



# BOGA & ASSOCIATES

LEGAL • TAX • ACCOUNTING

Dear Friends,



Please allow me to introduce you to our firm. I would like to take this opportunity to present to you our core values, know-how, clients, and professional staff.

Our objective is to provide the highest quality of legal service and most effective strategies to issues faced by the business community, through a team of experienced attorneys and other professionals.

My colleagues and I are confident that our unparalleled experience and professionalism will be the foundation upon which a successful relationship can be built. You will find in our firm a commitment to overcome challenges you may face in the newly emerging economy and legal milieu of Albania.

We look forward to working with and for you.

Yours truly,

Genc Boga  
Managing Partner

A handwritten signature in blue ink, appearing to read "Genc Boga". The signature is stylized and cursive.

# Firm Overview

Boga & Associates, established in 1994, has emerged as one of the premiere law firms in Albania, earning a reputation for providing the highest quality legal services to its clients.

The practice maintains its commitment to quality through the skills and determination of a team of attorneys 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 business environment.

Boga & Associates represents a broad spectrum of high-profile clients, including financial institutions, airlines, industrial complexes, mining and petroleum concerns, non-profit organizations, embassies, public utilities, commercial companies, international and governmental agencies. The firm has also an outstanding litigation practice, representing clients on all levels of Albanian courts. This same know-how and experience has been drawn upon

by the Legislature in the drafting of new laws and regulations.

The firm offers its clients all the legal tax and accounting services required to conduct business in Albania effectively. Boga & Associates reflects the best international standards of dealing with taxes and accounting also based on the ten years experience with KPMG, as being a member firm till 1st of May 2007. Over the years the firm has advised in the areas of privatization of national resources and enterprises, concessions, real estate transactions, setting up businesses, credit facilities, custom and tax issues, all with a keen sensitivity to the rapid changes in the Albanian business environment.

Boga & Associates acts as World Bank's local partner on yearly publication of Doing Business that benchmarks Albanian's business regulation. The firm is also an exclusive contributor for Albania to International Law Office, a global source of analysis and legal

developments to lawyers worldwide, and a correspondent of International Bureau of Fiscal Documentation (IBFD) that operates on authoritative expertise on cross-border taxation. Boga & Associates is a member of the European Association of Attorneys (AEA).

In 2007, Chambers and Partners an international legal market ranking company awarded Boga and Associates as the best law firm in Albania on Business Law and one of the best on Dispute Resolution.

Besides its commitment to clients' needs, Boga & Associates is also devoted to charitable activities and has provided pro bono legal services to the Albanian Children's Foundation, Youth Albanian Parcel Services, American Chamber of Commerce, and the National Olympic Committee, to name but a few.

# Boga & Associates Areas of Practice

## LEGAL

### Business Law

Our professionals in the Business Law Team provide a comprehensive range of legal services to domestic and international companies on a wide variety of matters including acquisitions, venture capital transactions, mergers and acquisitions, spin-offs and transformation of companies as well as drafting of commercial agreements, terms and conditions for the supply of goods and services, joint ventures, agency, distribution and cooperation agreements. The Team also advises extensively both domestic and international enterprises on corporate structure and regulation, including company incorporation, shareholders agreements, minority shareholders' rights, directors' duties and liabilities, restructuring of financially distressed companies.

### Banking and Financial Law

The firm's ongoing activity in the field includes legal advice to lenders and borrowers on a full scale of financing matters, such as syndicated loans, project and asset finance and new financing products like leasing and factoring. The Team also counsels banks, financial institutions and investment companies in connection with their activities. The firm's

clients are mainly banks, multinational organizations, international corporations and financial institutions.

### Competition Law

The Competition Law Team offers comprehensive advice on all issues of competition law relating to mergers and acquisition, concerted practices, joint ventures and dominant undertakings. The Team also represents clients before the competent Albanian authorities. The Competition Law Team advises various international and local clients on antitrust and anti-dumping issues, assisting them to comply with the respective legal and regulatory framework. Furthermore, the Team provides advice to international institutions, government and legislative bodies on drafted legislation, as well as recommendations regarding amendment to the existing law.

### Construction Law

The Attorneys in the Construction Law Team bring in all their experience and skills to assist clients with comprehensive legal advice during all the stages of planning, contract negotiation, design construction, and, if necessary, arbitration or litigation. Their clients are mostly construction firms, as well

as public authorities, subcontractors, major equipment suppliers, and the construction materials industry.

### Employment Law

The Employment Law Team advises on all areas of employment law, including engagement and dismissal of staff, severance payments, employment contracts and court claims for unfair dismissal, confidentiality agreements, employee and union consultation, negotiations, collective dismissals and shareholders disputes in closely held corporations. The Team also deals with social and medical insurance matters, fraud and abuse.

### Entertainment/ Telecommunication Law

The Entertainment Law Team assists and advises clients in the start-up and development of entertainment related ventures, as well as in negotiating contractual and financial agreements.

### Environmental and Land Use Law

The Environmental and Land Use Law Team serves to businesses, financial institutions, property owners and

developers, construction contractors, engineers and public authorities. More specifically, it provides advice on projects in light of the Albanian and European environmental legislation, including permit issues. The Team assists mostly industries, manufacturers, landowners and real estate developers in achieving environmental compliance. It also undertakes negotiations with public authorities, deals with issues of allocation of liability in cases of environmental legislation breaches, and finally, it effectively handles relevant disputes with public authorities or other involved parties.

### Intellectual Property Law

The legal services offered by the Intellectual Property Law Team cover a wide range of activities in the areas of trademark, copyright, unfair competition, including all related litigation, licensing and counseling in brand and secret protection, customs and unfair imports issues, privacy and publicity, registration and cancellation of trade marks.

### Litigation

The Litigation Team is involved in resolving disputes through litigation, arbitration and alternative dispute solution. The litigation strategy is based

on an early case assessment and a clear risk and commercial analysis of the case in order for strategies to be found quickly for approaching problems effectively. The Litigation Team offers services in nearly all forms of trial and appellate civil litigation and has gained extensive experience in the litigation of virtually every type of case involving multiple claims and parties in courts, administrative agencies and boards. Our professionals handle a full range of commercial, financial, industrial, environmental, tort and real estate litigation. The firm has also gained a record as arbitrator in international arbitrations.

### Procurement Law

The Procurement Law Team provides comprehensive legal services covering all aspects of public procurement such as regular advice and representation of contractors in connection with proposal drafting, bid documentation preparation and tendering procedures, procurement disputes, administrative contracts and compliance matters and disputes resolutions. They have also played an active role in the drafting of the national procurement law presently in force. In addition, the Procurement Law Team offers full advice from the initial structuring of the privatization deal, the conducting of negotiations with

creditors, unions, governmental agencies and investors, to presenting clients throughout the privatization process, including the drafting and execution of relevant documentation.

The firm's clients are mainly international corporations, financial institutions and banks.

### Real Estate Law

The Real Estate Team delivers services to a wide range of domestic and international clients, including property owners, investors, developers, lenders, insurance companies, governmental and non-governmental agencies and public authorities across a variety of sectors: infrastructure projects, industrial properties, expropriation. Its members have sound experience in construction and/or permanent lending transactions, in different aspects of commercial real estate development, in ownership and management arrangements for real estate property and insurance claims including building, contents and business interruption claims.

## TAX

### Tax Advice

The Tax Team offers strategic tax advice and provides effective strategies to tax problems. The tax services include the development of tax efficient structures for project finance, corporations, new financial instruments and real estate transactions. The Team also provides ongoing advisory services to corporations on the impact of fiscal changes and represents clients in tax litigation cases before all levels of the Albanian courts. The tax advisers also actively participate in the counseling and drafting of the fiscal legislation. The Team has a wide experience in the areas of corporate, partnership, trust, public finance and individual taxation at all levels.

### Tax Audit Services

Tax audit services are carried out by a group of tax specialists with the depth knowledge of fiscal legislation. The services are aimed at giving the clients reasonable assurance on the accuracy of the transactions performed under the tax point of view and taking the precautionary measures against tax violation and avoidance of serious consequences.

### Tax Compliance

Our professionals provide comprehensive tax compliance to support the clients' worldwide businesses and their assignees around the world. We help the clients in the review, preparation and submission of the tax returns for businesses and individuals.

## ACCOUNTING

### Bookkeeping services

We offer to the clients who begin the activity in Albania and those who need a specialized company to maintain their books, bookkeeping services which consist in daily bookkeeping, preparation of the financial statements in accordance with Albanian accounting standards, preparation of the financial statements and other financial reports required by the shareholders, through professional advices regarding the structure, presentation and disclosure of these financial statements.

### Accounting advice

Our accounting team offers assistance in the assessment of compliance with the Albanian accounting regulation, assistance to the clients with the accounting issues, which affect their daily activity, advising in the issues related to the compilation of the financial statements for statutory purposes or for the shareholders maintaining a high-quality financial reporting structure. Our team helps the clients with meeting new accounting standards, implement the financial and accounting management systems, reduce inconsistencies between internal and external financial reports etc.

# Highlights of Our Practice

## Banking and Finance Sector

- Legal due diligence to a Greek insurance company regarding acquisition of shares of an Albanian insurance company.
- Tax and legal due diligence to an Albanian second tier bank regarding its acquisition by an Italian bank.
- Legal advisor to the Ministry of Economy, Trade and Energy of Albania in the drafting process of the factoring law.
- Tax due diligence on behalf of an Austrian insurance company to an Albanian insurance company and its subsidiaries in Kosovo and Macedonia.
- Tax and legal due diligence to a second tier Bank in Kosovo in the process of acquisition.
- Legal advisor to an Italian bank regarding acquisition of shares of a local second tier bank.
- Tax and legal advisor to an important international bank operating in Albania regarding the introduction of financial leasing.
- Acted on behalf of a Hungarian Bank concerning the legal due diligence of the largest state owned bank in Albania, in the framework of its privatization process.
- On behalf of a second tier bank operating in Albania providing legal assistance in the transfer of its shares from the Albanian state, represented by the Ministry of Finance.
- On behalf of two international financial institutions in their process of acquiring shares of a state owned insurance company and amendment of its by-laws post-privatization.
- Legal advisor to an international institution regarding the review of the legal and regulatory framework and provision of recommendations relating to the introduction of Factoring in Albania.
- Ongoing legal and tax adviser to a number of second-tier banks with foreign capital as well as international financial institutions operating in Albania.
- Legal adviser on the Guarantee Facility Agreement of an international financial institution with a second tier bank in Albania.
- Provided legal assistance in the process of liquidation of the pyramid schemes in Albania.

## Telecommunications

- Ongoing tax and legal advice to one of the mobile companies, operating in Albania.
- Acted on behalf of a Greek mobile operator in the process of legal and fiscal due diligence relating to the privatization of a former state owned mobile company.
- Assisted in the preparation of the international bid documentation for obtaining the second license of mobile telephony in Albania for a Greek mobile operator.
- Assisted in the preparation of documentation for the tender for the Second National GSM license for a Turkish mobile company.
- Provided legal advisory services regarding a senior secured loan facility issued to a mobile operator in Albania for two international financial institutions.

## Energy

- Tax and legal assistance to a Canadian-based oil and gas exploration and production company operating in Albania.
- Legal advisor to the Ministry of Economy, Trade and Energy of Albania in the drafting process of the concession law.
- Provided tax and legal due diligence services to a Croatian petroleum company in the framework of the privatization process of a state owned petrol refinery and marketing company.
- Tax and legal due diligence services to a Turkish company active in the energy sector, regarding the privatization of a local petrol import and distributing company, privately held in Albania.
- Tax and legal advice to an Italian law firm (on behalf of one of their international clients) regarding the feasibility study of the Bulgaria-Macedonia-Albania-Italy gas pipeline.
- Legal assistance related to the negotiation on the Concession Agreement entered between an Icelandic power company and the Albanian Government concerning construction of a hydropower plant in Albania.
- Legal assistance regarding the finalization of the Financial Agreement between a state-owned mining company and an Italian bank.
- Assessment of the Albanian legislation concerning issues respective to the development of AMBO (Albania-Macedonia-Bulgaria) oil pipeline.
- Provided tax and legal advice to an international company operating in the energy sector for its branch in Albania.
- Acted as legal advisor to an international petroleum company on competition rules regarding licensing on oil sector and on the Onshore Land Lease Agreement with the National Petroleum Agency in Albania.
- Support to an international petroleum distributor with ongoing legal advice on drafting and reviewing of contracts, competition and labor issues, etc.
- Tax and legal assistance to a number of international companies operating in the mining, energy and water utilities sectors.
- Bookkeeping and accounting assistance to several international companies operating in energy and mining sectors.

## International institutions

- Advised an EC Agency regarding review and recommendations on the legal framework affecting the activity of SMEs.
- Performed a study on the Administrative Barriers on Investment in Albania, on behalf of two international financial institutions, followed by a survey on Administrative Barriers on behalf of the Albanian Government.
- Provided legal assistance to an international finance institution concerning the establishment of a Credit Guarantee Scheme in a Central and Eastern European country.
- Advised an international financial institution regarding development of the Insolvency Manual and training on its implementation.
- Conducted surveys relating to annual editions of "Doing Business in Albania" – research on Comparative Litigation Practices, Employment and Securities Market, on behalf of an international financial institution.
- Provided legal assistance to the project "Doing Business in Kosovo 2005", covering major aspects of the current legislation in Kosovo, on behalf of an international financial institution.

## Public utilities

- Legal due diligence regarding the public concession project in water resources on behalf of an Italian company.
- Assisted Italian consortium in the process of request for concession for Albania-Italy Adriatic underwater aqueduct.
- Assisted the process of incorporation of a big water utility enterprise.
- Made an assessment of the Albanian legislation concerning private sector participation in several municipal water supply and sewerage enterprises and performed the respective due diligence.

## Consumer goods

- Conducted legal and fiscal due diligence in relation to the privatization of a state-owned company engaged in production of alcoholic beverages on behalf of a respective beer producing Italian company.
- Provides ongoing tax advice and accounting assistance to several companies engaged in the production industry.

## Infrastructure & Transport

- Legal assistance with regards to the establishment of the branch of an international airline in Albania.
- Ongoing legal and tax advice to the daily operations of several international airlines operating in Albania.
- Assistance in the liquidation process of the local branch of an international airline, providing advice on various employment issues.
- Provided bookkeeping and accounting assistance to a number of international airlines.
- Provided legal advice to a German company investing in the Mother Teresa International Airport.
- Legal assistance on the Rinas Airport Reconstruction project to an international investment company.
- Legal assistance in the preparation of tender documentation and assistance in the privatization procedure of a state owned company in the construction sector on behalf of a private company operating in the same sector.
- Assisted the financing transaction of a new cement production plant by an

Italian cement group

- Provided legal assistance regarding a financing transaction of an international financial institution to a cement and roof tiles company.
- Acted as legal adviser to a construction company on a significant public infrastructure project.
- Provided legal assistance in identifying factors affecting the competitiveness of the rail sector in the Phare Countries.
- Assessed the legal state-of-art of the railway sector and relevant employment issues.
- Provided tax advice and tax audit services to several companies operating in the cement industry.

# PARTNER

## **GENC BOGA**

Boga & Associates

Managing Partner

### **Education:**

University of Paris II-Panthéon, Sorbonne,  
Paris, France (1990)

University of Paris X-Nanterre, Paris,  
France (1988)

Faculty of Law, University of Tirana,  
Albania (1986)

### **Work Experience:**

Lecturer of Commercial Law at

Magistrate School (2001- present)

Lecturer of Comparative Law at Law  
Faculty,

University of Tirana, Albania (1998-1999)

Founder of Boga & Associates (1994)

Legal Studies Department, Law Faculty,  
University of Tirana, Albania  
(1986 - 1990)

Special Advisor to Ministry of Foreign  
Trade of the Republic of Albania  
(1986 to 1988)

### **Membership:**

Albanian Bar Association (1993)

International Bar Association

**Languages:** Albanian, English, French,  
Italian

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# ASSOCIATES

## **SOKOL ELMAZAJ**

*Authorized Trademark Attorney*

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**Work Experience:**

Boga & Associates (1996-present)

**Membership:**

Albanian Bar Association (1996)

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## **RENATA LEKA**

*Authorized Trademark Attorney*

**Education:**

Faculty of Law, University of Tirana, Albania (1996)

The College of Law of England and Wales; Practice Diploma in International Intellectual Property Law (2006)

**Work Experience:**

Boga & Associates (1997- present)  
Attorney, Krisafi Law Offices (1996-1997)

**Membership:**

Albanian Bar Association (1996)

International Bar Association (1999)

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## **ALKETA URUÇI**

**Education:**

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Faculty of Economy, University of Tirana, Albania (2004)

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## **GERHARD VELAJ**

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Faculty of Law, University of Tirana, Albania (1998)

**Work Experience:**

Boga & Associates (2000- present)

Law Firm M&M (1999-2000)

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## **MIRJETA EMINI**

**Education:**

Faculty of Economy, University of Tirana, Albania (1997)

**Work Experience:**

Boga & Associates (2006-present)

KPMG Albania Sh.p.k. (1999-2006)

Albeton 5 Sh.p.k. (1997-1999)

**Membership:**

Member of the Approved Accountants' Society (2002)

**Languages:** Albanian, English, Italian

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## **JONIDA SKENDAJ**

**Education:**

Faculty of Law, D.E.A. Droit des Affaires, Paris X Nanterre, Paris, France, 2003

Faculty of Law, Paris X Nanterre, Paris, France, 2002

**Work Experience:**

Boga & Associates

(2004 –present)

**Languages:** Albanian, French, English, Italian

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# ASSOCIATES

## HALIM ISLAMI

*Advisor to the firm*

### **Education:**

Faculty of Law, University of Tirana, Albania (1959)

### **Work Experience:**

Consultant to Boga & Associates (1995- present)

Head of Commission of the Legal Reform (2004- present)

Consultant to Minister of Justice (1999- present)

Lecturer at Magistrate School (1997-present)

Consultant to General Prosecutor (2002-2006)

Notary Public, Tirana, Albania (1995-2004)

Codification Directory, Ministry of Justice (1990-1995)

District Executive Committee, Durres, Albania (1980-1990)

District Prosecutor's Office, Durres, Albania (1960-1980)

**Languages:** Albanian, Russian

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## GJERGJI GJIKI

### **Education:**

Faculty of Law, University of Tirana, Albania, 2004

### **Work Experience:**

Boga & Associates (2004 - present)

City Attorney Office, Municipality of Tirana (2003 - 2004)

### **Membership:**

Albanian Bar Association (2006)

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## MARLINA PANOTI

### **Education:**

Faculty of Law, University of Parma, Italy (2005)

### **Work Experience:**

Boga & Associates (2005 - present)

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## ANDI PACANI

### **Education:**

Faculty of Economy, University of Tirana, Albania (1999)

### **Work Experience:**

Boga & Associates (2006 - present)

KPMG Albania Sh.p.k (2005 - 2006)

Lottosport sh.a. (2004 - 2005)

MBA Drinks (1999 - 2003)

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## BASHKIM GURI

### **Education:**

Faculty of Law, University of Tirana, Albania, 2003

### **Work Experience:**

Boga & Associates (2004 -present)

Officer, First Instance Court for Criminal Offences (March - August 2004)

**Membership:** Albanian Bar Association (2003)

**Languages:** Albanian, English, French

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## VALBONA GJONÇARI

### Education:

Faculty of Law, University of Tirana, Albania (2002)

### Work Experience:

Boga & Associates (2005 - present)  
"VEGA" Company, Tirana, Albania  
(March 2005- November 2005)  
Attorney at Law, Tirana, Albania  
(2004-2005)

Tirana District Court, Albania  
(2003 - 2004)

Real Estate Office, Vlora, Albania  
(2002 – 2003)

### Membership:

Albanian Bar Association (2004)

**Languages:** Albanian, English, Italian

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## IVA ÇUÇLLARI

### Education:

Faculty of Law, University of Tirana, Albania (2000)

### Work Experience:

Boga & Associates (2005 - present)  
Albtelecom Sha. (2000-2005)

### Membership:

Albanian Bar Association (2005)

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## EVIS ZAJA

### Education:

Faculty of Law, University of Moscow, Russia (2004)

### Work Experience:

Boga & Associates (2005 - present)  
Plantmaster Ltd, Moscow (2003-2004)  
Juridical Strategy Bureau (JSB),  
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### Membership:

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## ERJON BILALI

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## SHYQIRI BYTYQI

### Education:

Faculty of Economics, University of  
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### Work Experience:

Boga & Associates (2006 - present)  
Lector at Certified Accountants and  
Auditors of Kosovo Association  
(2006-present)

KPMG Albania sh.p.k - Kosovo  
(2004-2006)

Kosovo Tax Administration (2000-2004)

### Membership:

Certified Accountant, Kosovo

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## **AFRORE RUDI**

### **Education:**

London Guildhall University, BA on Accounting and Taxation (2004)

### **Work Experience:**

Boga & Associates

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KPMG Albania sh.p.k - Kosovo (2007)

Simmons Gainsford (2005-2007)

### **Membership:**

Certified Accountant, Kosovo

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## **BESA TAUZI**

### **Education:**

Law Faculty, University of Naples "Federico II", Italy (2005)

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## **JULINDA STAMBOLLIU**

### **Education:**

Faculty of Economics, National and Kapodistrian University of Athens, Greece (2004)

### **Work Experience:**

Boga & Associates

(2007 - present)

Intracord, Athens, Greece (2005-2007)

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## **INA DENEKU**

### **Education:**

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### **Work Experience:**

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PAPA/USAID (1999-2000)

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## **ERMIRTUFA**

### **Education:**

Electronics Faculty, Polytechnic University of Tirana, Albania (2000-present)

### **Work Experience:**

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Catholic Relief Services (2001-2003)

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## **JONILDA KOÇI**

### **Education:**

Journalism Faculty, Philological University of Tirana (2003)

Postgraduate studies on Economics, Georgetown University Washington D.C (2006)

### **Work Experience:**

Boga & Associates (2007 - present)

Bank of Albania (2006-2007)

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### **Work Experience:**

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Social Insurance Institute  
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## **IVA DUKA**

### **Education:**

Business Management, University of  
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### **Work Experience:**

Boga & Associates  
(2004 – present)

### **Languages:**

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## **ARTILA RAMA**

### **Education:**

Law Faculty, University of Tirana  
(2006)

### **Work Experience:**

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