



“On Foreigners”

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# Newsletter

A close-up, low-angle shot of a dark green or black passport cover. The word 'PASSPORT' is embossed in gold capital letters across the top. Below the word, the Great Seal of the United States is faintly visible, also embossed in gold. The background is a blurred blue and white, suggesting a sky or a wall.

## Draft Law 'On Amending Law No. 79/2021 "On Foreigners"'

On March 28, 2025, the Council of Ministers of Republic of Albania submitted to the Parliament the draft law '*On Amending Law No. 79/2021 "On Foreigners"*' (the **Draft Law**).

The proposed Draft Law is partially aligned with the following EU Directives:

- Directive (EU) 2016/801 of the European Parliament and of the Council of 11 May 2016 on the conditions of entry and residence of third-country nationals for the purposes of research, studies, training, voluntary service, pupil exchange schemes or educational projects and au pairing.
- Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States amending Regulation (EEC) No 1612/68 and repealing Directives 64/221/EEC, 68/360/EEC, 72/194/EEC, 73/148/EEC, 75/34/EEC, 75/35/EEC, 90/364/EEC, 90/365/EEC and 93/96/EEC.
- Directive (EU) 2024/1233 of the European Parliament and of the Council of 24 April 2024 on a single application procedure for a single permit for third-country nationals to reside and work in the territory of a Member State and on a common set of rights for third-country workers legally residing in a Member State.
- Directive (EU) 2021/1883 of the European Parliament and of the Council of 20 October 2021 on the conditions of entry and residence of third-country nationals for the

purpose of highly qualified employment, and repealing Council Directive 2009/50/EC.

The proposed amendments aim to create a more comprehensive, efficient, and harmonized migration framework by enhancing existing policies, streamlining procedures, and fully digitalizing visa, residence, and unique permit processes.

A significant amendment introduced by the Draft Law is the simplification of visa regulations, particularly the extension of the "exemption period" for overstaying under visa categories A and C. Individuals will now have up to 15 calendar days before penalties are imposed for overstays, offering greater flexibility. The Draft Law also formalizes the procedure for cancelling both electronic and stamped visas, ensuring the right to appeal within 5 (five) working days from the date of the notification. Visa applications may be denied in cases involving falsified documentation.

Additionally, important provisions have been introduced to address the rights of European Union citizens and their family members residing in Albania. These individuals may stay for over 3 (three) months without a Unique Permit or Residence Permit, provided they are employed, self-employed, have sufficient resources, health insurance, or are enrolled in an educational institution.

Moreover, the Draft Law simplifies the procedure for obtaining a Unique Permit for foreigners, allowing applications to be submitted not only by the foreigner but also by their employer, an employment agency, or an authorized entity

(licensed agency), thereby expanding the range of application possibilities. The processing time of the Unique Permit is reduced to a maximum of four weeks. The former Unique Permit category for investors is repealed, with a standard residence permit replacing it, no longer requiring approval from the Employment Agency.

Furthermore, the Draft Law introduces the following key provisions:

- i.       Protection of Vulnerable Groups – Strengthened protection of fundamental rights and freedoms for vulnerable individuals, including victims of trafficking and unaccompanied minors, in accordance with the Constitution of Republic of Albania and international conventions ratified by Albania.
- ii.       Revised Provisions for Students and Researchers – Updated regulations aligned with recent changes in European Union legislation.
- iii.      Facilitated Access to the Labor Market – Introduction of a new permit category for domestic workers, expanding legal access to employment opportunities.



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