

LAW  
NO. 131/2015  
ON NATIONAL BUSINESS CENTRE

Pursuant to the Articles 78 and 83, Clause 1 of the Constitution, and upon the proposal of the  
Council of Ministers,

THE ASSEMBLY  
THE REPUBLIC OF ALBANIA  
CHAPTER 1

GENERAL PROVISIONS

Article 1

Object and the activity area

This Law stipulates the rules on the organization and functioning of the National Business Center.

Article 2

Creation and Status of the NBC

1. Creation of the National Business Centre (hereinafter “NBC”).
2. NBC is an institution of the state administration with legal character under the subordination of the relevant minister for Trade (hereinafter “the Minister”) and has its headquarters in Tirana.
3. NBC is funded by the State Budget and its profits.

Article 3

Functions

1. The NBC has the following functions:

- a. Maintains the Commercial Register, in accordance with the legislation that stipulates the business registration;
- b. Performs registration in the Commercial Register, according to the law provisions that regulates the business registration;
- c. Performs registrations of the Subjects provided by the Law that regulates the business registration, for the fiscal, social insurance and healthcare purposes, and inspection of the labor relations.
- ç) Issues certificates, abstracts of registrations and certified copies of other filed documents as provided by the Law regulates the business registration;
- d) Discloses the registered data, according to the law that regulates the business registration, and guarantees the free access of the public.
- dh) Accepts applications for licenses, authorizations or permits, changes and revocation related to them, pursuant to the law which regulates the licenses, authorizations and permits;
- d) Maintains and administrates the National Register of the Licenses, Authorizations, and Permits, pursuant to the law which regulates the licenses, authorizations and permits;
- ë) Ensures the free public access to the National Register of the Licenses, Authorizations and Permits, pursuant to the Law which regulates the licenses, authorizations and permits;
- f) informs and advises the interested persons on the procedures for the business registration, as well the licensing, authorization and permit procedures;
- g) provides comments on any legal or sub-legal act in the business registration area, and on licenses, authorizations, and permits;
- gj) conducts researches on the regulatory environment quality, provides information, analysis and advice to the Minister, Council of Ministers or central and independent governmental institutions, related to their normative and organizational initiatives, in the business registration and licenses, authorizations, and permits area, as well provides assistance on the preparations of the regulatory environment improvement policies on these areas.

2. Procedures on functions conducting of the NBC, foreseen under item 1, of this Article, are foreseen in the law which regulates the business registration and in the Law, that regulates license, authorizations and permits.

3. NBC has a full decision-making independence on the specific issues, for the accomplishment of the functions stipulated under item 1 of this Article.

#### Article 4

##### Organization and NBC service windows

1. 1. The NBC exercises its jurisdiction all over the territory of the Republic of Albania and is the unique institution which offers public service, pursuant to the provisions stipulated by this Law.
2. NBC exercises its functions directly for the public, through its central window service and through the territory service window service.
3. NBC offers service throughout the territory, through the window services at the local government bodies, as a delegated function, in accordance with the provisions of this law and the law on the organization and functioning of the local government. NBC signs cooperation agreements with the local government bodies, where are stipulated the service conditions and the main performance indicators, qualifications and specific professional criteria of the window service employees, as well the mandatory trainings for the employees.
4. NBC delivers service in the territory even through the open window service, in cooperation and near the Trade and Industry Chambers Union and/or trade chamber regulated according to the relevant legislation. Functioning of these window service, shall be achieve in agreement with these organizations, to which are delegated the NBC window service functions, in accordance with this law and cooperation agreement conditions.
5. The number and the location of the window service at the local government bodies or other organizations, defined under item 4, of this Article, shall be approved by the Minister, upon the proposal of the Head of NBC, based on the window service plan in the territory and the sufficient workload in the window service.
6. In the case when the relevant local government body or organization, with which NBC has signed a cooperation agreement, pursuant to this Article, does not deliver the service windows functionalities in compliance with the provisions of this law or the provisions of the Agreement signed with NBC, Head of NBC entitles the right of proposing to the Minister the closing of the relevant window service.
7. On the cases foreseen under item 6, of this Article, based on the preliminary plan for the need of opening window service in the territory and the sufficient workload in the relevant window service, NBC shall substitute the closed down window service, opening a window service, under the framework of its structure, pursuant to the provisions of the Article 6 of this Law.
8. The entire window service in the territory are connected on-line with the NBC central system.
9. NBC shall conduct its functions pursuant to this law, through the opening of the electronic window service for the delivery of the relevant procedures, in compliance with provisions of the law which regulates the business registration and the law which regulates the license, permits and authorizations.

## Article 5

### NBC Management

1. NBC activity is managed by its Director General. The labor relations of the General Director are regulated based on the civil servant legislation.
2. The Director General is responsible for technical, organizational, financial and human resources management of the NBC, in accordance with the legislation in force.
3. NBC General Director provides the methodological guidance for the implementation of the procedures that are followed pursuant to the law that regulates business registration and the law that regulates licenses, authorizations and permits, and for this purpose issues compulsory orders and instructions for NBC staff and for the employees of all the service windows.

## Article 6

### Internal Organization

NBC internal organization is approved by the Prime Minister, upon the proposal of the Minister, in compliance with the legislation in force.

## Article 7

### NBC Officials and Employees

1. The working relations of the NBC employees, including the central service windows and all other service windows, stipulated pursuant to the item 7, of the Article 4 of this Law, are regulated based on the civil servant legislation.
2. The labor relations of the NBC officials are regulated in compliance with the Labor Code.

## Article 8

### Officials that execute delegated functions

1. Service windows officials, established by NBC, in reference to the item 3, Article 4, of this Law, are civil servants of the relevant local governmental entities.
2. Service windows officials, established by NBC, in reference to the item 4, Article 4, of this Law, are employees of the relevant organization, which NBC has a cooperation agreement with.
3. In order to have a service unification delivered to the public in all the territory service windows, the service windows officials shall comply with the same relevant professional criteria which are implemented by the NBC central service windows officials. NBC ensures to the service windows officials the same training which is delivered to the central service windows officials of this Centre.

## Article 9

### Salaries

1. The structure and level of salaries and bonus for the NBC is approved by the Council of Ministers, as provided by the law in force.
2. The level of salaries and bonus, as well as the number of employees or officials defined pursuant to item 1 and 2, of the Article 8, of this Law, is approved by the respective elected council in accordance with the law in force, respectively by the local governmental entities or other subjects, which NBC have signed a cooperation agreement with.

## Article 10

### NBC Budget

1. NBC budget is integral part of the Trade Ministry budget, and is calculated in compliance with the legislation in force.
2. The budget of the NBC consists of all revenues and expenditures, including funds for operational or capital expenditures related to the service windows at municipalities or communes and the revenues received in such service windows, which are created in reference to the items 3, 7, and 9, of the Article 4 of this law. The funds for the functioning of NBC are budget funds.
3. Funds for operational expenditures for each service window created pursuant to the item 3, Article 4, of this Law, are conditional funds and are determined in the NBC budget based on the State Budget planning and implementation rules.
4. The expenses in opening, functioning and maintenance of the service windows, pursuant to the item 4, Article 4 of this Law, with the expectation of the funds for delivering trainings to the service windows employees, which are supported by NBC, shall be charged by the relevant subjects and are not part of the NBC budget.
5. The local government entity or other subject, which NBC has signed a cooperation agreement, in accordance with its objectives, can allocate and carry out additional operational and/or capital expenditures for further improvement of the service delivery of its service window

## Article 11

### Services and fees

1. The NBC creates revenues by performing its functions as determined by this Law, as well as for the delivery of other services to support its basic functions.
2. The Minister determines such other services to be delivered by NBC, which fees are approved, upon his proposal, by the Minister of Finance.

3. The relevant fees for services related to the functions of the NBC are approved by the Council of Ministers, upon the proposal of the Minister.
4. All fees are published in every service window and on the website of the NBC.

## Article 12

### Use of own revenues

1. The revenues from the fees related to the functions, pursuant to the Article 3, of this Law, including those created at service windows, are part of the state budget revenues.
2. Of the total revenues from other services created directly by NBC or at the service windows at a municipality or commune, pursuant to the items 4, 5, 7 or 9 of the Article 4, of this Law, only 10% are transferred to the state budget, and the remaining 90% are used by the NBC for improving its functioning and services. The use of these revenues shall be made upon a mutual instruction between the responsible trade Minister and the Minister of Finance.

## Article 13

### Reporting and Accountability

1. The Minister approves and supervises the specific working objectives of the NBC activity as well as its performance.
2. The NBC reports to the Minister on the administrative and financial management, and for the quality of service delivery, once a year and whenever requested.
3. The supervision function from the Minister, pursuant to the item 1, of this Article, shall not be extended on the decision making on concrete issues related to the execution of the NBC functions, defined in the Article 3 of this Law.

## Article 14

### NBC Statutes

1. The Council of Ministers, upon proposal of the Minister, approves the Statutes of the NBC.
2. The Statute defines the detailed rules for the NBC organization and functioning.

## CHAPTER II

### TRANSITORY DISPOSITIONS

#### Article 15

##### Inventory

Within the deadline of 30 days, from the entry into force of this law, pursuant to item 1, Article 21, of this law, Head of the National Registration Centre and Head of the National Licensing Centre, shall make the inventory of the assets and liabilities of the relevant institutions, number and location of the service windows, contracts and cooperation agreements, that these institutions have with third parties, application forms, certification and documents format which are used to proceed with the business, licensing, authorizations and permits registration procedures, pursuant to the relevant laws, making them available to the Minister.

#### Article 16

##### Sub-legal Acts

1. The Ministers within the deadline of 30 days from entering into force of this law, pursuant to the item, article 21, of this law, shall appoint the head of NBC, in accordance with the civil service legislation.
2. Within a deadline of 60 days from the entering into force of this law, pursuant to the item 1, article 21, of this law, upon the proposal of the Minister:
  - a) Council of Ministers approves the NBC statute, pursuant to the Article 14 of this Law;
  - b) Prime Minister approves NBC structure and organizational chart, pursuant to the item 2, Article 6, of this law.
2. The Minister, upon the proposal of the Head of NBC, and within the deadline of 60 days from entering into force of this law, shall approve, pursuant to item 1, article 21, of this law, shall approve the number and locations of the NBC service windows, pursuant to the provisions in item 4 and 5, of the Article 4, of this Law.
4. The Minister, upon the proposal of the Head of NBC and within the deadline of 60 days from the entering into force of this law, shall approve, pursuant to item 1, Article 21, of this Law, the forms, certifications and other procedural documents format, that NBC shall proceed with the business registration, licensing and permission functions, in compliance with the law provisions which regulates the business registration and the law which regulates the licenses, authorizations and permits.

## CHAPTER III

### FINAL PROVISIONS

#### Article 17

##### Amendments in legislation

1. In the law no. 9723, date 3.5.2007 “On the National Registration Centre”, amended shall be made the following changes:

a) Title of the law from “On the National Registration Centre” shall be amended in “On the business registration”

b) Article 1, “Scope of the law” shall be amended as following:

#### “Article 1

##### Scope of the law

The present law regulates the administration way of the Commercial Register, defines the subjects and procedures for registration”.

c) Chapter II “Creation, organization and functioning of the National Registration Centre”, which includes the articles from 3 to 17, is abrogated.

ç) Wherever in the law, the nomination “National Registration Centre”, and the abbreviation “NRC”, shall be amended and substituted respectively “National Business Centre” and NBC.

2. In the law no. 10 081, date 23.2.2009, “On the Licenses, Authorizations and Permits in the Republic of Albania” shall be made the following changes:

a) In Article 2, Item 1, letter “d” is abrogated.

b) In Article 3, item 1, letter “a” shall be changed as following:

“a) “Ministry” is the trade responsible ministry.”.

c) In Article 3, item 1, letter “b” shall be amended as following:

“b) “Minister” is the trade responsible minister.”.

ç) Chapter VI, “Creation, organization and functioning of NLC”, which consists of the articles from 37 up to 51, shall be abrogated.

d) Hereinafter in the law, the nomination “National Licensing Centre” and the abbreviation “NLC” shall be amended and substituted respectively into “National Business Centre” and “NBC”.



3. In any other law or sub-legal act in force, the nomination “National Registration Centre” or the abbreviation “NRC”, and the nomination “National Licensing Center” or the abbreviation “NLC”, is amended and substituted respectively into “National Business Center” and NBC.

4. In every other law or sub-legal law in force, reference in one provision of the Law no. 9723, “On the National Registration Centre” shall be amended as reference in the corresponding provision of the law “On the Business Registration”.

## Article 18

### Initiation of NBC functioning

1. National Business Centre initiate the execution of its functions at the Article 17 entering into force date, as foreseen by item 2, Article 21, of this Law.

2. At the entering into force of the Article 17, as foreseen in item2, Article 21, of this Law:

a) National Registration Centre and National Licensing Centre shall be decomposed and all assets and liabilities of these institutions, in that date, shall be automatically transferred to NBC;

b) NBC shall entitle the entire rights and obligations of the National Registration Centre and National Licensing Centre;

c) all service windows of the National Registration Centre and National Licensing Centre, including the approved in compliance with the letter “a”, item 3, Article 16, of this Law, shall be transferred to NBC, whereas all other service windows shall closed down.

ç) all contracts and cooperation agreements in force, signed by the National Registration Centre and National Licensing Centre, with other third parties shall be transferred to NBC.

d) approved budgets for the National Registration Centre and National Likening Centre, in accordance with the law no. 160/2014, “On the Budget for 2015”, shall be united, comprising the approved budget of NBC.

## Article 19

### Procedures in process

Procedures, pursuant to the law no. 9723, date 3.5.2007, and law no. 10081, date 23.2.2009, of which on the decomposition date of the National Registration Centre and national Licensing Centre, pursuant to this law, have not terminated yet, and shall continue to be proceeded by NBC, without any additional obligation in charge of the respective subjects that have applied for these procedures.

## Article 20

### Validity of the documents

The documents issued by the National Registration Centre and the National Licensing Centre, pursuant to the law that regulates the business registration and respectively the law that regulates the licenses, authorizations and permits, before entering into force of the Article 17, as foreseen under item 2, article 21, of this law, are valid for any legal purposes and the subjects supplied with those documents, are not obliged to proceed with any other additional action.

## Article 21

### Entering into force

1. This Law, with the exception of the Article 17, enters into force 15 days after its publication into the Official Journal.
2. Article 17 of this law enters into force 90 days after the entering into force of this law, pursuant to the item 1 of this article.

Approved on 26.11.2015

Promulgated by the decree no.9339, date 4.12.2015, of the President of the Republic of Albania, Bujar Nishani.