



Funded by the
European Union



EURALIUS

Consolidation of the
Justice System in Albania

NOTARY, LAW
NOTERINË, LIGJ

Disclaimer

Please note that this document is an unofficial translation and is provided for information purposes only. It confers no rights and imposes no obligations separate from those conferred or imposed by the legislation formally adopted and published in the Albanian language. EURALIUS makes no guarantee of accuracy and waives responsibility for the use that might be made of the following information.

Date of last check 2018 12 20

LAW

No. 110 / 2018

ON THE NOTARY

Pursuant to Article 78, 81, paragraph 1, and Article 83, paragraph 1, of the Constitution, upon proposal of a member of Parliament:

THE ASSEMBLY

OF THE REPUBLIC OF ALBANIA

DECIDED:

PART I ORGANISATION OF NOTARY

CHAPTER I GENERAL PROVISIONS

Article 1 Object

This law sets out the rules for practicing the profession of notary, as well as the manner of organization and functioning of notary service in the Republic of Albania.

Ministry of Justice,
Boulevard "Zogu I"
Tirana, Albania
Tel: +355 4 22 40 333
E-mail: info@euralius.eu
Web: www.euralius.eu



Article 2

Purpose

This law aims to guarantee the notary service and the practice of the notary profession independently and in pursuance of the law.

Article 3

Definitions

In this law, the following terms have these meanings:

- a) "*Chamber*", in the meaning of this law, is the National Chamber of Notaries;
- b) "*candidate notary*" is the person who has successfully completed the initial training at the Albanian Training Centre for Notaries and who carries out the 2-year practical training with a notary;
- c) "*notary*" is the natural person licensed by the Minister of Justice for the exercise of the notarial activity within the territory of a given municipality, in accordance with the provisions of this law;
- ç) "*qualification exam*" is the examination undertaken by the candidate notary after completion of the initial training and practical training, the successful passage of which enables them to exercise the function of deputy notary;
- d) "*admission examination*" is the examination for admission to the mandatory 1-year initial training;
- dh) "*Training Centre*", in the meaning of this law, is the Albanian Training Centre for Notaries;
- e) "*notary fees*" are fees for the performance of notarial acts and activities, which shall be displayed at each notary office and are specifically applied to each notarial act;
- ë) "*notarial activity*" are the actions performed in the exercise of the profession of notary and include the preparation, drafting and certification of legal acts as well as any other activity within the competence of the notary according to the provisions of this law and of special laws;
- f) "*deputy notary*" is the person selected to assist the notary and to perform the notarial activity in the name and on behalf of the notary in the cases of authorisation by the notary, in accordance with the provisions of this Law;
- g) The terms "*candidate notary*", "*deputy notary*", "*notary*" means every person that fulfils the criteria as set out in this law independent of one's gender.

Article 4

Notary profession

The notary profession in the Republic of Albania is an independent profession with public character in the service of natural and legal persons, which is exercised through the drafting of legal acts and the performance of other notarial actions, as provided for in this law and in the applicable legislation.

CHAPTER II

ADMISSION TO THE PROFESSION

Article 5

Conditions for exercising the profession of notary

The right to be licenced as notary in the Republic of Albania is given to any person that fulfils the following criteria:

- a) possess the Albanian citizenship;
- b) have full capacity to act;
- c) have not been convicted by a final court decision:
 - i) for an intentional criminal offence, that is not expunged;
 - ii) for a criminal offence committed by negligence, which has not been expunged and which impinges on the figure and integrity of the profession of notary;
 - iii) for an intentional commitment of a criminal offence, that has been expunged, but nevertheless impinges on the figure and integrity of the profession of notary.
- ç) have not been dismissed from the exercise of a public duty or function, for ethical integrity reasons, by a decision of the competent body that has become final, with the exception of instances when the disciplinary measure has been extinguished in accordance to the applicable legislation;
- d) completion of the second cycle of university law studies, with a "Master of Science" diploma, or an equivalent degree, or university studies abroad validated in accordance with the rules for validation of diplomas as per the legislation in force;
- dh) successful completion of the compulsory initial training program at the Albanian Training Centre for Notaries;
- e) full time work experience of at least two years as candidate notary, attached to a notary;
- ë) upon completion of the initial training, as per the requirement of letter 'dh' of this Article, and of the practical training as per the requirement of letter 'e' of this Article, shall sit and successfully pass the notary qualification exam.

Article 6

Initial training admission examination

1. The National Chamber of Notaries shall undertake each year a need-based analysis on the necessity to carry out an initial training admission exam with a view of ensuring at least for the following three years the availability of sufficient candidates for filling any vacancies for positions of notaries and deputy notaries.
2. Where such analysis shows that in the next three years it is likely that at least seven positions for deputy notaries become vacant, the Minister of Justice on the basis of the proposal of the National Chamber of Notaries shall determine by decision the number of candidate notaries that shall be admitted to the initial training program.
3. The Ministry of Justice shall publish in the Official Notifications Bulletin the call for applications for the initial training admission exam, which shall contain the deadline within which the application must be submitted, which should be no less than two weeks from the date of the call, the mailing address and the electronic address where the application and the documents associated with them must be submitted. The call shall be published for at least two weeks on the official website of the National Chamber of Notaries and of the Ministry of Justice and shall include the period of submission of applications.

4. An applicant who complies with the criteria provided by letters “a”, “b”, “c”, “ç” and “d” of Article 5 of this law, shall be entitled to apply for the initial training admission examination.
5. The Training Centre shall administer the applications of the applicants for becoming notary, and shall present them to the National Chamber of Notaries, which on its part shall inform the Minister of Justice of the applications handed in.
6. The Training Centre shall organise the initial training admission exam in accordance with the provisions of Article 90 of this law.
7. The date, time and venue of the initial training admission exam shall be set by a decision of the Council of the Chamber. This decision shall be published at least 3 (three) months in advance in the official webpage of the National Chamber of Notaries.
8. The Qualification Commission prepares the exam paper for admission to the initial training, assesses the performance of the applicants in the initial training admission exam and ranks them based on the examination results. The highest ranked applicants, who have reached at least 80% of the examination scores, up to the number determined by the joint instruction issued as per paragraph 2 of this Article, shall be considered as having successfully passed the notary training admission exam.
9. The results of the initial training admission examination for all applicants, shall be made public within 10 days from the date of giving the examination, in the official webpage of the National Chamber of Notaries in accordance with the provisions of the law on personal data protection.
10. The initial training admission examination may be taken up to 3 (three) times. The applicant, who successfully passes the initial training admission exam, is given the certificate of having passed the initial training admission exam.
11. Against the decisions of the Qualification Commission an appeal may be made to the Tirana administrative court.

Article 7

Initial Training

1. The one-year mandatory initial training program shall be organised based on the regulation on the initial training in accordance with Article 90 of this law.
2. After the completion of the one-year initial training program, the applicants shall undergo a final testing for each training subject. Applicants who obtain at least 80% of the maximum scores in the final test shall be entitled to apply for a position as candidate notary at any notary office.
3. The final test shall be prepared and evaluated by an Evaluation Committee composed of 5 (five) members, of which:
 - a) 3 (three) members selected from the internal and external lecturers of the Training Centre;
 - b) 1 (one) member selected from the ranks of notaries with 10 years of work experience as notary, or with titles or scientific degrees, selected by the Council of the Chamber;
 - c) 1 (one) member selected from the Minister of Justice.

Article 8

Candidate notaries

1. Any person who meets the requirements provided by letters 'a', 'b', 'c', 'ç' and 'd' of Article 5 of this Law, may become a candidate notary.
2. No more than two candidates may be appointed to each notary. The candidate notary cannot be a spouse of a relative up to the second degree of the notary to whom he/she is appointed.
3. The notary shall ensure that all candidate notaries attached to his/her office shall receive fair and comprehensive practical training on all aspects of notarial activity. Under the supervision and guidance of the notary, the candidate shall acquire knowledge and practice in all areas of law relevant for a notary and of ethical and professional standards of the profession.
4. The performance of the candidate notary shall be evaluated by the supervisory notary for each calendar year. The evaluation shall be filed with the National Chamber of Notaries not later than 31 January of each year. The Chamber shall establish more detailed rules on the criteria, methodology and the grading of the evaluation of the candidate notary.
5. Within 15 days from entering into a contract with a candidate notary, the respective notary shall deposit a copy of the contract and the legal documentation required for candidate notaries in the National Chamber of Notaries and in the Ministry of Justice.
6. The candidate notary shall be registered in the appropriate register of the Ministry of Justice and the National Chamber of Notaries and shall also submit the required documentation not later than 30 days from the date he/she has started to work as a candidate for notary, attached to a notary.
7. During the entire period of practical training to the notary that he/she has signed the contract with, the candidate for notary should not be involved in any other employment relationship, except the scientific and teaching activity, directed towards enhancing his/her professional qualification. The employment relationship between the candidate notary and the notary shall be on a full-time basis and shall be regulated according to the provisions of the Labour Code and the legislation in force on social insurance.
8. The Minister of Justice, upon a written and reasoned proposal of the National Chamber of Notaries, shall adopt more detailed rules on the terms and conditions for employment for the candidate notaries.

Article 9

Notary Qualification Exam

1. A candidate notary, upon the successful completion of the 1-year mandatory initial training program and after 2 (two) years practical training as candidate notary, with a notary, shall be entitled to be subject to a notary qualification examination, under the provisions contained in letters "a", "b", "c", "ç", "d" of Article 5 of this Law.
2. The notary qualification examination shall be organized by the Ministry of Justice and shall be prepared and assessed by the Qualification Commission in accordance with rules foreseen in the Regulation approved by the Minister of Justice as per paragraph 6 of Article 91 of this law.
3. The successful passing of this exam shall be associated with the issuance of the certificate of having passed the qualification exam, which shall be signed by the Chairperson of the Qualification Commission. A copy of the certificate shall be filed with the Ministry of Justice and the National Chamber of Notaries.

4. The successful candidates shall be ranked in accordance with the results of the notary qualification examination and put on a waiting list for open positions as deputy notaries.
5. The waiting list shall be published at the website of the Chamber and the Ministry of Justice in accordance with the provisions of the legislation in force on personal data protection.

Article 10

The general number of notaries and deputy notaries

1. The total number of notaries exercising the profession in the whole territory of the Republic of Albania shall not be higher than the number expressing the ratio of 1 notary for every 15,000 resident inhabitants, on the basis of the official data of the most recent general census of population and households.
2. The Minister of Justice, after having the written opinion of the Chamber and without exceeding the total number of notaries in the whole territory provided for in paragraph 1 of this article, shall at least every five years determine by an order the number of notaries for each municipality, whereby the ratio of 1 notary per resident inhabitants of a municipality may be lower or higher in the respective municipality than the ratio for the whole territory.
The criteria for determining the ratio for each municipality shall be based on:
 - a) having as a rule at least one notary for each municipality if that municipality may otherwise not be served with the necessary services;
 - b) the quantity of notarial transactions allowing a minimum volume of transactions;
 - c) the regional economic development;
 - ç) the specifics of the territory and the means of communication and of transport.
3. The Minister of Justice, after consultation with the Council of the National Chamber of Notaries, shall determine:
 - a) the overall number of deputy notaries, which shall not be higher than one fourth of the overall number of active notaries and based on the prediction of available vacancies; and
 - b) the number of deputy notary positions for each municipality.
4. The decision on the overall number of positions shall not affect any licence granted to a notary or deputy notary.
5. A licensed notary must take his office in the municipality to which he has been licensed by the Minister of Justice. Future changes to the territorial administrative division of municipalities shall have no effect on the current seat of office of a sitting notary.
6. In order to ensure adequate access by the public to notarial services, the Minister of Justice, after consulting the National Chamber of Notaries, may order that a notary appointed to a certain municipality has a duty to maintain up to four service days per month in another municipality of the same judicial district in which no notarial office is located. One notary may not be ordered to hold more than four service days per month. The coverage of the infrastructure for the exercise of the activity, as per this paragraph, as well as the manner of coverage of the expenses shall be determined by instruction of the Minister of Justice.

Article 11

Notarial vacancies and order of filling them

1. Where a notary position becomes vacant, the Minister of Justice shall decide whether it is necessary to fill such a vacancy. The Minister shall take the decision after having the written opinion of the Chamber, pursuant to the criteria and procedures established in Article 10 of this Law.
2. The Minister of Justice may also declare a vacancy for a new notarial position in accordance with provisions of Article 10 of this Law.
3. Any vacancy created according to paragraphs 1 and 2 of this Article shall be filled in the following order:
 - a) through transfer of a notary who has applied for a transfer to this position; and
 - b) granting of a notary license to a deputy notary who has applied for the specific vacancy.
4. The Minister of Justice shall announce any vacancy in the Official Journal and at the website of the Ministry not later than 30 days from their creation. The National Chamber of Notaries shall publish any vacancy at its website.
5. The Minister of Justice, after having the written reasoned opinion of the Chamber, shall establish more detailed rules on the procedures for the filling of notary vacancies, which shall include provisions on expression of geographic preferences by the applicants.

Article 12

Filling vacancies for notary positions through transfers

1. The transfer of the notary shall occur only upon his/her request. The notary may be transferred after exercising his duty for not less than 5 (five) years in the existing jurisdiction and provided that at the time of transfer he/she is not older than 65 years old and has no disciplinary measure in force.
2. Within 30 days after a vacancy has been declared, in accordance with Article 11, interested notaries shall submit a transfer application in relation to a specific vacancy with the Minister of Justice and the National Chamber of Notaries.
3. The Minister of Justice, after obtaining the written and reasoned opinion of the Chamber, shall authorise by order the transfer of a notary's activity to another municipality. The National Chamber of Notaries shall provide the opinion in written form within 15 days from the deadline for transfer applications established in paragraph 2 of this article.
4. In taking a decision, the Minister of Justice shall take into account:
 - a) whether the candidate fulfils the formal requirements set out in paragraph 1 of this article;
 - b) the professional seniority as licensed notary, which shall be decisive in cases of equally qualified candidates;
 - c) the history of any disciplinary measures on the record of the applying notary.
5. The Minister of Justice shall make a decision on the transfer of the activity of a notary not later than 30 days from the deadline for applications set in paragraph 2 of this article.

Article 13

Filling vacancies through licencing a deputy notary as notary

1. Where a vacant position cannot be filled by a transfer, the position shall be filled by granting the license to a deputy notary. The Minister of Justice shall call for applications of an open position
-

- from among deputy notaries at the same time as calling for transfers according to Article 12 of this law.
2. Deputy notaries, who have at least 3 years of experience as deputy notaries are eligible to apply for notarial vacancies in any municipality with a vacant position, provided they have no disciplinary measure in force. Interested candidates shall file an application with the Minister of Justice and the National Chamber of Notaries within 30 days upon the declaration of a vacancy under Article 11 of this Law.
 3. The Minister of Justice, after consulting the National Chamber of Notaries, may request that the most senior eligible deputy notary exercising the office in the respective court of appeal district apply for a vacancy that could not be filled according to the provisions in this article, in particular if no deputy notary applies for a vacancy.
 4. The deputy notary who agrees to apply in the instances foreseen in paragraph 3 of this Article, shall benefit 3 years of seniority for every year served in the position that could not be filled through the procedures foreseen by paragraphs 1 and 2 of this Article. If the deputy notary refuses to apply, he may be barred from further applications for a notarial vacancy for a period of 2 (two) years. In such a case, the next most senior deputy notaries may be asked to apply for the vacancy, where the same rules shall apply.
 5. The Minister of Justice, after having the written reasoned opinion of the National Chamber of Notaries, shall licence the deputy notary as notary from among the applicants who better qualify in regard to the following criteria:
 - a) have more years of professional experience as deputy notary;
 - b) have achieved the best result in the notary qualification exam;In case of multiple vacancies, the geographical preferences expressed by the applicants and the rules adopted under Article 11, paragraph 5, of this Law.
 6. The Minister of Justice shall make a decision not later than 30 days from the date of the application deadline.
 7. Deputy notaries may appeal the decision of the Minister of Justice in accordance with the legislation in force for the adjudication of administrative cases.
 8. In the event that the vacant notary position may not be filled in accordance with the provisions of Article 12 and the rules foreseen in the above paragraphs of this Article, the Minister of Justice, after consultation with the Chamber, shall decide to fill the vacancy by applying one of the following:
 - a) requests that the most junior eligible deputy notary exercising the office in the respective court of appeal district apply for transfer to the vacant position. In this instance, the notary accepting to transfer shall benefit, for the purposes of applying to another municipality, 3 years of seniority every year served in this position. In this case, the notary accepting to transfer may request transfer to another municipality after having been in service for not less than 3 years.
 - b) issues the order for the performance of the service days in accordance with the provisions of paragraph 6 of Article 10 of this Law.
 9. The citizen equipped with the license to exercise the profession of notary by the Ministry of Justice shall begin the exercise of notarial activity in the place of license no later than 60 days after the

date the license is issued. With the passage of this time period, according to notice by the National Chamber of the Notaries or the interested person himself, the licence to exercise notarial activity is repealed and the Minister of Justice shall appoint another applicant to that position in accordance with the criteria established in Articles 12 and 13 of this Law. If even the latter does not start to exercise his notarial activity within the 60-day time period, a new competition is held to fill the vacancy. An applicant who, having been appointed, does not begin his activity contrary to the provisions of this law, may be barred by decision of the Council of the Chamber from further applications for a period ranging from one to five years.

Article 14

The creation of a deputy notary position

1. Every notary may submit a request to the National Chamber of Notaries to be assisted by not more than 1 (one) deputy notary.
2. The General Assembly of the National Chamber of Notaries shall determine the general criteria for opening a deputy notary position at the office of an active notary. These criteria shall include that the requesting notary have a high professional reputation and a minimum annual volume of transactions over the past three years that justify the assistance by a deputy notary.
3. The National Chamber of Notaries shall decide on the request of an active notary to be assisted by a deputy notary by ensuring that the overall number of deputy notary positions as determined by the Minister of Justice is not exceeded and by taking into account the criteria as established in accordance with paragraph 2 of this Article.

Article 15

Criteria and procedures for selection of deputy notaries

1. When a deputy notary position becomes vacant, it shall be filled firstly by a call for transfer from among acting deputy notaries, by applying mutatis mutandis the criteria and procedure as set out in Article 12 of this Law.
2. Where the vacant position for a deputy notary cannot be filled by a transfer, the Minister of Justice shall call for applications, by an open and transparent procedure, from among the candidates in the waiting list established under paragraph 4 of Article 9 of this Law.
3. The Minister of Justice shall licence the candidate who is highest ranked in the waiting list, as deputy notary. In case of multiple vacancies, the candidates shall have the right to choose, in the order of their ranking, the position from the national list of vacancies.
4. The deputy notary may not be a spouse or relative up to the second degree of the notary to whom he/she is appointed.
5. The deputy notary shall practice his legal activity only attached to the notary to whom he has been appointed and with whom he shall enter into an employment contract. The deputy notary shall, within 15 days of the contract with the notary being entered into, deposit with the National Chamber of Notaries and Ministry of Justice a copy of the contract and the legal documentation required for the deputy notaries. He shall be entitled and bound to carry out the professional legal activity, by way of assisting the notary in assuming his function.

6. In case where a notary office to which the deputy notary is attached is closed and the vacancy is not filled, the deputy notary is entitled to be transferred to another notary, who has made a request or who consents. The Minister of Justice, in consultation with the National Chamber of Notaries, shall adopt detailed regulations for the transfer of deputy notaries in the circumstances foreseen in this paragraph.

Article 16

Oath of the Notary

1. Before beginning duty, the notary takes this oath as per the text “I swear that I will perform the duties of notary on the basis of the law and conscience, remaining faithful to the Constitution of the Republic of Albania, I will keep professional secrets and in my positions and behaviour, I will be guided by the principles of professionalism, impartiality and respect for human rights.”
2. The oath is administered before the Minister of Justice and is reflected in a record.

Article 17

Register of notaries

1. The Ministry of Justice and the National Chamber of Notaries, separately keep registers for notaries, deputy notaries and candidates for notaries, as well as administer the documentation connected to the granting and lifting of license for practising the profession of notary and the function of the deputy notary, their transfer, meeting the legal obligations and the disciplinary record of the notaries, deputy notaries and candidates notaries.
2. The form and contents of registers foreseen in paragraph 1 of this Article, the data that may become public, the manner and procedure of keeping them and the elements of documentation being included in the files of notaries, deputy notaries and candidate notaries shall be set out upon the order of the Minister of Justice, after obtaining the written opinion of the Chamber.
3. In any case a licence to exercise the profession of notary or as deputy notary, together with the respective data, is registered in the register of notaries at the Ministry of Justice and in the National Chamber of the Notaries.
4. Before beginning the exercise of activity, in cases a change of location of the notarial office or any other data included in the Notary Register, the notary or deputy notary shall inform in writing the Ministry of Justice and the Chamber within 15 days from the beginning of activity at the new address or change of facts included in the Notary Register.

Article 18

The temporary suspension of the license of notary upon request

1. The notary has the right to request that his license be suspended temporarily, for the following reasons:
 - a) for health reasons proven by a confirmation of the health status according to the legislation in force;
 - b) for taking care of their young child until the child achieves the age of 3 (three) years old;
 - c) for being elected or appointed to a public position;

In the instances foreseen by letters 'a' and 'b' of this paragraph, the suspension shall continue for a duration from 6 (six) months up to 3 (three) years. In the instance of election or appointment to a public function, the period of suspension is as long as the prolongation of the public function.

2. The request for the provisional suspension of the license is addressed to the Minister of Justice and Chairperson of the Chamber and shall state the time of suspension.
3. The Minister of Justice shall decide on the acceptance or reasoned rejection of the request for temporary suspension of the notary license, taking into account the opinion of the Chamber. In case the request is filed for a period of no more than one year, the Minister of Justice may appoint another notary or a deputy notary to administer the archive and the office of the suspended notary during the entire period of the suspension of the latter's license. In case the Minister of Justice determines that the demand for notarial services in the respective municipality is too high and cannot adequately be met by the administering notary or in case the request is filed for a period of more than one year, the position will become vacant and is to be filled immediately according to rules provided for in this law.
4. The decision of the Minister of Justice for the temporary suspension of the license of a notary is published on the official website of the Ministry of Justice and the Chamber.
5. In the instance when the archive of the notary is being administered by another notary as per paragraph 3 of this Article, the notary shall resume his/her work at the moment that the suspension period expires. If his/her position has become vacant and filled, the notary may apply for another vacant position at the time of his/her return, having priority for filling any vacant positions in the municipality where he/she previously exercised the notarial activity.
6. The notary may file another request for temporary suspension of the license not sooner than 4 (four) years after his/her reinstatement, with the exemption of the instances foreseen in letter 'a' of paragraph 1 of this Article, or when the suspension concerns another child as foreseen in letter "b" of paragraph 1 of this Article.
7. During the period of suspension according to paragraph 1 letters "b" and "c", the notary may not pursue any paid work for more than 10 hours per week.

Article 19

Incompatibility with the function

The exercise of the notary's function excludes any other public and private, with the exception of those of teaching and scientific according to the legislation in force.

Article 20

The Notary Office

1. The notary is licenced for exercising his/her activity in a given municipality. The notary may have only one notary office, which is situated within the territory of this municipality, where he/she is allowed to provide notarial services. The notary may not perform notarial acts or actions outside of this municipality, except for when foreseen by law. The notary may provide notarial services in his office for actions and assets located in another municipality, when the parties come to the office and request to perform this service within the notary office. The drafting of notarial acts

and the performance of notarial actions by the notary outside the territory set out for the exercise of his/her profession shall not lead to the nullification of the acts.

2. The notary office must be appropriate for allowing the fulfilment of his/her function. The room, in which notarial actions are conducted, must allow for adequate privacy and confidentiality of communications. The Minister of Justice, after consultation of the National Chamber of Notaries, shall establish further requirements for the office space of the notary, including a minimal size.

Article 21

Revocation of the Licence

1. The revocation of the licence for practicing the profession of notary shall occur upon the order of the Minister of Justice, when the notary:
 - a) resigns upon his/her own request from practicing the profession of notary;
 - b) reaches the age of 70;
 - c) forfeits the full legal capacity to act;
 - ç) becomes incapable of exercising the activity due to health problems that last longer than 3 (three) years;
 - d) it is established that at the moment of receipt of the licence that he/she had received the licence as notary in contravention with the legal criteria foreseen in the legislation in force;
 - dh) has been sentenced after receiving the licence with a final court decision:
 - i) for a criminal offence committed intentionally; or
 - ii) for a criminal offence committed through negligence, which damages the image and the integrity of the profession of the notary;
 - e) has been given the disciplinary measure of revocation of the license for practicing the profession, in compliance with Article 26 of this law;
 - ë) fails to carry out the notary activity for a period of time up to 60 days in succession without reasonable cause, documented and notified in writing to the National Chamber of Notaries and the Ministry of Justice;
 - f) has been declared bankrupt upon a final court decision;
 - g) fails to maintain the prescribed liability insurance.
2. The Minister of Justice or the governing bodies of the Chamber shall request, upon a grounded decision, an expertise-act from the Forensic Institute, for the certification of any incapacity to practice the profession of the notary.

CHAPTER III

OVERSIGHT AND DISCIPLINARY LIABILITY

Article 22

Oversight by the Minister of Justice

The Minister of Justice shall carry out the oversight of the general activity of notaries, in accordance with the provisions of this Law.

Article 23

Tasks of the Minister of Justice for the inspection of notaries

1. Preventive inspections regarding the activities of notaries shall be carried out through the responsible bodies of the Ministry of Justice, acting in collaboration with independent experts selected according to the rules foreseen in Article 24 of this law.
2. The Minister of Justice shall also be responsible for verifying complaints against notaries and deputy notaries and investigating disciplinary misconducts of notaries and deputy notaries.
3. The Minister of Justice, in cooperation with the National Chamber of Notaries, shall approve the standards and methodology for the inspection of the notarial activity.

Article 24

Independent experts

1. The Ministry of Justice, in the performance of their preventive inspection functions may be supported by a team of independent experts. The Minister of Justice shall determine the number of independent experts, to be appointed for a period of three years, with the right of one re-appointment for a second term.
2. Independent experts shall be appointed by the Minister of Justice, upon the proposal of the National Chamber of Notaries. The Chamber shall propose at least two candidates for each independent expert position.
3. Independent experts shall be notaries, former notaries or former judges with a civil law specialization, with at least eight years of experience as notaries or judges, high integrity and a high professional reputation.
May not be appointed as independent experts, the ex-judges dismissed as a result of the vetting process foreseen by the legislation in force on the provisional re-evaluation of judges and prosecutors in the Republic of Albania.
4. Active notaries appointed as independent experts may continue to exercise their notarial activity.
5. Independent experts shall be obliged to comply with the rules on professional secrecy.
6. The Minister of Justice, upon consultation with the Chamber, shall set the level of remuneration of independent experts, as well as other terms and conditions related to their service.

Article 25

Inspection of Notaries

1. The Minister of Justice shall adopt a yearly program for inspection of notaries. Each notarial office shall be inspected on regular intervals but not less than four years. A newly appointed or transferred notary shall be subject to an inspection within two years after his appointment or transfer.
2. The Minister of Justice may also order ad hoc inspections, where deemed necessary.
3. The Minister of Justice shall carry out regular on-site inspections of all acts, the notarial activity register and any documentation of the notary activities.
4. The inspection shall monitor the compliance of the notary with the law and standards of professional conduct, in particular whether the provisions on the prevention of money laundering and terrorism financing are complied with.

5. Inspections shall be carried out by a team composed of one Ministry of Justice inspector and one independent expert appointed pursuant to Article 24 of this law provided that the Ministry of Justice imposed the assistance of an independent expert. The Minister of Justice shall decide the composition of the inspection team for each inspection.
6. In case where during an on-site inspection or through other sources a deficiency is detected, the notary shall be informed in writing and requested to repair the deficiency within a period of time determined by the Minister of Justice.
7. In case where there is a reasonable doubt that such deficiency may constitute a disciplinary misconduct, the Minister of Justice shall open the procedure for investigating the disciplinary misconduct.
8. In case where there is a reasonable ground to believe that the facts may be linked with money laundering or terrorism financing, the Minister of Justice shall report to the responsible authority in compliance with the legislation in force on the prevention of money laundering and financing of terrorism.

Article 26

Disciplinary misconduct and measures

1. A notary commits a disciplinary misconduct whenever he/she:
 - a) acts in contravention with the legal and sublegal provisions;
 - b) makes acts or omissions in contravention to the Professional Code of Ethics, which gravely breach the trust of the public on the notarial system;
 - c) breaches the legal obligations as member of the Chamber foreseen in this law.Disciplinary misconducts include also the acts or omissions that constitute a criminal offence, independent of the fact that the criminal offence is expunged, criminal prosecution cannot be instituted or cannot continue, or the notary is rehabilitated or has benefited from pardon and amnesty, on the condition that 5 years should not have passed from the moment the misconduct was conducted.
2. The following disciplinary measures may be imposed for violations of the provisions regulating practicing the profession and the activity of the notary:
 - a) warning in writing;
 - b) admonition with warning for revocation of the license to practice the profession of notary;
 - c) a fine in the amount of 50,000 up to 500,000 Albanian lekë;
 - ç) ordering the notary to conduct additional continuous training, including training in professional ethics and/or in a specific field of the notarial activity;
 - d) suspension from office for a period of one to five years.
 - dh) permanent revocation of the license for practicing the profession of notary.
3. A disciplinary measure being imposed against a notary shall be proportional to the violation and shall be based on the following criteria:
 - a) degree of negligence;
 - b) frequency of error;
 - c) the probability and the gravity of a damage resulting possibly from the conduct;

- ç) any situation that is outside of the notary's control and which may be reasonably explained by the malfunctioning of the legal system as a whole.
- 4. The fine may be accompanied in a cumulative manner with other disciplinary measures, foreseen by letters 'a', 'b' and 'ç', of paragraph 2, of this article.
- 5. The measures foreseen in letter "a", "b", "c" and "ç" of paragraph 2 of this Article, may be ordered by the Minister of Justice. The disciplinary measures foreseen in letter "d" and "dh" of paragraph 2 of this Article may only be ordered by decision of the Disciplinary Board.
- 6. Disciplinary misconducts shall be prescribed within 5 (five) years after the moment when the alleged misconduct has occurred.

Article 27

Disciplinary misconduct and measures against the deputy notary

1. The deputy notary commits a disciplinary misconduct whenever he/she breaches the legal obligations foreseen in this law and in the legislation in force.
2. The following disciplinary measures shall be imposed for violations of the provisions regulating practicing the profession and the activity of the deputy notary:
 - a) warning in writing;
 - b) admonition with warning for revocation of the right to practice the profession of deputy notary;
 - c) a fine in the amount of 25,000 up to 500,000 Albanian lek;
 - ç) temporary suspension of the right to seek appointment to the exercise of the profession of notary, up to three (3) years.
 - d) removing the right to exercise the activity under the title of deputy notary.
3. A disciplinary measure given to a deputy notary must be proportionate to the violation and shall be based on the following criteria:
 - a) degree of negligence,
 - b) frequency of error,
 - c) the probability and the intensity of a damage resulting possibly from the conduct,
 - ç) any situation that is outside of the deputy notary's control and which may be reasonably explained by the malfunctioning of the legal system as a whole.
4. The disciplinary measures foreseen in letters "a", "b" and "c" of paragraph 2 of this Article, may be ordered by the Minister of Justice. The disciplinary measure foreseen in letters "ç" and "d" of paragraph 2 of this Article may only be ordered by decision of the Disciplinary Board.

Article 28

Limitations for the Proceedings

1. The disciplinary investigation shall be concluded within six months from the taking of the decision on the opening of the investigation. Upon the conclusion of the investigation, the Minister of Justice shall:
 - a) initiate the disciplinary proceeding by submitting the investigation report to the Disciplinary Board;

- b) shall impose the disciplinary measure as per article 26 paragraph 5 and 27 paragraph 4 of this law; or
 - c) shall issue a decision on the closure of the investigation.
2. The Minister of Justice may extend the investigation period as set out in paragraph 1 of this Article, in complex cases, or reasons of widening or changing the scope of the investigation or in case of illness or non-availability of the notary or deputy notary, in compliance with the provisions of the Administrative Procedures Code.
 3. In case new evidence becomes available after the lapse of time set out in paragraph 1 or 2 of this Article, which provide reasonable grounds to believe that a misconduct may have occurred, the Minister of Justice shall reopen the investigation, provided that the time limit as set out in paragraph 6 of Article 26 and paragraph 5 of Article 27 of this Law has not lapsed.

Article 29

Evaluation of complaints

1. Every legal or natural person, or the Chamber, shall have the right to present to the Minister of Justice a written and reasoned complaint. The Minister of Justice shall decide on the archiving of a complaint or opening of an investigation on an alleged misconduct within 3 (three) months upon the receipt of the complaint.
2. In cases where there is reliable information that the notary or deputy notary might have committed a disciplinary misconduct, any public functionary, that has been made aware of such information, shall be obliged to inform the Minister of Justice.
3. The Minister of Justice has the obligation to verify complaints, except anonymous ones.
4. The Minister of Justice shall confirm the receipt of the complaint within 30 (thirty) days. The Minister of Justice shall notify the complainant within 15 (fifteen) days after taking the decision on the archiving the complaint, opening of investigation, widening or changing the scope of investigation or on closing the investigation.
5. A complaint shall be submitted in person, by regular mail or by electronic means.
6. Withdrawal of the complaint by the complainant is not a reason for archiving the complaint, if the Minister of Justice establishes that the allegation provides sufficient grounds to carry out an ex officio investigation and does not lead to the closure of an already initiated investigation.
7. The Minister of Justice shall publish a complaint template on the official website of the Ministry of Justice in order to facilitate the submission of complaints.

Article 30

Opening of the investigation ex officio

1. The Minister of Justice shall open an ex officio investigation, based on substantial information and on facts resulting from reliable sources which lead to the reasonable suspicion that a misconduct may have occurred. The information received from media or anonymous complaints may be a ground for opening an ex officio investigation.
2. The Minister of Justice shall decide to open an ex officio investigation by a reasoned decision indicating the verifiable circumstances and facts.

Article 31

Widening or changing the scope of investigation

If in the course of the investigation a reasonable doubt arises that another misconduct may have occurred, the Minister of Justice shall issue a decision to widen or change the scope of investigation, and shall notify the complainant, the Chamber and the notary or deputy notary.

Article 32

Suspension of Investigations

1. The Minister of Justice shall decide on suspending the disciplinary investigation if a criminal investigation or criminal, administrative or civil judicial proceedings are pending.
 - a) in which, one of the parties is the notary or deputy notary, and
 - b) the alleged misconduct relates to the same facts which shall be established by the decision.
2. The investigation will be suspended until the competent body issues the final decision.
3. The complainant, the notary or deputy notary, the court, the prosecution office, the National Chamber of Notaries and the Disciplinary Board shall be notified in writing on the decision of suspension. The concerned court, prosecution office or other bodies shall submit to the Minister of Justice, without delay, any decision taken during the investigation and the respective proceeding.
4. The Minister of Justice shall be bound only to the facts established by the final decision of the court. A final decision of the court in favour of the notary or deputy notary does not impede the investigation by the Minister of Justice in order to determine the disciplinary liability of the notary or deputy notary.
5. The suspension of the investigation interrupts the statute of limitations time-limits set out in Article 28 of this Law towards the Minister of Justice.
6. The decision on the suspension of investigation shall not be appealable.

Article 33

Consolidating Investigation Proceedings

The Minister of Justice shall consolidate proceedings in cases where he/she finds out that complaints or opened investigation proceedings refer to the same facts or the same notary or deputy notary.

Article 34

Rights and Obligations of the Notary or deputy notary during the Investigation

1. Upon the opening of the investigation, the notary or the deputy notary shall be a party in the proceeding and shall be provided access to the file to the extent that is consistent with this scope of the investigation.
2. The Minister of Justice may request the notary or deputy notary to submit information, documents or any evidence necessary for the investigation.
3. The Minister of Justice shall notify the notary or deputy notary or his/her representative and the National Chamber of Notaries on the decision for archiving the complaint, on opening of investigation, on the widening or changing of the scope of investigation and or on closing the investigation.

Article 35

Course of the Investigation

1. The scope of the investigation shall clearly determine the elements of the alleged misconduct in accordance with the statements of decision on opening the investigation under provisions of this Law.
2. The Minister of Justice shall summon witnesses and collect data, documents and evidence from the court, prosecution office, other state bodies, organizations, witnesses and/or the notary or deputy notary and shall undertake other actions as necessary to investigate and determine whether the alleged misconduct has occurred.

Article 36

Requirements relating to conducting interviews

1. In case where the Minister of Justice deems an interrogation of the notary or deputy notary, witnesses or other persons necessary for the investigation, he/she shall notify them on the time and location of the interview.
2. The Minister of Justice has a duty to ensure that the interview is properly documented as per the rules foreseen in this Article.
3. The audio-recording of the interview process shall be summarized in the minutes and may be transcribed. The notary or deputy notary shall sign the minutes of the interview process and the transcript of the audio-recording, if established.
4. The audio-recording, its transcript, if available, as well as the minutes of the interview process shall be part of the file.

Article 37

Requirements relating to Collection of Evidence from other Institutions

1. Any public body, natural or legal persons shall timely comply with requests of the Minister of Justice to obtain information, documents, or other evidence relating to an investigation, except as otherwise restricted by law, within reasonable time limits set out by the Minister of Justice in its request.
2. The Minister of Justice shall repeat the request, if the person or the entity to whom the request is addressed fail to comply with it within the set time limit by informing, in case of a legal entity, the head of the entity, too. In cases where the person or the entity to whom the request is addressed fail to fulfil the repeated request within the set time limit, the Minister of Justice shall notify the responsible disciplinary body.
3. If there is a substantial and specific need, during the disciplinary investigation of the notary or deputy notary, to obtain documents or information, protected by the legislation in force on the protection of personal data, the Minister of Justice may request the district court of first instance to issue an order to disclose the requested information on the notary or deputy notary. The court decision shall be taken by a single judge in consultation chambers within 15 days from submission of the request.

4. In the request it shall be shown that reasonable grounds exist to believe that the notary or deputy notary had committed the misconduct and that the requested information is essential for determining whether the misconduct occurred.

Article 38

Documentation of the Investigation

1. The Minister of Justice shall document each investigation action in the minutes.
2. The minutes shall contain:
 - a) name and surname of the responsible person that is carrying out the action;
 - b) date of performance of any action;
 - c) the subject and scope of any action;
 - ç) participants;
 - d) detailed description of any action undertaken;
 - dh) the signature of the responsible person at the bottom of each page and that of the persons participating in the actions.
3. Upon conclusion of the investigation, the responsible body at the Ministry of Justice shall establish an investigation report, which shall contain at least:
 - a) name and surname of the drafters of the report;
 - b) grounds for opening the investigation, the subject and the scope of the investigation as determined by the decision on opening, changing or widening the scope of the investigation;
 - c) actions undertaken in the course of investigation;
 - ç) a summary of the statements of the concerned notary or deputy notary and other persons or institutions;
 - d) presentation of the contested and uncontested facts, and of the evidence, as well as the evaluation of the veracity and the probative strength of evidence;
 - dh) the legal analysis of the established facts, supporting the conclusion that the alleged disciplinary misconduct has occurred, or the investigation must be closed;
 - e) the proposal for closing the investigation or initiating the disciplinary proceedings or the proposal for determining the disciplinary measure.

Article 39

Closure of the Investigation

1. The Minister of Justice shall close the investigation if it is established that the allegations are unfounded or the collected evidence and the overall result of the investigation lead to the conclusion that:
 - a) the evidence is insufficient to prove that the disciplinary misconduct has occurred;
 - b) the case has already been subject to a previous investigation that has been closed or adjudicated by a final decision in a disciplinary proceeding, except for when new facts or evidence are presented;
 - c) the case has been barred already at the time of opening the investigation, due to the lapse of the statute of limitation;

- c) the notary or deputy notary's appointment was terminated based on the criteria set out in letters "b", "c", "ç" of paragraph 1 of Article 21 of this Law or his/her appointment was permanently terminated based on Article 21 of this Law;
 - d) the notary or deputy notary has died.
2. The Minister of Justice shall notify the decision to the concerned notary or deputy notary or his/her representative, to the complainant, to the National Chamber of Notaries. The decision shall state the reasons for closing the investigation as set out in paragraph 1 of this Article.
 3. In cases where the notary or deputy notary has retired, the Minister of Justice shall issue a final report consisting of a summary of allegations on the disciplinary misconduct, the evidence collected and the conclusions. The report shall close the investigation procedure and shall be notified to the parties and the respective Disciplinary Board.

Article 40

Submission of the Case to the Minister of Justice

If in the course of the disciplinary proceeding, the Minister of Justice receives information that there are reasonable doubts that another misconduct has occurred, he/she shall:

- a) request the Disciplinary Board to interrupt the disciplinary proceeding, decide on widening or changing the scope of investigation, carry out the needed investigation and submit a further investigation report within 1 (one) month upon the interruption of the proceeding; or
- b) request the Disciplinary Board to widen or change the scope of investigation, if no further investigation is needed.

Article 41

Initiation of the Disciplinary Procedure

Where there are reasonable grounds to believe that a notary or deputy notary has committed a misconduct, the Minister of Justice shall initiate the disciplinary proceeding by submitting the investigation report together with the investigation file to the Disciplinary Board.

Exceptionally, in the instances provided for in Article 26, paragraph 5, and Article 27, paragraph 4, of this Law, the Minister of Justice shall decide whether the violation has been committed and shall impose the appropriate disciplinary measure.

Article 42

Disciplinary Board

1. The Disciplinary Board shall consist of 5 (five) members with high integrity and professional reputation, from which:
 - a) 2 members shall be elected by the Minister of Justice;
 - b) 2 members shall be elected by the General Assembly of the Chamber from among the notaries, and
 - c) 1 shall be elected by the Pedagogical Council of the School of Magistrates from among the pedagogues covering civil law areas.
2. The members elected as per paragraph 1 of this article shall fulfil the following criteria:
 - a) be Albanian citizens;

- b) have completed the second cycles of university studies in law or a diploma comparable to the former;
 - c) have not less than 15 years of professional experience as jurist;
 - ç) have never been dismissed from office for disciplinary reasons and have no disciplinary measure in force against them;
 - d) have not been previously sentenced by a final court decision for committing a criminal offence;
 - dh) have not been members, collaborators or favoured by the former State Security in the sense of the legislation in force on the right to information on documents of the former State Security of the People's Socialist Republic of Albania;
 - e) at the time of application, have no family members as well as first-degree relatives who are active notaries.
3. In the selection of members of the Disciplinary Board, preference will be given to candidates who possess a scientific title or degree or have proven scientific and/or professional experience in civil law matters.
 4. Detailed rules on the submission and handling of applications, as well as the verification of compliance with legal criteria, shall be determined by order of the Minister of Justice after receiving the opinion of the Chamber.
 5. The mandate of the members of the Disciplinary Board is 5 (five) years, without the right to be re-elected immediately.
The members of the Disciplinary Board shall elect the Chairperson in the first meeting of the Disciplinary Board by absolute majority, in the presence of all members of the Board.
 6. The members of the Notary Disciplinary Board shall not be members of the Auditing Board, as well as members of other leadership structures of the National Chamber of Notaries.
 7. The members of the Notary Disciplinary Board shall be independent and impartial in their decision-making.
 8. The members of the Notary Disciplinary Board shall recuse from the examination of cases, as long as they are in a conflict of interests, or there is doubt regarding their impartiality in compliance with the Provisions of the Administrative Procedure Code.
 9. The Disciplinary Board shall apply the rules of the Code of Administrative Procedures *mutatis mutandis* where this law does not provide for special rules.
 10. The meeting of the Disciplinary Board is valid when the majority of members are present. Decisions of the Disciplinary Board are taken by a majority of all its members. Unless otherwise provided for in this law, the provisions on the Law on the functioning of collegial bodies of the state administration and public entities shall apply *mutatis mutandis*.
 11. The Disciplinary Board is an ad hoc body and shall be supported administratively by the National Chamber of Notaries.
 12. The Minister of Justice upon the proposal of the Chamber shall adopt more detailed rules on the compensation scheme and the functioning of the Disciplinary Board.

Article 43

Procedure before the Disciplinary Board

1. The Disciplinary Board shall:
 - a) determine a date for the hearing and notify the parties on the date of the hearing, which must be not later than 15 (fifteen) days after the date of receipt of the file from the Minister of Justice, and
 - b) give all parties at least 10 days' notice of the hearing.
2. The period foreseen in letter 'a' paragraph 1 of this Article may be extended up to 45 (forty-five) days, if the Disciplinary Board is satisfied that there are important reasons for the extension.
3. The Disciplinary Board must consider all factors relevant to the case.
4. The Disciplinary Board may:
 - a) obtain additional evidence, including summoning witnesses, and
 - b) where it considers it appropriate, engage experts.
5. If the additional evidence cannot be secured, the Disciplinary Board may request the Minister of Justice to carry out further investigation by specifying the missing elements and the time-period. The Minister of Justice shall carry out the investigations as requested by the Disciplinary Board.

Article 44

Closure of a Disciplinary Proceeding without Hearing

1. A Disciplinary Board shall decide to close the disciplinary proceeding without a hearing if:
 - a) the disciplinary misconduct has already lapsed according to the statute of limitations at the time of initiating the investigation, as provided for in Article 26 and 27 of this Law;
 - b) the case was already subject of a disciplinary proceeding finalized by a final decision;
 - c) there are grounds for closing the investigation in accordance with Article 39, paragraph 1, letters "ç" and "d" of this Law.
2. The resignation of the notary or deputy notary does not prevent the initiation or continuation of the disciplinary proceeding.
3. The Disciplinary Board shall close the disciplinary proceeding under paragraph 1 of this Article by a reasoned and written decision. The Disciplinary Board shall notify the parties on the reasons of the closure.

Article 45

Joining Disciplinary Proceedings

Whenever the Disciplinary Board ascertains that disciplinary proceedings refer to the same facts or the same concerned notary or deputy notary the proceedings may be joined.

Article 46

Rights and Obligations of Parties during the Disciplinary Proceeding

1. During disciplinary proceedings, the notary or deputy notary or his/her representative shall be provided access to the file, so far as it does not endanger:
 - a) the legal interests of the parties or third persons;
 - b) the functions of the deciding body, or
 - c) or the purpose of the proceedings.

2. A notary or deputy notary who is informed that a disciplinary proceeding has been opened must at the same time be informed of the rights:
 - a) to submit a written defence within a specified time;
 - b) to attend any hearing;
 - c) to call witnesses who may provide information of significance to the case;
 - ç) to present documents;
 - d) to take other measures for the purpose of providing evidence in support of his or her defence;
 - dh) to be represented under the provisions of the Code of Administrative Procedures.
3. The Disciplinary Board may request the notary or deputy notary to submit information, documents or any evidence and to attend hearings.
4. The parties have the right to be notified on any decision of the Disciplinary Board within 5 days.

Article 47

Disciplinary Hearing

1. The disciplinary proceedings hearings shall be held in public.
2. The Disciplinary Board may decide, at the request of the parties or ex officio, to exclude the public from the hearing:
 - a) when the publicity of the hearing may damage the social moral or may divulge data to be kept secret for the interest of the state, if this is requested by the competent authority;
 - b) as appropriate, to protect the right to privacy or to protect personal data of the notary or deputy notary or any other person, or
 - c) public demonstrates behaviour impairing the normal conduct of the hearing.
3. At a hearing before a Disciplinary Board:
 - a) a representative of the Minister of Justice shall present the evidence that misconduct has occurred and shall propose the disciplinary measures that should be imposed;
 - b) the notary or deputy notary or his/her representative may present the defence.

Article 48

Adjournment of Hearings

The Disciplinary Board may adjourn the hearing for a period not exceeding one month if it considers additional evidence necessary.

Article 49

Changing or Widening the Scope of the Disciplinary Proceeding

If the Disciplinary Board deems that the case cannot be fairly or conveniently settled without also considering one or more additional allegations of misconduct against the same notary or deputy notary, the Disciplinary Board shall be entitled to:

- a) decide on the changed or added allegations, if no further investigation is needed, after having heard the parties of the proceeding; or
- b) request, without suspending the proceedings, from the Minister of Justice to change or widen the scope of investigation in accordance with this Law and to investigate into these further allegations within at least one month.

Article 50

Suspension of the Disciplinary Proceeding

Legal provisions applicable to the suspension of disciplinary proceedings under Article 32 of this Law shall apply to the extent possible.

Article 51

Determinations by Disciplinary Board in disciplinary matters

1. The Disciplinary Board shall make any decisions, about:
 - a) the engaging of experts and the determination of their tasks;
 - b) adjournments;
 - c) the admissibility of evidence;
 - ç) the determination of the case; and
 - d) any other matters that appear to the Disciplinary Board to be necessary or expedient for handling the case.
2. After having considered all facts and evidences the Disciplinary Board shall either:
 - a) reject the request for disciplinary proceeding, on the grounds that the facts alleged did not occur or that they do not constitute a disciplinary misconduct; or
 - b) uphold the allegations and impose one or more disciplinary measures and notify on the decision the Minister of Justice, with the purpose of issuing the respective order.
3. The Disciplinary Board shall examine the disciplinary measures proposed by the Minister of Justice and deliver the reasoned and written decision at least within two weeks upon closure of the hearing.

Article 52

Right to appeal the disciplinary measures

1. The Minister of Justice, the notary or deputy notary and the National Chamber of Notaries shall have the right to appeal any decision of the Disciplinary Board for disciplinary violations, as per paragraph 2 of Article 51 of this law, before the competent administrative court.
2. Appeals against a decision of the Disciplinary Board shall not *per se* suspend the execution of the appealed decision until notification of the court decision on the appeal.

Article 53

Execution of the Final Decision

1. The Minister of Justice shall take any measure needed for the execution of the disciplinary measure and shall be responsible for monitoring the implementation of all measures imposed in disciplinary proceedings.
2. The Minister of Justice shall ensure that the disciplinary measures shall be implemented:
 - a) within one month in the case of a warning in writing, an admonition with warning for revocation of the license, or a fine;
 - b) within two weeks in all other cases, by way of issuing the respective order as per the decision of the Disciplinary Board.

Article 54

Publication of the Disciplinary Decisions

1. The National Chamber of Notaries shall publish an extract of any final decision in disciplinary matters, which shall reflect the circumstances of facts and the kind of disciplinary misconduct that has been committed on the basis of the facts.
2. The publication of the final decisions of the Disciplinary Board shall respect the right to confidentiality and data protection. In any case, it shall not contain any information which could disclose the identity of the notary or deputy notary or of any client.

Article 55

Registration of disciplinary measures

1. The National Chamber of Notaries shall record in the register of notaries or deputy notaries the final decisions by the Disciplinary board and all disciplinary measures in force.
2. These measures shall be expunged from the disciplinary record after the lapse of the following time periods from the date of the entry into force of the disciplinary measure:
 - a) 1 (one) year has passed since the imposition of the disciplinary measure of warning in writing;
 - b) 2 (two) years have passed since the payment of a fine;
 - c) 3 (three) years have passed since the imposition of the disciplinary measure of temporary suspension of practicing the notarial activity or for the temporary suspension of the right of the deputy notary to request appointment as a notary or the transfer of the notary to another municipality;
3. The disciplinary measure of revocation of the licence or the revocation of the title of deputy notary shall not be expunged and deleted from the register.

CHAPTER IV SUSPENSION

Article 56

Suspension from duty

A notary or deputy notary may be temporarily suspended from duty by the Disciplinary Board, when:

- a) the personal security measure of 'pre-trial detention' or 'home arrest' is imposed on him/her in connection with the commission of a criminal offence, throughout the duration of pre-trial detention or home arrest;
- b) there is reasonable doubt that he/she has received the licence as notary in contravention with the legal criteria foreseen in the legislation in force at the moment of licencing;
- c) there was the failure to pay, until the beginning of the next financial year, the annual membership fee, as well as the fees for the mandatory continuous training.

Article 57

Initiation of Suspension Proceedings

Suspension of the notary or deputy notary from office in the sense of Article 58, may be imposed by the Disciplinary Board:

- a) on its own initiative; or
- b) on the request of the Minister of Justice, or on the basis of notification as per the provisions of article 58 of this law.

Article 58

Notifications to the Disciplinary Board

1. The Head of the relevant institution shall immediately, upon learning of any of the facts listed in Article 56 of this Law inform the Disciplinary Board.
2. All relevant authorities shall immediately notify the Disciplinary Board of:
 - a) the notary or deputy notary being in pre-trial detention or in-house arrest;
 - b) the initiation of criminal investigations against the notary or deputy notary;
 - c) the notary or deputy notary obtaining the capacity of the defendant regarding a criminal act.

Article 59

Suspension Decision and Appeal

1. A decision on the suspension from duty based on Article 56 letter 'a' of this Law shall be taken by the Disciplinary Board immediately upon receiving the information. In the instances foreseen in article 56, letters 'b' and 'c', of this law, the decision shall be taken within 15 days from the moment of receipt of information.
2. The notary or deputy notary shall be entitled to file an appeal against a suspension from duty decision before the competent administrative court.
3. The submission of the appeal shall not suspend the decision of suspension of the notary or deputy notary from duty.

Article 60

Limits on Length of Suspension

1. The suspension, as provided for in Article 56 of this law, shall continue for as long as the reasons for which suspension was imposed continue to exist.
2. The Disciplinary Board may review the suspension, provided for in Article 56 of this Law and decide on a case by case basis to:
 - a) change the duration of the suspension;
 - b) revoke the suspension; or
 - c) uphold the suspension.
3. The suspension is ended by reinstatement of the notary. In case the suspension as per article 58 of this law does continue for longer than 3 (three) months and there is the risk that the public shall not have access to adequate notarial service, the Chamber decides that the office of the suspended notary be administered as per article 61 of this law, or requests that the municipality where the office of the suspended notary is situated be covered with service days as per article 10 paragraph 6 of this law.

Article 61

The notary's office in the case of suspension

The Minister of Justice may order that the notary's office be administered by a deputy notary or another notary during the duration of the suspension. The appointed administrator shall assume all the professional rights and duties of the suspended notary, regarding the administration of the archive and the opening of the inheritance certificate.

CHAPTER V

POWERS, RIGHTS, RESPONSIBILITIES AND DUTIES

Article 62

Powers of the Notary

1. In addition to all powers accorded by other laws, the notary has the power to draft notarial acts, effect authentications, certifications and verifications in all matters, including but not limited to:
 - a) drafting testaments,
 - b) drafting the act for full or partial revocation of the testaments;
 - c) drafting the minutes for giving grant of probate;
 - ç) accepts for safekeeping holographic or special testaments;
 - d) issuing legal/testamentary inheritance certificates;
 - dh) drafting notarial acts, compiling drafts on other legal actions and documents, giving out copies of documents or abridged versions thereof
 - e) serving the notary notifications within or outside the country;
 - ë) legalising the signatures of the citizens affixed on various acts;
 - f) drafting the objections to bills of exchange and the certificates for non-payment of cheques;
 - g) certifying the date of submission of documents at the notary office;
 - gj) certifying the presence of a person and his/her stay in a given location;
 - h) admitting documents of natural or legal persons for safe-keeping in the notary office;
 - i) certifying that copies or abridged versions of documents are the same as the original submitted by the interested parties;
 - j) providing or certifying translations from one language to another, on his/her own or through a licenced translator as accepted by the parties;
 - k) editing minutes, making inventories of items, documents, postal or electronic correspondence, electronic communications, electronic documents seals by way of a digital seal, portals, application communications, other published documents, by way of describing the situation of items, circumstances being observed while editing the minutes and, in the event of the correspondence, the sender and recipient, according to the request of citizens;
 - l) drafting and taking part in the drafting of acts of commercial enterprises;
 - ll) drafting notarial acts, powers of attorney, contracts, agreements, statements and other documents being requested by interested persons, as well as other acts and actions, which under the law fall within the subject matter competence of the notary;

- m) taking into their custody money that is not cash, bonds, securities or other valuable items for the purpose of safekeeping for parties or for handing these items over to a third party in case of a legitimate interest of security for the parties;
 - n) offers legal counselling for different problems in the field of the notarial activity;
 - nj) seeking from the natural or legal persons data or documents being indispensable for the accomplishment of notary acts and transactions.
 - o) rejecting the accomplishment of notary acts and transactions, as long as the documentation being submitted by the requesting party is not comprehensive, or the scope or contents are at variance with the law and the general principles of law, or in other instances where the notary is personally convinced that the requested notary act or transaction is fictitious.
2. The notary has the power to advise parties in all legal matters relating to notarial acts or actions, in particular but not limited to the drafting of contracts and agreements of all kinds and to assist in the processing of transactions.

Article 63

Duties of the Notary

1. In addition to the duties stated in this and other laws, the notary shall have the following duties:
- a) informing natural and legal persons, when the latter carry out notarial actions aiming at giving effect to the rights and protection of their legitimate interests, on the rights and obligations emerging thereof, as well as warn over the legal consequences emerging out of the accomplishment of the notary acts, to the effect of not having their interests impaired through the lack of their knowledge of the law;
 - b) drafting the notary acts clearly and neatly, according to the rules foreseen in law and in the regulations approved by the National Chamber of Notaries;
 - c) in the course of drafting an act or accomplishing a notary transaction, the notary shall make clear to the parties the requirements of the law in the concrete case and, within its bounds, preserve the interests of the parties and those of the third parties;
 - ç) providing explanations for problems pertaining to the drafting of acts or the performance of notarial actions, only for the persons being involved in this transaction or their representatives based on power of attorney;
 - d) examining the request for information being submitted by parties regarding the acts being drafted by him/her;
 - dh) reflecting in the notarial act the stamp tax;
 - e) carrying out his/her tasks impartially, based on the law and on the oath being taken as a notary;
 - ë) preserving data whereof he/she has become aware in the course of his activity and consisting a professional secret;
 - f) making available data on the contents of the notary acts being accomplished only to the persons, on whose behalf these transactions have been accomplished, their representatives with power of attorney, their inheritors, as well as the persons that gain rights or waive obligations from the notarial act;

- g) not permitting access to the contents of testaments, or issuing copies or abridged versions thereof prior to the death of the bequeathed, unless the latter or his representative based on special power of attorney requests this;
 - gj) refusing the accomplishment of the notary transactions in the instances being banned by the effective legislation;
 - h) reflecting in the respective act the obligations of the parties towards the different tax authorities/institutions;
 - i) continuously improving his qualification, attending the continuous training programs and other training activities for at least 5 days a year, carried out by the Notary Training Centre or other entities;
 - j) specifying in notarial acts that contain transactions and in the issuance of the inheritance certificate, the obligation of the parties for their registration public or private institutions within the legal timing, to the effect of publishing the legal fact and averting penalties;
 - k) submitting for registration, upon the fulfilment of the conditions, the respective notary act or carry out the acts set out by law with the institution responsible for the registration of immovable property that administers the electronic register where the immovable property is located, within the timing set out by law;
 - l) making the payments set each year by the National Council of Chamber Notaries, with the approval made by the General Assembly, within the first three calendar months of the year for which he/she is paying the contribution;
 - ll) registering the notarial acts and action in an electronic format by way of the system established by the Chamber;
 - m) keeping the notary office functional under the rules approved to this effect;
 - n) abides the obligations deriving from the Labour Code and the applicable social security legislation with regard to candidate notaries and other persons employed in his office.
2. Where due to legitimate reasons the notary is absent more than 5 (five) days, he/she shall authorise the deputy notary, to carry out the legal activity according to rules of this law.
3. In other instances, where the notary does not have any deputy and is absent for longer than 10 (ten) days, he/she shall notify in writing the Chamber, wherefrom he shall take the respective confirmation on the notification.

Article 64

Professional liability

When a notary develops his activity in violation of the law, he is liable to the parties for the damage he has caused.

Article 65

Insurance of the notary

1. The notary, prior to assuming his/her function, shall enter into a professional liability insurance contract with a national or international insurance company being active in the territory of the Republic of Albania, in an individual manner or based on a collective contract entered into

- between the National Chamber of Notaries and the insurance company, for the entire damages that he/she may incur to the clients or third parties in the course of assuming her/his functions.
2. The Chamber shall contract, select and sign up to a collective insurance contract of notaries, where the Chamber and the respective insurance company shall be parties. By decision of the General Assembly such an insurance may be made mandatory for all notaries.
 3. The respective collective insurance amount shall be paid by each notary to the account of the Chamber, which shall subsequently pay out the respective obligation to the insurance company, under the signed agreement.
 4. The terms and conditions of the collective insurance shall be jointly set out by the insurance company and the National Chamber of Notaries, according to the legislation in force.
 5. The individual or collective insurance policy shall cover also the damage incurred by the employees of the notary, including here the deputy notaries.
 6. The minimum amount of insurance coverage for an insured event and the minimum amount of the entirety of damages out of the insurance shall be payable over the insurance year for one or more events, and they shall be determined in an order of the Minister of Justice, after obtaining the written opinion of the Chamber.

Article 66

Rights and obligations of the deputy notary

1. The deputy notary shall assist the notary and performs legal activity according to rules of the contract signed in between him and the notary in compliance with this law. The deputy notary shall be entitled to the same rights and obligations as the notary and shall perform the tasks and duties of the notary in his place. The notary and his deputy may not prepare notarial acts and/or carry out notarial actions simultaneously.
2. The deputy notary shall, for every service provided to third parties, assist the notary in drafting the notary acts and in the legal consultations to the client. The deputy notary shall carry out his legal activity on behalf of the notary.
3. The deputy notary shall be entitled to sign up to notary acts or other notary actions set out in a special authorisation act. The authorization shall contain the protocol number, date and signature of the notary, setting out the time period of assuming the activity of the deputy notary. During this period the represented notary may not act in his capacity as notary. The local branch of the notary chamber and the National Chamber of Notaries shall be informed about this authorisation.
4. In the event of absence of the notary, the deputy notary shall draft the notary acts specifying even his/her presence in the notary office. The deputy notary shall also specify that the notary act was drafted by the deputy notary stating clearly his authorisation for carrying out the respective action. The deputy notary has the obligation to read out and explain to the parties the notary act, same as the notary would have acted and shall sign the notary act on his own behalf.
5. The deputy notary shall, in each single case, make use of the seals and notary register of the notary.
6. The deputy notary may be employed by the Chamber as a manager or assistant to the president and/or the council of the chamber after he has worked in a notary's office as a deputy notary for

no less than one year; in this case, the time of his employment at the Chamber shall count towards his professional experience when he applies to a vacancy according to Article 13 of this law.

Article 67

Notary Archive

1. In case of closing temporarily or definitely a notary office, the archive of the departing notary shall be taken over by the notary filling the vacancy created by the departing notary.
2. If the vacancy remains unfilled, the respective Chamber branch shall select another notary in that jurisdiction to take over the archive, based on the drawing of lots. The respective local chamber may also select a notary proposed by the departing notary. In any case, a selected notary has the duty to take over the archive.
3. The Chamber shall establish more detailed rules on the handover of notary archives.
4. The National Chamber of Notaries may establish and administer a central electronic archive of documents for all notaries for the period before the implementation of the system established by the Chamber. Rules on the establishment, administration and access to this electronic archive shall be determined by order of the Minister of Justice, after receiving the opinion of the National Chamber of Notaries.

Article 68

Checking Account of the Notary

1. A notary shall, to the effect of carrying out his activity, have special checking accounts at second level banks in the territory of the Republic of Albania.
2. The notary shall not be entitled to affect withdrawals from these special accounts, where he/she carries out acts only for the customers, but only transfers with regard to the notarial acts affected by him/her. For the purposes of point 1 of this article, the notary performs in these special accounts' actions for clients in relation to notarial actions. The notary cannot make a deduction from these accounts.
3. The notary may not affect cash-based financial transactions in the framework of his/her notarial activity for amounts of more than 150,000 ALL.
4. The rules regulating the financial transactions of a notary, the rules for regulating the funds of a client or of a third party shall be set out in an instruction of the Minister of Justice, following a consultation with the Chamber. This directive shall be published in the Official Journal and on the official websites of the Ministry of Justice and the National Chamber of Notaries.
5. In the event that the Notary is suspended from duty, dies, is arrested or is placed in a security measure that prevents the exercise of duty, the Chamber shall by a reasoned decision appoint a substitute Notary to execute the sales contracts in process, in order to be able to disburse the amounts deposited in the notary account after the procedures have been completed as per the law.

Article 69

Notary seals

1. The notary has two seals, the wet seal and the dry seal, which contain: the name, the first letter of paternity, the last name and place of the notary's office. The notarial act or action, which does not contain two types of seals is not valid.
2. A specimen of the stamps and of the signature of the notary shall be deposited at the Ministry of Justice.
3. The Chamber shall equip with a seal the newly appointed deputy notary or the transferred notary to the vacancy. Costs for the preparation of the stamps are borne by notary.
4. Form, content and other features of stamps, as well as rules for the device and their administration are determined by order of the Minister of Justice after having received the written opinion of the Chamber.

Article 70

The notarial activity out of the notarial office

1. The notary shall always assume his functions regarding the urgent notary actions, as well as responding to the requests of the citizens in each location of the territory where his notary office extends its jurisdiction.
2. Where, because of legitimate reasons, the notary carries out the legal activity outside the notary office, including outside the territory of the Republic of Albania, he shall describe in the act specifically the location where he has appeared and the reason that he/she is carrying out his activity outside the notary office.

Article 71

Lists of specific status persons

Each notary office shall be provided by the Chamber with a list containing the identity of persons whose, upon a final court decision, ability to act has been lifted, are declared bankrupt or have been banned from taking certain public duties, as well as the list of persons declared as financiers of terrorism. The courts in these cases shall send the relevant notice to the Chamber.

Article 72

Submission of the registers and seals of the notary

1. In case of death or disciplinary measure given under letters "d" and "dh" of the article 26 of this law, the person authorized by the Minister of Justice and the relevant branch of the Chamber shall take over the notary's archives and notarial acts and shall hand them over for guarding to a notary of the same municipality.
2. The notary's stamps, to which disciplinary measures are given according to letter "d" of paragraph 2 of article 26 of this law, are kept at the Ministry of Justice and are handed over to the notary by order of the Minister of Justice after having settled the disciplinary measure.
3. The stamps of the deceased notary and of the one who has been granted the disciplinary measure of revocation of the licence, are set out of use upon minutes from authorized persons by the Minister of Justice, the respective notary branch and the Chamber.

4. In case of voluntary non - execution, the order of the Minister of Justice for the submission of the notarial acts of the notarial archive, of the registers and of the seals foreseen in paragraph 1 of this Article shall constitute an executive title and the bailiff office is charged with its execution.

Article 73

Preserving the professional secrecy

A notary is obliged to maintain confidentiality. This obligation shall apply to everything of which he or she gains knowledge in the execution of his or her office.

CHAPTER VII

FINANCING OF THE NOTARIAL ACTIVITY

Article 74

Fees for acts and notarial actions

1. For the performance of notarial acts and actions the respective fee shall be paid, as determined in the joint instruction of the Minister of Justice and the Minister of Finance taking also the opinion of the National Chamber of Notaries.
2. The fee shall be displayed in each notary office and is applied concretely for each notary action, reflected in the notary's register.
3. Payment of notarial fees, as reflected in the tax receipt shall constitute an executive title.

Article 75

Employment contract and income of the deputy notary

1. The deputy notary is employed by the notary after having been appointed by the Minister of Justice.
2. The monetary income of the deputy notary shall be ensured by the notary with whom he is carrying out the legal activity. The salary and benefits obtained by the deputy notary shall be determined in the employment contract being entered into between them, which may be with a flat rate or fluctuating rate based on the work volume or other determinations which shall be specified by the parties. The salary of the deputy notary cannot be lower than 150% of the minimum salary according to the legislation in force.
3. The purpose of the activity of the deputy notary attached to a notary is that the deputy notary gains the knowledge, abilities and experience necessary in order to exercise the profession as an independent notary. The employment contract may not be terminated by the notary in the absence of reasonable causes. The Chamber may serve as a mediator in resolving conflicts arising between a notary and a deputy notary.
4. The Minister of Justice, after consulting the Chamber, shall enact further rules regarding general terms and conditions for the status of the deputy notary and shall, in particular, issue binding contractual terms for the deputy notary's employment contract.

Article 76

Exemption from notarial expenses

The National Chamber of Notaries with approval of the Minister of Justice shall adopt rules about the reduction of notary fees for the category of persons benefiting from the legal aid according to the legislation in force and only in cases of need.

CHAPTER VIII

ORGANIZATION AND FUNCTIONING OF NATIONAL CHAMBER OF NOTARIES

Article 77

National Chamber of Notaries

1. The National Chamber of Notaries is a legal entity, with its headquarters in Tirana. The Chamber is a professional organisation, convening and organising all the notaries in the Republic of Albania. Every notary is a member of the National Chamber of Notaries.
2. The Chamber shall be composed of local branches that exercise their activity in coordination with the Chamber. The local branches of the Chamber do not have legal personality.
3. The Chamber ensures its budget out of the membership fees being collected from each notary. The Chamber, with approval by the Minister of Justice, shall enact rules as to the level of the membership fees and manner of their payment. The level of fees shall be based on the turnover of the activity of the notary.

Article 78

The Code of Professional Ethics

1. The Code of Professional Ethics aims at setting out the standards for abiding by and implementing the rules of professional ethics of notaries, the rights and duties in relations with customers, colleagues and organisational structures of the Chamber. The Code shall be drafted and amended in compliance with the European standards of the European Code of Ethics for Notaries.
2. The Code shall be drafted in compliance with this law and other sublegal acts issued pursuant to this law.
3. The Code shall set out detailed rules regarding the rights and professional duties mandatory for implementation in the course of carrying out the notarial activity.
4. The Code shall enter into effect following its approval by the Minister of Justice and it shall be published in the Official Journal.
5. The Code shall be published on the official website of the Chamber and that of the Ministry of Justice.

Article 79

The local branches

1. The minimum number of notaries for a local branch shall be set out by the Minister of Justice after having received the opinion of the Chamber.

2. The Minister of Justice shall not establish more than one local branch for each appeal court jurisdiction.
3. The Minister of Justice, after having obtained the written and reasoned opinion of the Chamber shall determine the territorial boundaries of the branches, by ensuring that branches are geographically close.

Article 80

Bodies of the National Chamber of Notaries

1. The bodies of the National Chamber of Notaries are:
 - a) General Assembly,
 - b) Council of the Chamber,
 - c) Chairperson;
 - ç) Disciplinary Board;
 - d) Auditing Board.
2. The steering bodies of the Chamber are the Council of the Chamber and the Chairperson of the Chamber.
3. The statute of the Chamber shall regulate in detail the way of organisation and functioning of the Chamber, relations between the Chamber and the local branches, relations among its bodies and the notaries, the administration and functioning of the Chamber, as well as other issues in the context of its powers as foreseen in this law.

Article 81

Functions and activity of the National Chamber of Notaries

The Chamber shall have these competences:

- a) coordinate the activity of the Chamber with the local branches;
- b) represent and protect the interests of Albanian notaries, at domestic and international level;
- c) ensure the protection of social and professional rights of Albanian notaries;
- ç) ensure the initial training for the candidates for notaries and continuous training for the notaries, as well as to enhance the professional qualification of the candidates for notaries of the deputy notaries and of the notaries;
- d) establish and organise the Albanian Centre for the Training of Notaries;
- dh) establish, administer, improve and update continuously its information system to the effect of managing the National notarial activity and ensure the interconnection with all the IT systems of the Ministry of Justice and other state agencies, as well as banking system. The system is in the service of the entire notaries carrying out their professional activity in the Republic of Albania.
- e) collect, administer and reimburse the membership fees and other fees set out by the National Chamber of Notaries;
- ë) administer the funds and assets of the Chamber;
- f) establish and administer the National Register of Testaments, where the testaments signed up by notaries shall be registered;
- g) establish and administer the National Register of Certificates of the legal, testamentary successions or other registers which shall be made available;

- gj) establish and administer a central electronic documents archive;
- h) commit themselves to other necessary measures for the self-organisation and efficient representation of the profession of notary, as foreseen in the Association;
- i) take up other functions that are in the interest of the profession unless the Minister of Justice prohibits such activities;
- j) conclude a collective professional liability insurance contract;
- k) prepare and issues directives on the unification of practice of notarial acts which shall be obligatory for all notaries.

Article 82

Functions and activity of the Branches of the Chamber

The local branches of the National Chamber of Notaries shall have the following competencies:

- a) controlling the facilities offered in notaries' offices;
- b) verifying the accomplishment of the activity of assistance to notaries;
- c) verifying the membership fees of notaries, as well as the payment of the professional insurance of the activity;
- ç) notifying the Chamber and the Minister of Justice, in the event of finding out the infringement of the law or Code of Ethics by the notary or deputy notary;
- d) addressing a request to the Chamber about the respective professional or cultural activities, by way of submitting also the reasoning and the pertinent monetary worth.

Article 83

General Assembly

1. The General Assembly is composed of all members of the National Chamber of Notaries and is the highest body of the Chamber.
2. The General Assembly shall be chaired by the President of the Chamber.
3. The General Assembly has the following competences:
 - a) adopts the Statute of the Chamber, the Code of Professional Ethics and their amendments;
 - b) adopts the acts of the Chamber and respective amendments relating to the exercising of the profession of the notary;
 - c) adopts the Regulation of the Albanian Centre for the Training of the Notaries and its respective amendments;
 - ç) adopts the Initial Compulsory Training Program for notary candidates and its respective amendments;
 - d) adopts the Continuous Compulsory Training Program for notaries and its respective amendments;
 - dh) decides on the general policies of the Chamber;
 - e) elects members of the Council of the Chamber and also the President and Vice-President of the Chamber;
 - ë) decides on the dismissal of a member of the Council of the Chamber, the President and Vice-President of the Chamber;

- f) elects members of the Auditing Board and decides on the dismissal of a member of the Auditing Board;
 - g) adopts the annual report of the Council of the Chamber for the status of the notary profession in Albania and the administration of the Chamber;
 - gj) adopts the annual budget of the Chamber and the financial annual report of the Council of the Chamber;
 - h) adopts the reports of the Auditing Board;
 - i) adopts the regulation of the solidarity fund in favour of the notaries in need;
 - j) decides on other strategic issues within the field of activity of the Chamber.
4. The General Assembly shall convene at least once per year.
5. The General Assembly shall be convened by the Council of the Chamber or upon request of 1/3 of the members of the Assembly of the Chamber, upon request of the Auditing Board, or upon request of the Chairperson of the Chamber. The request shall be accompanied together with the agenda and draft proposals that are to be adopted by the General Assembly.
6. Meetings of the General Assembly shall be conducted upon the presence of the majority of its members. Decisions shall be taken upon the majority of votes of members present. Approval and amendment of the Statute of the Chamber shall be done by a majority of all the members of the General Assembly. The voting in the General Assembly is done through secret voting. Each member has one vote.

Article 84

The Council of the Chamber

1. The Council of the National Chamber of Notaries is composed by the Chairperson of the Chamber and the Vice-Chairperson of the Chamber and by no more than 9 (nine) members. Each appeal court jurisdiction shall be represented by 1 (one) member. No more than 4 (four) members may be from the local notary branch of Tirana.
2. The Council is the executive body of the Chamber.
3. The Council is chaired and represented by the Chairperson of the Chamber. In the event that the Chairperson of the Chamber is absent or has other obstacles, he/she is represented by the Vice-Chairperson of the Chamber.
4. Communications, decisions, and other legal acts of the Council shall be signed by the Chairperson of the Chamber.
5. The Council is competent to decide in all matters that are not explicitly reserved for the General Assembly. This includes but is not limited to:
 - a) drafting and adopting of the Procedural Rules of the Council and respective amendments;
 - b) preparing and calling for meetings of the General Assembly and implementing/executing the decisions of the General Assembly;
 - c) organizing and administrating the Chamber as well as administrating funds and assets of the Chamber;
 - ç) representing interests of the members of the Chamber;

- d) deciding on the establishment and composition of the permanent committees of the Council and of the *ad hoc* committees of the Council and on the mandate and procedural rules for these committees;
- dh) electing members of the permanent committees of the Council and of the *ad hoc* committees of the Council;
- e) drafting the Statute of the Chamber and its respective amendments, and presenting them to the General Assembly and the Minister of Justice for adoption;
- ë) drafting directives of the Chamber for exercising the notary profession and its respective amendments, and presenting them to the General Assembly and the Minister of Justice for adoption;
- f) drafting the Regulation of the Albanian Notary Training Centre and its respective amendments, and presenting them to the General Assembly and the Minister of Justice for adoption;
- g) adopting the Draft Regulation of the Initial Compulsory Training Program for candidate notaries and its respective amendments, as well as the Draft Regulation of the Compulsory Continuous Training Program for notaries and its respective amendments, which are drafted and presented to the Council by the Executive Director of the Training Centre. Upon adoption, the Council shall present the Draft Regulations of the Initial and Continuous Training to the General Assembly and the Minister of Justice for their final adoption;
- gj) deciding the rules on verification and inspection and the Verification and Inspection Plan;
- h) adopting annual and *ad-hoc* Verification and Inspection Reports;
- i) drafting the annual report of the Council on the status of the notary profession in Albania and the administration of the Chamber and presenting it to the General Assembly for adoption;
- j) drafting the annual budget of the Chamber and presenting it to the General Assembly for adoption;
- k) drafting of the annual financial report of the Council and presenting it to the General Assembly for adoption;
- l) discussing the reports of the Auditing Board and deciding on the conclusions and measures that shall be undertaken;
- ll) drafting the regulation of the solidarity fund in favour of notaries in need and presenting it to the General Assembly for adoption;
- m) preparing the decision for the establishment of local branches of the Chamber and presenting it to the General Assembly for adoption;
- n) deciding on the annual membership fee in the Chamber;
- nj) administering the National Testament Register or other registers and archives within the scope of the responsibility of the Chamber;
- o) deciding on other issues within the activity extension of the Council of the Chamber according to provisions of this law or the Statute of the Chamber; and
- p) deciding on any other issue within the jurisdiction of the National Chamber of Notaries which is not included in the competences of the General Assembly.

6. Meetings of the Council are convened by the Chairperson of the Chamber, upon his own initiative, at the request of a member of the Council or at the request of the Audit Board. The request is addressed to the Chairperson of the Chamber and contains the agenda of the requested meeting.
7. The decisions of the Council are taken by a majority of the votes of the present members, upon the presence of more than half of the members of the Council. The voting in the Council is an open voting. Each member of the Council has one vote. In the event of equal votes, the vote of the Chairperson of the Chamber shall be decisive.
8. The term of office of the members of the Council of the Chamber shall be four years from the date of their election by the General Assembly with a right to re-election. The members of the Council of the Chamber do not receive a remuneration or allowance other than the reimbursement of their expenses.
9. The mandate of a Member of the Council of the Chamber ends in the following cases:
 - a) resignation;
 - b) revocation of the license for the profession of notary;
 - c) discharge from office based on a decision of the General Assembly;
 - ç) a final decision issuing a disciplinary measure.

Article 85

Dissolution of the Council

1. The Minister of Justice, following the approving decision in consultation chamber of the Administrative Court of Appeals, may dissolve the Council of the Chamber when the latter, when it repeatedly violates or does not fulfil the respective legal obligations imposed by the law.
2. Immediately upon the dissolution as per paragraph 1 of this article, the Minister of Justice shall convene the General Assembly of the Chamber for the election of new members of the Council of the Chamber.
3. Until the new council is composed, the powers of the same are exercised by the Chairperson of the Chamber, who will have a mandate for three months. This term may be extended by the Minister for another three months, in case of recognized need.
4. Upon the election of the new members, the Chairperson of the Chamber shall immediately convene the newly established Council of the Chamber.

Article 86

The Chairperson of the National Chamber of Notaries

1. The Chairperson of the National Chamber of Notaries represents the Chamber in front of all public institutions in the territory of the Republic of Albania, as well as in international relations.
2. The Chairperson and Vice-Chairperson of the Chamber shall be elected by the General Assembly in accordance to the principle one member one vote. The criteria of being a candidate for the position of Chairperson or Deputy Chairperson shall defined in the statute of the Chamber.
3. The Chairperson of the Chamber shall sign all acts of the Chamber.
4. In the absence of the Chairperson of the Chamber, the representation of the National Chamber of Notaries shall be assumed by the Vice-Chairperson of the National Chamber of Notaries, pursuant to rules foreseen in the Statute.

5. The duration of the mandate of the Chairperson and Vice-Chairperson of the Chamber shall be four years as of the date of election by the General Assembly. The Chairperson and Vice-Chairperson of the Chamber shall be entitled to be re-elected for one further mandate.
6. The mandate of the Chairperson and Deputy Chairperson of the National Chamber of Notaries shall end in the following cases:
 - a) Resignation;
 - b) Death;
 - c) Revocation of the license for practicing the profession of notary;
 - ç) Dismissal from the function based on the decision of the General Assembly;
 - d) Final decision giving a disciplinary measure.
7. Rules on the election procedure and the remuneration of the Chairperson and Deputy Chairperson of the Chamber shall be defined in the Statute of the Chamber.
8. The Chairperson of the Chamber shall have the following competences:
 - a) summons and chairs the meetings of the General Assembly and the Council of the Chamber;
 - b) delegates the representation function of the National Chamber of Notaries in relationships with third parties within or outside the state, a designated individual, or a representative delegation whenever it deems appropriate;
 - c) ensures the administrative and economic progress of the activities of the Chamber.
9. Further detailed rules for the exercise of these functions are provided in the Statute of the National Chamber of Notaries.

Article 87

Auditing Board

1. The Auditing Board is the auditing and financial control body of the National Chamber of Notaries.
2. The Auditing Board shall consist of 3 (three) members, who are elected for a mandate of 4 (four) years by the National Assembly with the right to re-appointment only once.
3. A member of the Auditing Board cannot be at the same time member of any other body of the Chamber, with the exception of the General Assembly.
4. The Auditing Board shall be presided over and represented by its Chairperson, who shall be elected from among the members of the Auditing Board in its first meeting.
5. The rules on the organisation and functioning of the Auditing Board shall be provided in the Statute.
6. The Auditing Board shall have the following powers:
 - a) examining and analysing the requests coming from the Chamber and from the local branches of the Chamber;
 - b) conducting a special audit of the financial and economic activities of the Chamber upon its own initiative or upon the request of 1/5 (one fifth) of the members of the Chamber, or upon the request of the Council of the Chamber or upon the request of the Chairperson of the Chamber;
 - c) drafting the annual report and other special reports on the financial and economic activities of the Chamber and submitting this report to the General Assembly and the Council.

7. The Auditing Board shall have full and comprehensive access to the entire documents and bank account statements of the Chamber.
8. Each body of the Chamber shall be bound to fully and entirely cooperate with the Auditing Board for submitting the entire documents and required bank account statements and to fully and comprehensively respond to the questions of the Auditing Board.
9. Where the Auditing Board finds out irregularities in the financial and economic activities of the National Chamber Notary or in the event of infringement of the provisions of this Article, specifically of paragraphs 6 and 8, the Auditing Board shall convene the Council Meeting.
10. The function of the Auditing Board member shall end in the following cases:
 - a) Resignation;
 - b) Revocation of the license for practicing the profession of notary;
 - c) Dismissal from the function based on the decision of the General Assembly;
 - ç) Final decision giving a disciplinary measure.

Article 88

Albanian Training Centre for Notaries

1. The Albanian Training Centre for Notaries shall be the institution responsible for the initial training of the candidates for notaries and the continuous training of notaries of the National Chamber of Notaries. The Training Centre is organized and functions as a structure of the National Chamber of Notaries and has academic independence.
2. The Training Centre shall be administered by the Executive Director, elected for a mandate of 4 years by the Council of the Chamber upon the proposal of the Chairperson of the Chamber, on the basis of the criteria set out in the regulation of the Training Centre.
3. The Training Centre shall prepare the draft-Regulation of the Initial Compulsory Training Program for notary candidates and the draft-Regulation of the Compulsory Continuous Training Program for Notaries and shall submit them for preliminary approval to the Council of the Chamber. The final approval of the Regulations for Training Programs is done decision of the Minister of Justice.
4. The initial and continuous training fees at the Training Centre shall be proposed by the Council of the National Chamber of Notaries and shall be adopted by its General Assembly.
5. The National Chamber of Notaries shall conclude cooperation agreements with the chambers of the free legal professions, domestic or foreign, concerning the organization of joint or specific trainings on the notarial activity.
6. Detailed rules on the organization and functioning of the Training Centre for the provision of initial and continuing training, as well as on the selection and activities of the academic staff, shall be defined in the regulation on the Training Centre, which is approved by the Assembly of the Chamber.

Article 89

Qualification Commission

1. The Qualification Commission shall be comprised of five (5) members, where:
 - a) 2 members shall be elected by the Minister of Justice;

b) 2 members shall be elected by the General Assembly of the Chamber from among the notaries, and

c) 1 member shall be elected by the Pedagogical Council of the School of Magistrates from among the pedagogues covering law areas most relevant for notaries.

For each member of the Qualification Commission, the appointing bodies shall also appoint a substitute of the same professional profile.

2. The members of the Commission are appointed for a period of 4 (four) years, without the right of subsequent re-appointment. In the selection of members of the Licencing Commission, preference shall be given to candidates who possess the scientific title or degree or who have proven scientific and/or professional experience in civil law matters.
3. The members of the Commission shall comply with high standards of professional and personal integrity and shall have at least 10 (ten) years of professional legal experience. They shall act independently and impartially in their decision-making.
4. The Qualification Commission is supported by a secretary chosen among the employees of the Chamber, which shall further provide for the administrative and logistical assistance necessary to the activities of the Qualification Commission.
5. The members of the Commission shall receive compensation by the Chamber. The amount of remuneration shall be determined by the Minister of Justice, in consultation with the Council of the Chamber.

Article 90

Initial training and qualification examinations

1. The examination for enrolment in the initial training and the notary qualification exam are based on transparent procedures, fair and reliable assessment methods, and a high level of professional knowledge of the interested and potential candidates accordingly.
2. The initial training admission exam shall be based on the contents of the obligatory year-long program for the initial training. It shall be comprised of at least the following topics: Civil Code; family law and law on inheritance; commercial law; laws and regulations relevant to the notary service; immovable property law.
3. The detailed rules on the organization of the initial training admission exam shall be laid down in the Regulation approved in advance by the Council of the Chamber. The regulation shall be approved by order of the Minister of Justice and published in the official website of the Ministry of Justice, and that of the Chamber.

Article 91

Qualification Exam for Notary

1. The licencing examination shall evaluate the knowledge and aptitude of the candidate on the subjects of the notarial activity and the solution of concrete *casi* (*hypotheticals*). The licencing examination shall consist of a written part and an oral part.
2. The written part shall account for 75% of the total number of points. Candidates may have the right to sit the written examination part for up to 3 (three) times.

3. Only candidates who have obtained at least 60% of the points of the written exam may participate in the oral part of the exam.
4. The oral exams shall take place within 4 weeks from the conduct of the written exam and shall be conducted by the Qualification Commission. Oral exams shall be open to the public.
5. Immediately after the conclusion of the oral exam, the members of the Qualification Commission shall give their evaluation regarding the results of each candidate, in a closed-door session. The Licencing Commission members shall vote first on whether a candidate passes the exam and, if yes, on the points evaluation. The Commission members shall protect the confidentiality of deliberations and voting by its membership.
6. Detailed rules on the manner of organization and the contents of the qualification exam shall be set out in the Regulation on the Qualification Exam, primarily approved by the Council of the National Chamber of Notaries. The regulation shall be approved by order of the Minister of Justice and published on the official website of the Ministry of Justice and the Chamber.

Article 92

Mandatory continuous training program

1. The mandatory continuous training program shall be organised pursuant to rules foreseen in the Regulation for the continuous training.
2. The Regulation that govern the continuous training shall determine: the continuous training program objectives; list of teaching disciplines and other training activities; organisation of teaching; rules of attendance, way of checking the knowledge and skills; financial aspects, as well as other detailed issues for the mandatory continuous training of notaries.
3. Upon the completion of the mandatory continuous training program, the notary shall be entitled to be provided with a certificate, which shall be signed by the Executive Director of the Training Centre.

PART II
NOTARIAL ACTIVITY

CHAPTER I
GENERAL PROVISIONS

Article 93
Notary Office

1. A notary shall be licenced and exercise his/her notarial activity in not more than one notarial office within the municipality for which he has been issued the license.
2. The notary exercises his activity individually in the notary office, or, in collaboration with another notary after receiving the approval from the National Chamber of Notaries.
3. In the exercise of his/her notarial activity, the notary may be assisted by a deputy notary and / or administrative staff.

Article 94
Notarial acts and control upon them

1. Notarial acts drawn up in compatibility with the law have the force of authentic acts.
2. The acts of last will and testaments shall not be subject to control for as long as the testamentary testator is alive.

Article 95
Electronic documents

1. The notary may issue a certified document electronically. The electronic document shall contain a qualified electronic signature based on a qualified certificate that is verifiable from the moment of the creation of the signature. The electronic signature shall be created personally by the notary and all the data related to the creation of the qualified electronic signature must be administered by the notary personally according to the legislation in force for electronic signature.
2. The electronic signature shall be created by the notary and shall contain the name, surname, signature, as well as the date and time of creation.
3. The Minister of Justice, upon the proposal of the National Chamber of Notaries, shall enact further rules regarding the requirements for the creation and use of electronic notarial documents.

- Article 96**
Access and application through the electronic system in public electronic registers
1. The Notary shall apply through the electronic system of the Chamber to the Civil Register Office, the Public Register on Immovable Property, the Security Interests Register, the General Directorate of Vehicle Registration, as well as other public registers for the retrieval of the necessary information for the drafting of the notarial act or performing the notarial action, in accordance with the legislation in force on public databases.
 2. The Notary applies only through the electronic system to the public registers for the registration of acts and notarial actions.

3. The manner of interfacing, the level of access and the coordination with the database, including the electronic system of the Albanian Notarial Register, shall be defined by decision of the Council of Ministers.

Article 97

Refusal to draft the act or carry out the action

1. The notary shall refuse to draft any act, or to perform any notarial action, whose content manifestly contradicts the requirements of the law.
2. The refusal shall be made by a reasoned decision of the notary and it shall be notified to the interested person within 5 days from the day of submission of the request for drafting the act.
3. Persons who have been refused the notarial services, may appeal to the first instance administrative court in the territory of which the notary office operates, within one month from the day of notification of this refusal in writing.
4. In addition to the lawsuits provided for in Article 46 of his Civil Procedure Code, a complaint may be filed with the court against any act or decision of the notary concerning the issue, refusal to issue, correction of mistakes, changing or revoking the inheritance certificate, under the rules for trying the administrative disputes.

Article 98

Conflict of interest

The notary and the deputy notary may not perform notarial acts when:

- a) participating himself/herself or is interested in the case;
- b) he/she or his/her spouse is a guardian, has kin relations to the third degree or in-law to the second degree, or is related by obligations of child adoption, or permanently lives together with the interested party;
- c) he/she or his/her spouse is relations of credit or loan with the interested person;
- ç) he/she has given advice or has expressed opinion or has participated in the adjudication of the case, has been questioned as a witness, as expert or representative of one or the other party in a case where the interested person has been involved;
- d) he/she is employer, administrator of one of the parties, or has another task in an entity, association, society or other institution interested.

CHAPTER II

MANNER OF EDITING ACTS

Article 99

Manner of drafting the notarial acts

1. The notarial acts shall be drafted only on the basis of the full free will of the parties participating in the notarial act, referring to the purpose that the notarial act intends to regulate and/or to attain. Notarial acts shall be drafted in a clean and clear way and in a manner that does not leave place for lack of clarity or difficulty of interpretation.

2. The notarial acts, which object is the representation through the power of attorney, despite the representation rights, shall specify explicitly the date when the power of attorney is issued, its subject matter, the legal circumstances of representation, its validity and time limit, the cases when the power of attorney may be revoked, as well as any other element foreseen in the Civil Code.

Article 100

Drafting language of the notarial act

1. In the drafting of notarial acts and in the performance of the notarial activity the Albanian language shall be used.
2. When the interested person, one or both parties, do not know the Albanian language, the notary shall, ex officio, if accepted by parties, or through the conveyance of an interpreter, who is accepted by him and by the parties, translate everything word by word; these facts are to mentioned in the act, along with the statement of the party or parties that they have understood the translation and accepted its contents. In case the notary act is translated by the notary, who must be certified and included in the list of official translators, himself/herself, the notary shall be personally liable of the translation of the act.
3. When the party or the participant in the notary act cannot hear or speak, the notary proceeds with the assistance of a person who knows how to communicate with him/her as a witness. In the instance of blind people, he summons a third person to be present in the notarial act as a witness. The notary is compelled to identify the witness in the notary act and the witness shall sign the notary act in the position of the party.

Article 101

Identification of subjects participating in a notarial act or transaction

1. The identification of every person participating in the notary act is taken through the identification card or through another document provided for by the Albanian legislation into force for this purpose. The type or the identification means of the persons participating in the notary act is mentioned expressively in the notary act and is attached to it.
2. Before carrying out the notary act, the notary verifies the participating parties in the register kept by the National Chamber of Notaries, if the persons participating in the notary act have or do not have full legal capacity to act, whether by final court decision they have been removed the capacity to act, whether they have been declared bankrupt, whether they have been forbidden from carrying out certain public duties, as well as whether they have been included in the list of the people announced as funders of terrorism as per the applicable legislation for preventing money laundering and terrorism financing.
3. The notary, when in doubt, shall request the relevant medical report be submitted and such report becomes a part of the notary act. The notary is entitled to refuse to carry out the requested notary act until the relevant medical report is submitted by the interested parties. All actions taken with a view to certifying whether there is capacity to act shall be expressly mentioned in the notarial act.

Article 102

Signing of the notarial act by parties

1. Notarial acts are duly signed by the participants in the notarial act before a notary after notary has edited the act and has announced its contents and read aloud every word of the act to the parties. The signature must be accompanied by full name and surname of the parties. The parties put their signature on every page of the notary act and at the end of the notary act they shall place their name, last name and their signature. Persons being representatives participating in the notary act shall highlight this fact at the end of the notary act. In this case a copy of the representation act shall be attached to the notary act. The Notary notes all the above-mentioned actions in the notary act.
2. Where one of the parties does not know how to write or cannot write because of a physical inability, they shall authorise another person to write for them as a witness; the identity of this witness shall be established by in the same way as that of the parties.
3. When signature is put in a notarial act in a foreign alphabet, not in the Albanian language, the notary shall be ensured through a translator recognized and designated by him. The notary can make the translation himself/herself as per paragraph 2 of Article 106 of this law. The Notary notes all the above-mentioned actions in the notary act.

Article 103

Interested third party

A third person interested in the act cannot take part in it as a translator, cannot testify or sign for a party. In this instance the rules foreseen in Article 98 of this law apply accordingly.

Article 104

Notary expenses

The notary expenses shall be borne according the applicable law for this purpose. All parties of the act are liable in full for the expenses. Agreements between the parties are permitted but do not affect their liability towards the notary.

Article 105

Content of the notarial act

1. The notarial act shall be drafted by the notary in the presence of the parties.
2. The notarial act shall include:
 - a) the number of repertoire and collection, the electronic identification number of the act and the venue of drafting of the act;
 - b) the day, month and year of drafting, the type of act, the time and the minute when the act was started and finished, when applicable;
 - c) the stated addresses of all parties;
 - ç) the detailed description of the circumstances, the condition of the parties that sign the act and any other elements which occur in the presence of the notary;
 - d) the name and surname of the notary and the location of the notary office;

- dh) the name and the last name, the father's name, the date of birth and the residence of the parties, the title and the centre when it is the case of a legal person; the name, the fatherhood and the last name of their representatives and of any other person participating in the act, and the verification made by the notary regarding the identity of the parties, their civil status, their legal capacity and their capacity to act;
 - e) the statements of the parties and the acts presented by them;
 - ë) the clear specification of the objects that compose the object of the act with all their qualities and distinguishing signs. When the items are immovable, they shall be identified by the location where they are situated and their exact boundaries.
 - f) In the act shall be mentioned serious occurrences that may have been verified during its editing, when the parties require such thing;
 - g) the documentation to be attached to the act and being an integral part of the latter;
 - gj) the fact that the notary read aloud every word and explained the act to the parties and their statements that they have understood and accepted it, as well as the fact of signing in the presence of the notary.
 - h) the signature of the parties and of all the persons present in the notarial act, and the notary's signature and seal.
3. In cases of transfer of immovable property, the declaration of the notary shall be showed that he has verified the ownership of the party in an official register of immovable properties by attaching a copy of the relevant content of this register into the notarial act, such as: the permit to complete the transaction, the card of real estate and the indicative map.
 4. In case of transfer of immovable property, the act should also indicate the manner of payment of the price. The technical procedure for making the payment shall be determined by joint instruction of the Minister of Justice and the Minister of Finance. The notary's escrow bank account may serve, when requested by the parties, even in cases of other notarial acts, which don't have the subject matter of the transfer of immovable property but contain obligations towards parties.
 5. The notarial acts that contain transfer of immovable property, other than provided for in paragraphs 2, 3 and 4 of this Article, shall necessarily contain the declaration of the matrimonial property regime, by expressly qualifying the legal presumption of legal co-ownership, in cases when the wealth has been gained during marriage.

Article 106

Registration of the notary acts and actions

1. The notary act, drafted by the notary, shall be registered with a repertoire and collection number, while the notary action shall be registered only by the repertoire number. Every notarial act and action shall be issued a unique electronic number by the system.
2. After the notary acts and actions are edited and signed by the parties and the notary, they are registered and reflected simultaneously in the general register of the manual notary acts and actions and in the electronic one, until the establishment of the electronic register when they will be kept only electronically.

3. More detailed rules for the registration of notarial acts and actions shall be foreseen in the instruction of the Minister of Justice, after consulting the Chamber.

Article 107

The correction of the mistakes in the notary acts and in the inheritance certificate

1. Rectifications shall be allowed to be made to the notary act and inheritance certificate in the following cases:
 - a) The notary finds out material errors, which are apparent, or which do not affect the essential contents of the act. The notary shall proceed with the deletion and write clearly on the deletion place, putting his own signature and wet seal or effect the correction through an addendum in a separate declaration which is to be attached to the original and all parties who have already received copies of the original shall be informed.
 - b) If necessity requires the removal, addition or amending the errors found out in the notary act or action, which change is essential for the content of the notary act or action, they are inserted in brackets, are underlined and subsequently it is mentioned that the words or the sentences have been removed or changed. The parties and the notary sign next to them. The applicant signs in the case of the issuance of the inheritance certificate.
 - c) In all the instances foreseen in paragraphs 1 and 2 of this law, the removed word or sentence does not have a legal value and is not taken into consideration in the entirety of the act. When the act is composed of several pages, they have to be numbered and connected specifying even the relevant number of the pages.
2. Detailed rules on the correction of mistakes in notarial acts and actions shall be determined by instruction of the Minister of Justice, upon the proposal of the National Chamber of Notaries.

Article 108

Issuance of copies of notarial acts

1. At the request of the parties, the notarial act is drawn up in a number of original copies, out of which, a copy shall be kept at the notary office, and the other copies shall be delivered to the parties.
2. The original of the acts shall be kept in the notarial archive and shall not be withdrawn by the notary unless the court or the prosecution office so requests. In such a case, note is made in the file from where the act was withdrawn. These bodies, after reflecting what is needed by the act in the investigative or judicial proceeding, are obliged to return it to the notary.

CHAPTER III
NOTARIAL ACTS AND DEEDS

Article 109

Testament by notarial act

1. When a testament is required to be made by notarial act, the testator shall dispose of before the notary, who compiles the respective act according to the rules provided in this law.
2. After having noted the identity of the testator, the date and the exact time of the compilation of this act, as well as having been convinced of the testator's legal capacity to act, the notary notifies him when the disposition is in conflict with the law, but he may not enter into an examination of concrete questions, such as the circle of persons designated in the will as heirs, whether the testator is the owner of the property left in inheritance, and other issues of this nature.
3. After editing the testament in compliance with paragraphs 1 and 2 of this Article, the notary shall register it with the National Register of Wills at the National Chamber of Notaries.
4. The notary shall refuse the compilation of the act as long as the dispositions of the testator do not abide by the elements of validity of the testament in accordance with the Civil Code.

Article 110

Lodging the holographic testament

1. The holographic testament shall be drafted entirely by the testator and it shall be lodged with the notary office in a closed envelope.
2. The testator shall write the name, surname, signature and date on the envelope.
3. The holographic testament shall be registered in the register of testaments and the data of the testator in the electronic register of the testaments.

Article 111

Request for issuing the certificate of inheritance

1. The notary shall, being officially informed by written request from interested persons:
 - a) check his territorial powers in compliance with the provisions of the Civil code;
 - b) send a request to the National Chamber of Notaries, whereby attaching a copy of the request of the interested persons and a copy of the death certificate of the testator.
2. Upon receiving such a request, the National Chamber of the Notaries shall, within 3 days, check with the National Register of Testaments and National Register of Certificates of Inheritance whether the testator has made a testament and/or the legal or testamentary inheritance certificate has been issued by any other notary.
3. Within 3 days of receiving the response from the Chamber, the notary shall:
 - a) guide the interested person to the notary having issued the inheritance certificate or with whom the testament has been edited, as appropriate;

- b) proceed with issuing the legal or testamentary inheritance certificate in compliance with the provisions of the Civil code and register it with the National Register of the Inheritance certificates.
- 4. In the issuance of the testamentary inheritance certificate, the notary shall check whether the dispositions of the testator in the will are valid in compliance with the provisions contained in the Civil Code.
- 5. Where the disposition in the testament is not valid, the notary shall, upon grounded decision, declare the invalidity of the testament and proceeds with issuing the legal inheritance certificate. If only a part of the dispositions in the testament are declared invalid, the legal inheritance certificate shall be issued only for that part of the provisions in the testament that are declared invalid.

Article 112

Contents of Inheritance Certificate

1. The inheritance certificate shall contain:
 - a) legal basis and the indicators whereon, it is considered that the notary has territorial powers to issue the certificate;
 - b) the data of the applicant: name, surname, gender, date and place of birth, marital status, citizenship, identity number, address and relationship with the testator;
 - c) the data of the testator: name, surname, gender, date and place of birth, marital status, citizenship, address on the date of death, date and place of death;
 - ç) the data of the heirs: name, surname, gender, date and place of birth, marital status, citizenship, identity number, address;
 - d) data on the marital property regime of the testator;
 - dh) data on the inappropriateness or waiver from the succession, as appropriate;
 - e) data on the legacy and burden;
 - ë) pertinent parts of each of the heirs;
 - f) any other data required by the effective legislation.
2. In the act of issuance of the inheritance certificate, the notary specifies the provision that the inheritance certificate, regardless of the circle of heirs at the time of registration at the institution responsible for the registration of immovable property, may not violate the part of the spouse presumed co-owner for the assets obtained during the marriage.
3. The notary shall, in the inheritance act, provide that within the legal deadline 30 days the applicant shall deposit in the responsible institution for the registration of immovable property a copy of the proof of inheritance. The notary must necessarily attach to the relevant act the marriage certificate(s) of the surviving spouse.

Article 113

Issue of the Inheritance Certificate

1. Within 10 days of the response coming from the Chamber, the notary shall:

- a) inform the interested person on the response coming from the Chamber and addresses him to the notary having the power for issuing the certificate;
 - b) proceed with issuing the legal or testamentary inheritance certificate, in compliance with the provisions of the Civil Code, thus making the respective registrations.
2. Where the disposal by way of testament is fully invalid, the notary shall, upon grounded decision, announce the invalidity of the testament and proceeds with the issue of the legal inheritance certificate.
 3. As long as the testament is declared partially invalid, there shall be proceeded under the provision referred to above and the legal inheritance certificate shall be issued only for that part of the disposals in the testament being declared invalid.
 4. The notary shall, in the event of opening the testamentary inheritance, determine the heirs benefiting out of the legal reserve and includes them in the inheritance certificate, thus providing grounds for their involvement as beneficiary heirs out of the legal reserve.
 5. The notary shall, in the course of drafting the testamentary certificates, substantiate the existence of the heirs benefiting from the legal reserve and shall involve these heirs as testamentary heirs, while determining and specifying their pertinent parts clearly.
 6. The notary shall, by way of substantiated decision and abiding by the requirements of the Article 53, upon finding out the partial invalidity of the testamentary disposals coming in contravention with the provisions of the Civil Code, by reasoned decision shall declare the partial invalidity of the testament and shall issue the testamentary and legal inheritance certificate.
 7. The notary shall, upon finding out the invalidity of the notary act in full, shall by reasoned decision declare the full invalidity of the testament and in such a case he shall proceed with the issue of the legal inheritance certificate.
 8. The notary shall issue the inheritance certificate in original copies, whereof one shall be kept for the notary archive, one shall be given respectively to the heirs, one shall be sent to the institution responsible for registration of immovable property. Where the applicant is an interested party, non-heir, the notary shall proceed with issuing an original counterpart even for the applicant.
 9. In the instances of opening the inheritance for an interested person, who does not fall under the circle of the heirs, an original counterpart of the inheritance certificate shall be deposited by the notary to the responsible institution for the registration of immovable property.
In all the other cases, the notary shall issue certified copies or acts from the notary archive.

Article 114

Correcting the mistakes in the inheritance certificate

1. The notary may, ex officio or upon the request of any person having a legitimate interest, correct the spelling mistakes any time in apportioning the parts or any evident irregularity in the inheritance certificate.
 2. The notary shall immediately inform all persons, to whom, under Article 113 of this law, a certified copy of the inheritance certificate has been issued, about any correction of mistakes.
 3. In the case when mistakes are found in the inheritance certificate, the Notary, ex officio or upon the request of every person who has legal interest, may correct at any time the mistakes made in
-

the determination of the inheritance shares, in the circle of heirs. The correction of the mistake in such a case shall be made in a separate letter, which shall be attached to the inheritance act as its integral part.

4. Upon the request of every heir and/or interested person, when the inheritance certificate is issued upon his request, when the notary finds and is convinced that the inheritance certificate issued by him has not reflected the entire circle of the heirs, due to the lack of the full documentation, and consequently the parts are changed, then the notary may correct the first certificate through a new decision of inheritance certificate.
5. In both cases provided for in paragraphs 1, 2, 3 and 4 of this Article, the notary notifies instantly (through the electronic mail and/or the Albanian mail, and/or the civil registry offices where the person lives (in the addresses he possesses in the data of the certificates) all the persons, who are issued a sample of the inheritance certificate, pursuant to article 113 of this law, for every decision made by him for the correction of mistakes.

Article 115

Changing the inheritance certificate

1. After registering the waiver from the inheritance, upon a certificate being previously issued, the notary shall proceed with the issue of a new inheritance certificate which he shall make known to all the persons that, under Article 113 of this law, were provided with an original counterpart of the initial inheritance certificate.
2. In the new inheritance certificate, the notary shall reflect the data on the act of waiver from inheritance, on the changes in the circle of heirs, their respective parts.
3. After issuing the new certificate of inheritance, the notary shall make the respective note in the initial inheritance certificate and subsequently in the National Register of Inheritance Certificates.

Article 116

Invalidity of the inheritance certificate

1. Where, upon a final judicial decision, the invalidity of the testament is declared and this decision incurs impacts on the contents of the inheritance certificate, the notary having issued the certificate of inheritance shall, within 3 days of becoming aware thereof or upon the request of the interested person, shall find the invalidity of the inheritance certificate and shall proceed with the issue of a new inheritance certificate.
2. The new inheritance certificate shall be immediately notified to all the persons, to whom an initial counterpart of the inheritance certificate has been issued.

Article 117

Actions of the notary in the case of waiving the inheritance

1. Upon the request of the legal and/or testamentary heir and upon the request of the person seeking to waive inheritance, the Notary drafts the notary statement on waiving the inheritance in the name of the applicant, pursuant to the provisions of the Civil Code.

2. When the inheritance certificate has not been issued, the heir states waiving the inheritance within the stipulated time limit, with a notary statement and then the notary issues the inheritance certificate in compliance with the provisions of the Civil Code for the replacement of the heir who waives the inheritance.
3. When the inheritance certificate has been issued earlier and the heir requests waiving within the legal time limit, then the heir drafts the notary statement on waiving the inheritance.
4. After the Notary Declaration on waiving the inheritance is drafted, the Notary issues the new inheritance certificate pursuant to the Civil Code, where he/she reflects the changes in the circle of the heirs, the parts belonging to them, and the data on the act of waiving the inheritance.

Article 118

Minutes for opening the testaments

1. The testament by notarial act and holographic testament shall be opened by the notary who drafted it on the basis of the request submitted by the testamentary/legal heir or the interested person.
2. The holographic testament shall be opened by the notary to whom it is deposited, on the basis of a request submitted by the testamentary/legal heir or the interested person.
3. The testamentary or legal heir, or the interested person, must submit before the notary the request, the deceased's death certificate and the applicant's identification document.
4. The notary shall draft the minutes for opening the testament in every instance, even in the instance when they are not going to proceed with issuing the inheritance certificate.
5. The notary shall, in the course of drafting the testamentary certificates, administer all open minutes, substantiate the existence of the heirs benefiting from the legal reserve and shall involve these heirs as testamentary heirs, while determining and specifying their pertinent parts clearly.

Article 119

Issuance of the inheritance certificate for the early testaments by a notary act or a special act

1. Where an original testament is lodged with the Notary by a registered a notary act, but the notary archive of the notary who has edited it is not found, or by a special act, having been drafted or edited based upon the legislation into force at that time, the notary of the local unit where the applicant with the relevant testament appears, despite the relation or not with the testator, shall register him in the Register of testaments and within three days notify the Chamber to carry out the registration in the National Register of Testaments.
2. After the registration in the National Register of Testaments, the notary proceeds with the issuance of the inheritance certificate based upon the relevant request.

Article 120

The procedure for the inheritance certificate issuance when there is more than one testament

1. When the testator has left more than one testament and in different notaries, based upon the request of the testamentary/legal heir or the interested person, each notary shall necessarily draft the report for the will opening. All the testaments shall be opened through the minutes to proceed

with the inheritance certificate issuance, which is a decision made by the notary who has drafted or to whom was deposited the last testament of the testator.

2. A copy of the minutes opening the testament of each notary shall be given to the applicant, who shall submit it to the notary who has drafted or where the last testament is filed and who will issue the inheritance certificate pursuant to the Civil Code.
3. The notary, who has drafted or where the last testament has been filed, shall reflect at the grounds part of the minutes for opening the testaments, citing the property and the heir, not to overlap the last testamentary certificate on the properties the testamentary certificates has not been issued for, and at the end of the ordering provisions the entire circle of the testamentary heirs is determined, according to the minutes of the opening, the property and the belonging parts.
4. When the notary who has edited/or where the last testament of the testator was filed, finds that one of the previous wills is partially or completely invalid he declares it as such and issues the certificate of the testamentary certificate for the valid part of this will, in case of the conditions of the partial invalidity and issues the testamentary inheritance certificate for the other wills.
5. In the case when two testaments have been drafted and the second testament is found invalid, then the notary who has drafted the first testament shall carry out the procedures for opening the inheritance and for the issuance of the inheritance certificate.

Article 121
Interested persons

1. Entitled to request the issue of the inheritance certificate shall be the testamentary and legal heirs and the persons being interested and considered as such by the notary, following a grounded written request.
2. The interested persons are all natural/legal persons, or his/her representative, who after the death of the testator prove that they have a legal interest for the issuance of the inheritance certificate. The legal persons are public and private entities. Interested persons means the public/ or private institutions, the bailiffs that have an execution proceeding of the obligation, the judicial institutions, or every individual or natural and legal subject, or his/her representative, who after the death of the testator prove through the submission of a reasoned request that they have a legal interest for the issuance of the inheritance certificate or for the opening of the minutes of the testament.
3. The legitimate interest of every natural or legal person for the issuance of an inheritance certificate shall be based upon a judicial decision with final force and effect, a decision for the execution of the obligation, or on a letter that the court addresses to the notary or through a letter issued by the court that states/proves the judicial process with the testator as a party and through a lawsuit filed in the court with the note for the filing of the lawsuit and its original counterpart, as well as any other instance where the legitimate interest is objectively evaluated by the notary.
4. After receiving the decision for the issuance of the inheritance certificate, the interested people are compelled to submit this decision in front of all the state or private bodies, where the registration of this decision is mandatory in order not to proceed with the relevant penalties. This obligation shall be reflected even in the inheritance certificate issued by the notary.

Article 122

Issuance of an inheritance certificate for every testator

1. The notary issues the inheritance certificate only for one testator determining his/her heirs and the parts belonging to the heirs.
2. No other testators can be included in the inheritance certificate issued by the Notary.
3. Only one inheritance certificate is issued for each testator determining only the circle of his heirs.

Article 123

Absence of the death certificate and of the other acts

1. The judicial decision for the legal verification of the fact of death, pursuant to the Civil Procedure Code, shall serve as a document necessary for the issuance of the inheritance certificate of a person that is not found registered in the Civil Register.
2. The judicial decision for the legal verification of the composition of the family of the testator, shall serve as a document necessary for the issuance of the inheritance certificate of a person, whose family composition is not found registered in the Civil Register.

Article 124

Testaments in favour of a foreign citizen

1. When the testament has been drafted by an Albanian citizen in favour of a person who is a foreign national as heir, the notary must not refuse to issue the inheritance certificate, if the testament fulfils the conditions of its validity, under provisions of the Civil Code and of this law.
2. The verification of the person that is a foreign national should be done on the basis of the birth certificate, which contains apostille seal, or has been legalized in the consulate offices of the respective countries, as per the legislation in force for mutual recognition of documents.

Article 125

Withdrawal of acts of civil status, at the offices of the Civil Status Registrar from the notary and application through the system

The notary to whom the legal or testamentary heir or the interested person has made a request, for the issuance of the inheritance certificate, is entitled to make a request to the relevant office of the Civil Register or to designate persons authorized by him, to receive the respective certificates that are necessary for the issuance of certificate of legal or testamentary inheritance.

Article 126

Procedures for transfer of immovable property

1. The notarial act for transfer or recognition of ownership over immovable items, or of a real right on them, is made by the notary, after the verification of the ownership of the party over the immovable thing by way of the electronic system. For the commission of this verification, the party shall present to the notary the required ownership documents and his/her written authorisation.

2. The notary must indicate in the notarial act for the transfer of immovable property the verification that has been made and attach the result of verification.

Article 127

Procedures on the alienation of the immovable property under the marital property regime

1. In the cases of alienation or recognition of ownership on the immovable properties or of the real rights on them for the natural person, the notary attaches to the relevant notary act the family and/or marriage certificate of the purchasing party. The notary makes the relevant description in the contract citing, as purchaser/co-owner the non-present spouse, ipso jure, due to gaining the ownership rights during the marriage, in compliance with the Family Code.
2. The notary, in the instances when finding that the immovable property gained during the marriage, for which the notary act on the alienation or the recognition of the ownership on the immovable objects or the real rights on them is claimed, results having been registered only in the name of one of the spouses and spouse presumed as the co-owner has passed away, shall require the issuance of the inheritance certificate for the spouse presumed co-owner and the registration of the heirs in the certificate of property ownership, for which the property alienation or recognition is claimed.

Article 128

Certification of signatures

The certification of signatures is done for private acts that do not contain the establishment of a contract or the exercise of another legal action. The certification is made at the end of the act, after the signatures, with a sign being made by the notary that the persons appeared personally and signed in his presence or agreed that the signatures are theirs.

Article 129

Certification of copies or abridged versions

1. A notary makes an authentication of copies or abridged versions of documents, of published documents as well as of any other document, after having compared their content in person.
2. The notary should mention in the certification by whom the document was submitted, from which the copy or the abridged version was taken, whether these were taken from an original document or from another certified copy.
3. In the instance the submitted document has corrections, additions, erasures or other special markings, the notary shall mention these in the certification protocol. In the protocol shall also be reflected whether the original document is torn, damaged or looks suspicious at first look, except when his is itself evident from looking at the document.
4. In the case of abridged copies, the notary shall clarify whether the omitted parts have any relevance for the presented parts of the act.
5. In the case the document is in a foreign language, the notary shall make certification of the copy with the original by requesting the assistance of a translator, or by doing its himself/herself as per the provisions of Article 100 of this Law.

Article 130

Certification of the date of submission of documents

The certification of the date of submission of one or more documents in the notarial office is made by the notary through making a sign in the document itself for the person who submitted it and the date of appearance and, when this is required, the hour and minute of appearance is also noted.

Article 131

Certification that a person is alive or of his place of stay

The fact that a person is alive or has a specific place of stay is made by a notary when the person appears before him or when the notary goes to the place where the person is located and verifies his identity, as well as when there are incontestable data corroborated by documents and the notary is convinced of this fact.

The date, hour and minute of the person's appearance is precisely mentioned in the certification.

Article 132

Acceptance of documents for safekeeping

1. Documents are accepted for safekeeping in the notarial office at the request of interested persons or when it is provided in the special legislation. Documents may also be accepted in closed and sealed envelopes. In such a case, the person should put his signature on the envelope.
2. The notary keeps minutes of the acceptance of documents for safekeeping, which contain the date of acceptance, the full identity of the person and a full description of the document accepted.
3. The document is delivered to the person himself at his request or to a person designated by him in the minutes of acceptance, a person to whom this right is recognised by law or to his heirs
4. The notary shall keep minutes for the returning of the document.

Article 133

Safekeeping of bonds and monetary sums

1. When during the drafting of a notarial act it is necessary that along with the act be also accepted bonds or valuable items for safekeeping, with the purpose that they be given to a specific person or to other persons who are entitled to this right by law, the notary shall accept them, and shall keep a record that contains the date of acceptance, the full identity of the depositor, the description of the deposited items, the date of delivery, the identity and the residence address of the beneficiary.
2. Where during the drafting of a notarial act it is necessary that together with the act be also accepted monetary sums for safekeeping, in the local or a foreign currency, with the purpose that they be given to a specific person or other persons who are entitled to this right by law, the notary shall accept them, by way of transferring them to the special escrow bank account for notarial transactions, and shall keep a record that contains the date of acceptance, the full identity of the depositor, the amount deposited, the date of delivery, the identity and the residence address of the beneficiary.

Article 134

Notifications of extra-judicial acts

1. Every person may ask that the notary communicate a reminder, a declaration or a document, which he/she considers as having legal effects, to another person.
2. The requestor shall either deliver the document that will be communicated to the notary or shall make the declaration before the latter. In this instance, the notary shall the appropriate record, which shall be communicated to the other person or party.
3. The notary shall make the communications by way of registered mail. The responses shall be communicated in the same manner.
4. The communication may also be made by way of telegram, fax and telefax, according to the rules provided by the Minister of Justice.

Article 135

Certification of translations

The translation of a document from a foreign language into Albanian and vice versa shall be done by the notary himself/herself in the language for which he/she has been included in the list of official translators administered by the Ministry of Justice. For other languages, which the notary does not know, the translation shall be done by a translator included in the list of official translators in case of official documents and from other persons in case of documents of another nature. In the case of translations made by translators or by other persons accepted by the parties, the notary shall reflect in the act the identity of the translator, in the same manner as per the parties. The translation shall be written at the bottom or on the side of the document and shall respectively be signed by the notary as per this law or by the interpreter.

Article 136

Conducting inventories

The notary, upon the request of the citizens, when required by law or the court, shall conduct an inventory of the property, make the description of the situation of items and shall carry other actions of this nature, while keeping a record as per the requirements of this law.

CHAPTER IV

INVALIDITY OF NOTARIAL TRANSACTIONS AND ACTS AND NOTARY REGISTERS

Article 137

Invalid notarial actions and acts

Notarial acts and actions shall be invalid in all cases where invalidity is explicitly stated in the law or is a necessary sanction according to the purpose of the law, in particular in but not limited to the following cases:

- a) their performance is in the competence of another state organ;
- b) persons indicated in article 98 of this law have taken part in the act or in the notarial transaction;
- c) the notarial act contains a disposition in the favour of the persons as to whom prohibitions according to article 98 of this law are provided;

- ç) the notarial act or the certification of signatures was not signed by the parties themselves or by their representatives duly equipped with power of attorney;
- d) the identity of the parties, the date and place where it was made is not shown in the notarial act;
- dh) the act or notarial action does not contain the signature of the parties or is not signed and sealed with both the two seals by the notary;
- e) the notarial act was drafted without respecting the rules foreseen in paragraph 2 of Article 105 of this Law.

Article 138

Complaint on the invalidity of notarial acts or actions

1. The invalidity of the notarial act or action may be requested by the persons who participated in its drafting and by any person who waives rights and/or takes over obligations arising from them. The request shall be examined by the district court, in the territory where the notarial office carrying out these notarial acts or actions exercises its activity.
2. In the court decision declaring invalid a notarial act, the respective notary office shall be ordered to make the appropriate entries in the original of the act, which is deposited in that office.

Article 139

Notarial registers

1. In every notarial office it shall be obligatory to keep:
 - a) the general register in which all notarial acts or actions are registered;
 - b) the register of testaments.
2. Upon the order of the chairman of the district court, a judge of that court shall do the numbering of the pages of the above registers and shall put the respective notation at the beginning and end of such registers, by way of signing and sealing the with the seal of the court.

Article 140

The National Register of Testaments and the National Register of Inheritance Certificates

1. The National Register of Testaments shall be created at the National Chamber of Notaries where the notaries shall register the testaments signed in front of them, and the National Register of Inheritance Certificates where the notaries register the certificates of the legal or testamentary inheritance.
2. The registration of notarial acts, foreseen in paragraph 1 of this Article, in the respective registers shall be carried out by the notary within 48 hours of their signing.
3. The National Register of the Testaments and the National Register of the Inheritance Certificates shall be administered by the Chamber under the supervision of the Ministry of Justice.
3. The detailed rules for the National Register of Testaments and for the National Register of Inheritance Certificates shall be approved upon the order of the Minister of Justice.

Article 141

Manner of keeping registers and the notary archive

The Minister of Justice shall issue a special instruction on:

- a) evidencing, administering and preserving notarial acts and documents, as well as for the organisation, functioning and preservation, including also the format, of notarial archives;
- b) the format, contents, verification of compliance and administration of the registers on the notarial activity.

CHAPTER V

FINAL AND TRANSITORY PROVISIONS

Article 142

Transitory provision

1. The issuance of new notarial licenses shall be suspended nationwide until the ratio between the overall number of notaries in the Republic of Albania and the population is reached as per Article 10 of this Law.
2. During the transitional period foreseen in paragraph 1 of this Article, notarial vacancies in municipalities where the ratio falls below the level as per paragraph 2 of Article 10 of this Law shall be filled through:
 - a) transfers of notaries from other municipalities;
 - b) licensing of deputy notaries as notaries, or
 - c) using service days as foreseen in Article 10 paragraph 6 of this Law.
3. During the transitional period foreseen in paragraph 1 of this Article, every 3 (three) years, no more than 10 (ten) candidates may be admitted to the initial training program foreseen in Article 6 of this law.
4. The Local Chambers shall be obliged to adapt their organization and functioning, following redefinition of the minimal number of notaries for each local branch as per the provisions of this Law, and in every case, not later than 6 (six) months after the entry into force of this law. The organs of the Local Chamber in office shall continue in their functions until the end of their mandate, for as long as they are not impacted by the reorganisation.
5. The Chairperson, Deputy Chairperson and members of the Council of the National Chamber of Notaries, elected in compliance with the provisions of law no.7829, dated 1.6.1994, "On the Notary", as amended, shall continue their functions until the end of their mandate.
6. The National Chamber of Notaries shall be *ex lege* the successor of the Local Notary Chambers. The entire assets and funds of the former local chambers shall be conveyed to the ownership of the Chamber, while the documents and archives of the previous local chambers shall be administered by the local branches.
7. The Chairperson of the Chamber shall convene the General Meeting of the Chamber no later than 9 (nine) months from the day of entry into force of this law. The Chairperson of the Chamber shall prepare all the necessary decisions to be taken at the first meeting of the General Assembly in the implementation of this law.

8. The National Chamber of Notaries shall take the necessary measures to establish and commence the operation of the Albanian Training Centre for Notaries not later than 1 (one) year from the entry into force of this Law.
9. The period the candidate exercised the activity as an assistant notary on a full-time basis, prior to the entry into force of this law, shall be valid for the purpose of calculating the two-year period of practical training of the candidate, including the instances when the candidate has completed this 2 (two) year period. Candidates who have completed or are completing the 2 (two) years traineeship period on the date of entry into force of this law shall not be excluded from the fulfilment of the obligation to complete the initial training admission exam and from attending the mandatory 1 (one) year initial training program at the Albanian Training Centre for Notaries.
10. The Ministry of Justice, in cooperation with the National Chamber of Notaries, within 9 (nine) months from the entry into force of this Law, shall take measures for evidencing and taking over the archives that have not yet been handed over. The modalities of evidencing and the steps to be taken to obtain the archives as per this Law shall be determined by order of the Minister of Justice.
11. Notarial archives shall be administered also in a digital format. Within 5 (five) years of the entry into force of this law, notaries shall complete the digitalization of their archives. The manner of digitizing, administering, storing and handing over archives in digital format shall be determined by instruction of the Minister of Justice, upon proposal of the National Chamber of Notaries.
12. Within 1 (one) month of the entry into force of this law, every notary and assistant notary shall submit a complete up-to-date personal file to the Ministry of Justice. The list of documents to be submitted and the format of the self-declaration on the required data shall be determined by order of the Minister of Justice, upon consultation with the National Chamber of Notaries.
13. Disciplinary proceedings in process shall be conducted in accordance to the legal provisions in force at the time of their commencement.

Article 143

Bylaws

The Minister of Justice shall be responsible for issuing the orders and instructions in pursuance of this law, within 9 (nine) months from the entry into force of this law, unless a shorter time-limit is provided for in this law.

Article 144

Repeals

1. Law no. 7829, dated 1.6.1994, "On the Notary", as amended, shall be repealed at the moment of entry into force of this law.
2. Sublegal acts, issued in pursuance of law no. 7829, dated 1.6.1994, "On the Notary", as amended, shall continue to be in force until the moment of the issuance of the new sublegal acts, for as long as not being in contravention with this Law.

Article 145

Entry into force

This law shall enter into force 15 days following its publication in the Official Journal.

Approved on 20.12.2018