The Law provides for a minimum and a maximum level of such tariff for cases that will be subject to examination by the First Instance Court, ranging from ALL 1,000 to ALL 20,000,000.

For the cases that will be subject to examination by the Appeal and the Supreme Court the general tariff ranges from ALL 2,000 to ALL 10,000,000.

As for the cases brought before the Constitutional Court, the Law provides for a fixed general tariff of ALL 5,000.

As a general rule, the tariff is paid upon filing the lawsuit, the appeal, or the request before the Constitutional Court.

The general tariff can be paid during the court proceedings only for the lawsuits related to:

- (i) Alimony, and
- (ii) Employment matters having a value up to ALL 700,000.

The general tariff is not refundable in case the claimant withdraws the case.

#### **2. Special tariff**

A special tariff is applied for examination of procedural requests submitted by the parties during the judicial proceedings in all court levels and for the services provided by the court’s secretary.

The Law provides for a special tariff ranging from ALL 50 to of ALL 2,500. Such tariff is paid upon submission of the procedural request.

#### **3. Additional tariff**

This is a fixed tariff applicable in case of unreasonable delays to the judicial proceeding caused by the parties. Such tariff is payable within 21 days from the notification date of the court’s decision.

The Law determines that the amounts of the abovementioned judicial tariffs will be set out by means of joint instruction of the Minister of Justice and Minister of Finance, in compliance with the requirements and procedures stipulated by the Law.

# 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

## **Pristina Office**

27/5 Nene Tereza Str.  
10000 Pristina  
Kosovo  
Tel +381 38 223 152  
Fax +381 38 223 153

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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 also 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.

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