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INSTRUCTION

ON

ON SOME AMENDMENTS AND ADDENDA TO INSTRUCTION NO. 4, DATED 12.12.2012, OF THE COUNCIL OF MINISTERS, "ON THE DETERMINATION OF THE AMOUNT OF EXPENSES AND PAYMENTS OF EXPERTS AND WITNESSES DURING THE TRIAL"

Pursuant to Article 100 of the Constitution and Article 105/a, of Law no. 8116, dated 29.3.1996, "Civil Procedure Code of the Republic of Albania", as amended, upon the proposal of the Minister of Justice, the Council of Ministers

D E C I D E D:

In instruction no. 4, dated 12.12.2012, of the Council of Ministers, the following amendments and addenda shall be made:

1. In division I, points 2, 3 and 4 are amended with the following content:
"2. The court calls experts who provide expertise in a judicial process, based on the records of the Electronic Register of Experts, which is administered and made available by the Ministry of Justice.

3. The court, without prejudice to the administration of justice, selects experts in a fair and transparent manner, considering that any expert cannot be assigned to provide his expertise in more than 30% of the number of court cases for which the same type of expertise is required within a calendar year. This assignment method by the court provides an adequate level of transparency regarding the selection of experts through IT tools.

4. The court calls an expert outside the Electronic Register of Experts only when, for the needs of the process, the expert is required from specific areas of expertise for which the law does not provide their licensing".

2. In division V, after point 1, it is added point 1/1, with the following content:

"1/1. Payments for experts and witnesses in cases when the court has decided exemption from the payment of court expenses in the sense of Law no. 111/2017 "On state guaranteed legal aid" are made by the Free Legal Aid Directorate, according to the rules and procedure defined in the instruction of the Minister of Justice.".

This instruction shall enter into force after its publication in the "Official Journal".

PRIME MINISTER
EDI RAMA

In absence and upon order
DEPUTY PRIME MINISTER