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“On Inspection in the Republic of Albania”

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# Newsletter



## Draft Law “On Inspection in the Republic of Albania”

On May 31, 2024, the Ministry of State for Entrepreneurship and Business Climate submitted for public consultation the Draft Law “On Inspection in the Republic of Albania” (the Draft Law). This new draft aims to repeal the current law no. 10433, dated 16.06.2011, “On Inspection in the Republic of Albania”.

The proposed Draft Law aims to unify inspection processes at both central and local levels by standardizing functions, rules, and procedures. It also aims to regulate inspector employment, recruitment, training, and career development.

### Key Provisions of the Draft Law Include:

- **Inspection Independence:** The Draft Law establishes the principle of inspection independence, ensuring that inspection bodies operate autonomously in conducting inspections and making related decisions within the powers granted by law or by-laws.
- **Advising and Informing Subjects:** The Draft Law introduces the principle of advising and informing the subjects of inspection. Under this principle, inspection bodies provide guidance to help inspected parties prevent and avoid legal violations. They also inform them of their rights and obligations during the inspection process and explain the legal consequences of their actions or inactions.

### Expected Effects of the Draft Law:

1. **Enhanced Consistency:** Inspections will adhere to modern standards and be conducted by professionally qualified inspectors.

2. **Greater Transparency:** There will be provision of necessary information for new businesses, quality inspections focused on advice, simplified applications, and real-time monitoring of inspection documentation. Inspections will be less frequent, and there will be quick access to information on each subject's inspection history.
3. **Increased Efficiency:** The efficiency of public administration will be enhanced through the use of technology in inspection activities. The unique electronic system "e-Inspection" will manage and document all activities carried out by inspectors.
4. **Continuous Improvement:** Inspections will initially impose a warning as an administrative punishment during the first inspection, along with counseling. There will be ongoing advisory support to inspection subjects to prevent legal violations and encourage compliance.
5. **Public Interest Protection:** The administration of public funds will be more effective and economical, reducing risks in human resources, payment, procurement, accounting, financial reporting, programming, and budget implementation systems.

Furthermore, the Inspection Board will be established, composed of representatives from relevant ministries, aiming to coordinate the inspection system, take strategic decisions, and set out policies, standards, and methodologies. Supported by the EBRD (European Bank for Reconstruction and Development), this model is used in the Netherlands, Slovenia, Lithuania, and has influenced recent reforms in Serbia and North Macedonia.

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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)

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