

Issue 03/13

To keep you up-to-date with the latest economic and financial developments, this bulletin provides information that may affect the operation of your business in Albania.

On 28.03.2013 the Albanian Parliament approved law no. 108/2013 "On Foreigners" (*published in the Albanian official gazette no. 48, dated 05.04.2013*) which abolished law no. 9959, dated 17.07.2008.

Below is a summary of the provisions of the law 108/2013.

Visas

No major changes are made to visa types, which according to articles 20 to 22 of the new law are the following:

Type A: Airport transit visa with one entry which allows the holder to stay at the international zone of the airport until the departure of the flight for the final destination.

Type C: Short term staying visa which allows the holder to stay in the Albanian territory up to 90 days within a period of 180 days.

Type D: Long term staying visa valid for a year which allows the holder to stay in Albania up to 90 days within a period of 180 days and to apply for the issuance of a residency permit.

Foreigners entering the Republic of Albania without the need of a visa may stay within the Albanian territory up to 90 days for a period of 180 days.

Residency Permits

According to article 33 of the law, the types of the residency permits issued from the Albanian migration authorities are the following:

Type A: non renewable residency permit which allows the holder to stay in the Republic of Albania for the term of validity of the permit;

Type B: renewable residency permit which allows the holder to stay in the Republic of Albania for the term of validity of the permit;

Type C: permanent residency permit;

Type S: residency permit issued to seasonal workers in intervals of six months.

Type Card Blue AL: renewable residency permit issued to high qualified employees;

Type Card Blue AL-C: permanent residency permit issued to high qualified employees.

The application for obtaining the residency permit or for the renewal of the same should be submitted within the first 30 days of residence in Albania.

The residency permits are issued for a period of:

- a) 3 months, 6 months and 1 year (renewable up to 5 consecutive times);
- b) 2 years (renewable only one time);

- c) Permanent, in case the foreigner has had legal residence in Albania for 5 consecutive years.

Residency permits type Card Blue AL can be issued for an initial period of two years and renewed for a term of 3 years.

With regard to USA citizens, pursuant to article 147 of the new law, they can reside in the Republic of Albania up to one year without the obligation to obtain a residency permit and the first residency permit for a USA citizen can be issued for a term of up to 5 years.

Work Permits and Work Registration Certificates

Foreigners working in the Republic of Albania, depending on the specific case, must obtain a work permit or a work registration certificate.

Pursuant to article 72 of the new law, the following categories are exempted from the obligation to obtain either the work permit or the work registration certificate:

- (a) Citizens of countries part of the EU and Schengen zone, except cases where the legislation in force requires Albanian citizenship for the job position;

- (b) The following individuals staying up to one month within a year: (i) foreigners who negotiate an agreement or take care of a pavilion; (ii) business visitors; (iii) crew of ships or aircrafts; (iv) lecturers, researchers or foreign specialists who come into Albania pursuant to governmental bilateral agreements or educational institutions agreement; (v) trainers who come into Albania pursuant to governmental bilateral agreements or educational institutions agreement; (vi) employees of humanitarian organizations active in Albania pursuant to international programs of cooperation.

Sublegal acts

Pursuant to article 151 of the new law, the Council of Ministers shall issue the relevant sublegal acts for the implementation of the law within six months.

To date the Minister of Labour has issued the Order no. 140 dated 16.05.2013 on the procedures for the declaration of the employees citizens of the Schengen countries. No other sub legal acts are in place, so far.

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Boga & Associates

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The firm maintains its commitment to quality through the skills and determination of a team of attorneys and other professionals with a wide range of skills and experience. The extensive foreign language capabilities of the team help to ensure that its international clientele have easy access to the expanding Albanian and Kosovo business environment.

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