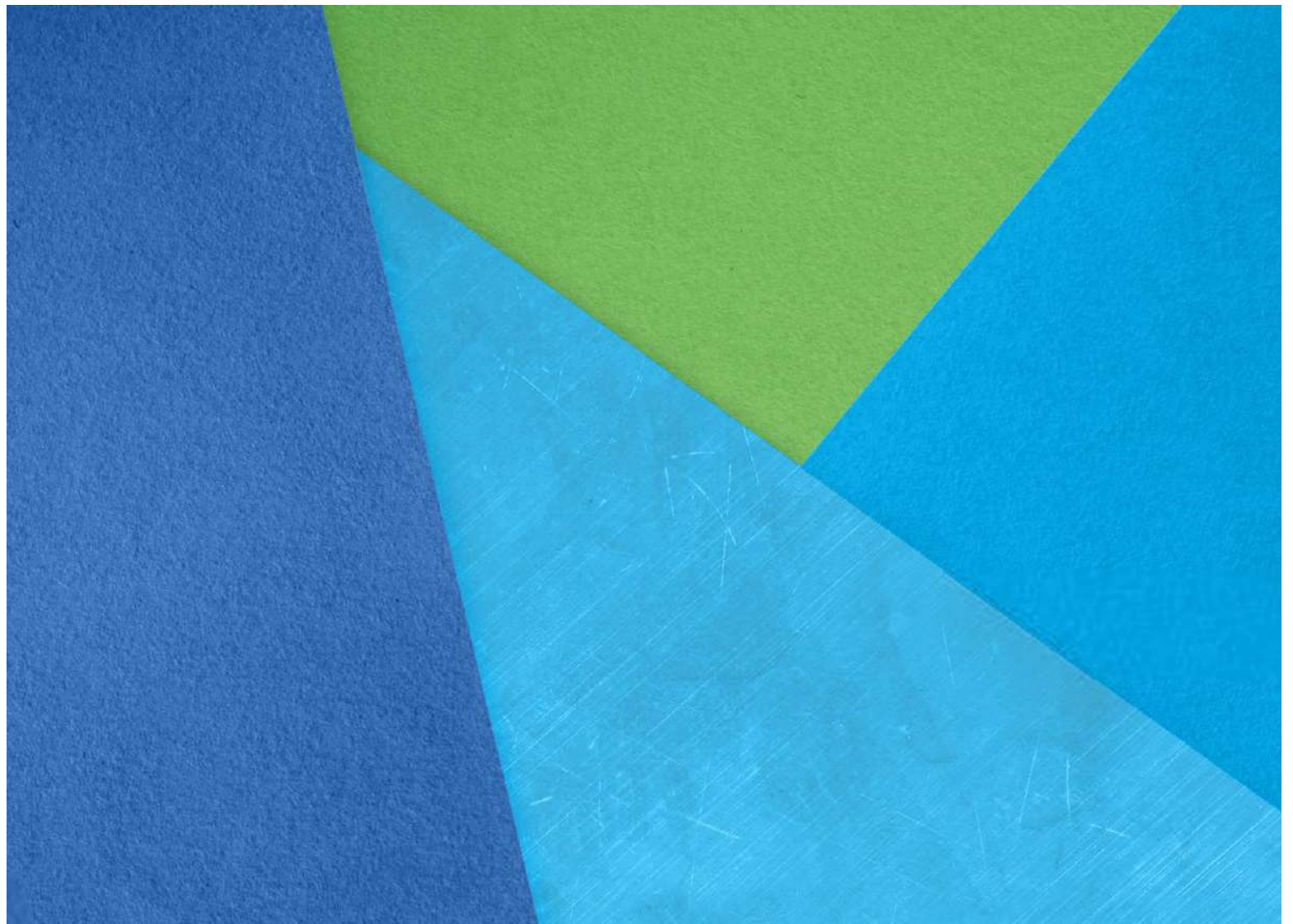


# Newsletter

## August 2023



- **Advancement of Employment: A Recent Legislative Enactment in Albania**
- **Proposed Legislation Regarding the Oversight of Cultivation and Processing of the Cannabis Plant and the Generation of its Derivatives for Medical and Industrial Uses**

Ervana Cullhaj



## Advancement of Employment: A Recent Legislative Enactment in Albania

Specifically addressing the challenges faced by job seekers in the labor market, the Update expands the definition of "particular groups," thereby broadening the spectrum of eligible individuals.

***In a decisive move, the Albanian Parliament has given its seal of approval to Act no. 47/2023, aptly known as "Amendments and Enhancements to Act no. 15/2019: A Bill on the Promotion of Employment." To be formally implemented on the 29th of July, 2023, this new legislation signifies a robust effort to rejuvenate and fortify employment policies, with particular emphasis on empowering the youth and vulnerable groups, notably those with disabilities. The overarching objective of this legislative update is to foster a more inclusive labor market and fortify its overall resilience.***

This revision entails a more comprehensive inclusion of those belonging to specific categories, including family members of individuals living with disabilities, an expansion from the previous scope, which solely encompassed parents of disabled children.

*Furthermore, the Update now encompasses individuals under 29 years of age, provided they fulfill the dual criteria of being unemployed and not currently engaged in any formal educational or vocational pursuits.*

In pursuit of its objectives, the Act introduces

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a series of modifications to existing employment advancement programs. Diverse initiatives and schemes have been outlined to actively engage unemployed job seekers in a plethora of employment opportunities, such as public works, self-employment ventures, professional apprenticeships, and skill-enhancing training programs.

Noteworthy among these initiatives is the "Youth Guarantee Scheme," which extends opportunities for employment, continuous education, or professional apprenticeship to young individuals within a mere four months of registering with the relevant employment office.

Moreover, the "Employment Advisory for Particular Groups" program seeks to provide spe-



cialized guidance and support to specific groups of job seekers, while the innovative "**Voucher Scheme for Financing Professional Training**" eases the financial burden of vocational training courses for the unemployed, partially, or fully covering their costs at private vocational training centers. Compliance with the legislation is of utmost significance, as employers bear the responsibility of adhering to the mandated quota for disabled or partially capable individuals in their workforce. In the event of non-compliance, employers are required to make contributions equivalent to **100 percent** of the national minimum wage for each unengaged person with disabilities or partial work capacity.

These contributions must be remitted monthly to the Social Employment Fund and accounted for in the monthly health and social contributions payroll as declared in the online system of the General Directorate of Taxes.

The National Agency for Employment and Skills shall function as the esteemed Technical Secretariat of the Social Employment Fund, in alignment with the existing legislative provisions.

*In conclusion, Act No. 47/2023 marks a momentous stride in the advancement of employment in Albania, fostering a more inclusive and supportive labor market. By embracing a diverse array of initiatives and engaging various segments of the population, particularly the youth and those with special needs, this landmark legislation paves the way for a more prosperous and equitable future for the nation's workforce ■*

Kaltrina Kacani

# Proposed Legislation Regarding the Oversight of Cultivation and Processing of the Cannabis Plant and the Generation of its Derivatives for Medical and Industrial Uses

**O**n the 20th of June, 2023, the Council of Ministers presented the Parliament of the Republic of Albania with the proposed legislation titled *"Regarding the Oversight of Cultivation and Processing of the Cannabis Plant and the Generation of its Derivatives for Medical and Industrial Uses"* (henceforth, "The Proposed Legislation"). The primary objective of this Proposed Legislation is to establish and ensure effective regulation, surveillance, and governance of the cultivation, manufacturing, and distribution, including the export, of the Cannabis plant, its derivatives, and finished products for medicinal and industrial uses.



*To outline the Proposed Legislation more explicitly, it comprises:*

## ***Establishment of the National Cannabis Oversight Agency ("Agency").***

The Agency is responsible for overseeing, monitoring, and auditing the cultivation and processing of the Cannabis plant and the production of its derivatives for medical and industrial purposes. It also ensures adherence to the provisions stipulated in the Proposed Legislation.

A License Commission is constituted within the Agency to scrutinize and assess the applications for obtaining a license for medical Cannabis cultivation, following the rules laid out in the Proposed Legislation.

Kaltrina Kacani

Furthermore, the Agency develops the "National Registry of Licensed and Authorized Cannabis Plant Activities", which logs comprehensive data on licensed bodies, encompassing details such as seed types, quantity produced, buyers, product types, etc.

### Licensing for Activities Pertaining to Medical Cannabis Production and Relevant Prerequisites.

The Proposed Legislation sets out three license categories: for cultivation, transport, and export of medical Cannabis.

Licenses are conferred for a term of 15 years to entities that fulfill the prescribed conditions.



### Enumerated Restrictions within the Republic of Albania include:

Exceeding the cultivation limits and production of medical Cannabis plant derivatives and finished products, as laid out in the Proposed Legislation. Cultivation, trade, and possession of unmarked and untraceable Cannabis plants and their derivatives for medicinal purposes. Possession of tools and instruments for producing the medical Cannabis plant and its derivatives, barring the cases stated by licensed entities.



Use of Cannabis plant derivatives, unless prescribed by the Proposed Legislation and current special legislation. Retail or wholesale trade, acquisition, or consumption of medicinal derivatives or finished products within Albanian territory. Advertisement, in any format or via any medium, of importing cannabis seeds, cultivation, production, sale, possession, and use of medical cannabis. Processing, production, transportation, trade, and export of medical Cannabis by-products and finished products.

### Sanctions and Penalties

The Proposed Legislation introduces administrative penalties for violations: fines from ALL 500,000.00 to ALL 5,000,000.00, and temporary suspension of activities from 6 months to 3 years. In instances of Criminal Code violations, the Agency is mandated to report to the appropriate authorities following the provisions of the Criminal Code and the Code of Criminal Procedure.

**The Proposed Legislation is presently under consideration by the Parliament of the Republic of Albania ■**

### Permit for Industrial Cannabis Production Activities and Associated Conditions.

The Ministry of Agriculture confers permits for activities concerning the production of industrial Cannabis, valid for a period of 5 years, to registered farmers or corporate bodies.



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# Legal Services

Tirana - Pristina - Ljubljana - Skopje - Podgorica



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- Employment
- Competition
- Intellectual Property
- Antitrust and Unfair

- Banking and Finance
- and Privatization Commercial
- Tax
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