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DECISION

No. 1031, dated 16.12.2015

ON THE STIPULATION OF THE RULES ON THE FUNCTIONING, THE ESTABLISHMENT, THE ADMINISTRATION AND THE FORMAT, THE CONTENT OF THE PROCEDURES ON THE SECURITY OF THE STRATEGIC INVESTMENT REGISTER

Pursuant to article 100 of the Constitution and to paragraph 6, article 10 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:

1. The Strategic Investment Register, hereinafter referred to as the "Register" is the public inventory, which contains the information and the database on strategic investments which are carried out in the territory of the Republic of Albania.
2. The register shall be created, preserved, administered, maintained and updated by the Albanian Agency of Investment Development, hereinafter referred to as the "Agency". The Agency administers the database in compliance with the rules stipulated in this decision and in the legislation on the administration of the state database.
3. The Agency administers the register through a portal, a network published on its official webpage or on a special webpage.
4. The register is kept in an electronic and letter format in Albanian and in English. The documents in the paper format are kept and are published in appropriate formats familiar for a normal user. These formats

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shall be adjusted within reasonable time intervals, according to the developments and the new technological and computer programs.

5. The register contains the primary data and the secondary data. The primary data of the register include the specific data and information collected by the Agency in the interest of strategic investments. The secondary data include the data and information taken from other databases, where they are the primary ones. The interaction between the register database shall be permitted only for the primary data, meanwhile the interaction for the secondary data shall be prohibited.

6. The providers of information are the interested subjects, involved in the procedures of strategic investments as well as the bodies of central and local governance which have competences in this process in compliance with the legal provisions into force. During the phase of the collection of information to be reflected in the register, the Agency informs the subject about the information which will be open for the public, informing them about the legal basis, the purpose of the meeting, making it public as well as about the consequences in case this information is not collected.

7. The register is public and accessible by the central and local governance bodies, the strategic investors and by the public, according to the access levels and the security classes determined by the Agency.

8. The access in the information of the register may be limited for some information, guaranteeing the preservation and the non-publication of the data such as: confidential information, personal data, commercial secret or data which endanger the fair competitiveness of the trade subjects. For this purpose, the investors should determine from the very beginning in the documentation presented by them the data for which they require the limitation of their publication in the register. In any case, for the interest of transparency and public interest, general information is published in the register on strategic projects and investments, which shall include:

- a) the identification of the adopted strategic projects and investors;
- b) the general description of the strategic projects and investments;
- c) the financial guarantees offered for their realization;
- d) the preferential status that has been recognized to the projects and investors;
- e) the supportive measures guaranteed by the state.

9. The Agency takes the measures for the differentiation of the level of access at the register data providing the central and local governance bodies and the investors with the appropriate instruments, which guarantee the access to the register, on one hand, and they also guarantee the preservation of the data, on the other.

10. The Agency takes the necessary measures for guaranteeing the security of the data included in the register using the appropriate protective instruments.

11. The register contains all the data related to the procedures of the strategic investments, starting from the moment when they are proposed up to the final phase, when a strategic investment shall finish.

12. Specifically, the register contains information and data on:

- a) the projects identified and approved as strategic projects/investors and/or a strategic investment/investor, an assisted/special procedure;
- b) the assistance status of the project;
- c) the decisions of the Strategic Committee of Investment for strategic projects;
- d) the agreements of understanding or the other agreements related to the investors;
- e) the phases of the procedures and of the actions conducted per each project as well as the detailing of the procedures which shall be finalized;
- f) the communications, the requests and the replies of the state bodies;
- g) the list of the permits, licenses and authorizations per each project, along with their status, identifying the ones that have been adopted and the ones that shall be adopted, the identification of the responsible bodies, the respective time limits as well as the necessary documentation per each of them;
- h) the services provided by the Agency towards the strategic projects;
- i) the supporting measures and programs guaranteed to a project;
- j) the decisions, the acts and the actions of the state bodies made for a strategic project;
- k) the immovable properties included in the Fund of the Immovable Properties for the Support of Strategic Investments;
- l) the condition and the consolidation of land;
- m) the expropriation procedures;
- n) the strategic sectors and subsectors;
- o) the zones specified as zones where development is a priority;
- p) other data considered as necessary by the Agency.

13. The electronic register is updated in the fastest way possible with the information and the procedures that are carried out step by step in any phase of the strategic project. For this purpose, the Agency takes the measures and guarantees the registration and the transfer in the system of the new data, within a 5-day time limit, for the acceleration and the well-coordination of the special preferential administrative facilitating or accelerating procedures, of the support and of the services towards the investors.

14. The Agency determines the contact addresses and persons who will be responsible for the receipt, the transmission and the registration in the register of any data or procedure carried out on the strategic projects. These contact addresses and persons shall be introduced to the strategic investors and to the other state bodies included in the procedures for the strategic investments. The strategic investors and the state bodies have the obligation to transmit to the Agency the information on the actions carried out

by them as well as to specify even the contact addresses and persons who shall be responsible for the communications with the Agency with regard to the strategic investments.

15. The staff of the Agency, who have access to the information in the register, shall be compelled to protect the confidentiality of the information even in the cases when they finish exercising their function. Therefore, the staff sign a confidentiality statement, according to the format approved by the head of the Agency and in compliance with the legislation on the protection of personal data.

16. The Agency takes measures for the establishment and the functioning of the Register of Strategic Investments within 3 (three) months from the entry into force of this decision.

17. The costs necessary for the establishment, the maintenance and the administration of the Register of Strategic Investments shall be covered by the budget of the Ministry of Economic Development, Tourism, Trade and Entrepreneurship for the Agency.

18. The Ministry of Economic Development, Tourism, Trade and Entrepreneurship, the Albanian Agency of Investment Development and the bodies of central and local governance, involved 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