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Consolidation of the
Justice System in Albania

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DECISION

No. 1025, dated 16.12.2015

ON THE SERVICES OF PROMOTION AND REPRESENTATION OF STRATEGIC INVESTMENTS

Pursuant to article 100 of the Constitution and paragraph 3 article 6 of law no. 55/2015, "On strategic investments in the Republic of Albania", upon the proposal of the minister of Economic Development, Tourism, Trade and Entrepreneurship, the Council of Ministers

DECIDED:

I. SERVICES OF STRATEGIC INVESTMENT PROMOTION

1. The Albanian Agency of Investment Development shall develop and buys services of promotion, enhancement and attraction of strategic investments, by promoting the business climate, the facilitating procedures, the supporting measures and the favourizing framework for strategic investments within and outside the territory of the Republic of Albania.
2. The promotion services include, but without being limited, the commission of the actions, such as: marketing, advertisements, publicities, informative activities and materials, including publications in the written audio/television media as well as the promotion in meetings, seminars, conferences, fairs, events and national and international activities, where the promotion purposes are realized.
3. The promotion services may be carried out by the Agency through its staff, by using its resources, funds and capacities.

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4. The Agency is entitled to contact the specialized local or foreign subjects on the realization of the promotion activities of the favourizing legal framework for strategic investments in the international markets.
5. The agency contacts the promotion services with the third parties, according to the contracts signed in compliance with the principles and the rules of the legislation on public procurements.

II. SERVICES OF STRATEGIC INVESTMENT REPRESENTATION

1. The agency, on behalf and for the interest of the state, may contract in the international markets representation services for strategic investments, through the international agents of investments.
 2. The international agents may be contacted by the Agency itself or may submit their applications at the Agency for the recognition of the status of the international agent who enjoys the right to provide representation services.
 3. For the realization of the representation services, the international agents are identified, evaluated and selected by the Agency based on the following criteria:
 - a) To promote their experience for the realization of the representation services;
 - b) To enjoy a good reputation in the markets where they operate;
 - c) To prove that they have no criminal convictions;
 - d) To have a high level of moral, ethics and professionalism.
 4. For the verification and the completion of these criteria, the Agency shall ask the international agents to submit the documentation, which according to the evaluation of the Agency, certifies the fulfillment of the above criteria.
 5. In case the Agency is informed on the non-fulfillment or the violation of these criteria by the international agents, it shall revoke immediately the representation rights and title, issued on behalf of the Albanian state and duly publishes this fact by notifying, accordingly, even the impacted potential strategic investors. The agents shall bear criminal responsibilities for false declarations, for hiding the data or for the production of the incorrect proving documents.
 6. For the stipulation of the rules and of the way of committing the representation services, the Agency signs a special agreement with the international agents of investments, which stipulate the rights, the obligations and the engagements of the parties as well as the time limit of the representation mandate.
 7. The agreements signed for the representation services stipulate, among other things, the rules for the use of the representation title, the services and the activities that will be undertaken as well as the rules of ethics and of the professional standards, to be applied by the international agents during the commission of the state representation services.
 8. The representation services carried out by the international agents shall not have costs charged to the Albanian state, but they may be covered by the strategic investors themselves, according to the agreements signed by the international agents themselves with the strategic investors. In
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no case, shall the Agency participate as a party and undertake contractual obligations in the agreements signed between the international agents and the strategic investors.

9. The Albanian Agency of Investment Development shall be responsible for the implementation of this decision.

This decision enters into force after the publication in the Official Journal.

PRIME MINISTER
Edi Rama