

**INSTRUCTION**  
**NO.739 DATE 26/1/2015**  
**ON**  
**PROCEDURES OF ELECTRONIC REGISTRATION AND PUBLICATION**

Pursuant to Article 102, paragraph 4 of the Constitution of the Republic of Albania, point 2 of Article 20 of Law no. 9723, dated 13.05.2007 "On the National Registration Center" as amended, ,

**I ORDER**

1. Initial registration and any other registration shall be made by application not only to any National Registration Center service desk throughout the territory but may be performed electronically in accordance with the legislation on electronic signature.
2. The National Registration Center shall make publicly available, by appropriate means, the manual on the functioning of electronic business registration online.
3. Applicants declare, through the application form, the data required by the law to perform the commercial registration and submit the relevant accompanying documents.
4. Applicants who perform the initial registration in the commercial register, according to the law, declare on the initial registration forms the compulsory data according to the provisions regulating the tax, statistical, social and health insurance and labor inspection fields.
5. These declarations are carried out in support of the requirements set out in the approved basis codes.
6. The application for registration of natural persons is made by the applying person for the entities (limited liability companies, joint stock companies, collective companies, limited partnerships, simple companies, branches and representative offices of foreign companies) from the persons responsible for representing these subjects in relations with third parties, delivers the data by submitting the relevant application, completed with all mandatory fields, and by submitting the accompanying documents required for the type of registration required to be performed .
7. The applicant fills the application form electronically through e –Albania portal.

8. The completed form is electronically signed by the person applying for registration, and is sent to the authorizing officer (registrars) electronically through the electronic system of the National Registration Center and e-Albania, together with the required documents by type of application. Applications will be accepted without electronic signature, but only through the subject's authentication, a process that is made possible through verification of the data with the civil registry. Once the electronic signature is effective then the form will be signed electronically.
9. Information Communication System provides automatic confirmation of receipt of Application from the Receiver's Computer System. The Confirmation contains the number automatically provided by the National Registration Center's computerized system. (case number CN).
10. After submitting the application to the National Registration Center, the applicant is notified electronically by e-mail and the receipt of the application is sent .
11. The National Registration Center shall electronically notify the applicant's via email of the status of its application (approval of application, suspension or rejection) and sends the relevant decision according to the approved form issued by the computerized system
12. The application and the accompanying documents, in electronic form, sent in accordance with the provisions of paragraphs 7, 8 and 9 of this Instruction shall be examined by the authorized National Registry staff by the order of their submission.
13. The application and the accompanying documents electronically shall be considered by the authorized National Registry Officer in accordance with the requirements of Article 54, point 1 of the Law, which also verifies the actions performed by the applicant. .
14. When the authorized officer observes that the application is in compliance with the requirements of the law, it only assesses the fulfillment of the requirements set forth in paragraph 1 of Article 54 of the law. In this assessment the authorized officer can not examine the accuracy of the data, the authenticity of the documents, attached to the application for registration, or the compliance of their content with the requirements of the applicable law. The responsibility for the accuracy of the declared data or the authenticity of the documents attached to the application shall be beard by the persons who have made the declarations or who have drafted the act, in accordance with the legal provisions in force.
15. The authorized employee can not refuse registration if the application is submitted according to the provisions of the law.

16. If the authorized officer (registrar) after the verifications under points 12, 13 and 14 of this Instruction observes that the application is in accordance with the requirements of the law, within the maximum time limit of 8 hours from the submission of application (within the official timetable) approves :
  - a)conduction the registration;
  - b) the issuance of NUIS, by electronic signature in the case of initial registration;
  - c) the issuance of registration certificates or, as the case may be, certification of electronic signature registration;
  - ç) the electronic publication of the Registration in the Bulletin of Official Notifications
17. In the case of initial registration, the authorized officer (registrar) shall electronically notify the General Directorate of Taxes of the registration of the entity and send all the registration data, as stated in the relevant form, and the required data , according to the provisions in the tax, social and health insurance and statistical field, together with accompanying documents, as well as the issuance of the Unique Identification Number (NUIS), which is issued immediately and automatically, from General Directorate of Taxes. In the event of an on-line interruption, NUIS is issued by the National Registration Center based on the logarithm, approved by the General Taxation Directorate, and is notified to the tax authority at the time of relocation.
18. The National Registration Center, in the case of initial registration, upon receipt of the NUIS, issues, as the case may be, certificates of registration, according to the approved formats, or certification conduction of the registration.
19. Within 1 day from the date of registration, the computerized system of the National Registration Center shall publish in the Official Announcement Bulletin of registration , the registration data in the approved formats.
20. If the authorized employee, after verifications, finds that the application is not in compliance with the requirements of the law within the maximum time limit of 8 hours from the filing of the application, suspends the registration (within the official timetable).
21. The National Registration Center shall notify the applicant, within the above deadline, of the reason for the suspension by sending the relevant document from the computerized system according to the approved format and giving a 15-day deadline for completing or correcting the deficiencies, which hinder registration. The National Registration Center during the suspension period cannot present any other deficiencies, other than the ones notified.

22. The applicant may at any time within the above deadline complete or correct deficiencies by filling out the relevant form and submitting the accompanying documents necessary at the nearest counter. The continuous functioning can no longer be performed online.
23. In case when after the suspension the applicant has completed or rectified the deficiencies, within the deadline set forth in Article 56 of the Law, the National Registration Center performs the registration. The registration holds the date of filing the first application.
24. If the authorized officer (registrar), after verifications, notes that the data required to be registered are different from the data required by the registration provisions is rejected and the applicant is notified electronically, on the cause of the refusal. .
25. An authorized officer (registrar) refuses registration if the applicant has not completed or rectified the deficiencies that hinder the registration, within the 15-day deadline set forth in Article 56 of the law. The authorized officer refuses registration even when the application for completing or correcting the deficiencies does not meet either of the requirements set forth in the law
26. In case when, within 8 hours of filing the application for the performance of a registration including the application for filling in or correcting the deficiencies that hinder the registration under point 18 of this Instruction, the authorized employee has not completed the registration, has not notified the suspension of the application or its refusal, then the application for registration is considered accepted immediately. In this case, the computerized system of the National Registration Center automatically issues the authorization under point 16 of this Instruction and performs the actions specified in points 17 and 18 of the instruction.
27. The National Registration Center, upon issuance of the initial registration of the subjects in the commercial register, shall electronically notify the General Directorate of Taxes of the registration of the entity and shall send all the registration data, stated in the relevant form, compulsory data according to the provisions regulating the tax, statistical, social and health field, as well as the accompanying documents submitted in accordance with point 8 of this Instruction.
28. For each new registered entity in the commercial register, the National Registration Center shall also notify the municipalities and communes where the subjects have their headquarters or places of activity of the activity, all the registration data declared in the respective form and the data compulsory, according to the provisions governing the tax field.

29. National Registration Center shall, in the same manner, notify the above-mentioned authorities of any change to commercial registration data and other compulsory data according to law.
30. The above notifications are performed within the working day when the registration is made.
31. Any action carried out in the register by the National Registration Center, in accordance with the law and with the provisions of this Instruction, as well as the complete electronic view of each accompanying document shall be electronically represented in the commercial register.
32. The representation in the commercial register of actions carried out by the National Registration Center is done at the moment of registration according to the provisions of the law.
33. Any action taken in the register as well as the complete electronic appearance of any accompanying document are freely accessible to the public, on the official website of the National Registration Center. There is an exception to access to data on individuals and data protected by law.
34. The National Registration Center also allows each applicant to search the official web site of the state in which the application process is based by means of the use of the given number according to point 9 of this Instruction.
35. Everyone has the right to request the issuance of extracts partially or all of the recorded data, at the National Registration Center's website and e-Albania. Extracts can be issued for certain entities data, and / or for the history of actions performed by a entity.
36. The National Registration Center immediately issues the extract with an electronic signature upon submission of the electronic application (within the official time). The request for issuing the extracts and their issuance is done electronically according to the approved source.
37. The National Registration Center is charged with launching an information campaign for the public, on its website, as well as at the premises of its counters at the center and its other counters, electronic registration service
38. The National Registration Center compiles the content of informative messages about any decision-making related to the application for registration, which is sent to the applicant electronically by e-mail.

39. The National Registration Center is responsible for the implementation of this Instruction.
40. This instruction shall immediately enter into force and published in the Official Journal.

MINISTER  
ARBEN AHMETAJ