



REPUBLIKA E SHQIPËRISË
ASSEMBLY

LAW
No. 80/2021

ON REGISTRATION OF NON-PROFIT ORGANIZATIONS

In reliance on articles 78 and 83 point 1 of the Constitution, on the proposal of Council of the Ministers,

THE ASSEMBLY
OF REPUBLIC OF ALBANIA
DECIDED:

CHAPTER 1
GENERAL PROVISIONS

Article 1
Object of the law

This law sets out the registration procedures of non-profit organizations, as well as the rules for keeping their register, for non-profit organizations which have the obligation to register, according to the legislation in force defending the rules for the establishment, registration, functioning, organization and activity of non-profit organizations.

Article 2
Purpose of the Law

The purpose of this law is to facilitate the procedure of registration of non-for profit organizations by creating a transparent and enabling environment for exercising of their activity.

Article 3

Definitions

1. Within the meaning of this law, the following phrases have these meanings:
 1. "Supporting documents" are documents, which prove the data being registered.
 2. "Request for registration" is the request addressed to the Tirana Judicial District Court for performing actions in the register, according to this law.
 3. "Applicant" is a non-profit organization, to which belong the data registered, notified or deposited in the register, or other persons who, according to this law, have the right to request the performance of actions in the register.
 4. An "electronic device" is any device that enables the initial transmission of information and its receipt by the receiver defined by electronic processing equipment (including digital compression) and the storage of fully transmitted data, transmitted or received via cables, radio waves, optical devices or other electromagnetic devices.
 5. "Non-profit organizations" has the same meaning as in the law that defines the rules for the establishment, registration, functioning, organization and activity of non-profit organizations.
 6. "Third party" is any natural or legal person, or holder of collective or broad public interests, who does not have a legitimate right or direct interest in the registration of non-profit organizations, but whose rights or interests legitimate may be affected by the result of the registration.
 7. "Legal representative of the non-profit organization" is a natural person, resident in the territory of the Republic of Albania, who represents and is responsible for the non-profit organization in relation to state authorities and third parties, as well as for the storage of any official information and document up to 10 (ten) years from the date of deregistration of the non-profit organization.
 8. "Electronic register" is the register of non-profit organizations which is created and administered as official database, in which non-profit organizations are registered, according to this law.
 9. "Initial registration" is the first registration in the register.
 10. "Other registration" is any change, addition or deletion of data in the register.
 11. "Registration" is the initial and any other registration, including transformation, merge, the deregistration of the subject from the register.
 12. "Electronic counter" is the electronic portal of the Tirana Judicial District Court, accessible through e-albania portal, where it is possible to provide service to the public at a distance, by communicating directly with the central system for registration of non-profit organizations, through electronic means.
 13. "Data" are the facts, acts and information that are registered, notified or deposited in the register.
 14. "Primary and secondary data" have the same meaning as defined in the law on state databases.

CHAPTER II

REGISTER OF NON-PROFIT ORGANIZATIONS

SECTION I

REGISTER AND REGISTRATION AND PUBLICATION EFFECTS

Article 4

Electronic register of Non-Profit Organizations

1. The electronic register of Non-Profit Organizations is a database of official data, through which the organized and stored information in electronic form for non-profit organizations is collected, where its processing and updating is performed through the computer system. The information consists of separate electronic files for each non-profit organization that has the obligation to register, according to the provisions of this law.

2. The electronic register of Non-Profit Organizations is created by the The High Judicial Council and is administrated/maintained by the Tirana Judicial District Court, in accordance with the provisions of the legislation in force regulating state databases. All data, registration requests and supporting documents, regardless of whether they are submitted in writing or electronically, according to this law, are registered and stored electronically in the register.

3. The registration, processing and storage of notified and deposited data in the electronic register, are performed through a computerized system, according to the procedure foreseen in this law.

4. An integral part of the register are also the documents deposited in its annexes, according to this law.

Article 5

Data to be registered

1. The electronic register contains primary and secondary data pertaining to the establishment, operation and de-registration of non-profit organizations, any changes in its statute and organization, data pertaining to it in relation to representation, and other data provided by law.
2. The Council of Ministers approves detailed rules for primary and secondary data registered in the electronic register, for information providers, interaction with other databases and for the level of access for interested entities.

Article 6

Method of registration

1. The initial registration and any other registration is done through the submission of the request for registration to the Tirana Judicial District Court. The request for registration is submitted in writing or electronically, according to the provisions of this law.

2. The High Judicial Council approves the forms of requests for registration, as well as the list of supporting documents for each registration that is performed in the register, according to the requirements of the legislation in force.

Article 7

Information on registration and publication

1. Any data, registered and published in the electronic register, according to the provisions of this law, is presumed to have been notified to every third party from the day of

publication, according to Article 38 of this law. Notwithstanding this provision, is presumed that the third party is not become aware (notified) of the data registered and published in the register, if within fifteen days from the date of publication, the third party proves that it was impossible to have been informed.

2. When the data is inaccurately registered or published in the electronic register, it is presumed that these data have not been notified to third parties. Despite this provision, it is presumed that the third party is notified, if it is proven that the third party was aware of the inaccuracy of the published or registered data.

3. The data registered and published in the register, even if they are inaccurate, do not harm third parties who in good faith have acquired rights under them, except cases where the organization proves that the third party was aware of the inaccuracy of the data published or for other unpublished data.

4. The third party may ask to the organisation data not yet published when, in spite of non-publication, the third party was aware of such data, unless, by law, the non-publication does not have consequences.

5. The data of the electronic register of non-profit organizations are always considered valid and constitute an official act for public authorities, in accordance with current legislation.

SECTION II

OBLIGATION TO REGISTER, DESIGNATION RULES, AUTHORISED PERSONS AND FORM OF SUPPORTING LEGAL ACTS

Article 8

Obligation to register

Non-profit organizations that are obliged to register according to the legislation in force defending the rules for the establishment, registration, functioning, organization and activity of non-profit organizations, are obliged to submit the application for initial registration or other obliged registrations with Tirana District Court, within 30 (thirty) calendar days from the date of establishment or the date of the event of the factual circumstance and /or the formulation of mandatory act to be registered.

Article 9

Designation rules

1. It is forbidden the registration in the electronic register of non-profit organizations, of organizations with the same or similar names, with names in the prominent form or relevant abbreviations of states, cities, geographical provinces, international, religious organizations or central or local government institutions, without distinctive additions or with names, which are contrary to the public order or to the imperative provisions of the law.

2. The right to register the name is recognized on the basis of the priority principle of filing a request for registration in the Court.

Article 10

Authorized persons to do registration

1. The request for the initial registration of non-profit organizations may be submitted jointly by all the founders or by any person authorized by them. The request for other

registrations is submitted by the executive body that has the right of representation of the organization to third parties or by any person authorized by them.

2. The request for initial registration and other registrations of foreign non-profit organizations is done by the legal representative of the branch or foreign non-profit organization or by any person authorized by one of the persons mentioned above.

3. In any case, the right to request initial or other registrations belong to any other person the special law has given this right.

Article 11

Request for registration and form of supporting documents

1. The initial registration and any other registration is done by submitting a request for registration, according to the relevant form, to the Tirana Judicial District Court, in writing or electronically. Supporting documents are attached to the request for registration, proving the data being registered.

2. The supporting documents must be submitted in the original or in unencrypted copies with the original and must be drafted in the form and manner specified by the relevant legislation or the provisions of this law. Supporting documents may also be submitted in electronic format, as provided for in Chapter V.

3. Supporting documents must not contain unproven corrections or deletions, according to the relevant legal provisions and their content must be clear, legible and allow the electronic image of the document to be obtained.

4. Supporting documents must be in Albanian language. The applicant, together with the supporting document in Albanian, may also submit the certified translation into a foreign language. Private and official documents of foreign jurisdictions must be accompanied by a certified translation into Albanian and legalized in accordance with applicable laws and international agreements ratified by the Republic of Albania.

SECTION III

INITIAL REGISTRATION

Article 12

Acts for initial registration

1. Non-profit organizations are register in the electronic register, by submitting the request for initial registration completed with all mandatory data under this law, the statute and the founding act, the appointment acts of decision-making bodies, including also the act for the appointment of the legal representative of the non-profit organization, if it is not included in the above acts, as well as other acts necessary for the establishment according to the legislation in force.

2. In the case of foundations established on the basis of a testamentary act, together with the request for initial registration completed with all mandatory data under this law, the testament and statute are filed, in cases when it is drafted and approved by the executor of the testament.

3. Branches of foreign non-profit organizations, in addition to meeting other requirements of legislation in force, are registered by submitting the request for initial registration completed with all mandatory data under this law and:

a) the founding act and statute of the foreign non-profit organization, when these are two separate documents or, in its absence, the equivalent act of establishment, according to foreign legislation, as well as their full text with subsequent amendments;

b) documentation certifying the registration of a foreign non-profit organization in

foreign jurisdiction;

c) documentation certifying the current situation of the foreign non-profit organization, issued within a period not exceeding 90 days from the date of submission of the request, with registration and representation data, including information on whether it is in liquidation or bankruptcy process;

ç) the decision or other acts of the competent body of the foreign non-profit organization, according to the foreign legislation for the opening of a branch in Albania.

Article 13

Non-profit organizations with foreign founders

In cases of registration of non-profit organizations with a foreign legal entity as founder, in addition to the required documents according to the form of the non-profit organization, the documents specified in point 3, article 12 of this law, for the foreign legal person, are attached to the request for initial registration.

Article 14

Mandatory data for non-profit organizations

1. The following data are required for the initial registration of non-profit organizations:

- a) name;
- b) organization form;
- c) establishment date;
- ç) founders' identification data, specifying in each case the name, surname, place of birth, date of birth, address of residence, identity number, as well as their electronic contact details. In cases where the founder is a legal entity, the mandatory data to be registered are the name of the legal entity, legal form, unique identification number, date of establishment and registration, headquarters, name of the legal representative of the entity or persons responsible for representing the entity in relation to third parties, as well as electronic data of their contact;
- d) headquarter;
- dh) purpose and scope of activity;
- e) duration, if specified;
- ë) the members of the governing bodies, giving in each case their name, surname, place of birth, date of birth, identity number, as well as their electronic contact details;
- f) identification data of persons responsible for the administration and representation of the non-profit organisation in relation to third parties, specifying in each case the name, surname, place of birth, date of birth, address of residence, identity number, as well as their electronic contact details, powers of representation, as well as the terms of their appointment;
- g) in the case of the foundation: the composition and property value of the founding fund;
- gj) the signatures' specimen of the persons representing the non-profit organization towards the third parties.

Article 15

Mandatory data for branches of foreign non-profit organizations

1. The following data are mandatory for the initial registration of branches of foreign non-profit organizations:

- a) the data specified in letters "a", "b", "c", "d", "dh", "e", "ë", "f", and "g" of article 14 of this

- law for foreign non-profit organizations, including the number and place of registration;
- b) the name of the branch, if it is different from that of the foreign non-profit organization;
- c) duration, if specified;
- ç) the purpose and scope of the branch's activity;
- d) headquarter of branch;
- dh) identification data of the persons responsible for the administration and representation of the branch in relation to third parties, including the act of assigning legal representatives of the branch of the foreign organization, powers of representation, as well as the terms of their appointment;
- e) the signatures' specimen of the persons representing the branch in relation to third parties.

Article 16

Consequences of initial registration

Non-profit organizations acquire legal personality on the day that the court decision for its registration has become final. Upon gaining legal personality, non-profit organizations are registered by the secretary of the electronic register in the electronic register of non-profit organizations.

SECTION IV

OTHER REGISTRATIONS

Article 17

Other mandatory registrations

1. Any non-profit organization that performs the initial registration also bears the obligation to register any changes related to data and supporting documents, which are deposited in the electronic register, according to section III of chapter II of this law.

2. In case of change of the founding act or the statute, their full text is also deposited, which reflects the subsequent changes. In case of the branches of foreign non-profit organizations, are deposited the statute and the founding act of the foreign non-profit organization or the equivalent establishment document, according to the foreign legislation, with the full text, which reflects the changes made.

3. In addition to what is provided in point 1 of this article, non-profit organizations must register and deposit the relevant acts, as follows:

- a) annual financial statements, held in accordance with legal requirements, in cases where the keeping of these documents is mandatory;
- b) the appointment of liquidators, as well as their identification data;
- c) acts of dissolution, closure or distribution, acts of transformation, merger, division, opening of administrative procedures, liquidation or reorganization, as well as other intermediate acts, provided by the current legislation. In case of the branches of foreign non-profit organizations, the acts of transformation, merger, division, opening and closing of liquidation or bankruptcy procedures of the foreign non-profit organization are also registered;
- ç) other places of activity, different from the main location;
- d) representation competences of governing bodies or liquidators;
- dh) names, surnames, dates of birth and the value of the property contributions of the founding fund (if any);

- e) any other mandatory registration under the current legal provisions.

Article 18

Other voluntary registrations

Non-profit organizations have the right to register in the electronic register upon their request any other data, different from the data defined in article 17 of this law, which are related to their activity. These additional data include, but are not limited to:

- a) the name or other distinguishing marks of the activity (if it is different from registered name of the non-profit organization);
- b) website, e-mail address, telephone and fax numbers;
- c) decisions of the governing bodies of the non-profit organization such as decisions of suspension of activity or other decisions other than mandatory registration decisions;
- ç) other data related to the activity of the non-profit organization.

Article 19

Registrations by court decision

1. Tirana Judicial District Court registers in the electronic register of non-profit organizations and publishes, mainly or upon request by any interested person, court decisions on registered data or the activity of the non-profit organization.

2. To the request for registration, is attached the relevant decision. Registration is carried out according to the rules set out in Chapter III of this law.

SECTION V DE-REGISTRATION

Article 20

De-registration of entities

1. Non-profit organizations are deregistered from the electronic register in cases provided by legislation in force defining the rules for the establishment, registration, functioning, organization and activity of non-profit organizations, in cases where law provides for the dissolution and invalidity of legal entities, as well as in any other case provided by law in force.
2. De-registration may happen:
 - a) voluntarily at the initiative of the non-profit organization itself;
 - b) on the basis of a final court decision;
 - c) according to the provision of special laws.

Article 21
Voluntary deregistration

When the dissolution has been decided by the non-profit organization itself, the deregistration from the electronic register of non-profit organizations is performed only after the court decision for deregistration of the non-profit organization has become final.

Article 22
Deregistration by court decision

In cases when the court decides to dissolve the non-profit organization, deregistration from the electronic register of non-profit organizations is performed only after the court decision on deregistration of the non-profit organization has become final.

Article 23
Data of deregistered entities

1. The data of deregistered non-profit organizations are kept in the electronic register, putting the note "deregistered", as well as the number and date of the court decision for the deregistration from the register according to special laws. These data are electronically stored by Tirana Judicial District Court and are always accessible to the public.

2. The name of the non-profit organization is prohibited from being used and cannot be registered by any other entity for a period of 6 (six) months from the date of deregistration.

Article 24
Consequences of deregistration

1. The deregistration of non-profit organizations from the electronic register results in the loss of the legal personality of the entities.

2. Deregistration from the register of the non for profit organisation of the branches of foreign non-profit organizations that do not acquire legal personality through registration, has only a declarative effect.

CHAPTER III
RESPONSIBLE ORGANS FOR REGISTRATION

SECTION I
REVIEWING AND DECISION –MAKING

Article 25
The sole Judge

The decision for the initial registration of non-profit organizations, as well as the decision for their deregistration is taken by a judge of the commercial section of Tirana Judicial District Court in accordance with the rules defined in this law.

Article 26

Chancellor

The decision for other registrations, as defined in section IV of Chapter II of this law, is taken by the Chancellor of the Tirana Judicial District Court according to the rules defined in this law.

Article 27

Secretariat of the Electronic Register

1. The Secretariat of the Electronic Register is the responsible structure in the Tirana Judicial District Court for the administration of the electronic register in accordance with the provisions of this law. The Secretariat of the register is headed by the chief secretary, who is responsible for maintaining the correspondence of the registry secretariat with third parties and for coordination of work within this office.

2. The Secretariat of the Electronic Register of non-profit organizations is responsible and performs the following functions:

a) Administers the procedure of registration of non-profit organizations, amendments to the founding act and the statute of non-profit organizations and performs the relevant entries in the electronic file of each organization;

b) administers the decisions issued for the initial registration of non-profit organizations, depositing the acts of non-profit organizations, as well as their deregistration;

c) Issue or approve the issuance of registration certificates, historical certificates of acts in the electronic register of non-profit organizations, as well as other certificates in cases provided by law, and is responsible for their signing according to law;

ç) Issues copies true to the original of acts stored of electronic register of non-profit organizations and certifies them and is responsible for their signing according to law;

d) Updates and checks the register with the "list of declared persons", according to the legislation in force for measures against financing of terrorism. In cases where one of the individuals, part of the governing, decision-making, founding bodies or in view of legal representative, results in the list of declared persons, the Secretariat of Electronic Register notifies the competent state authority to take measures in accordance with applicable legislation against terrorism financing.

3. Actions for registration, deposit, issuance of certificates, their copies and acts stored in the Electronic Register are authorized by the Secretariat of the Electronic Register, against the payment of service fees. Service fees are set according to the law in force for the judicial fees.

Article 28

Submission of requests

1. The request for registration is submitted in written or electronic form to the Secretariat of Electronic Register.

2. The Secretariat of the Electronic Register assists the applicant in fulfilling the request by verifying as follows:

a) the identity of the signatory and the fact whether he is an authorized person to request registration;

b) all the required mandatory data, as well as the supporting documents;

c) submission in the required form of the supporting documentation, certifying the data being registered;

ç) the fact that the data expressed in the registration form do not, obviously, contradict the data in the documents accompanying the form;

d) the fact that the submitted documentation does not contain unproven corrections or deletions, according to the relevant provisions, as well as when its content is not clearly visible, is illegible or prevents the taking of the electronic image;

dh) if the selected name can be registered;

e) payment of the relevant registration fee;

ë) whether individuals, founders or part of governing bodies of the non-profit organization, are included in the list of persons announced according to the legislation in force for measures against financing of terrorism.

3. The Secretariat of the Electronic Register issues a written confirmation, according to the approved format by the High Judicial Council, for any request submitted. The confirmation must indicate the time of submission, the serial number of the submission of the request, the object of the request, the list of submitted documents and the amount of the fee paid.

4. The Tirana Judicial District Court considers the requests for registration, in compliance to the order of their submission.

5. The Secretariat of the Register is obliged to receive any request submitted under this law and the documents attached to it, even in the case where the request is incomplete, or supporting documents are incorrect.

6. The registration, processing, reviewing of requests by the Judge or Chancellor as well as the storage of notified and deposited data in the register, are carried out through a computerized system.

Article 29

Suspension of request review

1. In cases when, after the verifications provided in Article 28 of this Law, it results that the conditions for registration have not been met, the respective registration fees have not been paid, or the required registrations have not been performed, according to Article 46, Judge or Chancellor, as the case may be, suspends the review of the request and notifies the applicant in writing of the exact cause of the suspension, giving him up to a 15-day deadline to complete or correct the irregularities that impede registration. The announcement of the reason for the suspension is made through a standard form, according to the format approved by order of the High Judicial Council.

2. If the applicant fills in or corrects the documentation that impede registration, within the deadline set out in point 1 of this article, Tirana Judicial District Court is obliged to complete the registration within 5 working days from the date of completion or correction of documentation. In this case, the registration bears the date of submission of the first request for registration.

Article 30

Exclusion of a judge or Chancellor

1. The judge or the Chancellor is obliged to resign from the reviewing of the request for registration in the cases provided in Article 72 of the Code of Civil Procedure.

2. Articles 73, 74 and 75 of the Code of Civil Procedure shall apply to the resignation and exclusion of a judge or chancellor from the reviewing of a request.

3. In cases where the president of the court has accepted the resignation of the chancellor

or the chancellor has been excluded from the examination of a request for registration, according to articles 74 and 75 of the Code of Civil Procedure, the decision for other registrations, as defined in section IV of Chapter II of this law shall be taken by a judge of the commercial section of Tirana District Court.

Article 31

Judge's decision

1. The judge, except in cases where he has suspended the review of the request under Article 29 of this law, decides on the requests for registration or deregistration, in the deliberation room within 15 days from the date of filing the request in the Secretariat of Register or electronically.

2. The decision for registration is given by the judge even in the case when another court has taken a decision to perform this action.

Article 32

Chancellor's decision

The Chancellor, with the exception of cases where he has suspended the review of the request under Article 29 of this law, decides on the requests for other registrations, as defined in section IV of Chapter II of this law, within 5 working day from the date of filing the request in the Secretariat of the electronic register or electronically.

Article 33

Refusal of request for registration

1. The refusal of the request for the initial registration of non-profit organizations in the Electronic Register is done by the decision of the competent judge of the commercial section of Tirana District Court.

2. The rejection of the request for other registrations according to section IV of Chapter II of this law, is done by decision of the Chancellor.

3. The request for registration is refused only in cases where:

a) the request is not in accordance with the conditions set out in this law or in the law on non-profit organizations and the applicant does not complete or correct the documents that impede registration, within the deadline;

b) the data required to be registered are different from the registered data, according to the provisions of this law;

c) when individuals being part of the founders, governing or decision-making bodies of the non-profit organization are included in the announced list of persons according to the legislation in force for measures against financing of terrorism.

4. Decision of refusal is notified in writing to the applicant, according to the standard form, in which the reason for this refusal is also given.

5. An appeal may be lodged against the judge's decision on refusal of the request for initial registration, within 15 working days from notification of the decision, in the Tirana Court of Appeals.

6. An appeal may be lodged against the Chancellor's decision on refusal of the request for other registrations to a judge of the commercial section of Tirana District Court within 10

working days from the notification of the decision. In this case, the judge reviews the appeal in the deliberation room within 5 days from the filing date the appeal. An appeal may be lodged to the Tirana Court of Appeals against the judge's decision on rejection of the appeal.

Article 34

Content of the registration decision

The decision of the judge for the registration of non-profit organizations or of the chancellor for the registration of other data, must fully contain the issues that should be reflected in the Electronic Register.

Article 35

Execution of the registration decision

1. The decision of the Judge for registration or deregistration in the Electronic Register as well as the decision of the Chancellor for other registration are registered by the Secretariat of Register in the day the decision has become final.

2. Immediately after the registration of the decision, the Secretariat of Register issues the registration certificate or the certificate of completion of other registrations.

SECTION II

AUTOMATIC REGISTRATION, UNIQUE IDENTIFICATION NUMBER, PUBLICATION AND ISSUING OF CERTIFICATES

Article 36

Automatic Registration

1. The registration of non-profit organizations in the Electronic Register also brings their automatic registration to the Tax central and local administration, in the social and health insurance scheme and in the Labor Inspectorate.

2. Non-profit organizations, for the purposes of registration and receiving of the initial registration certificate, also declare mandatory data, according to tax legislation of social and health insurance and that of statistics, according to the relevant forms.

3. Unless the law expressly stipulates the commencement of the relevant activity by obtaining a permit, license or authorization, the non-profit organization has the right to immediately start its activity at the time the Secretariat of Register issues the initial registration certificate.

Article 37

Unique identification number of the entity

1. By registering in the electronic register, non-profit organizations are given the identification number, which is generated electronically by the Tirana Judicial District Court and is unique for each registered non-profit organization.

2. The unique identification number is valid for the identification of organizations, for the purpose of registration in the electronic register, for the purpose of registration as a taxable person in the Tax central and local authorities for the social and health insurance scheme, for the authorities of labor relations inspection, as well as for any other statistical or identification purpose.

3. The unique identification number of organizations is given only once, at the time of initial registration, is unchanged, and is not given to other organizations even after deregistration.

Article 38

Electronic publication

1. Tirana Judicial District Court publish in the Bulletin of Official Notifications for Registrations, kept by the Secretariat of Register in electronic format and in the official website of the Tirana Judicial District Court, in any case of registration or change of the data in the registry the following data:
 - a) the name;
 - b) the form of organization;
 - c) date of establishment;
 - ç) the purpose and field of activity;
 - d) duration, if specified;
 - dh) the name of the legal representative;
 - e) unique identification number.
2. The Secretariat of the Electronic Register shall publish in the bulletin within one day from the date of registration. For each publication, is clearly defined the date on which the published data is registered.
3. The publication in the Bulletin of Official Notifications for Registrations constitutes the official publication of the registrations, carried out in Article 7 of this law.
4. The publication of data under this article is carried out in accordance with the restrictions set by applicable legislation on personal data protection.

Article 39

Certificate of Initial registration

1. The Secretariat of the Electronic Register, within the deadline set in this law for the initial registration, issues to registered non-profit organization the registration certificate, which contains the name, form, unique identification number, certificate serial number, initial registration date and the location or address of the main region of exercising the activity.
2. In case the registered non-profit organization carries out the activity in more than one region(place), the Secretariat of the Electronic Register issues a registration certificate for each place of exercising the activity. These certificates, in addition to the relevant address, also contain the name, form, date of initial registration, certificate serial number and the unique identification number of the non-profit organization.
3. In cases where the non-profit organization changes the name, form, location or places of exercising the activity, the Secretariat of the Electronic Register replaces the certificates previously issued with a new certificate for each place of activity. These certificates, in addition to the relevant address, also contain the name, form, date of initial registration and the unique identification number of the non-profit organization.
4. The registration certificate is issued in an original copy for each place of activity. In case of loss or damage of the registration certificate, it is replaced with a duplicate issued by the Secretariat of the Electronic Register.
5. The non-profit organization is obliged to put the registration certificate in each place of exercising the activity, in a visible place.

Article 40
Certificates for registrations

After registration, according to the provisions of this law, the Secretariat of the Electronic Register issues to the entity a registration certificate, which clearly defines the action performed and the date of this registration.

Article 41
Format and content

The High Judicial Council, upon the proposal of the Chancellor, approves the format and content of certificates attestations and the Bulletin of Official Registration Notices, according to this law.

Article 42
Correction of mistakes

1. Ortographical errors, errors in calculation or other obvious inaccuracies of this type, made during the registration, which are clearly the result of the submitted documentation and do not affect the validity of the registration, may be corrected by the Secretariat of the Electronic Register mainly or at the request of persons interested.

2. The change of incorrect data, different from those provided in point 1 of this article, is performed through a new registration request.

3. Correction of inaccuracies or mistakes is published, according to the provisions of Article 38 of this law.

4. The request for correction of mistakes is made free of charge.

CHAPTER IV
PUBLIC ACCESS AND EXTRACTS

Article 43
Data publishing

1. Any interested person may, under this law, perform, free of charge, electronic database searching for any registered data, in accordance with the restrictions imposed by the legislation in force on personal data protection.

2. The publication of data in the electronic register is done in accordance with the established rules by the law in force for the protection of personal data.

Article 44
Extracts of electronic register

1. The Secretariat of the Electronic Register confirms the data registered by non-profit organizations, according to this law, through the issuance of extracts in written or electronic form. Each individual, in case he / she requests information in written form for the recorded data of any non-profit organization, as well as copies of accompanying documents filed in the register, has the right to receive them without obstacles from the secretariat of the electronic register against payment of the relevant fee, which is the cost of reproducing the requested information and if appropriate, its transportation/ deliver.

2. Extracts may be issued for certain data of non-profit organizations and for the history

of actions performed by a nonprofit organization.

3. The High Judicial Council, on the proposal of the Chancellor, approves the format of the extracts and of the request for their issuance.

Article 45

Certificate of extracts and supporting documents

1. Extracts and copies of supporting documents, as a rule, are issued in written form by the Secretariat of the Electronic Register, as a certified copy of the registered data or relevant supporting documents, unless the concerned person withdraws from obtaining of this certificate.

2. Extracts and copies of supporting documents, as a rule, are issued in electronic form by the Secretariat of the Electronic Register as an unproven copy of the registered data or relevant supporting documents, unless the concerned person requests to obtain this certificate.

CHAPTER V

ELECTRONIC COUNTER

Article 46

Actions in the electronic counter

1. Every citizen, after being electronically identified, has the right, in the capacity of the applicant or the authorized person, to submit a request for registration or to perform to the electronic counter any registration or other action, according to this law, including the procedure of appealing against the decision of the Chancellor according to article 33 of this law, and to receive from the Secretariat of the Electronic Register, from this counter, all the relevant acts foreseen by this law.

2. Through the electronic counter can be performed electronic searches in the register, to get extracts, as well as copies of supporting documents in electronic form or to perform other actions for which the identification of the person or the payment of a fee by electronic means is not required under this law.

Article 47

Electronic Identification

The actions at the electronic counter of the Tirana Judicial District Court, for which this law requires electronic identification, are performed through electronic means that guarantee the authenticity of the origin and inviolability of the content of documents in electronic form, at least through advanced electronic signature, as defined by current legislation on electronic signature.

Article 48

Procedural and technical conditions

The Council of Ministers determines the conditions, deadlines and procedures for the provision of services by the Secretariat of the Electronic Register, according to this law, through e-albania portal, the conditions and ways of equipping individuals with the relevant electronic access rights, procedures for changing them, security and storage conditions of electronic communications, the ways of certification of electronic documents issued by the Secretariat of the Electronic Register, of the requirements and the applicable technology for their realization, according to this chapter, as well as the procedures and public notifications, carried out by the Secretariat of the Electronic Register.

CHAPTER VI ADMINISTRATIVE VIOLATIONS

Article 49

Administrative Violations

1. The non-profit organization as well as the authorized persons to make the registration are responsible according to the current legislation, for the authenticity of the facts, the announced data and the supporting documents, deposited in the electronic register.

2. The declaration in the electronic register of false data, when it does not constitute a criminal offense, constitutes an administrative violation and is punishable by a fine of 0.1% to 1% of the annual incomes declared from the non-profit organisation.

3. Failure to comply with the obligation for the initial registration and other mandatory registrations, within the deadlines provided by this law, constitutes an administrative violation and is punishable by a fine of 0.1% to 1% of the annual incomes declared from the non-profit organisation.

4. In any case, the amount of the fine, according to points 2 and 3 of this article, cannot be less than 30,000 (thirty thousand) ALL.

5. In case the chancellor mainly finds that the non-profit organization has declared false data or has not fulfilled the obligations for initial registration, or other mandatory registrations, according to points 2 and 3 of this article, before making a decision, notifies the parties about submitting a request for registration or correction of data. If within 30 days upon receipt of the notice, the non-profit organization, as well as the authorized persons do not submit the request, the chancellor imposes a fine according to the provisions of articles 2, 3 and 4 of this article.

6. The fine is imposed by the chancellor, according to the criteria set out in the legislation in force for administrative offenses. The chancellor's decision on the fine is appealed directly to the Administrative Court of First Instance, Tirana.

CHAPTER VII FINAL PROVISIONS

Article 50

Transitional regime

1. Until the creation of electronic register, the registration procedures of non-profit organizations are performed according to the provisions of law no. 8789, dated 7.5.2001 "On the registration of non-profit organizations".

2. The tax administration, within 3 months from establishment of the electronic register, gives to the Court of the Tirana Judicial District all the data that it has for the non-profit organisation registered to them.

3. The Court of the Tirana Judicial District, within 6 months from the establishment of the electronic register, updates the electronic register with the necessary data and notifies the non-profit organisation registered in the register, to complete the documentation, if it is noticed that the administered documentation requires updating, in fulfilment of registration obligations according to this law.

4. The non-profit organizations have the obligation to cooperate with Tirana Judicial District Court, in completing the necessary data in compliance with the requirements of this law for the initial registration.

5. Non-profit organizations, which are not registered in the tax administration, and do not apply for registration in the tax administration within 12 (twelve) months from entering in force of this law, are deregistered from the register of non-profit organizations.

Article 51

Amendments

In law no. 8789, dated 7.5.2001, "On the registration of non-profit organizations", are made the following change and addition:

1. In Article 22, point 1 is amended as follows:

“1. Registration and deregistration of non-profit organizations, as well as the deposit of other acts in the register for changes in the act of establishment or statute, for transformation, merge, cessation of activity or dissolution, unless otherwise provided by law, is made at the request of the interested subject, which is deposited within 30 (thirty) calendar days from the date of the decision of the competent body of the non-profit organization for these events.”

3. After article 39, chapter VII / 1 is added with this content:

“CHAPTER VII / 1 ADMINISTRATIVE VIOLATIONS

Article 39/1

Administrative violations

1. Failure to comply with the obligation to register or deregister a non-profit organization and depositing other acts in the register within the deadlines provided by this law, is punished by the court with a fine from 0.1% to 1% of the annual income declared by the non-profit organization.

2. In any case, the amount of the fine, according to point 1 of this article, cannot be less than 30,000 (thirty thousand) ALL.

3. An appeal may be filed against the decision on a fine in the court of appeal.

Article 52

Bylaws

1. The Council of Ministers is responsible, within 3 (three) months from the entry into force of this law, to approve the by-laws pursuant to articles 5, point 2, and 48 of this law.

2. The High Judicial Council is responsible, within 3 (three) months from the entry into force of this law, to approve the forms and formats, according to the provisions of articles 6, point 2; 28, point 3; 29, point 1; 41 and 44, point 3, of this law.

3. The date of functioning of the electronic register is defined by the decision of The High Judicial Council after obtaining the opinion of the Ministry of Justice and the National Agency of Information Society, no later than August 30, 2021.

Article 53

Repeals

On the functioning date of the electronic register, law no. 8789, dated 7.5.2001, “For registration of non-profit organizations” and legal acts and bylaws that are contrary to this law, are repealed.

Article 54

Entry into force

1. This law is effective 15 days after its publication in the "Official Journal", except as provided in point 2 of this article.

2. Article 51 of this law enters into force 3 months after its publication in the Official Journal.

Approved on 24.6.2021

CHAIRMAN

Gramoz Ruci