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DECISION

No. 1029, dated 16.12.2015

ON THE INTERINSTITUTIONAL COOPERATION IN THE PROCEDURES OF STRATEGIC INVESTMENTS

Pursuant to article 100 of the Constitution and paragraph 2 article 12 of law no. 55/2015, "On strategic investments in the Republic of Albania", upon the proposal of the Minister of Economic Development, Tourism, Trade and Entrepreneurship, the Council of Ministers

DECIDED:

I. PROCEDURES AND TIME LIMITS ON INFORMATION EXCHANGE

1. The Albanian Agency of Investment Development, providing that for the realization of its functions in relation to the strategic investments, it needs data or information, possessed by another institution, it is entitled that through the accelerated procedure, it may claim from the central and local governance bodies, the provision of data, information and any other assistance necessary for the realization of the functional tasks.

2. The request for information or data of the agency addressed to other bodies shall contain:

- a) the type of the data or information that is required for a strategic investment;
- b) the argumentation on the treatment of the procedure with priority, as a consequence of the provisions of law no. 55/2015 "On strategic investments in the Republic of Albania";
- c) the time limit within which the required data or information should be sent;
- d) the signature of the head of the institution or of the responsible person.



3. The public state bodies, which receive e request for information from the agency, shall reply for the request for cooperation along with the information and the requested data, within a maximum time limit of 7 business days.
4. The time limit for the reply starts from the following day after the day when they are registered in the protocol in the respective institution and finishes on the last day of the stipulated time limit, within the official schedule of that day.
5. The recipient institution, due to causes of importance and by giving a reasoned answer, may postpone its reply, accordingly, up to 3 other business days.
6. When data or information are requested, for which special knowledge and examinations are required, the time limit to reply is not more than 20 business days.
7. In case the reply, the information or the requested data are incomplete, the agency is entitled to require their completion within 3 business days, from the receipt of the request for the completion of information.

II. PRECEDURE AND TIME LIMITS FOR THE ADOPTION OF PERMITS, LICENSES AND AUTHORIZATIONS

1. For the realization of strategic investment projects, which have received the status “Strategic investment/investor, an assisted/special procedure”, and which need, according to the Albanian legislation into force, to be equipped with permits, authorizations or similar adoptions, the agency assists the strategic investors during these procedures, by intermediating in the relations with the state competent bodies. The agency, within 5 business days, from the date of the submission of the full file with the entire necessary documentation which is required by the sectorial legislation for the adoption of permits, licenses and authorizations, along with the statements of payments of the respective fees, transmits the file of the strategic investor to the body competent for their issuance.
 2. The competent body for the issuance of permits, licenses and authorizations, upon the receipt of the documentation from the agency, within 15 business days, issues these documents according to the legislation into force.
 3. Exceptionally and only for reasonable grounds, which are related to the complexity of the permits, licenses and authorizations, the time limit may be postponed only once for a period of time of 15 business days.
 4. When the submitted documentation results to be incomplete or unclear, the competent bodies, through the agency, require to the strategic investor, only once, in writing, within 10 business days, from
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the date when the file is received, to complete the entire documentation and the required data, listing the requirements in a specific way.

III. OPERATIONAL GROUPS

1. The assistance and the support towards the strategic investments and projects shall be carried out by the agency, through the operational groups established at the agency, created specifically for each project of the strategic investments. The object of the operational group is to follow all the procedures and to prepare all the acts and legal documents, for the preparation, implementation, development and the realization of the special strategic investing project.

2. The operational groups shall be established upon the proposal of the agency and upon the initiative of the minister responsible for the economy, upon a joint order of the ministers involved in the strategic investment project. In order to comply with the accelerated time limits of the administrative procedures for strategic investments, the ministers responsible for the strategic project, within 10 days from the receipt of the request of the minister responsible for the economy, assign the persons who will participate in the operational group as well as the persons/structures of contact, who will be responsible for the communications with the agency regarding strategic investments.

3. The joint order for the establishment of the operational working group for the realization of a project or strategic investment, shall determine:

- a) the purpose for the establishment of the group;
- b) its object;
- c) the functioning of the group in the structure of the agency;
- d) the number of the employees who will be involved as well as the allocation of the respective tasks;
- e) rules on the decision-making of the group;
- f) the determination of the infrastructure, if necessary;
- g) the financial means, if necessary;
- h) the time limits, within which the working group shall realize its duties, according to the stipulations of law no. 55/2015 "On strategic investments in the Republic of Albania".

4. The operational working group is led by the executive director of the agency, who represents the group in the relations with the state bodies and the strategic investors.

IV. FINAL PROVISIONS

1. Unless otherwise provided for in this decision and as long as there is no contradiction with it, the rules stipulated in decision no. 867, dated 10.12.2014, of the Council of Ministers “On the cooperation procedures in the institutions of the state administration” shall be applied.

2. The Ministry of Economic Development, Tourism, Trade and Entrepreneurship, the Albanian Agency of Investment development and the central and local governance bodies included in the procedures for strategic investments, shall be responsible for the implementation of this decision.

This decision enters into force after the publication in the Official Journal.

PRIME MINISTER
Edi Rama