



**REPUBLIC OF ALBANIA
COUNCIL OF MINISTERS**

DECREE

NO. 1031, DATED 16.12.2015

ON

**THE RULES ON THE FUNCTIONING, ESTABLISHMENT, MANAGEMENT,
FORMAT, CONTENT AND SECURITY PROCEDURES OF STRATEGIC
INVESTMENTS REGISTER**

Pursuant to Article 100 of the Constitution and point 6 of Article 10 of Law no. 55/2015, “On Strategic Investments in the Republic of Albania”, on the proposal of the Minister for Economic Development, Tourism, Trade and Entrepreneurship, the Council of Ministers

D E C I D E D:

- 1.** Strategic Investment Register (afterwards “Register”) shall be a public inventory containing information and data on the strategic investments implemented in the Republic of Albania.
- 2.** The Register will be established, kept, managed, maintained and updated by the Albanian Investment Development Agency (afterwards the “Agency”). The Agency shall manage the database in compliance with the rules laid down in this decree and in the legislation on the management of the state database.
- 3.** The Agency shall manage the register through a portal, a network published in its official website or in a special internet site.
- 4.** The Register will be kept electronically and in hard copy in Albanian and in English. The documents in paper form shall be kept and published also in an appropriate format. The register data need to be kept in a suitable format with which an ordinary user is familiar.

Such a format needs to be adjusted within reasonable time intervals to new technological and information developments.

5. The Register shall contain primary and secondary data. The primary data of the register comprise the specific data and information, collected by the Agency, related to the strategic investments. The secondary data shall include the data and information taken from other databases where they are primary data. Interaction between the register databases shall be allowed only for primary data, while interaction for secondary data is forbidden.

6. Providers of information are the entities interested in being involved in strategic investments procedures and the central and local governing bodies which have powers in this process in conformity with the legal provisions in force.

7. The register shall be public and accessible by the central and local governing bodies, strategic investors and the public, pursuant to the levels of access and classification of security levels specified by the Agency.

8. Access to the register information may be restricted for some pieces of information, in order to guarantee protection and non publication of data considered to be sensitive, such as: confidential information, personal data, trade secrets or data that may jeopardize the fair competition of commercial entities. For this purpose, investors must specify from the outset in their documentation those data for which they request restricted publication in the register. In any case, for transparency and public interest purposes, the following general details on strategic projects and investments shall be published:

- a) The identification of strategic projects and investors;
- b) a general description of strategic projects and investments;
- c) the financial guarantees provided for their execution;
- d) the incentive status that is recognised for those projects and investors;
- e) the support measures taken by the Albanian Government.

9. The Agency shall take measures to differentiate among the levels of access to the register data, enabling the central and local governing bodies and investors, appropriate instruments which on the one hand ensure access to the register and on the other guarantee protection of data considered sensitive.

10. The Agency shall take the necessary measures to guarantee the security of the data contained in the register, through the use of appropriate protection instruments.

11. The Register shall contain all the data linked with the strategic investment procedures, beginning from the moment of their proposal until the final phase when an investment shall become operational.

12. The Register shall contain information and data on:

- a) The projects that have been identified and approved as potentially strategic projects/investors and/or strategic investments/investors--assisted/special procedure;
- b) Assistance-related status of a project;
- c) Strategic Investment Committee decisions on strategic projects;
- d) Memoranda of understanding or other agreements concluded with the investors;
- e) The stages of the procedures and actions taken for each project, and details of the procedures to be completed;
- f) Communications, requests and replies from Government bodies;
- g) A list of permits, licences and authorisations for each project, together with the relevant status, identifying those that are approved and those to be approved, and identifying the responsible bodies, respective deadlines and the necessary documentation for each of them;
- h) Services that the Agency provides to strategic projects;
- i) Support measures and programmes assured to a project;
- j) The decisions, acts and actions of Government bodies that have been taken in relation to a strategic project;
- k) The immovable property included in the Strategic Investment Support Immoveable Property Fund;
- l) Land status and consolidation;
- m) Expropriation procedures;
- n) Strategic sectors and subsectors;
- o) Development priority areas;
- p) Other details that are considered necessary by the Agency.

13. The electronic Register shall be promptly updated with the information and procedures implemented step by step at every phase of the strategic project. The Agency shall

record the new details in the system within a five-day limit to speed up and properly manage the special administrative favoring or expediting the support for services to investors.

14. The Agency shall specify the addresses and the contact persons that are responsible for receiving, transmitting and recording every strategic project data or procedure in the register. These addresses and contact persons may be made known to strategic investors and other state bodies involved in the procedures of strategic investments. Strategic investors and state bodies have the obligation to transmit to the Agency the information on the actions taken by them and also to specify the addresses and the contact points that shall be responsible for communications with the Agency in relation to the strategic investments.

15. The Agency shall take measures to establish and ensure the operation of the strategic investment register within three months from the date of entry into force of this decree.

16. The expenses necessary for the establishment, maintenance and management of the strategic investment register shall be covered by the budget of the Ministry of Economic Development, Tourism, Trade and Entrepreneurship for the Agency.

17. The Ministry of Economic Development, Tourism, Trade and Entrepreneurship, the Albanian Investment Development Agency, and the other bodies of central and local government involved in the strategic investment procedures shall be responsible for the implementation of this decree.

This decree shall become effective following its publication in the “Official Gazette”.

PRIME MINISTER

EDI RAMA

**MINISTER FOR ECONOMIC DEVELOPMENT, TOURISM, TRADE AND
ENTREPRENEURSHIP**

ARBEN AHMETAJ